Islands Trust Council
Quarterly Meeting Agenda

Date: Tuesday, December 6, 2016

Location: Community Gospel Chapel
147 Vesuvius Bay Road, Salt Spring Island, BC

Pages

1. CALL TO ORDER: Tuesday, December 6, 2016 at 1:45 p.m.

2. APPROVAL OF AGENDA

3. GENERAL BUSINESS ARISING

4. EXECUTIVE

That the Islands Trust Council approves the top priorities of the Executive Committee Work Program Report.

That the Islands Trust Council endorse the amendments to the Strategic Plan activities in the attachment dated November 23, 2016.

5. VISIONING FOLLOW UP SESSION

ISLANDS TRUST COUNCIL

RESOLUTION WITHOUT MEETING MINUTES

RESOLUTION WITHOUT MEETING NO. TC-RWM-2016-004

It was Moved by Trustee George Grams and Seconded by Trustee Susan Morrison:

That the Islands Trust Council Bylaw No. 166, cited as "Islands Trust Council Meeting Procedures Bylaw, 2004, Amendment Bylaw No. 3, 2016" be adopted.

TRUSTEES CONTACTED	DATE VOTE RECEIVED	VOTE
Susan Morrison	October 14, 2016	In Favour
Sue Ellen Fast	October 14, 2016	In Favour
Brian Crumblehulme	October 14, 2016	In Favour
Dianne Barber	October 14, 2016	In Favour
Peter Luckham	October 14, 2016	In Favour
Ken Hunter	October 14, 2016	In Favour
Lee Middleton	October 14, 2016	In Favour
Laura Busheikin	October 14, 2016	In Favour
Heather O'Sullivan	October 14, 2016	In Favour
George Harris	October 14, 2016	In Favour
Derek Masselink	October 14, 2016	In Favour
Alison Morse	October 14, 2016	In Favour
Jeanine Dodds	October 14, 2016	In Favour
David Critchley	October 14, 2016	In Favour
Paul Brent	October 14, 2016	In Favour
Kate-Louise Stamford	October 14, 2016	In Favour
Peter Grove	October 15, 2016	In Favour
Sandy Pottle	October 15, 2016	In Favour
Timothy Peterson	October 15, 2016	In Favour
Dan Rogers	October 15, 2016	In Favour
Bruce McConchie	October 15, 2016	In Favour
Alex Allen	October 16, 2016	In Favour
Wendy Scholefield	October 17, 2016	In Favour
George Grams	October 21, 2016	In Favour
Tony Law	October 21, 2016	In Favour

TRUSTEES VOTE NOT AVAILABLE
Melanie Mamoser

FINAL VOTE COUNT

25	IN FAVOUR
	OPPOSED
	CARRIED

THE CHAIR DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON OCTOBER 21, 2016.

CHAIR'S SIGNATURE

RECORDER'S SIGNATURE

ISLANDS TRUST COUNCIL
RESOLUTION WITHOUT MEETING MINUTES

RESOLUTION WITHOUT MEETING NO. TC-RWM-2016-005

It was Moved by Trustee Peter Luckham and Seconded by Trustee Susan Morrison:

That the Islands Trust Council approve the minutes of the June14-16, 2016 Trust Council meeting held on Pender Island, as amended.

TRUSTEES CONTACTED	DATE VOTE RECEIVED	VOTE
Susan Morrison	November 2, 2016	In Favour
Kate-Louise Stamford	November 2, 2016	In Favour
Laura Busheikin	November 2, 2016	In Favour
Heather O'Sullivan	November 2, 2016	In Favour
George Grams	November 2, 2016	In Favour
Timothy Peterson	November 2, 2016	In Favour
Paul Brent	November 2, 2016	In Favour
Peter Grove	November 2, 2016	In Favour
Dan Rogers	November 2, 2016	In Favour
Alison Morse	November 2, 2016	In Favour
Melanie Mamoser	November 2, 2016	In Favour
Brian Crumblehulme	November 2, 2016	In Favour
Tony Law	November 2, 2016	In Favour
Peter Luckham	November 2, 2016	In Favour
Dianne Barber	November 2, 2016	In Favour
David Critchley	November 2, 2016	In Favour
Bruce McConchie	November 2, 2016	In Favour
Jeanine Dodds	November 2, 2016	In Favour
Alex Allen	November 2, 2016	In Favour
Derek Masselink	November 3, 2016	In Favour
Sue Ellen Fast	November 3, 2016	In Favour
Wendy Scholefield	November 5, 2016	In Favour
Lee Middleton	November 10, 2016	In Favour

TRUSTEES VOTE NOT AVAILABLE
Sandy Pottle
George Harris
Ken Hunter

FINAL VOTE COUNT 23 IN FAVOUR
OPPOSED
CARRIED

THE CHAIR DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE *ISLANDS TRUST ACT* ON NOVEMBER 15, 2016.

CHAIR'S SIGNATURE

RECORDER'S SIGNATURE

Islands Trust Council
Minutes of Quarterly Meeting

Date:	September 13 – 15, 2016
Location:	Sidney Pier Hotel, 9805 Seaport Place, Sidney, BC
Members Present:	
Executive Committee:	Peter Luckham, Chair (Thetis) Laura Busheikin, Vice Chair (Denman) George Grams, Vice Chair (Salt Spring) Susan Morrison, Vice Chair (Lasqueti)
Local Trustees:	David Critchley, Denman Heather O'Sullivan, Gabriola George Harris, Galiano Sandy Pottle, Galiano Dan Rogers, Gambier Kate Louise Stamford, Gambier Alex Allen, Hornby Tony Law, Hornby Tim Peterson, Lasqueti Brian Crumblehulme, Mayne Jeanine Dodds, Mayne Dianne Barber, North Pender Peter Grove, Salt Spring Paul Brent, Saturna (Sept. 13 & 14) Lee Middleton, Saturna Bruce McConchie, South Pender Wendy Scholefield, South Pender Ken Hunter, Thetis Island
Municipal Trustees:	Sue Ellen Fast, Bowen Alison Morse, Bowen
Regrets:	Melanie Mamoser, Gabriola Derek Masselink, North Pender
Staff Present:	Russ Hotsenpiller, Chief Administrative Officer Clare Frater, Acting Director, Trust Area Services Cindy Shelest, Director Administrative Services (Sept. 13) David Marlor, Director Local Planning Services Fiona McRaild, Senior Intergovernmental Policy Advisor (Sept. 13 & 14) Justine Stark, Island Planner (Sept. 14) Carmen Thiel, Legislative Services Manager/Recorder

1. CALL TO ORDER

The meeting was called to order at 9:00 am.

2. APPROVAL OF AGENDA

Chair Luckham called for new business items to be added to the agenda. Trustee Scholefield requested that discussion of the relationship between the Agricultural Land Commission and Islands Trust be placed on a future Trust Council agenda. Trustee McConchie indicated that he had an addendum to item 16.1.6 Select Committee Briefing.

TC-2016-058
MOVED by Trustee Peterson, SECONDED by Trustee Crumblehulme,
to add *World Heritage Site Designation for Salish Sea Through UNESCO* as a new business item.

CARRIED
Trustee McConchie Opposed

By general consent the agenda was approved as amended.

3. GENERAL BUSINESS ARISING

3.1 Resolutions Without Meeting:

Resolutions Without Meeting TC-RWM-2016-002 and TC-RWM-2016-003 were provided for information.

3.2 June 14-16, 2016 Trust Council Draft Minutes

A number of amendments were suggested to the minutes:

- there should be an indication of when Trustee Masselink arrived at the meeting;
- at the top of page 9 of the minutes the first two bullets should make reference to the *Gabriola* Ferry Advisory Committee;
- following the outcome of the vote regarding TC-2016-053 on page 15 of the minutes, the words “Trustee Brent Opposed” should be changed to read “Trustee Brent In Favour”.

The Chair recommended that pending confirmation of Trustee Masselink’s time of attendance at the meeting, the minutes be adopted by Resolution Without Meeting.

3.3. Trust Council Follow Up Action List

Provided for information.

3.4 Trustee Round Table

Trustees participated in a round table session to discuss common issues, concerns and successes.

Chair Luckham introduced Fiona McRaild, recently hired as the Senior Intergovernmental Policy Advisor at Islands Trust. The Chair also acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations.

4. VISIONING SESSION

Beginning at 10:00 am Trust Council and select staff engaged in a visioning session, facilitated by Suzanne Hawkes and illustrated by Avril Orloff, to help Council describe its vision for the Islands Trust

Area. To prepare for the session, Trust Council received an interim update on the "State of the Islands" project. Results of a poll conducted as part of the project provided Council with a snapshot of life on the islands. The poll and the vision workshop revealed that preserving and protecting the natural environment remains a top priority and that there is an increasing need for attention to water, housing and First Nations.

The visioning session concluded at 3:30 pm followed by a break. The meeting resumed at 4:00 pm with Trustee Scholefield absent, in addition to Trustees Mamoser and Masselink.

5. EXECUTIVE

5.1 Chief Administrative Officer's Quarterly Report – Information

CAO Hotsenpiller reviewed organizational considerations and current issues and noted two dominant concepts: human resource management and work on the transition plan.

5.2 Executive Committee Work Program

The top three priorities in the work program were:

1. Governance, Policy, Strategic Planning, Trust Council;
2. Communications, Advocacy, Policy Statement, Interagency and Public Relations; and
3. Organizational Improvements.

TC-2016-059

MOVED by Trustee Morrison, SECONDED by Trustee Brent,

that the Islands Trust Council approve the top priorities of the Executive Committee Work Program Report.

CARRIED

5.3 Continuous Learning Plan – Information

Trust Council reviewed the Continuous Learning Plan and suggested the following additions:

- BC *Water Sustainability Act* session;
- *Strata Property Act*/Bare Land Strata Regulations implications;
- Update on how Agricultural Land Commission works-Chair could be invited;
- Archaeology or species at risk session; and
- Guidance on how to work with regional districts, including invitations to regional district representatives.

5.4 Strategic Plan Update – Information

Speaking to the quarterly update, CAO Hotsenpiller noted that the Strategic Plan is updated on a continuous basis and that progress has been made in the areas of strengthening relations with First Nations, organizational effectiveness and Policy Statement work.

5.5 Amendment to Trust Council Procedures Bylaw to Allow for Electronic Participation

TC-2016-060

MOVED by Trustee Grams, SECONDED by Trustee Brent,

that Islands Trust Council Bylaw No. 166, cited as "Islands Trust Council Meeting Procedures Bylaw, 2004, Amendment Bylaw No. 3, 2016" be read a first time.

CARRIED

TC-2016-061
MOVED by Trustee Morrison, SECONDED by Trustee Crumblehulme,
That Islands Trust Council Bylaw No. 166, cited as "Islands Trust Council Meeting Procedures Bylaw, 2004, Amendment Bylaw No. 3, 2016" be read a second time.

CARRIED

TC-2016-062
MOVED by Trustee Busheikin, SECONDED by Trustee Rogers,
that Islands Trust Council Bylaw No. 166, cited as "Islands Trust Council Meeting Procedures Bylaw, 2004, Amendment Bylaw No. 3, 2016" be read a third time.

CARRIED

6. TRUST AREA SERVICES

6.1 Director of Trust Area Services Report

Acting Director Frater highlighted several points in the report which was provided for information.

6.2 Trust Programs Committee Work Program Report

The top three priorities in the work program were:

1. Review the Islands Trust Policy Statement;
2. Amend Crown Land Cooperation Agreements; and
3. Protect Quality and Quantity of Water Resources.

TC-2016-063
MOVED by Trustee Crumblehulme, SECONDED by Trustee O'Sullivan,
that the Islands Trust Council approve the top priorities of the Trust Programs Committee Work Program Report.

CARRIED

6.3 Trust Fund Board Quarterly Report

Trustee Law presented the highlights of the report and noted that Richard Hoops Harrison was recently appointed to the Trust Fund Board by the Province. Staff members Jennifer Eliason and Kate Emmings were commended for their work in securing a substantial grant for species at risk and for registration of a covenant on Hornby Island protecting Garry oak ecosystems respectively.

6.4 Revising Policy Statement Amendment Process

TC-2016-064

1. **MOVED by Trustee Grams, SECONDED by Trustee Morrison,**
   that the Islands Trust Council request the Executive Committee to propose amendments to section 9.1 of the Strategic Plan to include a new phase in the Policy Statement amendment process to:
   1. raise public awareness of the role and importance of the Policy Statement in shaping the future of the islands; and
   2. develop an effective and progressive program to establish a spirit of reconciliation with First Nations.

CARRIED

TC-2016-065

2. **MOVED by Trustee Grams, SECONDED by Trustee Brent,**
   that the Islands Trust Council include a $15,000 line item in the proposed 2017/18 budget for revised Policy Statement amendment process, subject to revision prior to Trust Council receiving a final 2017/18 budget in March.

CARRIED

The order of business on the agenda was varied to address items 13.1 through 13.4., and items 14.1 through 14.5 ahead of item 7.

13. LOCAL PLANNING SERVICES

13.1 Director of Local Planning Services Report

Provided for information.

13.2 Local Planning Committee Work Program Report

The top three priorities in the work program were:

1. Community Housing Needs;
2. Shoreline Marine Planning; and
3. Appropriate Economic Development.

TC-2016-066

MOVED by Trustee Brent, SECONDED by Trustee Busheikin,

that the Islands Trust Council approve the top priorities of the Local Planning Committee Work Program Report.

CARRIED

13.3 Local Trust Committee Projects Budget Update

Provided for information.

13.4 Riparian Areas Regulation Implementation Update

Provided for information.

14. ADMINISTRATION AND FINANCIAL SERVICES

14.1 Director's Report

Provided for information.

14.2 Financial Planning Committee Work Program Report

The top three priorities in the work program were:

1. First Draft of the 2017/18 Budget;
2. Review Purchasing Procedure Policy 6.5.iii; and
3. Response to KPMG Information Technology Report.

TC-2016-067

MOVED by Trustee Grove, SECONDED by Trustee Grams,

that the Islands Trust Council approve the top priorities of the Financial Planning Committee Work Program Report.

CARRIED

14.3 June 30, 2016 Quarterly Financial Report

TC-2016-068
MOVED by Trustee Grove, SECONDED by Trustee Grams,
that the Islands Trust Council approve the June 30, 2016 Quarterly Financial Report as presented.

CARRIED

14.4 2015/16 Statement of Financial Information Report
Provided for information. Corrections were suggested as follows: change Stefan Cermak's position title on page 321; and rephrase the position of Ron Bertrand on page 319.

14.5 1st Draft 2017/18 Budget Assumptions and Principles
Provided for information.

The meeting recessed for the day at 5:00 pm.

Wednesday, September 14, 2016
The meeting resumed at 8:30 am with 24 trustees present. Trustees absent: Melanie Mamoser (Gabriola) Derek Masselink (North Pender).

The order of business on the agenda resumed at item 7.

7. NEW BUSINESS

7.1 Transition Plan
CAO Hotsenpiller provided an overview of the Transition Plan.

Discussion included the following points:

- the possible reduction of staff as one option to address anticipated revenue shortfall in the event of incorporation;
- potential Provincial funding for Islands Trust's transition costs;
- timing of the issuance of Letters Patent should be confirmed;
- the need to confirm how many positions a newly incorporated island municipality would initially hire; it may be three positions (Treasurer, Corporate Officer and Interim Administrator) and not just an interim administrator;
- the Salt Spring Island Incorporation Study Committee would not distribute communications materials on Islands Trust's behalf but would post links to the Transition Plan on the Incorporation Committee's website;
- Islands Trust representatives would attend public meetings on Salt Spring Island in November 2016;
- the criteria to be used by the Incorporation Study Committee in determining whether to recommend a referendum is consideration of whether the people of Salt Spring Island have enough information in order to make an educated decision;
- guidelines or parameters provided to all trustees about how to respond to questions regarding potential Salt Spring Island incorporation would be helpful;
- Islands Trust will need a full time transition manager for six months to a year and

should ask for more transition money from the Ministry of Community, Sport and Cultural Development;

- the merit of including a section in the report contemplating actions if the result of the vote is negative was questioned;
- during the last referendum there was confusion about what would happen to Islands Trust in the event of Salt Spring Island incorporation; at the request of the Local Trustees and the CRD Director, the Minister was asked to request an adaptation plan to facilitate the Incorporation Committee's recommendation based on factual and not conjecture information; and
- the report does not include dialogue about the Trust Fund Board and whether its operations might be scaled back in the event of an affirmative incorporation vote.

The CAO noted that he and the Executive Committee would be the spokespeople on this issue and that local trustees can be provided with speaking points.

TC-2016-069

1. **MOVED by Trustee Rogers, SECONDED by Trustee McConchie,**
   that the Plan be amended to provide for funding for a full time temporary transition manager with the appropriate adjustment in costs.

CARRIED

TC-2016-070

2. **MOVED by Trustee Middleton, SECONDED by Trustee Brent,**
   that Trust Council adopt the 2016 Islands Trust Transition Plan Regarding the Potential Incorporation of Salt Spring Island, subject to clarity on the ordering of letters patent in the adaptation plan.

TC-2016-071
MOVED by Trustee Busheikin, SECONDED by Trustee Crumblehulme,
that the motion be amended by adding the words ", and any other minor edits as required".

CARRIED

The question on the motion, as amended, was then called,

CARRIED

TC-2016-072

3. **MOVED by Trustee Grams, SECONDED by Trustee Dodds,**
   that Trust Council direct staff to refer the Transition Plan to the Ministry of Community, Sport and Cultural Development and the Salt Spring Island Incorporation Study Committee.

TC-2016-073
MOVED by Trustee Morse, SECONDED by Trustee Dodds,
that the motion be amended to remove "refer" and insert "provide".

CARRIED
Trustee Brent Opposed

The question on the main motion, as amended, was then called.

CARRIED

TC-2016-074

4. MOVED by Trustee Morrison, SECONDED by Trustee Peterson,

that Trust Council direct staff to include the Transition Plan in communication materials provided to the public prior to a Salt Spring Island incorporation vote.

CARRIED

TC-2016-075

5. MOVED by Trustee Busheikin, SECONDED by Trustee Brent,

that the Trust Council direct staff to prepare a restructure/transition funding request to the Ministry of Community, Sport and Cultural Development for the implementation of the Transition Plan, should Salt Spring Island incorporation proceed.

CARRIED

7.2 2017 Trust Council Meeting Schedule

TC-2016-076

MOVED by Trustee Peterson, SECONDED by Trustee Brent,

that the Islands Trust Council establish the following meeting schedule for 2017:

March 14-16, 2017	Denman Island
June 20-22, 2017	Lasqueti Island
September 12-14, 2017	Gabriola Island
December 5-7, 2017	Victoria

Gambier Island and Saturna Island Trustees expressed an interest in hosting Trust Council in 2018.

CARRIED

8. San Juan County Council (Jamie Stephens (Chair), Rick Hughes (Vice Chair) and Bob Jarman (Councillor)

The delegation provided an overview of the San Juan County's *Leave No Trace Guiding Principles and Ethic* which are being used by their parks department and state and federal agencies.

Other items presented and discussed were:

- their affordable housing crisis and possible solutions;
- proposed improvements to international travel options such as direct flights from San Juan Islands to Sidney, Tofino and Nanaimo, including exploration of pre-clearance border processing;
- Salish sea vessel traffic risk assessment update;
- derelict vessel and prevention program;
- since San Juan County and Islands Trust are partners in the Salish Sea, as part of mutual economic development consider increased trade in local wine and beer and the promotion of an Appalachian type of wine region in the Salish Sea area; and
- a request to review the *Transborder Island Agreement between Islands Trust and San Juan County* dated June 2007; San Juan Councillors have ideas for some changes and could provide them to Trust Council.

Chair Luckham agreed that the changes to the transborder agreement could be placed on an

Executive Committee agenda for further consideration and the possibility of a report to Trust Council. San Juan Councillors agreed to provide information to the Executive Committee with the goal of updating and modernizing the agreement. It was also suggested that the Executive Committee consider the goal of recognizing the significance of the Salish Sea in partnership with San Juan County.

The meeting recessed for a break at 10:40 am and resumed at 10:52 am.

The Chair welcomed US Consul General Lynne Platt to the meeting and acknowledged Elizabeth May, Member of Parliament for Saanich-Gulf Islands, in the visitor's gallery.

9. US CONSUL GENERAL LYNNE PLATT

Lynne Platt, the US Consul General, explained that the US Government appoints representatives in foreign countries around the world and her region includes BC and Yukon. She reviewed her function as Consul General and stated that she recognizes the special qualities of the Salish Sea and the friendship, shared values and challenges between the two countries, as showcased by Islands Trust and San Juan County. She spoke of the importance of transboundary cooperation to protect the health and vitality of the Salish Sea and the world's oceans. She encouraged consideration of trans-border trade of agricultural and local wine/craft beer products between the Islands Trust Area and San Juan County.

Chair Luckham thanked the Consul General for her attendance and presentation.

The meeting recessed for lunch at 11:45 am and reconvened at 1:30 pm.

10. COMMUNITY PRESENTATIONS

10.1 Mayne Island Syrian Refugee Support Group

Vicki Turay and Pam Withers from Mayne Island gave a presentation on their group, why they decided to help government-assisted refugees vs. private sponsorship and what they have accomplished. A slide show depicted a family day picnic, sponsored by the group on July 13, 2016, where 178 Syrians visited Mayne Island for the day.

11. DELEGATIONS AND PUBLIC PARTICIPATION

Paul LeBlond provided background on the Capital Regional District's Southern Gulf Islands Community Economic Sustainability Commission describing objectives, some of the various initiatives which the Commission is involved with, and reviewing the Commission's vision.

Gary Holman, MLA Saanich North and the Islands, was introduced by Chair Luckham.

John Kimantas, representing BC Marine Trails Network Association (BCMTNA), spoke about the Salish Sea Marine Trail proposal, a joint project of the Trans Canada Trail and the Association which proposes a plan for connectivity of a 257 km paddling route from Victoria to Vancouver via kayaking. One of the goals of the project is to make the waters of BC navigable for future generations and as part of this, a cooperative examination of coastlines and good public launch locations is necessary. Islands Trust was asked to collaborate with BCMTNA on a site evaluation/joint launch for the Gulf Islands.

Graham Brazier from Denman Island, representing the Gulf Islands Alliance (GIA), addressed the Islands Trust's visioning process and asked that future visions embrace and re-affirm the Islands Trust mandate. He provided background on the GIA and spoke of the inter-islands ROOTS gathering on Salt Spring Island eleven years ago and the recommendations that came out of that gathering. He also asked that Islands Trust rethink the pre submission requirement for presentation material.

Laurie Gourlay, Interim Director of the Salish Sea Trust, requested a letter of support from Trust Council to have the Salish Sea considered for designation as a World Heritage Site. He noted that the application for this designation would be submitted to Parks Canada for review by mid-December, with a submission to the United Nations Educational, Scientific and Cultural Organization completed by late January 2017. He noted that the process can take eight to ten years and is a chance to leave a legacy for future generations and reconcile with First Nations.

Public Participation:

John Aiken, Mayne Island , spoke about truth and healing and the approach of working together to get people talking about First Nations issues in order to improve relations. He noted that Mayne Island residents have acknowledged National Aboriginal Day for the second year and spoke to its value in relationship building. He proposed that healing be done with love, patience and acceptance and recommended the book *The Inconvenient Indian* by Thomas King.

Louise Decario, former Galiano Island Trustee, thanked John Aitkin and trustees for all they do for their islands and the Islands Trust as a whole. She noted that she had observed the illustrated visioning process and advised that she would put nature as a foundation across the bottom and an umbrella with clouds on top to emphasize that the environment is at the base of all activities.

Gary Holman, MLA Saanich North and the Islands, spoke to the Steelhead LNG Proposal for Saanich Inlet which could impacts water within the Trust Area. He expressed his own opposition and reviewed First Nations and local governments which do not support the proposal. He asked Trust Council to go through due diligence with the project proposal and hoped it would support local governments and First Nations in opposing it. He noted that opponents could then inform the Provincial and Federal Governments of the inappropriate location of the proposal. In closing, MLA Holman indicated his appreciation for the Memorandum of Understanding between the Federal and Provincial Governments regarding the proposed Southern Strait of Georgia National Marine Conservation Area Reserve and advised that since 2003, 19 First Nations have been consulted on the proposal.

Michael Sketch, North Pender Island, raised numerous topics including the sincere attention First Nations' interests are receiving in the Trust Area; ways of improving the process of referrals to First Nations; deficiencies in the agreement between Islands Trust and the Agricultural Land Commission; and observations about the visioning session. Trust Council was encouraged to advocate for a change to the Trust object to "preserve and protect the *natural* environment…". He also recommended a new four part structure for the Trust Policy Statement. In closing he asked that the North Pender Local Trust Committee's decision to amend the James Island Official Community Plan to prohibit non-public access be revisited.

The meeting recessed for a break at 3:05 pm and resumed at 3:22 pm. Trustee Brent directed the Housing Session portion of the meeting.

12. HOUSING SESSION – Community Housing Report

Island Planner Justine Starke presented the findings from the June 13, 2016 Community Housing Forum attended by 80 members of the public, staff and trustees. The Request for Decision arising from the forum was also reviewed. Planner Starke and Trustees Law, Busheikin, Allen and Mamoser were recognized for their work at the housing forum.

Discussion included the following points:

- Gabriola is undertaking a housing options review project and had push back on using the term "affordable" versus "attainable" which it was felt can broaden the discussion;
- Canada Mortgage and Housing Corporation has a definition of affordable, ie. 30% of family income;
- Attainable rental housing is also an issue in the Islands Trust Area; and
- Housing affordability needs to be contextualized, i.e. the Southern Gulf Islands lie between two of the most expensive cities in Canada.

TC-2016-077
MOVED by Trustee Grove, SECONDED by Trustee Grams,

1. that the Islands Trust Council endorse a review of the Islands Trust Policy Statement to ensure that it includes a clear and well-thought out definition of 'affordability'; includes a clearly articulated vision, goal and objectives for affordable housing; gives affordable housing a greater profile for its role in sustainable communities; and includes a reference to affordable housing in its policy direction to local trust committees and municipalities.

There was discussion about the use of the words "attainable housing" versus "affordable housing".

CARRIED

TC-2016-078
MOVED by Trustee Morrison, SECONDED by Trustee O'Sullivan,

2. that the Islands Trust Council approve a coordination role for housing needs assessments between the various local trust areas and island municipalities to achieve efficiencies and compatibility, and to allow for consolidation.

CARRIED

TC-2016-079
MOVED by Trustee Grams, SECONDED by Trustee Crumblehulme,

3. that the Islands Trust Council establish a $40,000 budget for housing needs assessments to be conducted island by island at the regional level and to be updated with each census.

TC-2016-080
MOVED by Trustee Fast, SECONDED by Trustee Rogers,
that the motion be amended to replace the words "island by island" with "for local trust areas".

CARRIED
Trustee Scholefield Opposed

TC-2016-081
MOVED by Trustee Rogers, SECONDED by Trustee McConchie,
that the motion be amended to replace the words "establish a $40,000 budget" with "develop a budget".

CARRIED
Trustees Busheikin and Scholefield Opposed

The question on the following motion, as amended, was then called:

3. that the Islands Trust Council develop a budget for housing needs assessments to be conducted for local trust areas at the regional level and island municipalities, and to be updated with each census.

CARRIED

TC-2016-082
MOVED by Trustee Busheikin, SECONDED by Trustee Grove,

4. that the Islands Trust Council request Local Planning Committee to commission one or more regional housing needs assessment(s) that follow consistent methodologies, and can be updated with each census.

CARRIED

TC-2016-083
MOVED by Trustee Harris, SECONDED by Trustee Peterson,

5. that the Islands Trust Council allocate $15,000 in the 2017-18 fiscal budget to allocate one staff day (based on Grid 24/Step 2) per week to explore and if feasible, design and implement a program to hold and administer housing agreements on behalf of local trust committees.

CARRIED

TC-2016-084
MOVED by Trustee Crumblehulme, SECONDED by Trustee Law,

6. that the Islands Trust Council explore the potential for expanding its advocacy role to other levels of government for increased funding for affordable housing in the Islands Trust Area.

CARRIED

TC-2016-085
MOVED by Trustee Peterson, SECONDED by Trustee Allen,

7. that the Islands Trust Council direct staff to explore and report back on the potential for Islands Trust entities to hold land for housing purposes.

CARRIED

TC-2016-086
MOVED by Trustee Law, SECONDED by Trustee Busheikin,

8. that the Islands Trust Council request the Local Planning Committee to conduct an analysis of alternative ways to measure density and to address related impacts in the context of enabling housing opportunities appropriate to community needs.

DEFEATED
Trustees O'Sullivan, Peterson, Law, Critchley and Middleton In Favour

The order of business on the agenda was varied to address items 16.2, 16.3 ahead of item 16.1.

16. SUMMARY / UPDATES

16.2 Priorities Chart

By general consent the priorities chart was received for information.

16.3 Proposed Trust Council Agenda Program

Provided for information. The CAO stated that he will provide a visioning session follow up for the December meeting and likely a report on committee structure.

16.1 Trustee Updates

16.1.1 BC Ferries (Ferry Advisory Committee Chairs) no report

16.1.2 First Nations

Topics included:

- a question about whether Bowen Island was included in local trust committee invitations to neighbours in Howe Sound to visit islands;
- the Thetis Island Local Trust Area is considering a rezoning for marine access in support of a mining operation on Valdes Island and an application from the West Vancouver Yacht Club to build a seawall on Kendrick Island.

16.1.3 Gulf Islands National Park Reserve Advisory Committee

Trustee Middleton reported that the Advisory Committee met three or four months ago for the first time in two years. He noted that there was discussion about committee process and reimagining and reinvigorating how work is carried out with nineteen First Nations. The Committee has secured a social innovation funding grant for training and process considerations over the next several years to craft a co-management regime with First Nations for the National Park Reserve. It was suggested that if a new model is required, the Islands Trust should ensure that it has a function on that body or a revisited one.

16.1.4 Salt Spring Island Watershed Protection Authority

Trustee Grams advised that in addition to watershed protection, another major project underway is the review and assessment of water resources, how they are used and whether that is compliant with their Official Community Plan. He also noted that there has not been a singular place to store information so a new website library has been devised and documentation and all minutes are now on SSIWPA's dedicated website.

16.1.5 Howe Sound Community Forum

It was indicated that Transport Canada's Technical Review Process of Marine Terminal Systems and Transshipment Sites (TERMPOL) study for Woodfibre LNG is underway. It was also noted that development is busy on both sides of Howe Sound and that Vice Chair Morrison will attend the October 14th forum on behalf of the Executive Committee.

16.1.6 Update from Trust Council Select Committee for Review of Victoria Office Location

Trustee McConchie presented the briefing and addendum backgrounder, noting that the Select Committee passed a motion recommending that the management team, its administrative support staff and the Trust Fund Board remain within the Greater Victoria area for the foreseeable future. There was discussion regarding the Victoria office space usage compared to current provincial government standards. It was requested that the original motion which created the Select Committee be emailed to trustees to support continued discussion on this item tomorrow.

The meeting recessed for the day at 5:20 pm.

<u>Thursday, September 15, 2016</u>

The meeting reconvened at 8:31 am. There were 23 trustees in attendance. Absent were Trustee Brent (Saturna), Trustee Masselink (North Pender) and Trustee Mamoser (Gabriola).

15. CLOSED SESSION

TC-2016-087

MOVED by Trustee Morrison, SECONDED by Trustee Busheikin,

that the Islands Trust Council meeting be closed to the public subject to Section 90(1) of the Community Charter in order to consider matters related to:

(c) labour relations or other employee relations,

(g) litigation affecting the Islands Trust; and

(i) receipt of advice that is subject to solicitor-client privilege;

and that CAO Russ Hotsenpiller be invited to attend the closed session.

<u>CARRIED</u>

Trust Council closed the meeting at 8:32 am and reconvened in open meeting at 9:25 am without report.

16.1.6 Update from Trust Council Select Committee for Review of Victoria Office Location (cont'd.)

Available options on the briefing report were reviewed. It was pointed out that the report does not address a work plan, timeline, list of tasks or rationale regarding the goal of benefitting constituents of the Trust Area. There was discussion about the process used by the Select Committee in reviewing and analyzing possible office locations. The option of hiring a consultant to assist the committee in preparing its report was discussed.

TC-2016-088

MOVED by Trustee Grove, SECONDED by Trustee Crumblehulme,

that Trust Council direct the Select Committee to suspend further work until the Salt Spring Incorporation referendum initiative is resolved.

Debate ensued on the motion.

TC-2016-089

MOVED by Trustee Law, SECONDED by Trustee Crumblehulme,

that the motion be amended to add the words "after providing a report to Council on what has been accomplished to date".

<u>CARRIED</u>

Trustees Middleton, Critchley, McConchie, Grams, Barber and Rogers Opposed

Trustee McConchie indicated that he would like Committee to continue with its work, taking into consideration Trust Council's comments, and report back in December. It was suggested that Trust Council could look at the terms of reference to see if they need amendment to clarify the process.

The question on the motion, as amended, was then called,

<u>DEFEATED</u>

TC-2016-090

MOVED by Trustee McConchie, SECONDED by Trustee Morse,

that Trust Council receive the briefing for information at this time.

<u>CARRIED</u>

Trustee Crumblehulme Opposed

Trustee Grove left the meeting at 10:07 am.

16.4 Disposition of Delegations and Town Hall Requests

By general consent the Chair was directed to write letters thanking delegates.

Trustee Grams left the meeting 10:08 am.

World Heritage Site Designation for Salish Sea Through UNESCO

TC-2016-091
Moved by Trustee Peterson, Seconded by Trustee Rogers,
given the Islands Trust Council's emerging reconciliatory relationships with First Nations and the Islands Trust Council's sensitivity to the national prerequisite that local Indigenous interests be well respected in the World Heritage Site designation application process, the Islands Trust Council request that the Salish Sea Trust approach Islands Trust Area First Nations regarding World Heritage Site designation application process.

Trustee Grams returned to the meeting and Trustee Dodds left the meeting at 10:12 am.

During debate there was discussion about the feasibility of the Salish Sea Trust consulting with all First Nations in such a time restricted process, the application process and how it fits with UN Biosphere designation process.
It was recommended that Islands Trust look at all the various initiatives regarding marine protection options and legal protection tools before supporting designation requests of this nature.

The question on the motion was then called,

DEFEATED

TC-2016-092
MOVED by Trustee Busheikin, SECONDED by Trustee Morrison,
that Trust Council request Trust Area Services staff to include consideration of United Nations World Heritage Site designation in its work program item re marine protection initiatives.

CARRIED

It was suggested that a trustee may wish to consider being a candidate, as an individual, for the Board of Directors for the Salish Sea Trust which is leading the World Heritage Site designation initiative.

Steelhead LNG Proposal
Trust Council was advised that MLA Holman will send information on this topic for consideration by Executive Committee and Trust Council in December.

Agricultural Land Commission
There was general discussion about the upcoming meeting between the Executive Committee and the Agricultural Land Commission (ALC) panel, at the suggestion of the ALC Chair. Chair Luckham explained that the purpose of the meeting is to discuss how the panel makes its decisions, how to better facilitate ALC referrals at the local trust committee level and for the

Executive Committee to provide information about agriculture on the islands. The Chair stated that a report on the meeting will be placed on the December Trust Council agenda. It was suggested that the Chair of ALC be invited to attend a Trust Council meeting.

Trustee Grams left the meeting at 10:34 am.

17. CORRESPONDENCE

17.1 Gabriolans Against Freighter Anchorages Society re Proposed Gabriola Island Anchorages

By general consent the letter was received for information.

18. NEXT MEETING: December 6-8, 2016 on Salt Spring Island

19. ADJOURNMENT

TC-2016-093
MOVED by Trustee Scholefield, SECONDED by Trustee Fast,
that the meeting be adjourned at 10:35 am. **CARRIED**

____
Peter Luckham, Chair

Certified Correct

____
Carmen Thiel, Legislative Services Manager (Recorder)

Follow Up Action Report

Trust Council

Chief Administrative Officer

Activity	Activity	Responsibility	Target Date	Status
10-Jun-2015	First Nations First Nations training and workshops	Russ Hotsenpiller Lisa Gordon David Marlor Cindy Shelest	31-Mar-2016	On Going
10-Jun-2015	Develop IT adaptation strategy	Russ Hotsenpiller Lisa Gordon Cindy Shelest David Marlor Carmen Thiel	15-Jun-2016	On Going
09-Dec-2015	Adaptation Strategy - Principles & Objectives Prepare recommendations re excess tax revenues - Salt Spring	Russ Hotsenpiller	31-Dec-2016	Done
22-Mar-2016	Strategic Plan Amend section 7.2.1 regarding the schedule of delivery for the Islands Trust Transition Plan from March 2016 to June 2016. Amend section 2.5 related to shellfish aquaculture in the 2016-17 fiscal year using the new capacity created by the Intergovernmental Policy Advisor position.	Russ Hotsenpiller		Done
13-Sep-2016	Transition Plan Amend the Transition Plan to provide for funding for a full time temporary transition manager with the appropriate adjustment in costs.	Russ Hotsenpiller		Done

13-Sep-2016	Transition Plan Adopt the 2016 Islands Trust Transition Plan regarding the Potential Incorporation of Salt Spring Island, subject to clarity on the ordering of letters patent in the adaptation plan, and any other minor edits as required.	Russ Hotsenpiller		Done
13-Sep-2016	Transition Plan Provide the Transition Plan to the Ministry of Community, Sport and Cultural Development and the Salt Spring Island Incorporation Study Committee.	Russ Hotsenpiller		Done
13-Sep-2016	Transition Plan Include the Transition Plan in communication materials provided to the public prior to a Salt Spring Island incorporation vote.	Russ Hotsenpiller Lisa Gordon		Done
13-Sep-2016	Transition Plan Prepare a restructure/transition funding request to the Ministry of Community, Sport and Cultural Development for the implementation of the Transition Plan, should Salt Spring Island incorporation proceed.	Russ Hotsenpiller		Done

Director, Administrative Services

Activity	Activity	Responsibility	Target Date	Status
13-Sep-2016	Policy Statement Amendment Process - 2017/18 budget Include a $15,000 line item in the proposed 2017/18 budget for revised Policy Statement amendment process, subject to revision prior to Trust Council receiving a final 2017/18 budget in March.	Cindy Shelest Lisa Gordon		Done

13-Sep-2016	Community Housing - 2017/18 budget Allocate $15,000 in the 2017/18 fiscal budget to allocate one staff day (based on Grid 24/Step 2) per week to explore and, if feasible, design and implement a program to hold and administer housing agreements on behalf of local trust committees.	Cindy Shelest David Marlor		On Going

Director, Local Planning Services

Activity	Activity	Responsibility	Target Date	Status
16-Jun-2010	**Riparian Areas Regulation (June 2010)** Status report to Council until completed LPC (DM) to TC	David Marlor	30-Sep-2016	On Going
13-Sep-2016	Community Housing Implement a co-ordination role for housing needs assessments between the various local trust areas and island municipalities to achieve efficiencies and compatibility, and to allow for consolidation.	David Marlor		On Going
13-Sep-2016	Community Housing - 2017/18 budget Develop a budget for housing needs assessments to be conducted for local trust areas at the regional level and island municipalities, and to be updated with each census.	David Marlor Cindy Shelest		On Going
13-Sep-2016	Community Housing Request Local Planning Committee to commission one or more regional housing needs assessment(s) that follow consistent methodologies, and can be updated with each census.	David Marlor		On Going
13-Sep-2016	Community Housing Explore and report back on the potential for Islands Trust entities to hold land for housing purposes.	David Marlor		On Going

Follow Up Action Report

Director, Trust Area Services

Activity	Activity	Responsibility	Target Date	Status
16-Sep-2015	Freighter anchorages Identify and act on opportunities re freighter anchorages	Lisa Gordon Clare Frater	30-Jun-2016	On Going
22-Mar-2016	Particularly Sensitive Sea Area Designation for the Salish Sea Chair to send a letter of support to the federal Minister of Transport.	Lisa Gordon Clare Frater Peter Luckham		On Going
14-Jun-2016	2015-2016 Annual Report Submit to the Minister of Community, Sport and Cultural Development.	Lisa Gordon Pamela Hafey		Done
13-Sep-2016	Policy Statement Amendment Process Request the Executive Committee to propose amendments to section 9.1 of the Strategic Plan to include a new phase in the Policy Statement amendment process to: raise public awareness of the role and importance of the Policy Statement in shaping the future of the islands; and develop an effective and progressive program to establish a spirit of reconciliation with First Nations.	Lisa Gordon David Marlor Clare Frater		Done
13-Sep-2016	Community Housing Add to the Policy Statement Topic Review Inventory: That the Islands Trust Council endorse a review of the Islands Trust Policy Statement to ensure that it includes a clear and well-thought out definition of affordability; includes a clearly articulated vision, goal and objectives for affordable housing; gives affordable housing a greater profile for its role in sustainable communities; and includes a reference to affordable housing in its policy direction to local trust committees and municipalities.	Lisa Gordon Clare Frater		Done

13-Sep-2016	Disposition of Delegations and Town Hall Requests Staff to include consideration of United Nations World Heritage Site designation in its work program item regarding marine protection initiatives.	Lisa Gordon Clare Frater		Done
13-Sep-2016	Disposition of Delegations of Town Hall Requests Draft follow-up letters from Chair	Lisa Gordon Clare Frater		Done
22-Mar-2016	Disposition of Delegations and Town Hall Requests Executive Committee to review legislative tools, programs and processes that could advance Islands Trust Policy Statement policies 3.4.2 and 3.4.6 to protect marine areas and protect and enhance populations of native marine species (including in the context of the federal governments goal of increasing the proportion of Canadas marine /coastal areas that are protected) to 5% by 2017 and 10% by 2020 and to report back to Trust Council by December 2016 with recommendations.	Lisa Gordon Fiona MacRaild Clare Frater	17-Nov-2016	Done

Legislative Services Manager

Activity	Activity	Responsibility	Target Date	Status
22-Mar-2016	Consequential amendments to Policy Statement Amendment Policy amendments Draft changes to the Policy 2.4.vi Executive Committee Legislative Role and the Policy 5.7.i Bylaw Checklists to remove reference to the Council Commitments and Recommendations Checklist.	Carmen Thiel Clare Frater		On Going

Manager, Islands Trust Fund

Activity	Activity	Responsibility	Target Date	Status
14-Jun-2016	NAPTEP Certificate Issue subject to survey, covenant and baseline report.	Jennifer Eliason		On Going

Follow Up Action Report

Secretary

Activity	Activity	Responsibility	Target Date	Status
13-Sep-2016	Bylaw No. 166, cited as Islands Trust Council Meeting Procedures Bylaw, 2004, Amendment Bylaw No. 3, 2016 Prepare RWM for adoption	Jas Chonk		Done
13-Sep-2016	**Next Trust Council Dec 2016** Sept 2016 Follow Up Action Lists to Trustees and Staff Sept 2016 Council meeting decision highlights to website News Release and Agenda for Dec 2016 Council meeting Invitations - MLA, Electoral Area Director, former trustees Post notice on community bulletin boards (on island of meeting only) Agenda Package - Review/Distribution to Trustees	Jas Chonk		On Going
13-Sep-2016	2017 Trust Council meeting dates Send out calendar invitations to trustees and staff and post to website.	Jas Chonk		Done

CHIEF ADMINISTRATIVE OFFICER
2016 THIRD QUARTER REPORT

Date: November 15, 2016

1. Organizational considerations

There have been staff changes over the last quarter that are bringing the organization close to a full complement. Of course, Lisa Gordon's retirement in December is significant for the organization. Trust Area Services is a high volume and high profile function of the Islands Trust, and we will miss Lisa's expertise and commitment. We also welcome Emma Restall as our Executive Coordinator and expect her to make a quick start and contribution to the organization. Emma comes to the Islands Trust from the Ministry of Community Sport and Cultural Development. And of course we are happy to have Cindy Shelest remain with the organization.

We have dedicated significant time to streamlining administrative processes including reimagining the presentation and maintenance of the work program and the strategic plan. We need to bring Strategic priorities into our workflow more effectively. Accordingly, standing committees have been asked to update their strategic priorities.

With regard to the important matter of the potential incorporation of Salt Spring Island, we have undertaken the public launch of the Transition Plan. Our press release received a good deal of media uptake. On November 7, 8 and 20, staff attended public meetings on Salt Spring Island, which were sponsored by the Incorporation Study Committee. Our role was to communicate how the Islands Trust will adapt to such a change in governance and to answer questions from the public. Questions tended to focus on what impacts and challenges would face the Islands Trust if incorporation occurred, and what the fate of the NAPTEP program would be for Salt Spring in the future. The Chair of the Islands Trust also wrote to the Minister requesting funding of $125,000, to assist in transition planning. Trust Council has also been afforded the opportunity to comment on the development of letters patent for Salt Spring and a report to that effect is on the December agenda. Finally, the Transition Plan was forwarded to affected First Nations for their information.

A First Nations tone and style guide has been developed by Fiona for staff referrals and interactions. It is currently going through a trial run with the intention of making any required amendments. Our goal is to present the tone and style guide to Trust Council in March. Trust Council should be aware that we have established an Employee Advisory Committee within the organization with the goal of receiving sustained feedback from our employees on how the organization is functioning and on how we can improve.

It is our intent to survey the staff in the new year and to present the results to Trust Council in March.

The method by which documents had formally been delivered to Trustees through eScribe has been replaced with a combined user-friendly *PDF Expert* application, which has been installed and configured on Trustee iPads, and the secure *WebDAV* protocol (Web Distributed Authoring and Versioning). To date, all Trustees have been provided with individual configuration support and application and procedure training, and feedback has been positive. Escribe continues to be used by staff as an integral tool in agenda building workflows. Please provide any feedback to staff if further training is required.

At the September Trust Council meeting, I committed to providing an analysis of the Committee structure of the Islands Trust, particularly within the context of developing a marine committee. I have been unable to complete this work and intend to engage Trust Council on this matter in March. Please be assured that marine issues remain a focus of the organization. This agenda package includes a fulsome briefing on marine protection tools available within the Trust Area.

Workloads remain high within the organization. Next quarter will center upon preparation for a possible incorporation vote on Salt Spring. As noted in the Transition Plan, staff will begin to prepare for possible incorporation 4 to 6 weeks prior to a vote to ensure work priorities are satisfied.

2. External considerations

Separate Islands Trust meetings were held over the last quarter with the Sunshine Coast Regional District and the Comox Valley Regional District to discuss our protocol agreements and letters of understanding. Both meetings were productive. Meetings with the Regional District of Nanaimo and the Powell River Regional District are being scheduled for 2017. Executive Committee and staff met with the Island ALC Panel and ALC staff in October. The conversation was general and focused upon the ALC's new administrative capacity and some discussion on 'island' agriculture issues. The two parties have an MOU, which will be reviewed by the respective CAOs in the near future. By December, the Salt Spring Incorporation Study Committee is expected to make a recommendation to the Minister of Community, Sport and Cultural Development on whether or not to hold a referendum on Salt Spring incorporation, which will be based upon the study results and a restructure offer from the Province. On September 20, the incorporation effort received a restructure offer from the Minister totalling $19,815,200. This is a significant amount of funding that is a mix of capital funding and maintenance assistance for roads and police costs.

The UBCM occurred in Victoria September 26-30th and provided an opportunity for meetings with senior government officials. The Executive Committee's meeting with Minister Fassbender resulted in Trust Council receiving an offer to comment on the development of letters patent for a potential Salt Spring incorporation. There was also some progress made in discussions regarding the enforcement of development permits by the Islands Trust.

3. Current Issues

Highlights:

Oil spills and derelict vessels: The Islands Trust plays a unique leadership role among coastal local governments by dedicating staff to marine advocacy work and sustaining advocacy campaigns over years and political terms. In early November, the federal government announced an Ocean Protection Plan that proposes significant improvements in oil spill preparedness and response capacity and an improved approach to managing derelict vessels. Beginning in 2010, the Islands Trust played an early and crucial role in bringing attention to the woeful state of the Canadian oil spill regime and derelict vessel management. Over the years, Trust Council's advocacy program has engaged and educated many partners. Trust Council should take pride in having acted as a catalyst for the federal improvements. Details about the Ocean Protection Plan are included with the legislative monitoring report in this agenda.

Woodfibre LNG: In November, Pacific Oil and Gas made a final investment decision to proceed with the Woodfibre LNG project. While the project has received federal and provincial approval the Squamish Nation has set out 25 conditions to protect sensitive land and marine habitats near the project. They are still working on coming to an agreement with the company.

Sunshine Coast Fixed Link Feasibility Study: The Ministry of Transportation and Infrastructure has hired a consultant to study and report on the options to link the Sunshine Coast and Lower Mainland. The options range from a highway link around Jervis Inlet, to direct bridge connections over islands in the Trust Area. The consulting team is now reviewing the input received during their summer and fall consultations and will report back to government at the end of 2016. Both the Islands Trust Chair and the Gambier Island Local Trust Committee Chair wrote letters to convey the Islands Trust Council's opposition to bridges and concerns about potential impacts. Engagement with First Nations is ongoing. Staff will continue to monitor the issue and will advise the Executive Committee, Gambier Island Local Trust Committee and Bowen Island Municipal staff of developments.

Proposed Trans Mountain Pipeline Expansion Project: On May 19, 2016, the National Energy Board recommended to Cabinet that the Trans Mountain pipeline be approved with 157 conditions. In early November, a three-member Ministerial Panel provided a final report to the Minister of Natural Resources that summarized the input received and posed a set of questions for the federal government to consider prior to making a decision on the project. The report included half a page about Chair Luckham's submission and includes a quote from Trustee Rogers. Once again, the Islands Trust Council should be proud of the advocacy work on this file. In the very earliest stages of the proposed project, and before any other civil society organizations were aware of the proposed project, the Islands Trust activated partners and wrote to the National Energy Board. Council has sustained requests that the National Energy Board consult with coastal communities and consider the impacts of increased traffic foreshadowed and informed the evolving national dialogue on these issues. The federal cabinet is expected make an approval decision on or before December 19.

Islands Trust

Top Priorities

Executive Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Islands Trust Act Amendments	Investigate possibility of amendments to the Islands Trust Act to broaden the Islands Trusts ability to serve its communities and to strengthen its mandate to preserve and protect.	26-Oct-2016	Russ Hotsenpiller	
2	Oil Spill and Shipping Safety	Chair letters and participation on inter-agency working groups	01-Apr-2014	Lisa Gordon	30-Nov-2016
3	Revisions to Crown Land protocol agreements and letters of understanding	Meeting held with BIM, LPS, TAS, CSCD and FLNRO.	19-Jun-2014	Lisa Gordon	31-Jan-2017
4	First Nations Relationship Building	Development of Project Charter for Reconciliation Principles Development of Project Charter for Archaeology advocacy	31-Aug-2016	David Marlor	01-Dec-2016

Projects

Executive Committee

Description	Activity	R/Initiated
Seek legislative change regarding TFB name	2015 11 03 Meeting with Minister	12-Sep-2012
Provide advice about amendments to Policy 2.2.1 (RFDs)	Explore what changes are required	15-Feb-2015
Rural Status for Southern LTC Grant Eligibility	Ask staff to review and report back on options for legislative change.	02-Nov-2015
Application Sponsorship Policy	Provide advice on amendments to the Application Sponsorship Policy in relation to government bodies.	20-Nov-2012

Executive Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
	Provincial Tenure Referrals Process	Review and report on current provincial process regarding tenure referrals			12-Aug-2012

Islands Trust Council Plan for Continuous Learning 2014-2018

(What other topics would trustees like to propose?)

2016-11-18

Year		Trust Wide and Administrative Topics	Legal and Governance Topics	Planning How-To	Working With Others
2017	March (Denman)			Archaeological Site Protection	Effective Advocacy
	June (Lasqueti)			Species at Risk	Regional Districts
	September (Gabriola)				
	December (Victoria)				San Juan County U.S. and Canadian Consul Generals
2016	2015-16 Webinars (dates TBD)	Email management IT Website	Introduction to Roberts Rules of Order Introduction to Freedom of Information/Protection of Privacy		Making meetings work
	September (Sidney)	Visioning Housing Session			San Juan County U.S. Consul General
	December (Salt Spring)	Draft 2017/18 Budget Session	First Nations Legal Seminar	Visioning follow-up	Report out of EC meeting with Island ALC Panel

POTENTIAL TOPICS/AGENCY LIAISON FOR CONSIDERATION FOR FUTURE SESSIONS:

Suggestions arising during 2014-2018 Term:

- Heritage Conservation Act session
- Office of the Ombudsperson session
- Making Online Meetings Work
- OneNote for meetings
- Public Consultation and Polling
- NMCA – implications for local zoning jurisdiction
- Options for a trustee network
- Introduction to the Island Trust Policy Statement
- Participatory decision-making (using expertise on Bowen Island)
- Effective Communications and Social Media
- Archaeological site training session
- First Nations legal session
- BC Water Sustainability Act session
- Strata Property Act/Bare Land Strata Regulations implications
- Agricultural Land Commission/Islands Trust Relationship Session

	SESSIONS/ITEMS COMPLETED IN 2015-18				
Year		**Trust Wide and Administrative Topics**	**Legal and Governance Topics**	**Planning How-To**	**Working With Others**
2016	June (Pender)	Marine Shipping Safety / Anchorages	Governance/Staff relations	Visioning (prelim)	
	March (Hornby)	Budget Session	Trust Council Electronic Meeting Options		First Nations
2015	*2015 Webinars (held)*	*Annual Budget in Depth*			
	Mar (Gabriola)	*Introduction to Strategic Planning* *Annual Budget Session*	*Standards of Conduct (legal session)* *Provincial Assessment of Impact on Islands Trust (re potential SSI incorporation)*	*Community Planning 101 (for newly-elected)*	*Working with First Nations (introduction)*
	June (Galiano)	*Visioning/Strategic Planning*			*San Juan County*
	Sept (Bowen)	*Introduction to Structured Decision-Making* *Adaptation Strategy workshop* *Victoria Office Location Review workshop*	*Strategic Planning*		*Working with Bowen Island Municipal Council*
	Dec (Victoria)	*Draft 2016/17 Budget Session* *Strategic Plan Implications*	*Introduction to the Islands Trust Policy Statement*		*Working with the Trust Fund Board*

Suggestions from previous terms:

- Using Special Tax Requisitions
- Introduction to UBCM
- 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
- Demographics-Aging Population
- Dept. of Fisheries and Oceans – marine sewage, fish farming
- 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
- Alternate Energy Sources
- Using Technology – document and information management
- Using Social Media
- Adapting to Sea Level Rise
- Local Government Liability

SESSIONS/ITEMS COMPLETED IN 2011-14					
Year		**Trust Wide and Administrative Topics**	**Legal and Governance Topics**	**Planning How-To**	**Working With Others**
	Webinar Sessions (held)	*Email Management (Aug 2013)* *Carbon Offsets (June 2013)*			
2014	*Mar (Hornby)*	*Annual Budget Session*			*Provincial Treaty Negotiators*
	June (Saturna)	*Coastal Douglas Fir Zone Conservation Action Plan*	*Aquaculture Management*		*San Juan County* *Respectful Workplaces*
	Sept (Gambier)	*Term Review*	*Election Period Best Practices*		
	Dec (Victoria)	*Orientation* *Draft 2015/16 Budget Session*	*Orientation*	*Orientation*	*Orientation*
2013	*June (Mayne)*	*Carbon Neutral Policy*		*Making Difficult Decisions*	*Working with San Juan County*
	Mar (Thetis)	*Annual Budget Session*	*Legal Session Conflict of Interest*		*Working with the Islands Trust Fund*
	Sept (Lasqueti)	*Advocacy Policy*	*Freedom of Information and Protection of Privacy*	*Refresher on admin. fairness in application processes*	
	Dec (Victoria)	*Draft 2014/15 Budget* *Strategic Plan Review* *Invasive Species*		*Bylaw Enforcement Best Practices*	*Economic Sustainability Session*
2012	*Dec (Salt Spring)*	*Draft Budget Session*		*Greenshores for Homes re Shoreline Mapping*	*Agricultural Land Commission*
	Sept (Bowen)	*Strategic Planning* *Oil Spill Response*	*Standards of Conduct and Admin. Fairness Refresher*	*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*	*Standards of Conduct and Indemnification*	*Community Planning 101 (for new trustees)*	
2011	*Dec (Victoria)*	*Trustee Orientation*	*'Staying out of Trouble'*	*Planning Orientation*	*Making Fair Decisions* *Islands Trust Human Resources*

	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 Strategic Plan 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 (N. Pender)		*Procedural Fairness*	*Introduction to land use planning – part 2*	*Farm Industry Review Board San Juan County*
	September (Mayne)	*Climate Change – GHG Emission Reduction Targets*		*GHG Emission Reduction – planning policies actions*	
	December (SaltSpring)	*Intro Budget Session History of the Trust*	*Litigation 101*	*Comm. Housing Task Force Bill 27 Update*	*Trust Fund Board*
2010	*March (Hornby)*	*Strategic Plan Review Annual Budget Session*	*Update regarding court case*	*Comm. Housing Task Force Bill 27 Update*	
	June (Saturna)	*Marine Shipping Safety*	*Refresher on Orientation Topics*	*Refresher on Temporary Use Permits*	*San Juan County Parks Canada*
	Sept (Bowen)	*Strategic Plan Update and Review*		*Food Security through Land Use Planning RAR – QEP perspective*	*Bowen Island Council*
	Dec (Victoria)	*Intro Budget Session Strategic Plan Update*		*Good Planning Practice (Randall Arendt)*	*Trust Fund Board Regional Conservation Plan (RCP)*
2011	*March (Galiano)*	*Annual Budget Session*		*MAP IT demo Implementing RCP w/ LTCs*	
	June (Denman)	*Conservation Offsets*	*Operational Carbon Neutrality and Offsets*	*Rural By Design Practical examples*	*Electoral Area Director – Cortes Strathcona RD*
	Sept (SaltSpring)	*Term & Strategic Plan Review Advice to Incoming Council*	*Elections Period Best Practice*		*San Juan County*

Islands Trust Council

2017 Quarterly Meetings Schedule

Revised November 2, 2016

Resolution:

That the Islands Trust Council establish the following meeting schedule for 2017:

March 14-16, 2017 – ~~Denman~~ Gabriola

June 20-22, 2017 – Lasqueti

September 12-14, 2017 – ~~Gabriola~~ Denman

December 5-7, 2017 – Victoria

DECEMBER 2016

PRIORITIES

1. PROTECT THE NATURAL ENVIRONMENT OF THE ISLANDS TRUST AREA
2. PRESERVE, PROTECT AND ADVOCATE FOR COASTAL SHORELINES AND MARINE AREAS WITHIN THE ISLANDS TRUST AREA
3. REDUCE COMMUNITY ECOLOGICAL FOOTPRINT
4. PROTECT QUALITY AND QUANTITY OF WATER RESOURCES
5. ENHANCE, PROTECT AND RESTORE COMMUNITY CHARACTER, SOCIO-ECONOMIC DIVERSITY AND ECONOMIC SUSTAINABILITY
6. STRENGTHEN RELATIONS WITH FIRST NATIONS
7. IMPROVE ORGANIZATIONAL COST EFFECTIVENESS AND RESILIENCE
8. IMPROVE CO-OPERATION AND INTEGRATION WITH OTHER LEVELS OF GOVERNMENT
9. IMPROVE COMMUNITY AND AGENCY UNDERSTANDING AND SUPPORT FOR THE ISLANDS TRUST
10. IMPROVE COMMUNITY ENGAGEMENT AND PARTICIPATION IN ISLANDS TRUST WORK

Strategic Plan 2014-2018

Quarterly Update – December 2016

The Islands Trust Council adopted its Strategic Plan for the 2014-18 term at its September 2015 meeting on Bowen Island.

QUARTERLY UPDATE

Trust Council receives quarterly updates on Strategic Plan status, with highlights of successes and significant progress.

PROGRESS

The Islands Trust has made progress on a number of Strategic Plan Objectives and Goals including:

Objective 1. Protect the natural environment

T.1.5.2 Since December 2014, the Trust Fund Board has protected 22.4 hectares on Salt Spring, N Pender, Galiano and Hornby Islands. (still accurate as of Nov)

Objective 2. Preserve, protect and advocate for coastal shorelines and marine areas

Staff delivered a thorough analysis of marine protection tools to December 2016 Trust Council.

T.2.3.1 The Islands Trust Council Chair sent four letters advocating for shipping safety: to the Ministerial panel re Transmountain pipeline, to the BC EAO re BURNCO, to the CEAA re Roberts Bank Terminal 2 and to the Prime Minister re Ocean Protection

Objective 6. Strengthen relations with First Nations

T.6.1.2 Produced decision documents and guides for First Nations, including a significant report to December Council.

Objective 7. Improve organizational cost effectiveness and resilience

T.7.1.2 Continued work by Management Team to review and update TC policies and procedures.

T.7.1.4 The December Trust Council schedule includes a session to follow up on September's visioning session.

T.7.2.4 IT-MCSD protocol agreement has been reviewed by staff at both agencies and update expected at March 2017 Trust Council.

Objective 8. Improve cooperation and integration with other levels of government

T.8.1.1 Staff has made progress on revising and consolidating six agreements regarding Crown Land in the Islands Trust Area

Objective 9. Improve community understanding and support for the Islands Trust

T.9.1.1 Staff reported to September Trust Council and expects to produce more public reports when the 2016 census data is available. Staff are recommending significant changes to Section 9 of the strategic plan related to First Nations relationships as a foundation for further policy statement work.

Objective 10. Improve Community engagement

T10.1.1 FPC will consult the public about the draft 2017/18 budget using the same approach taken for the 2016/17 budget.

COMMUNITY HIGHLIGHTS

Local Trust Committees have advanced the following land use planning projects (only changes since September report noted):

BALLENAS-WINCHELSEA ISLANDS

The Executive Committee (Acting as an LTC) has prioritized Crown Lands protection in the Ballenas-Winchelsea LTA, and will be represented at the Mount Arrowsmith Biosphere Reserve Roundtable.

DENMAN ISLAND

The Denman Island LTC has initiated Denman Island Farm Plan implementation and is planning for a Community to Community (C2C) Forum with the Komoks First Nation.

GABRIOLA ISLAND

The Gabriola Island LTC is reviewing housing options and signage regulations. The LTC continues to plan for a C2C Forum with Snuneymux'w First Nation.

GAMBIER ISLAND

The Gambier Island LTC has made steady progress toward adoption of *Riparian Areas Regulation* bylaws and its Official Community Plan is currently under review.

HORNBY ISLAND

The Hornby Island LTC is initiating a review of vacation home rental regulations. The LTC has advertised for new Advisory Planning Commission members to support this and other LTC work.

LASQUETI ISLAND

The Lasqueti LTC has been actively engaged in an Aging at Home project and has initiated a targeted OCP review with a focus on marine shoreline protection. The LTC continues to plan for a C2C Forum with the Qualicum First Nation.

MAYNE ISLAND

The Mayne Island LTC is in the process of completing policies and regulations for Short Term Vacation Rentals and is proceeding with Riparian Areas Regulation implementation.

SALT SPRING ISLAND

The Salt Spring Island LTC is developing a bylaw to permit use of Temporary Use Permits for affordable rental housing in secondary suites and cottages. The Salt Spring Island LTC is engaging environmental groups and agricultural groups to ensure protection of surface drinking water in non-ALR lands.

SATURNA

The Saturna LTC hosted an afternoon SENCOTEN History of Saturna Island with four knowledge-holders from Tsawout First Nation.

SOUTH PENDER

The LTC continued to work on a comprehensive review of its Land Use Bylaw, engaging in extensive community consultation on key issues.

THETIS ISLAND

Thetis LTC continues to consider three major rezoning applications, all within marine areas: West Vancouver Yacht Club outstation, Penelakut Seafoods zoning to permit mariculture, and Hardy Granite Quarries barge facilities at Valdes Island.

DELAYS

Objective 1. Protect the natural environment of the Islands Trust Area

T.1.8.1 Encourage CRD to develop a (non-native) fallow deer management plan on Mayne Island. Staff research shows that the CRD is not the lead agency for this project and propose doing further research on this project

Objective 2. Preserve, protect and advocate for coastal shorelines and marine areas within the Islands Trust Area

Staff recommend no further work in this term on T.2.3.3 Encourage Canadian oil spill response agencies to coordinate spill response strategies with American counterparts.

REQUEST FOR DECISION

To: Trust Council

For the Meeting of:: December 6-8, 2016

From: Executive Committee

Date Prepared: November 17, 2016

File No.: Strategic Plan

SUBJECT: TRUST COUNCIL STRATEGIC PLAN – RECOMMENDED AMENDMENTS

RECOMMENDATION: That the Islands Trust Council endorse the amendments to the Strategic Plan activities in the attachment dated November 23, 2016.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: As part of Trust Council's annual budget cycle, staff asked Council's four standing committees and one select committee to consider at their November meetings how the strategic plan might be amended to reflect the work plans that they believe are achievable for the duration of the 2014-2018 term:

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:
On December 10, 2015, Trust Council approved its Strategic Plan and committed to conducting a targeted review of the Islands Trust Policy Statement during this term. In early 2016, Trust Council created a temporary staff position to focus on improving relationships with First Nations. If Trust Council approves the budget request in March 2017, the funding would support contract assistance in implementing the first phases.

FINANCIAL:
There are no financial implications of making the proposed amendments to the Strategic Plan at this stage. Any decisions Trust Council makes about the proposed 2017-18 budget should be reflected in Trust Council's strategic plan. If Trust Council does not approve current budget requests, it would need to amend the Strategic Plan to remove, amend or delay the work currently proposed. Activities described for future fiscal years would be subject to future Trust Council decisions about its annual budget.

POLICY:
No implications for current policy.

IMPLEMENTATION/COMMUNICATIONS:
Should Trust Council agree to the proposed amendments, the relevant committees would continue to work in accordance with the amended activities. Trust Council would be asked to consider the related budget requests when adopting each of its future annual budgets, as indicated.

OTHER:
None

BACKGROUND

- In December 2015, the Islands Trust Council adopted a Strategic Plan for the 2014-2018 term.
- Trust Council's consideration of the draft 2017/18 budget in December 2016 and again in March 2017, needs to be informed by activities in the Strategic Plan and vice versa.
- All Council committees and Trust Fund Board met before December Trust Council to propose amendments to the strategic plan. The proposals are in an attachment to this RFD.
- A Quarterly Update for December 2016 (separate agenda item) illustrates some of the more significant progress made in achieving Trust Council's Strategic Plan.

REPORT/DOCUMENT:
1. Summary of committee proposed amendments to strategic plan

KEY ISSUE(S)/CONCEPT(S):
Amendments to the activities of Trust Council's Strategic Plan.

RELEVANT POLICY:
n/a

DESIRED OUTCOME:
Amendments to Trust Council's Strategic Plan to reflect Trust Council's current focus.

RESPONSE OPTIONS

Recommended:
That the Islands Trust Council endorse the amendments to the Strategic Plan activities in the attachment dated November 23, 2016.

Alternative:
1. That the Islands Trust Council not amend the Strategic Plan as indicated.
2. That the Islands Trust Council adopt different amendments to the Strategic Plan.

Prepared By: Lisa Gordon, Trust Area Services Director

Reviewed By/Date: Executive Committee, November 23, 2016

Russ Hotsenpiller, Chief Administrative Officer

Islands Trust Strategic Plan – 2014-2018

Amendments Proposed by Committees as of November 23, 2016

Select Committee to review the Victoria Office Location:

- ***Delete*** T.5.5.2 Develop Scope of Work as a basis for a Request for Proposals for Trust Council
- ***Delete*** T.5.5.3 Seek proposals for study and identify budget needs
- ***Update*** the status of T.5.5.4 as “under way with 16/17 project funding”

Trust Fund Board:

- ***Update*** T.1.1.3 Investigate collaborative opportunities for promoting voluntary stewardship options on mixed-use landscapes. Change “measure of success” to “By whether TFB has considered tools, resource requirements and opportunities associated with mixed use landscape conservation”
- ***Delete*** T.1.5.4 Protect a parcel of Crown forest on Lasqueti Island through Sponsored Crown Grant Program
- ***Extend to 2018/19*** T.2.2.1 Complete mapping of forage fish habitat for major islands

Financial Planning Committee:

- ***No changes***

Local Planning Committee:

FY 2015/16 - 2016/17

- T.5.1.2 Undertake work outlined in project charter regarding affordable housing – *revise description to say* “community housing forum held June 2016”

Move from 2015/16 to 2016/17

- T.2.1.1 – Develop a Project Charter to guide the work of LPC regarding shoreline/marine planning advice for LTCs/BIM

Add to 2017/2018

- T.5.1.3 Implement activities in the community housing report delivered to Sept 2016 Trust Council

Move from 2016/17 to 2017/18

- T.1.7.1 – Develop a planning tool kit to illustrate how to protect Coastal Douglas-fir and associated ecosystems
- T.2.1.2 – Undertake work outlined in the Project Charter regarding shoreline/marine planning
- T.5.2.1 - Develop a project charter to guide the work of LPC regarding economic sustainability

Move from 2017/18 to 2018/19

- T.5.2.2 – Undertake work outlined in the project charter regarding economic sustainability

Trust Programs Committee:

Amend all items in Section 9.1 of the Strategic Plan (Improve community and agency understanding and support of the Islands Trust) as follows:

2016/17

- T.9.1.3 Implement project charter regarding Phase A (‘State of the Islands’ report) of the targeted update of the Policy Statement

- T.9.1.4 Develop a project charter regarding Phase B of targeted update of the Policy Statement (First Nations and public engagement process to prepare for Policy Statement amendment topics)

2016/17-2017/18

- T.9.1.5 Undertake a First Nations and public engagement process to prepare for Policy Statement amendment topics

2017/18

- T.9.1.6 Develop a project charter and budget request regarding Phase C of the targeted update of the Policy Statement (Cooperative review with First Nations and planning of Policy Statement amendment process)

2018/19

- T.9.1.7 Implement project charter regarding Phase C (Cooperative review with First Nations and planning of Policy Statement amendment process)
- T.9.1.8 Develop a draft bylaw to update selected Policy Statement topics

Merge with First Nations engagement under section 9 above

- T.6.2.2 Develop project charter and budget request to build organizational capacity related to advocacy for archaeological site protection

Move from 2016/17 to 2017/18 – TPC is requesting $25,000 project funding in 2017/18 for water and marine conservation projects, pending Trust Council's direction

- T.4.3.2 Develop project charter for water conservation advocacy and education
- T.8.2.1 Develop project charter and budget request related to Biosphere Reserve
- T.8.2.2 Implement project charter re Biosphere Reserve (subject to budget)

Move from 2016/17 or 2017/18 to 2018/19

- T.5.4.1 Develop project charter and budget requests to build organizational capacity regarding advocacy for sustainable and appropriate agricultural policies
- T.5.4.2 Develop project charter for sustainable and appropriate agricultural advocacy
- T.5.6.1 Develop a project charter and budget request regarding facilitation of exploration of intra and inter-island transportation routes
-

Move from 2018/19 to 2019/20

- T.5.6.2 Carry out project charter work regarding facilitation of exploration of intra and inter-island transportation routes

Executive Committee: ***proposed significant changes on Nov 23, 2016***

Activities	**EC proposal based on staff advice**
T.1.8.1 Encourage CRD to develop a (non-native) fallow deer management plan on Mayne Island ()	Propose changing activity in 2017/18 to hire biologist to do a management plan in cooperation with First Nations. (Using existing budget)
T.2.3.1 Chair correspondence regarding shipping safety	Extend to end of term
T.2.3.3 Encourage Canadian oil spill response agencies to coordinate spill response strategies with American counterparts	Delete – marine capacity is fully committed
T.2.4.1 Continue to advocate for senior government solutions to abandoned and derelict vessels	Extend to end of term
T.2.5.1 / 2.5.2 / 2.5.3 Range of activities related to shellfish aquaculture advocacy	Delete or postpone per proposed process in the Dec 2016 RFD re First Nations (see section 9.1)
T.4.3.3 Implement project charter for water conservation advocacy and education	Update pending outcome of budget requests from TPC and SSI LTC.
T.5.4.3 Implement project charter for sustainable and appropriate agricultural advocacy	Postpone
T.6.1.2 / 6.1.3 / 6.1.4 Range of activities related to strengthening relationship with First Nations	Delete or cross-reference to First Nations strategy to Section 9.1
T.6.2.1 / 6.2.2 / 6.2.3 / 6.2.4 Range of activities related to archeological site protection	Deliver as part of Dec. 2016 RFD re First Nations and public engagement
T.7.2.1 Identify Transition Plan, with principles, objectives and options	Update status to done
T.9.1.4 – 9.1.10 Range of activities related to Policy Statement review	Proposed revisions included in the RFD - First Nations and public engagement
T.9.2.2 Implement adopted communications plan	Extend to end of term and mark status as ongoing
T.10.1.1 Enhance public engagement re budget consultations	Continue practices established in February 2016

BRIEFING

To: Trust Council **For the Meeting of:** December 6, 2016

From: Executive Committee **File No.:ALC**

SUBJECT: **AGRICULTURAL LAND COMMISSION ISLAND PANEL MEETING**

DESCRIPTION OF ISSUE:
To report out on a meeting between the Executive Committee and the Agricultural Land Commission Island Panel held on October 17, 2016.

BACKGROUND:
On October 17, 2016 the Islands Trust Executive Committee, Chief Administrative Officer and Director of Local Planning Services met with the Island Panel of the Agricultural Land Commission (the Panel), the Chief Executive Officer and the two new planners assigned to the Islands Trust files.

Basis for ALC decision-making:
Section 6 of the *Agricultural Land Commission Act* sets out the priority for all decision of the Agricultural Land Commission panel. Applicants are encouraged to look at "What the Commission considers" on the website, which outlines the considerations in Section 6. Generally, commissioners mostly want to know what the community wants as the highest and best use; the OCP is considered as a reflection of this.

Staff reports are a "translation" of and supplement to an application and are especially useful to the Panel. The ALC panel is happy to receive letters from the public commenting on applications. Personal situations, even when deserving of compassion, are not considered as a reason to change land use, the Panel sees farming as a business, like a car dealership or other business.

For applications for non-farm use, the Panel looks at location, quality of soil, use of the property. The Panel is looking for evidence in the Official Community Plan and from the community, on why a non-farm use needs to happen in that particular location.

Roles in ALC decision-making:
The Chair of the Agricultural Land Commission does not deliberate on decisions. The Panel does not necessarily follow the recommendations of the regional agronomist. The agrologist's job is to provide scientific information only, not to support or not support an applications.

Option for local government applications:
The Panel could only consider an application from a local government for multiple exclusion (block exclusion) that support a planning goal if the property owners consent. Property owner approval is a new requirement in the Act.

Agricultural Advisory Planning Commissions
The Panel takes comments from Agricultural Advisory Planning Commissions seriously, so it is useful to forward such comments to the Panel with the application.

Some housing questions and answers:

1. Q: Can we loosen up the definition of "manufactured home" to allow tiny homes, etc?
   A: This is provincial and would need to be lobbied for at that level, ie UBCM
2. Q: What if an LTC thinks a secondary dwelling would make farming more viable?
   A: ALC needs to look at the long term. A VanCity report shows that secondary dwellings impact affordability down the road. Also, the ALC does not look at personal needs of owners. Their job is protection of farm land. Agriculture comes first, housing second.
3. Q: Is there any way to have additional housing for farm help, beyond the manufactured home?
   A: It would be possible to get permission for more housing, perhaps with a housing agreement limiting it to farm workers, with a good farm plan, but there is a question of what happens down the road if the farm ceases to operate or the residents retire?

Staffing:
The Province has significantly increased funding to the Agricultural Land Commission, and the Commission has hired new planners. Two new planners are assigned to the Island, including the Islands Trust. The enforcement team is also significantly enlarged.

New regulations for agri-tourism and events
The Act allows up to 10 seasonal cottages for agri-tourism in the ALR (if property has farm status) without asking the ALC for permission.

The ALC considers "ancillary" rather than "accessory" uses when considering agri-tourism. "Garden suite" (aka carriage house; small residence elsewhere on property) no longer needs permission from ALC, if property has farm status and meets the ALC policy guidelines.

Music festivals are okay without permission if no longer than 24 hours, have no more than 150 people, happen no more than 10 times per year, and do not involve any permanent new structures.

General comments:
The Agricultural Land Commission is interested in working together on enforcement and other issues, and in participating in OCP reviews and other similar processes.

ATTACHMENT(S):
No Attachments

AVAILABLE OPTIONS:
Receive for information

FOLLOW-UP:
No followup identified.

Prepared By: Executive Committee

Reviewed By: Chief Administration Officer

Date: **November 17, 2016**

BRIEFING

To:	Trust Council	For the Meeting of: December 6, 2016.	
From:	Peter Luckham, Chair, Islands Trust Council	File No.:ALC	

SUBJECT: **AGRICULTURAL LAND COMMISSION ISLAND PANEL MEETING**

DESCRIPTION OF ISSUE:

To report out on a meeting between the Executive Committee and the Agricultural Land Commission Island Panel held on October 17, 2016.

BACKGROUND:

On October 17, 2016, the Executive Committee met with the Vancouver Island regional panel of the Agricultural Land Commission, as recommended by Frank Leonard, Chair of the ALC.

The purpose of the meeting was to meet the committee and to better understand their role, how referrals from the Islands Trust are received and processed and on advising LTCs how best to comment when referring applications.

George Grams, Director Marlor and CAO Hotsenpiller joined us for the meeting. Vice-Chair Morrison and Laura Busheikin were unable to attend.

Members of the Vancouver Island Commission were:
Jennifer Dyson, Vice-Chair - Port Alberni
Honey Forbes, Commissioner – Duncan
Clarke Gourlay, Commissioner – Parksville
Kim Grout, Chief Executive Officer
Liz Sutton – Manager of Land Use Planning
Sara Huber – Land Use Planner
Christopher Wilcott – Land Use Planner

Summary of Meeting
The meeting began with a powerpoint presentation by ALC CEO Kim Grout. The presentation covered the ALC provincial responsibilities and the geographic regions. Executive Committee presented local information regarding importance and unique nature of farming on the gulf islands. Some of the topics included farming on non-ALR lands, low levels of income, home occupations, difficulties of suitable housing, access to labour, sustainability of farming, lands that are improperly included and restrictions to mobile homes as farm worker dwellings and other topics.

In summary the ALC recognizes the priority of agricultural uses of lands within the ALR. “Farming is encouraged and non-agricultural uses are restricted.” How the commission makes its decisions are based upon Land Classification Documents that consider Land Capability Classification for Agriculture in British Columbia and Soil Capability Classification for Agriculture.

The Purpose of the Commission
The purpose is spelled out in section 6 of the *Agricultural Land Commission Act*:

6 The following are the purposes of the commission:
(a) to preserve agricultural land;
(b) to encourage farming on agricultural land in collaboration with other communities of interest;
(c) to encourage local governments, first nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans.

CEO Grout described establishment of zones;
(a) Zone 1, consisting of the Island Panel Region, the Okanagan Panel Region and the South Coast Panel Region;
(b) Zone 2, consisting of all geographic areas of British Columbia not in Zone 1.

In zone 2 the flowing additional considerations are taken into account.

The commission must consider all of the following, in descending order of priority:
(a) the purposes of the commission set out in section 6;
(b) economic, cultural and social values;
(c) regional and community planning objectives;
(d) other prescribed considerations.

When asked about considering some of the additional considerations in zone 2 being applied to the Island Trust area, they advised that the Official Community Plans of the Islands Trust are used to facilitate the same information.

General Comments
There have been significant staffing (hiring of a CEO) and budget increases as a result of the provincial review of the ALC. These changes are enhancing the operations and abilities of the ALC.

Chair Frank Leonard receives applications and refers all applications to regional panel for decisions. The Chair reviews all decisions and reserves the right to reconsider.

Some other topics covered were the significance of agriculture being the first priority, that there is no permanency to any building or non-agricultural development activities, and that Agri-tourism is considered a temporary use.

The new 60 day turn around for all applications was discussed. It is significant to note that the 60 days is the time that the commission takes to process the applications, but that "the clock" stops if the ALC is making a site visit or requesting additional information from the applicant.

Enforcement was spoken to briefly, and it was noted that offences are taken seriously where there are contraventions of decisions. There are difficulties in enforcement where a land use is subject of an application or review.

ALC members recognized that the mapping was done with limited information at the time of creation of the ALC. In consideration of this, the ALC is willing to review applications from a local government where it is wishes to make changes to those lands presently included and is prepared to include lands not presently included where property owners agree to the inclusion.

Conclusion
The meeting concluded with recognizing the MOU between Islands Trust and the ALC to meet annually and concluded that we would respect the MOU and consider any amendments necessary at a future meeting.

I would like to say that we were warmly received the conversation was frank and informative and that it was a very worthwhile meeting. You're Vice-Chairs and myself would be happy to speak to you individually.

ATTACHMENT(S):

Attachment 1 - Meeting Agenda

Attachment 2 - Briefing to EC – Agricultural Land Commission Referrals

Attachment 3 – Letter of Understanding and Protocol between ALC and Islands Trust

AVAILABLE OPTIONS:

Receive for information

FOLLOW-UP:

No follow-up identified.

Prepared By: Peter Luckham, Chair, Islands Trust Council

Reviewed By: Chief Administrative Officer

Date: November 21, 2016

Meeting of the Islands Trust Executive Committee with Island Panel Commissioners Agricultural Land Commission

Date/Time: October 17, 2016 10:00 – 2:00 pm

Location: Committee Room, Nanaimo Regional District – 6300 Hammond Bay Road, Nanaimo BC

Participants:

Island Panel Commissioners

Jennifer Dyson, Chair - Port Alberni
Honey Forbes, Commissioner – Duncan
Clarke Gourlay, Commissioner - Parksville

Islands Trust Executive Committee

Peter Luckham, Chair, Islands Trust Council
Laura Busheikin, Vice Chair, Islands Trust Council
George Grams, Vice Chair, Islands Trust Council
Susan Morrison, Vice Chair, Islands Trust Council and EC representative to Trust Fund Board

Agricultural Land Commission Staff

Kim Grout, Chief Executive Officer
Liz Sutton, Manager of Land Use Planning
Christopher Wilcott, Land Use Planner
Sara Huber, Land Use Planner

Islands Trust Staff

Russ Hotsenpiller, Chief Administrative Officer
David Marlor, Director, Local Planning Services

Agenda

1. Call to Order
2. Introductions
3. Approval of Agenda
4. Overview of Protocol Agreement and Letter of Understanding
5. Application Referral Process
    i. Considerations of Local Trust Committees when forwarding referrals to ALC
    ii. Considerations of the ALC when making a decision
        i. Documents provided by Islands Trust Staff
        ii. Site Visits
        iii. Other
    iii. Timeline for ALC approval from receipt of application to decision
    iv. What can we do better to improve referral process?
6. Other issues?

References:

Pre-reading:	Further helpful reading:
1. Briefing – Agricultural Land Commission Referrals 2. Islands Trust Chair letter to Frank Leonard, August 6, 2015 3. Protocol Agreement on Agricultural Land Reserve in the Trust Area 4. Letter of Understanding on Agricultural Land Reserve in the Trust Area.	*1. Guide for Bylaw Development in Farming Areas*

Relevant *Islands Trust Policy Statement* recommendations

4.1.11 Trust Council encourages the British Columbia Land Reserve Commission to approve applications from property owners for inclusion of their land with potential for agriculture in the Provincial Agricultural Land Reserve.

4.1.12 Trust Council encourages the Provincial government and the British Columbia Assessment Authority to: retain a separate farm class to provide significant property tax incentives; ensure that the threshold for farm income necessary for farm class status is appropriate to agriculture within the Trust Area; and acknowledge that the total land area subject to the farm class may include land left uncultivated

Islands Trust

BRIEFING

To: Executive Committee

For the Meeting of: August 31, 2016

From: David Marlor

File No.:ALC

SUBJECT: **AGRICULTURAL LAND COMMISSION REFERRALS**

DESCRIPTION OF ISSUE:
The purpose of this briefing is to provide the Executive Committee with an inventory of recent (Jan 1, 2011 to July 31, 2016) Agricultural Land Commission (ALC) referral and outcomes.

BACKGROUND:
On July 6, 2016 the Executive Committee asked Staff to compile an inventory of recent ALC referrals and outcomes.

Attached is a spreadsheet of ALC referrals and outcomes over the past 5 years. The following chart provides a summary of the information. In the chart, "range of days to the decision" is the difference in days between the date we recorded sending the referral to the ALC and the date of the decision of the ALC.

Of the 27 referrals sent for which we have received a decision, 11 (41%) were denied. For each denial, the ALC provides written reasons for the decision and advises the landowner on the rules and process for reconsideration.

The length of time from sending an application to the ALC to the ALC making a decision ranges from 66 days (2 months) to 378 days (13) months, with the average time being 197 days (7 months) over the five year period.

LTC	# applications referred to ALC	# Approved by ALC	# Denied by ALC	% Denied by ALC	Range of days to decision	Average days to decision (months)
Denman	7	2	5	71%	132 to 245	180 (6)
Gabriola	1	1	0	0%	66	66 (2)
Galiano	2	2	0	0%	102 to 156	129 (4)
Hornby	1	0	1	100%	215	215 (7)
N. Pender	2	2	0	0%	319 to 378	348 (12)
Saturna	4	2	2	50%	135 to 371	256 (9)
S. Pender	1	1	0	0%	265	265 (9)
Salt Spring	9	6	3	33%	63 to 279	170 (6)
Total	27	16	11	41%	66 to 378	197 (7)

Note that there are three applications recently forwarded to the ALC and for which we have not received a decision. These are included in the attached spreadsheet, but not included in the above chart.

Local trust committees have the authority to decide not to send applications to the Agricultural Land Commission if the committee believes that the application is not consistent with its bylaws or otherwise not supported by the community (for example, the proposal is not supported by an agricultural advisory group or there is a lot of community opposition). Some applications that go to the Commission are for changes of use and density that would subsequently require a rezoning application; in these instances the proposal does not meet current bylaws, but the local trust committee is considering amending the bylaws to permit the use or density. The Executive Committee may want to discuss with the Agricultural Land Commission Island Panel the referral process, reasons that local trust committees send referrals to the Agricultural Land Commissions and how we can work together to reduce the number of denials.

In April 2016 the Agricultural Land Commission increased its portion of the fees from $300 to $1200 and with it and new approach to handling referrals and a 90 day guarantee on a decision. Given the average turn around over the past five years has been seven months, the Executive Committee may want to discuss with the Agricultural Land Commission Island Panel the new process and implications.

ATTACHMENT(S):

1. Spreadsheet of applications forwarded to the ALC between January 1, 2011 and July 31, 2016.

AVAILABLE OPTIONS:

1. Receive this briefing for information
2. Request further information or clarification from staff

FOLLOW-UP:

Develop and agenda and arrange a meeting date with the ALC Vancouver Island Panel.

Prepared By: David Marlor

Reviewed By: Chief Administration Officer

Date: **August 23, 2016**

Trust Area	It File Name	Status	Purpose	Date Sent to ALC	Date of Decision	Decision
Denman	DE-ALR-2011.1	Closed	To create 13 farm lots	5-May-11	5-Jan-12	Deny
Denman	DE-ALR-2011.2	Closed	Subdivision under s. 946	13-Feb-12	4-Jul-12	Deny
Denman	DE-ALR-2011.3	Closed	Proposed 2 lot subdivision	18-Jun-12	7-Jan-13	Deny
Denman	DE-ALR-2012.1	Closed	2016 Northwest Road (I. Brons) Inclusion in ALR to extend the ALR boundary in accordance with the LTC	14-Jun-12	31-Oct-12	Approve
Denman	DE-ALR-2013.1	Closed		17-Apr-13	27-Aug-13	Deny
Denman	DE-ALR-2013.2	Closed	Subdivision in ALR	12-Aug-13	13-Mar-14	Deny
Denman	DE-ALR-2014.1	Closed	Application for vineyard and farm to be included in the ALR	11-Mar-15	16-Sep-15	Approve
Denman	DE-ALR-2015.1	Open	PID: 009-708-537 Severn - 3730 Denman Road Exclusion of 1.6ha in the ALR	18-Jun-15		Pending
Gabriola	GB-ALR-2011.1	Closed	2370 Shaw Road & 2345 South Road Boundary adjustment with neighbour	10-Feb-12	16-Apr-12	Approve
Galiano	GL-ALR-2011.1	Closed	Exclusion of land under sec. 30(1) of ALC Act. To provide for affordable housing.	16-Feb-12	28-May-12	Approve
Galiano	GL-ALR-2014.1	Closed	1359 PORLIER PASS RD Non-farm use designation for cottage.	4-Mar-15	7-Aug-15	Approve
Hornby	HO-ALR-2012.1	Closed	to create a 1.01 ha parcel under section 946 for family member	6-Jun-12	7-Jan-13	Deny
Hornby	HO-ALR-2016.1	Open	PID: 000-157-503 Construction of house guest house and garage at 5905 Maclean Road Hornby Island.	7-Jul-16		Pending
North Pender	NP-ALR-2012.1	Closed	4606 RAZOR POINT RD Application by Owner in Non-Farm Use in the ALR	1-Feb-13	14-Feb-14	Approve
North Pender	NP-ALR-2014.1	Closed	4321 PORT WASHINGTON RD To construct a family home near existing cottage.	29-May-14	13-Apr-15	Approve
Saturna	SA-ALR-2012.1	Closed	subdivision in ALR	30-Oct-12	14-Mar-13	Deny
Saturna	SA-ALR-2013.1	Closed	Subdivide in the ALR	10-Dec-13	13-Jun-14	Approve
Saturna	SA-ALR-2013.2	Closed	116 NARVAEZ BAY RD Create a new 5 acre lot with a remainder 10.2 acre lot.	28-Apr-14	4-May-15	Deny
Saturna	SA-ALR-2014.1	Closed	101 CHURCH BAY RD To exclude 2.2 ha or such lesser area acceptable to the ALC.	20-Jun-14	22-May-15	Approve
South Pender	SP-ALR-2012.1	Closed	8970 GOWLLAND POINT RD Subdivision in the ALR - Sec. 21(2) ALC Act & Non-Farm Use in the ALR - Sec. 20(3) ALC Act	12-Apr-12	2-Jan-13	Approve
Salt Spring	SS-ALR-2011.1	Closed	To exclude property from the ALR for development of a business park for light industrial and commercial uses (240 Atkins).	17-Aug-12	19-Oct-12	Deny
Salt Spring	SS-ALR-2011.2	Closed	Split zoned A1/ Rural - bare land strata subdivision and non-farm use application in ALR (2163 Fulford-Ganges Rd).	3-Feb-12	15-Oct-12	Approve
Salt Spring	SS-ALR-2011.3	Closed	Non-farm use - to construct an emergency services centre - 135 Brinkworthy	30-Jan-12	12-Apr-12	Approve
Salt Spring	SS-ALR-2012.1	Closed	Agricultural Land Reserve Appl - 201 McLennan Dr SSI	6-Mar-13	14-Aug-13	Approve
Salt Spring	SS-ALR-2012.2	Closed	ALR boundary adjustment subdivision & inclusion - 570 Beddis Road SSI	6-Mar-13	20-Aug-13	Deny
Salt Spring	SS-ALR-2013.1	Closed	Associated ALR application concerning SS-RZ-2013.4 to rezone from Agriculture 1 to Agriculture 1(c) -133 Burgoyne Bay Road SSI	4-Jun-13	10-Mar-14	Approve
Salt Spring	SS-ALR-2014.1	Closed	Non-Farm Use: Seasonal Cottage - 430 Beddis Road SSI	2-Apr-15	23-Sep-15	Deny
Salt Spring	SS-ALR-2014.2	Closed	Construction of Squash Courts - 805 Lower Ganges Road. SSI	16-Feb-15	23-Sep-15	Approve

Trust Area	It File Name	Status	Purpose	Date Sent to ALC	Date of Decision	Decision
Salt Spring	SS-ALR-2015.1	Closed	Farm Worker Dwelling - 150 Suffolk Road SSI	9-Jul-15	26-Nov-15	Approve
Salt Spring	SS-ALR-2016.2	Open	Non-Farm Use (Cottage) - 231 Meadow Drive SSI	23-Jun-16		Pending
Thetis	TH-ALR-2012.1	Closed	298 Foster Point Road Thetis Island Non Farm Use Application For existing and new Bible Centre uses	1-Nov-12	5-Apr-13	Approve

LETTER OF UNDERSTANDING
on
AGRICULTURAL LAND RESERVE
WITHIN THE ISLANDS TRUST AREA

BETWEEN:
PROVINCIAL AGRICULTURAL LAND COMMISSION (the Commission)

AND ISLANDS TRUST COUNCIL (the Islands Trust)

1.0 Purpose

1.1 The purpose of this letter of understanding is to:

- .1 commit to a consultative process on issues of common interest;
- .2 set out a process by which consultation will take place; and
- .3 identify those issues that should be the subject of the consultation.

1.2 To achieve the purposes of the letter of understanding, this paper shall:

- .1 encourage the coordination of policies and programs;
- .2 facilitate achievement of mutual goals and objectives; and
- .3 outline the respective areas of responsibility and accountability of the Commission and the Islands Trust.

2.0 Principles

2.1 This agreement acknowledges mutual respect for each agency's policies and areas of jurisdiction.

2.2 This agreement is consistent with the mandate of each agency and conforms with and is subject to the *Islands Trust Act, Agricultural Land Commission Act, the Soil Conservation* and the *Municipal Act.*

3.0 Mandate and Responsibilities

3.1 The Commission, pursuant to the *Agricultural Land Commission Act, is* an independent Provincial agency dedicated to protecting the scarce supply of agricultural land that is important to the current and future needs of British Columbia. In pursuance of this objective it encourages the establishment and maintenance of farms to provide a basis for a sustainable economy and a secure source of food, becomes involved in land use planning that supports this objective and provides advisory services to governments, the public and the farming community. In addition, pursuant to the Soil Conservation Act, it controls the removal and placement of soil and fill on land within the reserve.

3.2 The *Islands Trust Act* establishes three corporate entities, each with separate responsibilities that include:

1. The **Islands Trust Council,** for the purpose of carrying out the object of the Islands Trust and subject to the approval of the Minister of Municipal Affairs, may enter into

agreements with the Province and agents of the Province respecting the coordination of administrative activities within the Trust Area. Trust Council adopts a Policy Statement containing policies to further the object of the *Islands Trust Act.* 2. **Local Trust Committees** have the responsibility for providing local land use planning and regulation and responding to the concerns of island residents and property owners. All bylaws are subject to the approval of the Islands Trust Council and must comply with the Islands Trust Policy Statement; and 3. The **Trust Fund Board** is independent of the Islands Trust Council and can acquire and hold land in perpetuity to protect significant environmental sites and features.

4.0 Objectives

4.1 Provide an efficient decision making process, based on defined criteria and objectives that treat all parties equally and fairly.

4.2 Maximize local decision making and participation in policy development that meets the objectives of both agencies' legislated mandates while building stewardship of the resource within the community.

4.3 Share data base and mapping resources in a coordinative and mutually supportive manner.

4.4 Determine the process for communications between agencies at each level of review and/or decision-making.

4.5 Define a process of early consultation on each agencies' policy initiatives or review including the Islands Trust Policy Statement, Official Community Plans and Bylaws, and General Orders of the Commission.

5.0 Decision Making Process

5.1 All decisions share an intent to protect agricultural potential of land and to foster sustainable development of agriculture in the island communities.

5.2 The Commission and the Islands Trust will provide written reasons for recommendations and for decisions made.

5.3 While the process of review of applications to the Agricultural Land Commission by local trust committees remains flexible and may vary from island to island, all decisions shall be consistent with Agricultural Land Commission policies and shall be monitored.

5.4 Generally discussions shall be conducted at a staff level but, where it is not possible for issues to be resolved within a mutually agreed period of time at this level, the matter shall be referred to the General Manager and Executive Director and, if still not resolved, the Commission or the Islands Trust Council may request a meeting to resolve issues.

5.5 Input on Commission referral matters shall be communicated from a local trust committee through the Islands Trust planning staff to Commission staff.

6.0 Maximizing Local Participation

6.1 The Commission does not anticipate the delegation of authority on approval of applications to local trust committees at this time.

6.2 The interests of island communities as reflected in Official Community Plan policies addressing agricultural, environmental and social concerns, will be used by the Local Trust Committee to assess applications within the Agricultural Land Reserve.

6.3 The Commission shall make information on policy and application status available to communities in their deliberations.

6.4 Either agency may define site-specific issues for consideration.

6.5 The Islands Trust in its own process shall ensure consultation with interested groups within the island communities.

7.0 Sharing Resources

7.1 General information including air photos, and physical soils information when acquired by one party, shall be shared with the other upon request.

7.2 Where a site inspection of land that is subject to an application to the Commission is considered necessary by both the Commission for its purposes and the Islands Trust to satisfy its interest, the Island Trust shall provide the on-site inspection of such land.

7.3 The Commission shall communicate with the Islands Trust investigations officer to ensure a consistent policy of enforcements.

7.4 The electronic tracking systems of each agency shall be reviewed to maximize potential compatibility of data entry.

8.0 Communications between Agencies

8.1 There shall be an annual meeting in April or May between senior staff to review work program initiatives planned for the upcoming year.

8.2 Each agency shall strive to ensure that the other is fully consulted on all issues of common interest.

8.3 In respect of planning documents prepared by the Islands Trust, the extent of the consultation will vary according to the complexity of the agricultural issues of the plan area. For Official Community Plans the minimum consultation will comprise an initial notification of the intention to prepare a new plan or conduct a review of an existing plan and, in compliance with Section 947 (2) of the Municipal Act, a referral of the plan after first reading. Other consultations will be carried out as necessary, and may involve invitations to attend workshops, public, planning committee and agency meetings. Where initiatives related to the Policy Statement or other items of significance to the Agricultural Land Reserve arise, early notice shall be given of such initiatives.

8.4 In respect of documents prepared by the Commission, the consultation will depend upon the nature of the document and its relevance to the Islands Trust. All common policy documents, for example general orders, that are referred to local governments will include a referral to the Island Trust and any document that specifically relates to the Islands Trust, for example, reviews of the Agricultural Land Reserve, will be referred to the appropriate local trust committee at an early date. No decision will be taken by the Commission where there is disagreement before the matter has been discussed at a staff level or at any necessary higher levels as referred to in 8.6.

8.5 Each agency shall be given at least 30 working days in which to respond and shall strive to respond within such period.

8.6 Both organizations shall strive to reach agreement where differences of opinion arise as result of their differing mandates, provided that the provisions of the Agricultural Land Commission Act and the Farm Practices Protection (Right to Farm) Act are not compromised. Where it is not possible to resolve the issues at a staff level, the matter shall be referred to the General Manager and Executive Director and, if necessary, to the Commission and the Islands Trust and/or relevant local trust committee.

9.0 Terms of the Agreement

9.1 The Executive Director of the Islands Trust and the General Manager of the Commission are responsible for administering this agreement. Any notice or report required to be delivered to the parties may be made, if delivered to the Islands Trust:

Islands Trust
2nd Floor, 1627 Fort Street
Victoria, BC V814 1 H8
Attention: Executive Director

or, if delivered to the Commission:

Agricultural Land
Commission 133 - 4940
Canada Way Burnaby, BC
V5G 4K6

Attention: General Manager

9.2 From time to time the Executive Director of the Islands Trust and the General Manager of the Agricultural Land Commission may amend this agreement upon mutual agreement.

9.3 This agreement becomes effective on the date of signature of both parties and shall be reviewed by both parties three years from the effective date, or upon 30 days written notice by either the Islands Trust or the Agricultural Land Commission.

9.4 Nothing in this agreement shall operate or be construed to abrogate or reduce the authority or autonomy of the Islands Trust or the Commission to administer or enforce legislation or regulations. In particular, the quasi-judicial authorities of the Islands Trust and the Commission are not encumbered or fettered in any way by this agreement.

9.5 Both parties agree to communicate the contents of this memorandum to the staff of both parties to ensure its implementation.

PROTOCOL AGREEMENT

ON

AGRICULTURAL LAND RESERVE IN THE TRUST AREA

BETWEEN:

AND:

PROVINCIAL AGRICULTURAL LAND COMMISSION

ISLANDS TRUST

WHEREAS:

The legislated object of the Islands Trust, pursuant to Section 3 of the *Islands Trust Act,* is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and the Province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations, and the government of the Province;

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

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

> **Trust Council -** making recommendations to the Lieutenant Governor in Council respecting the acquisition, use and disposition by the Crown in right of the Province of land situated within the trust area, establishing general policies to carry out the object of the Trust, ensuring proposed local planning activities comply with the Trust object and policy statement;
>
> **Trust Fund Board -** acquiring and holding land in perpetuity to protect significant environmental sites and features; and

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

The **Agricultural Land Commission,** as a corporation established by legislation, operates to achieve the purposes described by the legislation including the preservation of land in British Columbia that is useful to its agriculture industry, to encourage and conduct land use planning that supports that objective, and to provide related advisory services to governments, the public, and the farming community;

The Agricultural Land Reserve forms part of the unique amenities of the Trust area;

Both Agricultural Land Commission and Islands Trust share a responsibility for the protection of farm land and farming activities on the islands;

Both Agricultural Land Commission and Islands Trust recognize that land use planning decisions relating to agricultural lands and environmental and social issues often impact on both mandates and thus require coordinated responses from the parties;

AND WHEREAS:

Both parties recognize the need to clarify Agricultural Land Commission responsibility for agricultural land and farming on the islands, local trust committee responsibility for land use planning and regulations in the trust areas and the Islands Trust responsibility to preserve and protect unique amenities and the environment of the Trust area.

THEREFORE:

Agriculture Land Commission and the Islands Trust are committed to developing agreements and procedures to promote a consultative process on issues of common interest, set out a process by which consultation will take place; and to identify those issues that should be the subject of the consultation to enhance their respective abilities to achieve their mandates with the Trust area in a manner which is respectful of each agency's jurisdiction.

ADMINISTRATION OF PROTOCOL

The key contacts for administering this Protocol are the:

Executive Director - Islands Trust
General Manager - Provincial Agricultural Land Commission

BRIEFING

To: Trust Council

For the Meeting of: December 6, 2016.

From: Peter Luckham
Chair, Executive Committee

File No.:

SUBJECT: MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE MEETING

DESCRIPTION OF ISSUE:

To report out on a meeting between the Executive Committee and the Ministry of Transportation and Infrasturcture held on October 12, 2016.

BACKGROUND:

On October 12, 2016 the Islands Trust Executive Committee and Director of Local Planning Services met with the Ministry of Transportation and Infrastructure's Michael Pearson, Acting District Manager for the Vancouver Island District and Ryan Evenoff, Operations Manager at the Saanich Area Office.

Road Maintenance Contracts:

MOTI usually issues road maintenance contracts for 10 year terms. Maintenance contractors are responsible for assessing road maintenance requirements and preparing maintenance plans for Ministry approval. Trustees may deal directly with and convey public concerns to the contractors for their respective areas. As part of their contract with MOTI, maintenance contractors are required to have annual stakeholder meetings. Trustees/staff are welcome to attend these meetings.

Road Maintenance Concerns:

Salt Spring has recently received funding for urgent road work, but other islands are not receiving sufficient funding to maintain minimum standards. There was discussion of specific maintenance concerns on the islands i.e. Georgina Point on Mayne, a number of locations on Salt Spring, Denman and Thetis and the high clay-content of the gravel Lasquetic recives every year, which leaves the roads very dirty. MOTI is aware of these issues, and their ongoing assessments have revealed that none of the concerns require immediate capital investment. Monitoring will continue.

With respect to inquiries about Walker Hook road, although road equipment has been removed at this time, the black top will be applied when conditions and resources are available to conclude this project.

A seprate meeting regarding Tucker Bay road will be arranged to address the issue of ocean access.

It was reiterated that trustees should raise concerns about road maintenance issues on their islands with the local contract managers.

Maintenance vs Capital Projects:
Capital projects are done on a budgeted basis. Significant road upgrades, as a result of engineering reports, are considered capital and are budgeted and undertaken as required.

Road Safety Assessments:
Ministry staff indicated that safety assessments could be undertaken where there was community concerns identified. Road speed assessments could also be undertaken where warranted. Neighbourhood golf carts, as being piloted in Qualicum Beach, were discussed, and clarity was received regarding the limited uses, and that vehicles must be insured, licensed and meet minimum road safety standards including signaling, headlights, breaking seatbelts etc.

ATTACHMENT(S):

No Attachments

AVAILABLE OPTIONS:

Receive for information

FOLLOW-UP:

No follow-up identified.

Prepared By: Peter Luckham Chair, Executive Committee

Reviewed By: Chief Administration Officer

Date: November 21, 2016

Islands Trust

December 2016 Islands Trust Council

Visioning Follow Up Session

4:15 p.m. – 5:15 p.m., Tuesday, December 6, 2016

Purpose: To review and follow-up the September 2016 Visioning session for Trust Council

Chair: Peter Luckham, Chair, Islands Trust Council

Staff: Russ Hotsenpiller, CAO, Islands Trust (to lead session)

Rationale:

1. **Direction provided via Trust Council resolution, June 2016.**
2. **Strategic Plan direction**
   a. **T.7.1.4** Increase opportunities for Trust Council to engage in in-depth discussion about its vision, goals, mandate and activities
   b. **T.9.1.3** Implement project charter regarding Phase 1 ('State of the Islands' report) of the targeted update of the Policy Statement
   c. **T.9.1.4** Develop a project charter for a community engagement process to create a vision statement for the Islands Trust Area and to identify Policy Statement topics for amendment
   d. **T.9.1.6** Recommend a vision statement for the Islands Trust Area and Policy Statement topics for amendment

TIME	TOPIC	WHO
4:15 – 4:45	**To review the outcome of the September 2016 visioning session.**	CAO
4:45 – 5:15	**Discussion on amendments to visioning** **How should we realize the vision?** **a) Vision statement?** **b) Inclusion into Strategic Plan?** **c) Through public processes associated with Policy Statement?** **d) Discussion on density, nodes in OCPs?**	

Resources: Russ Hotsenpiller, Chief Administrative Officer

Background:

Trust Council undertook a visioning session at September Trust Council conducted by Suzanne Hawkes and Avril Orloff with a purpose to (i) capture and distill the emerging shared vision of Trustees for the Trust Area and (ii) to provide the basis of a draft vision that will be shared with the public and First Nations during the targeted update of the Policy Statement. The outcomes for the visioning session were to be:

1. A set of clear themes that capture a shared, draft 10-year vision for the Islands Trust
2. A short written summary of the key themes emerging from the session

In order to stimulate conversation, prior to the session Trustees were provided two significant pieces of information, the results of a Trustee survey on the vision and future of the Islands Trust and the results of the State of the Islands Report which was generated to provide a snapshot of area indicators(ecological and socio-economic).

During the session a number of themes were developed in plenary and small group formats, which are summarized below. A graphic recording was developed that has since been laminated and distributed to the Northern and Salt Spring offices.

Trust Council is now in a position to review the outcomes of the visioning session, make any amendments and consider how it wishes to incorporate the outcomes into its work.

Analysis: The number of key themes were developed during the session and included in the graphic recording. The results were that in general, the themes were in keeping with the Object of the Trust and the Policy Statement. Also, there was relatively little divergence of opinion within Trust Council. There was almost unanimous support for new ideas, such as a much greater emphasis on developing relationships with First Nation communities, the use of appropriate technologies and the importance of affordable and diverse housing forms.

Given the universality of the outcome and the fact that many themes already exist in LTC work plans, the Strategic Plan, the Policy Statement, and the Object, there may not be a need to develop a separate 'vision statement' that stands alone. A preferable option may be to develop a summary of the visioning process and amend it to the Strategic Plan as an introduction.

Key Themes from Visioning Session, September 13, 2016

1. <u>Caring, connected, diverse communities</u>	- healthy, resilient, inclusive
2. <u>Healthy natural environment</u>	- islands are clean and green* - vibrant full forest ecosystems* - healthy oceans and forests* - more protected areas* - increased wildlife
3. <u>Reconciliation and collaboration with First Nations</u>	- caring for land and sea together with First Nations - increased awareness and respect of First Nations - island spirit-places are protected and respected
4. <u>Local businesses and farming supported</u>	- more locally grown food - eat local
5. <u>Water stewardship</u>	- long-term, integrated water management* - protected water resources* - alternative water sources*
6. <u>Diverse, green, affordable housing</u>	- neighbourhood 'nodes'/clusters of diverse and affordable housing - different types of housing* - land ownership options (eg. co-ops;

	community land trusts) - better use of current built environment (eg. convert some large houses into multi-unit homes) - homes with small footprints (eg. energy efficient; solar powered; using local materials; ‘green’)
7. <u>Supportive (appropriate) technology</u>	- Appropriate - electric plus ‘electric-assisted’ vehicles (eg. bikes)
8. <u>Renewable energy</u>	- solar, wind, wave (tidal)

One theme that led to further discussion was around “Being a Leader/Role Model for the World”. Terms such as “beacon of hope”, “excellence in leadership”, and “act locally, think globally” were used to try and define the theme further. This led to more extensive discussion and the creation of alternative ideas, which Trustees then ranked. In the end, two ideas received relatively high ‘scores’ – but they received only 7 ‘votes’ each, out of 24 Trustees (staff did not participate in the ranking exercise). The top two ideas were:

- Exemplary care for an extraordinary place
- We, Island communities, work together with First Peoples and their ancient knowledge, to preserve and protect our islands and surrounding seas

Convergence/Divergence with Strategic Plan

Substantially the majority of themes developed during the session related to the Strategic Plan. The vision for a new relationship with First Nations suggested a deeper and more comprehensive program than is in the Strategic Plan at this time, however Trust Council will be contemplating a new engagement program at December Trust Council that will reconcile this difference. A healthy environment, water stewardship and affordable housing are represented in the current Strategic Plan. The areas that are not reflected in the Strategic Plan to the degree indicated in the session, are the support of local business, farming and appropriate technologies.

Trust Council may wish to have further discussion on where it wishes to consider developing new projects in these areas and including them in the Strategic Plan.

Islands Trust

REQUEST FOR DECISION

To: Trust Council **For the Meeting of::** December 6, 2016

From: Russ Hotsenpiller **Date:** November 16, 2016

SUBJECT: **PROVISION OF TRUST COUNCIL RECOMMENDATIONS IN THE DEVELOPMENT OF LETTERS PATENT FOR THE POSSIBLE INCORPORATION OF SALT SPRING ISLAND**

RECOMMENDATION:

That Trust Council recommends that the letter dated November 16, 2016, attached as Appendix A, providing input by the Islands Trust to the development of letters patent for the potential incorporation of Salt Spring Island, be sent to the Ministry of Community Sport and Cultural Development (MCSCD).

CHIEF ADMINISTRATIVE OFFICER COMMENTS:

Trust Council has an opportunity to provide comments for consideration by the Ministry of Community Sport and Cultural Development on the development of letters patent for a potential Salt Spring Island municipality. Letters patent stipulate the basic characteristics of a municipality (name, area, council size), one-time establishment events or processes (inaugural election, term of office for first council, preparation of first assessment roll), and permanent or temporary transitional measures to manage significant differences between municipal and rural governance.

While the Islands Trust can take comfort in that it has a Protocol Agreement with the MCSCD for the incorporation of municipalities within the Trust Area that ensures the Island Trust has input into the incorporation process it is recommended that Trust Council indicate its position on issues that it deems important early in the stage of development of letters patent.

<u>IMPLICATIONS OF RECOMMENDATION</u>

ORGANIZATIONAL: N/A

FINANCIAL: Letters patent will include a requirement for a contract for planning services from the Islands Trust to Salt Spring, including the agreement for the provision of three years of funding at pre-incorporation levels in order to ensure an orderly transition.

POLICY: N/A

IMPLEMENTATION/COMMUNICATIONS: Any suggestions or recommendations by Trust Council will be considered by the Minister of Community, Sport and Cultural Development and his staff - and likely legal counsel - and may or may not be eventually included in letters patent.

BACKGROUND

The Islands Trust is in receipt of a request from the Ministry of Community Sport and Cultural Development, dated Wed November 2, 2016, that seeks Trust Council input in the development of letters patent for a potential Salt Spring Island Municipality. This is an opportunity to provide input or seek clarity from the Ministry on any items or issues that are important to the Islands Trust.

Trust Council will recall that the Incorporation Agreement between the Province and the Islands Trust primarily governs the key elements of a municipal incorporation within the Trust area. The Islands Trust has some interest in the development of letters patent but continues to refer to the Protocol Agreement as containing the framework of incorporation from a Trust perspective.

Letters patent is a foundational document that identifies basic elements of a municipality and may include elections, events, transitional measures, service areas, taxing authority, assets, liabilities and bylaws, corporate powers, and geographic area, amongst others. Further, the Letters Patent is expected to require the Islands Trust and a new Salt Spring Island municipality to enter into a separate Protocol agreement to provide a framework for the ongoing relationship. This information can be found in the Transition Plan.

REPORT/DOCUMENT: **Attachment 1:** Recommendation Letter from Chair to Tara Faganello

KEY ISSUE(S)/CONCEPT(S): To provide commentary to the Ministry on the development of letters patent for a potential Salt Spring incorporation that reflects the interests and issues of importance to the Islands Trust.

RELEVANT POLICY: The Islands Trust and the Ministry of Community Sport and Cultural Development are signatories to a Protocol Agreement for incorporation of municipalities within the Trust Area. This document provides the framework for relationships, issues, responsibilities and finances between the Trust and any new municipal entity and the Province.

DESIRED OUTCOME: That Trust Council provides comment to the MCSCD regarding letters patent for a Salt Spring Island municipality.

RESPONSE OPTIONS

Recommended: **That Trust Council recommends that the letter dated November 16, 2016, attached as Appendix A, providing input by the Islands Trust to the development of letters patent for the potential incorporation of Salt Spring Island, be sent to the Ministry of Community Sport and Cultural Development (MCSCD).**

Alternative:
1. Trust Council could decline to make recommendations to the Minister in the development of letters patent for a Salt Spring Island.
2. Trust Council could make additional recommendations to the Minister beyond those detailed in this report.

Prepared By: Russ Hotsenpiller, CAO

Reviewed By/Date: Executive Committee, Nov 23, 2016

Russ Hotsenpiller, Chief Administrative Officer

Islands Trust

200 - 1627 Fort St., Victoria, BC V8R 1H8
Telephone **(250) 405-5151** Fax (250) 405-5155
Toll Free via Enquiry BC in Vancouver 604.660.2421. Elsewhere in BC **1.800.663.7867**
Email information@islandstrust.bc.ca
Web www.islandstrust.bc.ca

November 16, 2016 File Number:

Tara Faganello, Assistant Deputy Minister, Local Government Division
Ministry of Community, Sport and Cultural Development
5th floor - 800 Johnson Street,
PO Box 9490 Stn Prov Govt
Victoria BC V8W 9N7

Dear Tara Faganello

This letter provides input to a number of issues or subject areas identified by the Ministry or the Islands Trust regarding development of letters patent for a possible incorporation of Salt Spring Island. Please note that Ministry comments are in regular text and Islands Trust comments are in italics.

1. The term and manner of selection of municipal trustees.

Unless otherwise advised, the Ministry has assumed that the approach used for Bowen has proven satisfactory to the Trust Council and should be repeated for Salt Spring Island.

Generally, this would include: a term of office concurrent with municipal council; electors asked to select, in the manner of an election, two Council members to be appointed as municipal trustees; and the option to discontinue elector selection, with the approval of the electors, after not less than 10 years.

It is recommended that the term and manner of selection of Trustees remain the double direct method as described. This ensures that municipal citizens directly vote for Trustees and lessens the instances where Trustees are appointed by municipal council.

2. Bylaws and resolutions continued

As occurred for Bowen, and is the practice where land use jurisdiction is assumed from regional districts, the municipality would inherit all bylaws of the Salt Spring Island Local Trust Committee as if they had been adopted by the municipal council.

In the Transition Plan, all bylaws of the Salt Spring Island Local Trust Committee have been inventoried, with some consideration given to those which would in whole or in part be retained under the authority of another local trust committee and those that would be inherited by the municipality. While authority exists to require an island municipality to amend or repeal a continued resolution or bylaw, the Ministry would look to the Islands Trust to identify any bylaws or resolutions to which it is advisable to consider such a requirement.

The Islands Trust will provide advice on required amending bylaws, however it is understood that this process would occur outside the development of letters patent. For Trust Council bylaws, of which Salt Spring is but a single participant, Sec. 23(f) of the Local Government Act states that letters patent may continue "in force" any Trust Council bylaws/resolutions that apply to the area of the island municipality, as bylaws/resolutions of the island municipality until they are amended or repealed by the island municipal council. In effect this leads us to the understanding that current bylaws solely applicable to Salt Spring would be inherited by the Municipality and any bylaws that Salt Spring is a party to with others would also, via letters patent, be inherited by the Municipality.

Please note that Trust Council Bylaw 154 (delegation authority for water protection) should be repealed by Trust Council and responsibility transferred to SSIM.

3. The process for submitting bylaws for approval under section 38 of the Islands Trust Act.

Unless otherwise advised, the Ministry has assumed that the approach used for Bowen has proven satisfactory to the Trust Council and should be repeated for Salt Spring Island.

Generally, this would include: provisions for referral of OCP bylaws prior to public hearing; submission of OCP bylaws before adoption; provisions for circumstances in which approval is not granted by Executive Committee, including authority for Minister to send the bylaw to dispute resolution. Additionally, the Bowen example provides for the process of bylaw approval for other matters to be outlined in a coordination or Protocol agreement established between the Islands Trust and the municipality, with discussions on such an agreement to be underway within approximately four (4) months following incorporation.

Should Trust Council indicate that an alternative approach is preferred (e.g. adjustments to time frames), the Ministry would consider amending the Bowen Letters Patent to ensure equitable treatment of both municipalities.

It is recommended that the process for the submission of identified bylaws under Section 38 of the Islands Trust Act, as has been used for Bowen, be continued in letters patent for Salt Spring. It is also recommended that a Protocol Agreement between the Islands Trust and the new municipality include a process of bylaw review for non-OCP bylaws.

4. Regard for the object of the Trust

While the modern legislative drafting style generally precludes repetition of a statute provision in subsidiary enactments such as Letters Patent, which is legally unnecessary, it is understood from review of the Transition Plan that the Trust Council may desire the inclusion of a provision in Letters Patent that requires the municipality to "have regard to the object of the trust in adopting a bylaw or issuing a permit or licence."

If the Trust Council indicates that such a provision is necessary for political reasons, the Ministry would propose to an approach that clarifies that nothing in the Letters Patent nor an agreement between the Trust Council and the municipality alleviates the obligation established in s. 39.1 for the municipality to have regard to the object of the trust in adopting a bylaw or issuing a permit or licence.

Section 13 of the Bowen Island letters patent refers to section 39.1 of the Act, and requires that 'council must have regard to the object of the Islands Trust in adopting a bylaw or issues a permit or a license.' Notwithstanding changes to legislative process, the Islands Trust preference would be for a similar reference in letters patent for Salt Spring Island Municipality. If the inclusion of a clause indicating that nothing absolves the participants from responsibilities established in s.39.1, is the most salient option available, that would be an acceptable alternative. The Islands Trust wants to ensure Salt Spring remains a committed and functioning member of the Islands Trust 10, 15 and 20 years in the future, and strong links in letters patent and protocol agreements will support this goal.

5. Protocol and other agreements

In addition to establishing an obligation to promptly enter discussions on communications between the municipality and Islands Trust noted above, the Bowen approach would extend the requirement for ministerial approval of coordination agreement between the municipality and other agencies and governments; establish time frames for comment by the municipality or executive committee on referred draft coordination agreements; and obligate the municipality to determine applicability of existing Islands Trust protocol agreements within ten (10) months of incorporation.

The Ministry would appreciate Trust Council's perspectives on the adequacy of those time frames or identification of any agreements that, from the perspective of the Trust, ought to be binding on the new municipality.

Generally, the provision of a 10 month time frame for inclusion in coordination agreements with other agencies did not work in practise with regard to Bowen Island. There is no record of Bowen Council contemplating these agreements within the time frames indicated, the result being that the status of agreements was unclear beyond the 10 month mark. It is recommended that the process of protocol agreements be changed such that Salt Spring is deemed to not be a signatorie to any agreement unless a specific resolution to that effect is passed by council by a certain date identified in letters patent. A suggested timeframe would be 12 months.

6. Land use planning services contract

Unless otherwise advised, the Ministry has assumed that the approach used for Bowen has proven satisfactory to the Trust Council and should be repeated for Salt Spring Island.

Generally, this would include: establishment of a contract for local planning services between the municipality and the Trust for three (3) years following incorporation; obligation for the municipality and Trust to enter into an agreement detailing the terms of the contract within seven (7) months; obligation for the municipality to pay costs under the contract; and authority for the parties to terminate the contract early or extend the contract by mutual agreement.

The Islands Trust understands the contractual arrangement would be that the Islands Trust would provide land use services to the new municipality. The SSI municipality would be required to provide funding at pre-incorporation levels for three years (unless mutually terminated). The amount paid would not vary as per services rendered. Indeed s.18.2 of the Bowen letters patent stipulates that the contract "shall be in the amount, in the *particular year representing the pro-rata share of the Islands Trust budget, net of fees, charges and other revenue for local planning services based on the value of net taxable assessments of the municipality in relation to the value for the net taxable assessments for the trust area as a whole." The Islands Trust would request similar wording in the new letters patent. Services rendered would of course be commensurate generally with the level of service costs, as they are now. The key point is that this is not a 'fee for service' model, rather it is that in exchange for continued pre incorporation funding that Salt Spring receives planning services. This is important for the Trust as it manages an orderly transition and is our basis of understanding of the transition period.*

7. Assets and liabilities assumed

The general approach would be the transfer of all Local Trust Committee assets, liabilities and obligations to the new municipality on the date of incorporation and deem references to the local trust committee in a wide manner of documents as references to the municipal council.

In the Transition Plan, specific actions are noted relating to leased assets, including office space on Salt Spring Island that may be cancelled or transferred to the municipality. Should the Trust wish to retain specific assets on Salt Spring Island as integral to the delivery of land use planning services under the contract between the Trust and the municipality, it would be advisable for us to discuss how to exempt such assets from the general transfer.

Admittedly the Transition Plan indicates specific actions regarding leased assets as part of the due diligence to any anticipated corporate change. In practical terms all assets currently utilized in the Salt Spring office, (as they are in the Northern or Victoria offices) are Trust Council, or Islands Trust assets, and as such would remain with the parent organization. Accordingly, use of leased space and associated costs would be included in the contract between the parties for the provision of land use services. If any Salt Spring LTC/LTA assets are identified during the transition process they would be deemed transferred to the new municipality upon date of incorporation. It is understood that, as in s. 19 in Bowen letters patent, all property, both real and personal and all rights powers and privileges arising out of any contract, actions, etc. shall transfer to the municipality.

If the Bowen approach were replicated, covenants registered in the name of the Islands Trust would also be transferred to the municipality.

The Islands Trust would make the distinction that covenants to be transferred refer to those associated with the LTC under their land use authority, for example s. 19 covenants associated with subdivision processes. This is in contrast to s. 19 conservation covenants in the name of the Trust Fund Board, which would remain with the Trust Fund Board.

Ministry would also like to receive the Trust Council recommendations in regard to assignment of islands and islets within the Salt Spring Island LTC that would be outside of the proposed municipal boundary. This will inform development of amendments to the mapping that will define the Local Trust Areas in the Islands Trust Regulation.

Trust Council recommends that, for the most part and only in unusual circumstances would it be advisable to remove and islet or island outside of its current Regional District *boundary. The primary reason is that the Regional Districts run our local elections. An example of how this can be confusing is that Piers Island voters vote for Salt Spring Island Local Trustees and for Southern Gulf Islands Electoral Area Director (not Salt Spring Island Electoral Area Director) since that island falls with two different jurisdictions.*

Trust Council recommendation for relocation of islands and islets is as follows:

1. *Islands in Trincomali channel north of Prevost Island transferred to the Galiano LTA (major islands are Wallace, Secretary, Norway and Hall)*
2. *Islands in Samsum Narrows are all in the CVRD transferred to Thetis LTA*
3. *Senanus Island in Saanich Inlet just off the coast of Brentwood Bay. Saanich Inlet is partly in CRD and partly in CVRD. It would make sense to transfer the water area of Saanich Inlet and the islet to North Pender LTA. This would include water area in the CVRD, but that is currently the case with Salt Spring LTA already, so would not change anything in that regard.*
4. *Piers Island should be transferred to North Pender LTA.*
5. *Prevost Island and its islets transfer to the Mayne. An alternative would be either Galiano or North Pender.*

Yours sincerely,

ORIGINAL TO BE SIGNED BY

Peter Luckham
Chair, Islands Trust Council
pluckham@islandstrust.bc.ca

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:**: December 2016

From: David Critchley
George Grams
Lee Middleton **Date:** November 4, 2016

SUBJECT: LEGISLATIVE CHANGES TO THE ISLANDS TRUST ACT

RECOMMENDATIONS:

That Trust Council approves in principle a review of the *Islands Trust Act*.

That Trust Council add to the 2014-2018 Strategic Plan the project of investigating the principle of amending the *Islands Trust Act* and assign the project to the Executive Committee.

CHIEF ADMINISTRATIVE OFFICER COMMENTS:
Executive Committee resolved on Oct 26, 2016 to add 'amending the *Islands Trust Act'* to the Chief Administrative Officer's work program. Trust Council's 2014-2018 Strategic Plan currently proposes one legislative amendment related to renaming the Islands Trust Fund. This Request for Decision does not explore the merits of the trustees' new proposals for legislative change but seeks Trust Council's support for allocating significant staff and Executive Committee time to investigating the principle of amending the *Islands Trust Act* and Islands Trust Regulations. Staff recommends that Trust Council consider the following implications of this project: 1) engagement with public, First Nations and affected agencies; 2) timing of this project alongside the Salt Spring Island Incorporation Study and the provincial election; and 3) previous experiences of seeking legislative changes.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The recommendations, if adopted, would lead to a re-prioritization of the Executive Committee's work program assignments.

FINANCIAL: No financial implications have been identified in regards to the recommendations, other than reallocation of staff resources.

POLICY: No implications identified.

IMPLEMENTATION/COMMUNICATIONS: Implementation would be through adjustment to the Executive Committee work program and undertaking work on this project as directed by the Executive Committee. Communications would be through regular updates from the Executive Committee to Trust Council.

OTHER: None identified.

BACKGROUND

The attached document titled "*Outline for RFD seeking changes to the Islands Trust Act"* provides background on this proposal.

REPORT/DOCUMENT:

1. Outline for RFD seeking changes to the *Islands Trust Act*
2. Islands Trust Requests to the Province of BC for Changes to Islands Trust Legislation/Regulation (During the past 10 years)

KEY ISSUE(S)/CONCEPT(S):

1. Review and improvements to the *Islands Trust Act*
2. Improved ability to preserve and protect the Islands Trust Area

RELEVANT POLICY:

1. 6.1.iii Advocacy Policy

DESIRED OUTCOME:

1. Expansion of and improvements to the way we fund and deliver services to the Islands Trust Area.

RESPONSE OPTIONS

Recommended:
THAT Trust Council approves in principle a review of the *Islands Trust Act*.

That Trust Council add to the 2014-2018 Strategic Plan the project of investigating the principle of amending the *Islands Trust Act* and assign the project to the Executive Committee.

Alternatives:
1. Trust Council delays this project until after the outcome of the Salt Spring Incorporation vote.
2. Trust Council requests staff to report back on the implications of specific amendments to the *Islands Trust Act* or Islands Trust Regulations.
3. Trust Council does not consider amendments to the Islands Trust Act or Islands Trust Regulations.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date: Lisa Gordon, Director, Trust Area Services/Nov 4, 2016
Clare Frater, Senior Policy Analyst /Nov 4, 2016
Executive Committee/ November 9, 2016

____
Russ Hotsenpiller, Chief Administrative Officer

Background

The current Islands Trust Council has expressed a willingness to conduct a review of some of the Trust's core functions and its service delivery model, the intent of which is to ensure that the agency is comprehensively meeting its mandate and is providing the services needed by island communities.

To date the review comprises the following undertakings:

1. The development of a vision statement for the Islands Trust Area.
2. A 'state of the islands' survey to provide a snapshot of ecological and socio-economic indicators in the Islands Trust Area.
3. A review of the location of the Islands Trust head office.
4. The preparation of a transition/adaptation plan for the agency in the event that Salt Spring Island incorporates.
5. A targeted review of the Trust Policy Statement by the Trust Programs Committee.

In addition to the foregoing, in January of 2016 the Island Trust appointed a new CAO, Russ Hotsenpiller, whose duties have included engagement with the ministry of Community, Sport and Cultural Development to better understand the ministry's expectations of and hopes for the Trust. Reports received on the substance of that dialogue suggest that the ministry is open to considering changes to the Trust that would enhance its performance, permit it to better execute its mandate and improve services to island communities and better prepare it for the challenges that confront island communities and that are likely to arise in the next 20 - 30 years.

Other circumstances currently in convergence affirm that Trust Council has a particularly rare opportunity to broaden the range of initiatives to include a review of one of the most crucial determinants of how the Trust functions, the Islands Trust Act. If sensitively amended, revision offers the prospect for the Trust to considerably strengthen its ability to fulfill its core functions of preservation and protection, and of providing the comprehensive services of a planning authority.

Benefits of Changing the Act

It should be expressly noted that the intent of this RFD is restricted to seeking the consent of Council to a review of the Act *in principle.* It is not the intention of the authors of the RFD to promote specific changes within the Act. That role is recognized as Council's duty. Notwithstanding, the RFD contains some indicators of what powers or changes to the Act could be sought that might benefit the agency and the communities it serves. These examples are indicative only.

Should Council decide to approve a review of the Act, it is entirely the prerogative of Council, in consultation with staff, to determine the scope and nature of any changes that might emerge from the review.

Possible Changes to the Act

Potential change	Benefit
Empower the Trust to administer business licences.	Not only could this be a considerable income earner, it would provide the Trust with more sophisticated and powerful bylaw enforcement tools.
Name change for Trust Fund Board.	This is currently being sought by Council. The reasons for requesting the change are well recognized.
To seek funding for the Trust Fund Board through a provincial levy rather than a local one.	Currently islanders alone fund the preservation and protection work that is undertaken through the Trust Fund Board. The Trust Fund board's work is of provincial and national importance and should be funded accordingly.
Special property tax requisitions for LTC coordinated management activities.	Currently LTCs that wish to apply special tax requisitions need the approval of Council by a 2/3 majority. There are two possible changes to this requirement that might be considered. The first is to allow LTCs to raise property taxes without having to revert to Council. Clearly, this power would need to be conditional on the funding project being included in the strategic plan. An optional change is for Council to still approve the tax but on a simple majority vote.
Transfer of powers for subdivision approval.	Note that clause 77.1(b) of the Islands Trust Act already provides for the Trust to appoint its own approving officer subject to approval by the Lieutenant Governor in Council.
Power to regulate nuisances, including noise.	Integrated governance.

Date of Provincial Elections

A crucial factor for Council to consider is timing. Provincial elections are to be held in May 2017. The government is likely to begin work on its legislative calendar immediately it is elected. If Council decides that changes to the Act should be sought, there is benefit in making that request of the government immediately after the May election. The longer Council delays in making a request for legislative time, the less likely is such a request to be sympathetically received.

This consideration is instrumental in determining the decision by the authors to seek Council approval in principle to review the Act in December, 2017. Such approval would enable:

1. a detailed review of the Act to be conducted and approved by Council at its meeting in March, 2017 (by which time the referendum result for Salt Spring Island should be known);
2. completion and approval of the specific changes that Council seeks to the Act to be undertaken and approved by Council at its meeting in June 2017;
3. submission to the ministry for consideration and action by the end of June 2017.

This schedule should enable presentation to the new government, along with further details of the adaptation plan, if appropriate, within a month or so of them taking office.

Date	Document Revision
02 Aug 2016	Table amended to include subdivision approval.
12 Aug 2016	Misc corrections. Power to regulate nuisance added. Building inspection powers removed.
16 Aug 2016	Misc corrections.

ISLANDS TRUST REQUESTS TO THE PROVINCE OF BC FOR CHANGES TO ISLANDS TRUST LEGISLATION / REGULATION (DURING PAST 10 YEARS)

ISLANDS TRUST COUNCIL REQUEST	WHEN	METHOD	RESPONSE
1. **Amendments to the *Islands Trust Act* that would cause four local trustees to be elected to sit on the Salt Spring Island Local Trust Committee and Trust Council.**	July 20, 2007	Letter to Hon. Ida Chong, Minister of Community Services	May 2008 Minister Chong suggested Islands Trust hold a referendum in the Salt Spring Island LTA. If the referendum was successful, Minister Chong was willing to approve four local trustees for the SSILTC, but not to increase Salt Spring Island representation on Trust Council. Turned down by Salt Spring Island LTA referendum November 15, 2008.
2. Changes to the *Islands Trust Act* 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	Not advanced by the Ministry. Never formally turned down.
	June 2008	Trust Council later requested a simpler amendment - that S. 20(3) of the Islands Trust Act be amended to increase the number of vice chairs from three to four.	
	June 2011	Raised during a meeting between the Executive Committee and the Hon. Ida Chong, Minister of Community Services	
	2014	Raised when meeting with Hon. Coralee Oakes	
3. 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 through provincial creation of a new Islands Trust Regulation.
4. 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	This topic originally arose in response to a court case, where a bylaw was quashed because the public hearing was held outside the jurisdiction. Further evaluation determined that the relevant legislation had been amended and did not apply to local trust committees.
5. Natural Area Protection Tax Exemption Program (NAPTEP) –	October 27, 2009	Meeting with Hon. Bill Bennett, Minister of Community and Rural	Achieved June 2010 through minor amendment to legislation.

ISLANDS TRUST COUNCIL REQUEST	WHEN	METHOD	RESPONSE
extension to Bowen Island Municipality		Development	
6. Bylaw dispute adjudication system	October 27, 2009	Meeting with Hon. Bill Bennett, Minister of Community and Rural Development	Achieved in 2011
7. Trust Fund Board corporate status and name change	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. Several requests have been made
	June 2011	Staff met with Ministry staff	
	November 20, 2012	Letter to Hon. Bill Bennett, Minister of Community, Sport and Cultural Development	Response received Feb 2013. Minister Bennett stated that changing the corporate structure of the Trust Fund Board has broad implications that require careful consideration. He further noted that government often requires a compelling reason, such as a legislative barrier to operations, prior to considering such a legislative request. He suggested that Islands Trust staff contact the Assistant Deputy Minister to arrange for further evaluation of the proposal.
	Sept 2013 and Feb 2014	Letters to Hon. Coralee Oakes, Minister of Community, Sport and Cultural Development	Several contacts with Ministry staff have been made, most recently in May 2015. The Assistant Deputy Minister repeated earlier advice that that the ministry does not currently have the capacity to undertake this complex a legislative change, given other provincial priorities.
	May 12, 2015	Executive Committee and senior staff met with new Assistant Deputy Minister Jay Schlosar, who has since left government	
	September 2015	Letter to Hon. Peter Fassbender, Minister of Community, Sport and Cultural Development	Minister Fassbender did not focus on Trust Council's request for legislative changes, but on questions about Salt Spring governance and his request that Executive Committee meet with the Aboriginal Aquaculture Association.
	November 2015	Executive Committee and CAO met with Hon. Peter Fassbender, Minister of Community, Sport and Cultural Development	
8. Support in principle amending the Islands Trust Act to add "First Nations" to the list of those with whom we work "in co-operation."	September 2015	Trust Council requested the Executive Committee to consider asking the Minister of Community, Sport and Cultural Development to make this amendment, at an appropriate time, with respect to available resources and the potential for the amendment to be achieved.	

REQUESTS TO THE ISLANDS TRUST COUNCIL REGARDING CHANGES TO ISLANDS TRUST LEGISLATION / REGULATION (DURING PAST 10 YEARS)

REQUEST	WHEN	STATUS / NOTES
1. Delegate administrative planning decisions to staff (Sheila Malcolmson)	2014?	This was in the speaking notes Chair Malcolmson used when meeting with former Minister Coralee Oakes. Not sure whether this was formally requested. 1. This issue has come up during implementation of the Riparian Areas Regulation 2. While we can create Development Permit Areas, we don't have the ability to delegate the issuance of permits to staff. This is something that other local governments do to streamline the application process for property owners, while still protecting riparian areas. 3. We would like to request the legislative fix that would enable us to streamline this and similar processes for applicants. 4. The mechanism already exists for municipalities and regional districts, so we are hopeful it could be a relatively straightforward fix
2. Salt Spring Island Local Trust Committee requested the Executive Committee to investigate the possibility of amendments to the Islands Trust Act to broaden the Islands Trust's ability to serve its communities and to strengthen its mandate to preserve and protect.	May 5, 2016	Arising from SSI LTC Resolution #SS-2016-72 On May 18, 2016 the Executive Committee requested staff to added Salt Spring Island LTC Resolution re: Islands Trust Act to the Executive Committee work program report.

Islands Trust

REQUEST FOR DECISION

To: Trust Council

For the Meetings of: December 6, 2016

From: George Grams

Date Prepared: November 23, 2016

File No.: Freshwater

SUBJECT: **SENIOR FRESHWATER SPECIALIST – TEMPORARY PROPOSAL**

RECOMMENDATION: That Trust Council approve adding $83,670 in the 2017-18 budget to fund a temporary, full-time Senior Freshwater Specialist position from June 1, 2017 to March 31, 2018.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: This proposal seeks to advance an important issue for the Islands Trust. This above request from Trustee Grams provides resources to fulfil the Strategic Plan objective to "protect quality and quantity of water resources".

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The position as proposed would report to the Director of Local Planning Services. Various internal procedures would require modification to include the duties of this new position.

FINANCIAL: This will require an $83,670 increase in the 2017/18 budget, which could be covered by appropriation from surplus, or by reductions in other spending.

POLICY: The addition of this position would have no impact on existing policy.

IMPLEMENTATION/COMMUNICATIONS: The temporary position would be hired through the normal Public Service Agency hiring process. Once a person is hired, senior staff will communicate to staff and trustees about the roles of the position. Further communications about the position's activities will be developed by the Senior Freshwater Specialist in collaboration with communications staff.

PUBLIC IMPACT: The public may express concern with the addition of a new position to the Islands Trust given the potential for the Salt Spring Island municipal incorporation and any associated financial impacts. They may also give consideration to any potential increase in taxation that the proposed position represents. These concerns may be mitigated by the fact that freshwater issues are increasingly important to the public and that by focusing resources on freshwater resources, the Islands Trust is responding to citizen's interests. In terms of the financial implications, the position is recommended to be a one year temporary position, with an option to extend for a second year if needs warrant. As it could be funded on a surplus basis, there is no direct impact to current taxation levels.

BACKGROUND

In 2013 Trust Council recognized a need to better coordinate activities between various agencies in respect of fresh water resources on Salt Spring Island. At this time, Trust Council passed Bylaw 154, which delegates the authority for the purpose of preserving and protecting the quality and quantity of water resources within the Salt Spring Island Local Trust Area to the Salt Spring Island Local Trust Committee.

The attached Business case provides details on the rationale and need for the Senior Freshwater Specialist.

On November 23, 2016, the Salt Spring Island Local Trust Committee passed the following resolution-without-meeting:

SS-RWM-07-2016
That the Salt Spring Island Local Trust Committee endorse the request by Trustee Grams for Trust Council to include funding in the 2017/18 fiscal year budget for a temporary Senior Freshwater Specialist.

The Salt Spring Island Watershed Protection Authority's technical working group has also endorsed this position.

REPORT/DOCUMENT:

1. Senior Freshwater Specialist - Business Case for 2017/18
2. Proposed Senior Freshwater Specialist Job Description

KEY ISSUE(S)/CONCEPT(S):

- Lack of organizational capacity to respond to increasing demand and need for service in freshwater protection

RELEVANT POLICY:

- Islands Trust Policy Statement Goal B, "*to ensure that human activity and the scale, rate and type of development in the Trust Area are compatible with maintenance of the integrity of trust area ecosystems*".
- Islands Trust Council's 2014-2018 Strategic Plan
- Budget Process Policy 6.3.i

DESIRED OUTCOME:

- Improved knowledge of freshwater issues in the Trust Area.
- Establishment of a system for tracking fresh water issues in the Trust Area.
- Improved collaboration and freshwater data sharing with other agencies.
- Ensuring development does not exceed capacity of fresh water supply.

RESPONSE OPTIONS

Recommended:
That Trust Council approve adding $83,670 in the 2017-18 budget to fund a temporary, full-time Senior Freshwater Specialist position from June 1, 2017 to March 31, 2018.

Alternatives:

- Option 1 – Funding for a Consultant - Trust Council could allocate funds to hire a consultant with the appropriate expertise that would operate under a terms of reference, with clear deliverables. This would require significant manager support to oversee and manage the overall project.

- Option 2 – Increase Technical Scientific Funding - The Scientific Technical budget is currently $15,000 annually. This amount could be increased with the additional funding being specifically used for expertise assistance with freshwater issues on the islands. Direction could be through each individual trust committee work program or via local planning committee or Executive Committee.

Prepared By:	David Marlor/ November 23, 2016
Reviewed By/Date:	George Grams / November 23, 2016 Salt Spring Island Local Trust Committee/November 23, 2016 Executive Committee/November 23, 2016

____
Russ Hotsenpiller, Chief Administrative Officer

Attachment 1

Islands Trust

BUSINESS CASE

Completion of this form initiates a request to the management team for allocation of budget funds. The form is to be completed and submitted at the start of the decision making process. The business case forms part of the Annual Budget Process (refer to Islands Trust Council Budget Process Policy 6.3.i).

TO BE COMPLETED BY INITIATOR

Initiated by: David Marlor, DLPS for Trustee Grams	**Estimated Annual Budget Request:** Year 1 – (June 1, 2017 to March 31, 2018) $83,670 Year 2 – (April 1, 2018 to March 31, 2019) $100,400, plus BCGEU negotiated increases.
Operational Unit: Local Planning Services	**Fiscal Year Implications:** ☐ **Temporary** ☐ **One fiscal year:** X **Multi-year:** June 1, 2016 to March 31, 2018 $____see above__/per fiscal year ☐ **On-going**
Name of Request *(identify the problem, opportunity or need):* **Senior Freshwater Specialist** A critical threat to the ecosystems within the Trust area arises from the quantity of fresh water available to support those ecosystems, particularly during the spring and summer dry period. Development and densification inevitably mean that demand on ground and surface water supplies for human needs is increased, lessening the available supply for the sustenance of natural systems. Additionally, there is evidence from some trust areas that their ground and surface water quantities are in decline, and that the demands on ground and surface water sources are overstressed. The position would provide expertise and capacity to meet these needs.	**Budget Source:** Local Planning Services Program Budget.
Date request initiated: November 9, 2016	**Date funding is required:** April 1, 2017

1. OBJECTIVES

Islands Trust Policy Statement:

'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 activates are carried out in a manner that is sensitive to the needs of Trust Area ecosystems and island communities'.

Goal B of the Islands Trust Policy Statement is 'to ensure that human activity and the scale, rate and type of development in the Trust Area are compatible with maintenance of the integrity of trust area ecosystems'.

The proposed position would support Trust Council's strategic plan Objective "Protect quality and quantity of water resources".

2. BACKGOUND

This business case assumes that Trust Council does not want to decrease service in any other areas, while improving protection of the freshwater resources.

3. PROBLEM STATEMENT

As the agency responsible for preservation and protection of the trust area, and as the planning authority responsible for regulating development, local trust committees have an absolute need to factor into its land use assessment processes the sustainable limits of fresh water exploitation, and how those limits are likely to be affected by climate change. Currently only one trust area, Salt Spring Island, is undertaking work of this nature. That work needs to be extended to cover the whole Trust area and it needs to be intensified.

4. RESEARCH and CONSULTATION

This initiative has the support of the following agencies:

- Forest, Lands and Natural Resource Operations staff
- Salt Spring Island Watershed Protection Authority
- Salt Spring technical working group on ??
- Salt Spring Island Local Trust Committee

5. ALTERNATIVES CONSIDERED

Recommended:

Staffing of a temporary Senior Freshwater Specialist for one year, with an option to extend for a second year, reporting to Director of Local Planning Services.

Alternatives:
Option 1 – Funding for a Consultant
Trust Council could allocate funds to hire a consultant with the appropriate expertise that would operate under a terms of reference, with clear deliverables. This would require significant manager support to oversee and manage the overall project.

Option 2 – Increase Technical Scientific Funding
The Scientific Technical budget is currently $15,000 annually. This amount could be increased with the additional funding being specifically used for expertise assistance with freshwater issues on the islands. Direction could be through each individual trust committee work program or via local planning committee or Executive Committee.

6. PROJECTED RESULTS/DELIVERABLES and RISKS

A full-time senior position (similar classification and educational requirements as Island Planners, Trust Fund Manager and Senior Policy Advisor and Senior Intergovernmental Policy Advisor) on a temporary basis June 2017 to March 31, 2018) that will attract a person with advanced education, expertise, leadership, training and skills in freshwater hydrology and intergovernmental skills.

In the first year, the position would:

- Prepare a map of freshwater demand for each local trust area – this would help local trust committees' understand which geographical locations place highest on freshwater sources.
- Prepare a priority list for areas most urgently in need of ground trothing – this would identify priority areas where quantity and quality issues exist.
- Establish criteria for and develop a database* and devise an appropriate mapping protocol where the information gathered will be stored – this will provide a secure location to store and retrieve information on freshwater resources.
- Coordinate with other agencies to ensure data is in a compatible format – this will reduce duplication and enhance collaboration and co-management of freshwater resources.
- Assist other agencies with hydrological assessments, such as translating precipitation into recharge rates and quantities for the Trust Area – this will help local trust committees and communities to understand sustainable limits to the use of the freshwater resource.
- Provide linkages between Islands Trust and other agencies – this will enhance interagency communication.
- Align the work being undertaken with climate change forecasts – this will enhance climate change resilience and ensure that climate change is fully assimilated into the assessment process.
- Develop a systematic outreach policy for educating communities on fresh water issues – this will help educate communities on fresh water concerns.

* skill for actual database coding and development would use existing in-house resources

7. CRITICAL SUCCESS FACTORS

There are no known risks to creating this position, but the position's success will depend on the support of the Trust Council, the management team enabling strong linkages to existing staff and on the supervision of the Local Planning Services Director to ensure the new staff work program addresses the highest priority tasks. The position would also require support from Geographic Information Systems, Computer Applications System Tecnologist and Communications Specialist to deliver some of the deliverables.

8. IMPLEMENTATION/CHANGE MANAGEMENT/COMMUNICATIONS

If the position is approved, the successful candidate will develop a communication strategy and change management strategy in cooperation with the Communications Specialist, the Executive Committee and other staff.

9. KEY PERFORMANCE INDICATORS

Performance indicators (success factors) would include:

- Mapping of areas with critical freshwater issue
- Quicker and easier access to information regarding freshwater in the Islands Trust Area

10. PURCHASING

If approved, the position would be recruited following the Public Service Agency recruitment guidelines. Recruitment would commence on April 1, 2017 with the intent to have the position filled by June 1, 2017.

11. RECOMMENDED DECISION

That the Islands Trust Council include $83,670 in its proposed budget for 2016-17 to fund a full-time Senior Freshwater Specialist position from June 1, 2017 to March 31, 2018.

12. OTHER

The following cost is based on an Island Planner and Trust Area Senior Policy Advisor equivalent pay-scale *(note at time of writing, this is a placeholder estimate, representing a position that has similar expertise and education as an Island Planner and the Policy Advisor. Actual compensation will depend on PSA assessment and classification of the Job Profile):*

1 The monthly cost at a Grid 27 (Island Planner and Trust Area Senior Policy Advisor equivalent effective April 5, 2017) including benefits and a potential 6.6% temporary market adjustment, is $8,365.

2 The annual cost at 1.0 FTE, including benefits, is $100,400.

3 The cost in year 1 could be based on 10 months because hiring will not be complete until June = $83,670 for 2017/18 fiscal year. If the position is continued, that would increase to $100,400 plus BCGEU negotiated increases, for the 2018/19 fiscal.

Office space would need to be provided in one of the offices, likely Victoria.

Additional costs include travel expenses (which would be from the local planning services travel budget that may need adjusting) and for training opportunities. Island Planners each have approximately $1200 annually to cover training requirements and a similar amount would be requested for the Senior Freshwater Specialist.

Trustee George Grams	November 9, 2016
Initiator	Date
David Marlor, DLPS	November 9, 2016
Director	Date
Russ Hotsenpiller, CAO	-

REVIEWED BY MANAGEMENT TEAM:	
Date received:	**Approved:** ☐ **YES** ☐ **NO**

Attachment 5

Islands Trust

DRAFT JOB PROFILE
Current Position #_______

TITLE: SENIOR FRESHWATER SPECIALIST
MINISTRY: ISLANDS TRUST,
MIN OF COMMUNITY, SPORT & CULTURAL DEVELOPMENT
SUPERVISOR TITLE: DIRECTOR, LOCAL PLANNING SERVICES

CLASSIFICATION: TO BE DETERMINED
WORK UNIT: LOCAL PLANNING SERVICES
SUPERVISOR POSITION #: _______

JOB OVERVIEW

This is a temporary leadership position that ensures a focus on excellent development of professional reports in the area of fresh water ecosystems, including groundwater and hydrology. The focus will be on freshwater issues and related outreach and engagement with government agencies. The Senior Freshwater Specialist provides senior advice to the elected officials for 13 local trust committees, the Executive Committee and Trust Council, the Chief Administrative Officer, Directors, Regional Planning Managers, Island Planners and other staff on a variety of freshwater issues and initiatives ensuring a high performance and informed approach. The position will require the Senior Freshwater Specialist to provide advice to elected officials, senior staff, planners and bylaw enforcement officers and assist in consultation with government agencies.

The position will report to the Director of Local Planning Services.

The Senior Freshwater Specialist takes the initiative to develop tools and methods, research and sophisticated knowledge of freshwater issues as follows:

KEY ACCOUNTABILITIES

- Provide professional and expert leadership, support guidance, education and orientation to local trust committees, Islands Trust senior staff and Island planners on all matters related to freshwater.
- Provides professional and expert policy advice to Trust Council, council committees, local trust committees, Trust Fund Board and staff on freshwater.
- Conducts research and assesses freshwater issues, develops reference materials, tools and systems to document information on the issues and provides advice to elected officials, planners and senior management.
- Attends local trust committee meetings to present and provide advice on freshwater issues.
- Prepares and recommends strategies and priorities to local trust committees with respect to potential and emerging freshwater issues and conducts business case reviews, research and evaluation to ensure successful outcomes.
- Works with Regional Planning Managers, planners and other staff to identify and respond to freshwater issues, including undertaking advocacy in support of local trust committees Official Community Plan polices.

EDUCATION AND SKILLS

- A degree in hydrology, or a related degree
- A minimum of five years' experience in hydrology
- Understanding of BC legislation on land use planning and governing fresh water is desired

Islands Trust

December 2016 Islands Trust Council

2017-2018 Proposed Budget

9:15 to 10:45 am Wednesday, December 7, 2016

Purpose:

- To provide Trust Council with an overview of the Financial Planning Committee's current draft of the 2017/18 budget;
- To discuss the proposed revenue, expenses and General Revenue Fund Surplus in detail; and
- To provide an opportunity for questions, comments and recommendations from Trustees before the Financial Planning Committee develops a draft budget package for public comment.

Chair: Peter Luckham, Chair, Islands Trust Council

Resources: Peter Grove, Chair, Financial Planning Committee
Cindy Shelest, Director, Administrative Services
Russ Hotsenpiller, Chief Administrative Officer
Lisa Gordon, Director, Trust Area Services
David Marlor, Director, Local Planning Services

Introduction *(5 minutes)*	Peter Grove
2017-18 Draft 2 Budget Overview *(60 minutes)* • Overview of Budget • Proposed changes to revenue • Proposed changes to expenses • Staffing overview and proposed changes • Project requests summary • Proposal for general property tax increase • Impact on the General Revenue Fund Surplus	Cindy Shelest
Questions/Comments from Trustees *(30 minutes)* *This is an opportunity for Trustees to ask questions, seek clarification, recommend changes or review particular budget items. Examples:* *Example 1:* Could I have more information with regard to the rationale regarding Project XXX? *Example 2:* I recommend that the Financial Planning Committee review the expenditures related to budget item XXX and investigate potential increases/reductions for 2017/18. *Example 3:* I move that the Islands Trust Council request the Financial Planning Committee, prior to public consultation, to amend the draft 2017/18 budget in a manner that would result in a XXX % change in property taxes for the year.	Trustees

Document References

- **Budget Overview**
- **Budget Assumptions and Principles**
- **Budget Detail**
- **Project Requests Summary**
    - Summary of all Projects
    - LTC Project Request Details
    - Salt Spring Island Local Trust Committee Special Property Tax Requisition

NEXT STEPS:

- December 2016: Trustee recommendations and/or Trust Council direction to January 2017 meeting of the Financial Planning Committee
- December 2016: Consultation with Bowen Island Municipality on draft budget package by December 31, 2016
- January 2017: Financial Planning Committee preparation of a draft budget package for public consultation
- January-February 2017: Consultation with public on draft budget package
- March 2017: Trust Council approval of a Budget Bylaw to be forwarded to the Minister by March 31, 2017

ISLANDS TRUST - 2017/18 PROPOSED BUDGET OVERVIEW

The proposed 2017/18 Budget is based on:

- The Budget Assumptions and Principles presented to Trust Council in September 2016 and reviewed by the Financial Planning Committee at their August 24 2016 and November 16 2016 meetings
- The Islands Trust Strategic Plan 2015-2019 adopted by Trust Council
- The Timelines for 2017/18 Budget Process reviewed by Trust Council in September 2016

Stakeholders:

To date, the following groups of Stakeholders have provided input into the Draft 2016/17 Budget:

GROUPS	RESPONSIBLE FOR	ACTION/STATUS
Financial Planning Committee	Develop and recommend the annual budget to Trust Council. Reviewing all budget proposals. Recommend the appropriate level amount to be held in General Revenue Surplus Fund. Review and approve financial reporting to Trust Council. Present the budget to Trust Council and provide guidance into the decision making process.	August 24, 2016 – Budget Assumptions and Principles reviewed October 19, 2016 – First draft of budget reviewed November 16, 2016 – Second draft of budget reviewed for presentation to Trust Council
Local Trust Committees	Discuss budget requests and work programs with planning staff. Provide budget requests to Director of Local Planning Services for review and allocation of resources. Be aware of the provisions of Policy 6.3.ii Special Property Tax Requisitions which permits an individual Local Trust Committee to request a special property tax requisition for additional operations that are not included within the general operations of all local trust committees.	All LTCs have included this item on their meeting agendas and submitted their budget requests. The Director of Local Planning Services has summarized these requests in the LTC Budget Request document A request from Salt Spring Island LTC for a Special Property Tax Requisition has been received
Municipalities	As per Policy 7.2.vi Municipal Tax Requisition Calculation all documents used to estimate the municipal tax requisition will be forwarded to the Treasurer of an island municipality for review by December 31 with a request that the island municipality Treasurer submit any concerns about the accuracy and completeness of the municipal tax requisition by February 28 of the following year.	Bowen Island Municipality Finance staff will be consulted as detailed in Policy 7.2.vi Municipal Tax Requisition Calculation by December 31 to confirm the calculation.
Trust Fund Board	Discuss budget requests and work programs with Trust Area Services staff. Endorse all budget requests for the Trust Fund's Board and Program operations.	Trust Fund board has included this item on their meeting agenda and submitted their budget requests. The Director of Trust Area Services has submitted approved budget items

Management	Coordinate the review of budget requirements for their departments in order to meet current Trust Council objectives and service levels. Look for opportunities to incorporate efficiencies and savings in the organization.	Managers have reviewed their individual budget lines and work programs and submitted budget requests where necessary to their Directors. Meetings have been held with the Management Team to review the proposed budget. The Management Team has provided preliminary estimates of projects related to the Strategic Plan adopted by Trust Council in September 2015.

Public Consultation:
In order to meet Trust Council's continued commitment to transparency and dialogue with the community, a public consultation on the 2017/18 draft budget will be undertaken in January/February of 2017.

Role of Trust Council:
The role of the Trust Council at its December 2016 meeting is to review the recommended draft of the 2017/18 budget and to discuss the revenue, expenses and the General Revenue Surplus Fund in detail before the Financial Planning Committee develops a draft budget for public consultation.
At its March 2017 meeting, Trust Council will approve the annual budget and financial plan, after considering the public input received and the recommendations of the Financial Planning Committee. Formal resolutions to direct the preparation of a budget bylaw will be made and the budget bylaw will be presented for consideration during the Trust Council regular business meeting.

Highlights:
Highlights of the Proposed 2017/18 Budget include:

- No projected tax increase overall for the Islands Trust Area
- A net increase in expenditures of $293,823 over the 2016/17 Budget
- A Special Property Tax Requisition request has been received from the Salt Spring Island Local Trust Committee related to the delegated authority to coordinate watershed management through the Salt Spring Island Watershed Protection Authority
- A transfer of funds from the General Revenue Surplus Fund of $450,000 is recommended, resulting in a projected General Revenue Surplus Fund Balance of $2.07 million at March 31, 2018, 113% of the recommended balance
- Service levels from 2016/17 are maintained
- Similar Provincial Grant revenues based on Regional District funding proposal
- The current BCGEU Collective Agreement allowance for a .5% increase on April 2, 2017 and a potential Economic Stability Dividend as of February 4, 2018.
- 1% increase to Trustee remuneration as per the Trustee Remuneration Policy and anticipated CPI increase for 2016 (to be verified by Stats Canada in December).
- No increases to staffing from 2016/17. Funding for the temporary Senior Inter-governmental Advisor position has been provided.
- A number of Project Requests were submitted by Local Trust Committees and reviewed by the Financial Planning Committee for inclusion in the budget, as outlined in the detail budget.
- A number of Strategic Plan projects have been identified by Trust Council. Staff have provided preliminary estimates of costs for inclusion in the budget, a outlined in the detail budget.

ISLANDS TRUST
2017/2018 FINANCIAL PLAN
ASSUMPTIONS AND PRINCIPLES – December 2016

PROCESS: Each line of the Detailed Budget is reviewed on a needs-basis by the responsible budget manager, giving consideration to previous years' spending and future work programs and services (including Trust Council's Strategic Plan initiatives). Local Trust Committees (LTCs) are asked to provide their project needs and review their LTC expense budgets, passing any resolutions required to adopt/modify their budget proposals. The Trust Fund Board requests budget changes to support the goals in its Regional Conservation Plan. Directors review their respective Committee work programs to ensure work plan activities are appropriately funded. The Director of Administrative Services reviews the detailed spending and projects costs on behalf of the organization with respect to completeness and accuracy and compiles the Detailed Budget for the year. The overall Detailed Budget is reviewed by Islands Trust Management Team prior to being submitted to the Financial Planning Committee for review and consideration. A first draft of the budget is forwarded to Trust Council in December.

A. Inflation

Assumption/Principle

- Where applicable, estimated general growth in expenditures will be based on the Consumer Price Index (CPI) for Victoria, as reported by Statistics Canada.

Status

- The proposed Detailed Budget for 2017/18 presented to Trust Council in December 2016 will reflect estimated growth in Victoria CPI and will be adjusted as the actual CPI is made available through the Statistics Canada reports in December 2016.

B. Non-market Growth in Property Taxes

Assumption/Principle

- The property tax base within the Islands Trust Area will grow by 1.0% due to new development activity.
- The Islands Trust uses a report from BC Assessment on non-market growth for the Southern Gulf Islands and Salt Spring to estimate the non-market growth for the Islands Trust Area as a whole, since the assessment value of this area represents approximately 65% of the total for the Islands Trust Area.

Status

- BC Assessment will provide the report on non-market growth for the Southern Gulf Islands in December 2016. Once received, data in the report will be used to adjust assumptions about non-market growth.

C. Alternate Funding Through Grants

Assumption/Principle

- The Grants Administrator monitors grant programs to seek opportunities to obtain funding for local trust committees to cover the expense of their program items.
- Management provides the Grants Administrator with an outline of local trust committee proposed projects so specific funding opportunities can be explored.
- Funding of local trust committee programs by grants reduces the requirement for funding through other sources of revenue.
- The annual budget normally includes an estimated amount of contingent grant revenue, to allow for revenue not yet identified. This amount is offset by an equal expense budget for contingent grant expenses. The result is no net effect on the bottom line.

Status

- The Grants Administrator position is a .4 FTE and is focused on LTC projects only. As in previous years', the draft 2017/18 budget will include $50,000 in contingent grant revenue and offsetting expenses.

D. Staffing Levels

Assumption/Principle

- In most cases, current staffing levels are appropriate to carry out the existing level of services and functions provided by the Islands Trust.
- Decreased staffing levels would result in a reduced level of services or functions.
- New functions or services may require either additional staffing or the deletion of some existing functions or service levels.

Status

- In support of Trust Council resolution TC-2016-004 (March 22, 2016 TC meeting), it is proposed that the temporary, full-time Senior Intergovernmental Policy Advisor position continue to be funded for the period April 1, 2017 to March 31, 2018.

E. Staffing Costs

Assumption/Principle

- In accordance with the *Islands Trust Act*, staff members at the Islands Trust are appointed subject to the *Public Services Act* and the *Public Service Labour Relations Act*. Unionized staff members at the Islands Trust are members of the BCGEU. Their compensation and benefits are subject to union contracts negotiated between the Public Services Agency and BCGEU.
- Excluded (non-union) management staff members are also subject to the *Public Service Act.* They are compensated according to a salary grid approved by the Executive Committee and consistent with the Public Service Agency Policy on Salary Administration for Management Employees. Benefits and related costs are also defined by the Public Service Agency.

Status

- A BCGEU agreement for the period April 1, 2014 to March 31, 2019 is currently in effect. During the fiscal year 2017/18 two reviews are applicable: one on April 2, 2017 (.5% increase) and a further Economic Stability Dividend effective February 4, 2018 (potential 1.0% increase).
- BCGEU contract employees are also eligible for “step” increases as they progress in their positions. A review of eligibility will be undertaken and estimates provided within the budget (in most cases it is assumed that existing staff will have reached the top step during the 2017/18 budget cycle).
- Excluded staff within the Islands Trust received a wage increase in July 2016 (ranging from 2 – 4 %). This budget does not include a provision for an increase during 2017/18.

F. Trustee Remuneration

Assumption/Principle

- Trust Council’s Policy 7.2 Trustee Remuneration defines the process for determining the remuneration received by Trustees. As per Section D.2. remuneration is calculated based on four factors.
- The defined annual compensation amounts and the methodology for making adjustments are incorporated into a Trust Council Remuneration Bylaw.
- Section E.5.a) states that “In fiscal years where census results are not available, the previous year’s remuneration will be adjusted on an annual basis, coinciding with the fiscal year, based on the annual change in the Victoria Consumer Price Index as reported by BC Statistics in December.”

Status

- A new census is not anticipated prior to the first draft of the 2017/18 budget.
- Any increases will be included in the budget once the Consumer Price Index (CPI) for Victoria is known for this budget cycle (see Section A).

G. Office facilities

Assumption/Principle

- The Islands Trust maintains office facilities for staff in Victoria, and on Salt Spring and Gabriola islands.
- The Islands Trust will continue to lease office space for trustees on Denman, Galiano and North Pender, subject to trustee needs, and subject to Policy 7.4.iv (On-Island Trustee Offices).
- No further increase in space requirements is anticipated at this time.

Status

- The Victoria office lease term expires in September 2017.
- The Northern office (Gabriola Island) lease term expires in November 2017.
- In June 2015, the Islands Trust Council approved the creation of a Select Committee to review the location of the Victoria office. Should the review being undertaken in 2016/17 result in recommendations to relocate the office, the related costs would be subject to Trust Council’s 2017/18 annual budget. In addition, an anticipated referendum on Salt Spring Island in March 2017 is expected to indicate whether Salt Spring Island will be incorporated as a municipality (potentially by late 2017). Both of these factors could impact future office needs and related leases.
- Should Salt Spring Island vote to incorporate, the Islands Trust expects to contract with the new municipality to provide planning services until 2020. The Salt Spring office lease term expires in February 2017. Future lease decisions will be guided by the Islands Trust Adaptation Strategy, should incorporation proceed.

H. General Revenue Fund Surplus

<u>Assumption/Principle</u>

- Trust Council's policy 6.5.i, section D.6, recommends a minimum level of Surplus as "three months of expenses net of three months of revenue, excluding revenue from property taxes or the provincial grant".
- The Islands Trust receives annual property tax funds in August of each year.

<u>Status</u>

- Based on the 2016/17 budget, the General Revenue Fund Surplus balance would be $2.1 million at March 31, 2017. As this amount represents 120% of the recommended minimum level of Surplus, no increase in the General Revenue Fund Surplus is required at this time.
- Islands Trust has not had to borrow funds in the last five years to fund operations prior to receiving the annual property tax funds.
- In the 2016/17 Budget several projects related to the Strategic Plan adopted by Trust Council in September 2015 were funded from the General Revenue Surplus Fund. A similar request has been included in the 2017/18 budget.

I. Provincial Funding

<u>Assumption/Principle</u>

- The provincial government provides annual funding grants to the Islands Trust, consistent with funding levels provided to other small local governments

<u>Status</u>

- For the 2017/2018 fiscal year, the estimated grant amount provided by the Ministry of Community, Sport, and Cultural Development is $180,000.

J. Local Planning Services

<u>Assumption/Principle</u>

- The Islands Trust Council provides sufficient funding for LTCs to carry out their primarily function, which is land use planning and regulatory activities within their local trust area as permitted by the *Islands Trust Act* and consistent with Islands Trust Council Policy 5.9.1. These activities include the development of Official Community Plans and land use regulations and the processing of development applications and referrals from other agencies. Other activities may be undertaken where the Islands Trust Council has delegated additional powers to an LTC.
- LTC development application fees are intended to partially fund the costs of development application processing.
- Local Planning Services' Planner positions are fully staffed to the levels approved by the Islands Trust Council following the 2007 Local Planning Services Review. The budget process may propose new or modified positions.
- Local Planning Services' Bylaw Enforcement positions are fully staffed to the levels approved by the Islands Trust Council following the 2008 Bylaw Enforcement Function Review. The budget process may propose new or modified positions.
- OCP and land use planning project budgets over the long-term will be distributed between LTCs

based on their relative percentage of assessed value, per the resource allocation model.

Status

- All Local Planning Services positions will be fully staffed, with some minor fluctuations due to normal levels of turnover, leaves and workload variations.

K. Planner Resource Allocation

Assumption/Principle

- The current work program system which allocates planner time to LTCs will be maintained.
- Resources will continue to be fairly evenly distributed between the three planning regions (North, South, Salt Spring)

Status

- No updates at this time.

L. LTC Program and Strategic Plan Budget items in 2017/18 Proposed Budget

Assumption/Principle

- The Strategic Plan provides a framework to guide the overall direction of activities for the Islands Trust, to focus finite resources, and to achieve efficiencies where there are common LTC projects.
- Trust Council adopted a new Strategic Plan in September 2015. Estimated budget implications related to these strategies will be reviewed in the fall of 2016 for inclusion in the proposed 2017/18 budget.
- Early in the budget cycle (i.e. July-Sept) LTCs propose budget items for the next fiscal year on the basis of local priorities.
- Management evaluates initial LTC budget proposals against a number of criteria including: Does the proposal support work that is a provincial requirement?; Does the proposal directly support an activity identified in the Strategic Plan?; Does the proposal support work that is a continuation of a current OCP/LUB program?; and Does the proposal support recently adopted OCP policies? Management then prepares a draft budget for FPC discussion and consideration in November.
- FPC considers the draft budget prepared by management and evaluates all budget proposals, including those from LTCs, before recommending a draft budget to Trust Council in December.
- Trust Council provides FPC with direction regarding a further draft of the budget, to be released for public consultation in January and February. Following receipt of public comment and further recommendations from FPC, Trust Council makes the final decision on the overall budget and the individual components in March.
- LTCs have the option of requesting a Special Tax Requisition to raise funds for land use planning activities (or activities related to delegated powers) within their Local Trust Area that were not approved within the general Trust Council budget (see Trust Council Policy 6.3.ii).

Status

- Each LTC has been asked to identify LTC Budget requests for 2017/18, giving consideration to planning capacity to complete requests. In December, trustees will have an opportunity to review and suggest changes to the proposed budgets prior to final adoption of the budget in March 2017.

- It is anticipated that a Special Property Tax Requisition request will be received from the Salt Spring Island Local Trust Committee related to the delegated authority to coordinate watershed management through the Salt Spring Island Watershed Protection Authority.

M. Potential Salt Spring Island Incorporation

Assumption/Principle

- The current Salt Spring Island municipal incorporation process was initiated in 2012 when Salt Spring Island's elected officials requested a governance study from the MCSCD.
- The 2012 Governance Study was completed in 2013, its purpose being to identify, through public engagement and review, governance structures on the Island to see if there was support for proceeding to a full incorporation study. The Governance Study Committee recommended to the Minister that an incorporation study be undertaken and in 2015 the Ministry agreed to fund the study at a cost of $120,000. The purpose of the study was to examine the financial, governance and other implications of municipal incorporation for Salt Spring Island.
- The Incorporation Study Committee (ISC) received a preliminary Salt Spring Island Impact Study (SSIIS) in October 2015. In February of 2016, the ISC requested and received supplementary funding to aid in delivery of the final SSIIS with focus upon a road condition assessment, the hosting of public events, the updating of financial information and any further technical analysis that is required. The study is due in September of 2016
- Concurrent to the SSIIS, in 2015 the Ministry funded a companion report, that being the Islands Trust Impact Analysis (ITIA). The purpose of the ITIA was to 'examine the potential effect of Salt Spring Island incorporation on the Islands Trust in relation to fiscal stability and organizational adaptation.'
- In May 2016, Urban Systems was retained to update the ITIA to ensure that assessed valuations and underlying assumptions were compatible with the SSIIS and other resource documents.

Status

- A Transition Plan has been prepared by the CAO for Trust Council's consideration at September Trust Council. It is estimated that over the three year horizon of the adaption process the costs will be approximately $200-250,000.
- In order to lessen the financial and staff resource impacts to the Islands Trust through the transition period, application for a grant of $125,000 has been made to the MCSCD for assistance with the delivery of a full Adaptation Plan and to fund a Transition Manager.

ISLANDS TRUST **2017/18 Budget** **DRAFT 2 for December Trust Council**	**2015/16 ACTUAL**	**2016/17 BUDGET**	**2016/17 FORECAST**	**2017/18 BUDGET**	**Increase (Decrease) 2017/18 from 2016/17**
Revenue					
Fees & Sales	132,273	110,000	110,000	110,000	-
Provincial Grant	123,052	180,000	177,880	180,000	-
Property Tax Levy - General	6,187,953	6,249,833	6,249,834	**6,312,331**	62,498
Property Tax Levy - Bowen	213,766	223,418	223,418	**235,000**	11,582
Special LTC Tax Requisition	119,500	110,500	110,500	98,500	(12,000)
Transfer from Special Tax Surplus	42,981		0		
Transfer from GR Surplus Fund		318,257		**450,000**	131,743
Interest Income	61,233	50,000	50,000	50,000	-
Grant income for projects	307,846	50,000	25,000	150,000	100,000
Other Income			7,000		
Total Revenue	7,188,604	**7,292,008**	**6,953,632**	**7,585,831**	293,823
Expenses					
Amortization	48,990	65,000	65,000	65,000	-
Applications sponsored by EC	11,550	5,000	5,000	5,000	-
Audit	35,462	25,000	25,000	25,000	-
Bank Charges & Interest	4,385	8,000	4,000	5,000	(3,000)
Board of Variance	1,453	1,500	500	1,500	-
Carbon Offset Purchases	986	1,500	1,500	1,500	-
Committee Expense - FPC	5,905	7,000	7,000	7,000	-
Committee Expense - LPC	2,422	3,000	3,000	3,000	-
Committee Expense - TPC	4,060	4,000	4,000	4,000	-
Communications	26,123	28,000	28,000	28,000	-
Contingency	7,882	15,000	15,000	15,000	-
Contract Services	127,956	83,000	160,000	110,000	27,000
Elections		5,000	5,000	5,000	-
Equipment Leases	15,975	15,000	15,000	17,000	2,000
Insurance	94,195	95,000	107,000	110,000	15,000
Information Systems	207,308	200,000	200,000	200,000	-
Islands Trust Fund Administration	84,939	98,000	89,000	103,000	5,000
Land Title Registrations	2,715	3,000	5,000	3,000	-
Legal	292,495	254,978	156,000	255,000	22
Local Trust Committee	90,051	100,900	89,500	105,400	4,500
Meetings	107,571	113,300	120,000	120,000	6,700
Memberships	9,455	17,500	13,000	15,000	(2,500)
Notices - Statutory & Non-Statutory	15,710	18,000	36,500	18,000	-
Office	411,004	421,000	415,000	435,000	14,000
Postage, Courier & Delivery	11,570	10,000	10,000	10,000	-
Recruitment	18,586	5,000	7,000	5,000	-
Safety	5,971	5,000	5,000	5,000	-
Salaries & Benefits - Administration	1,974,877	2,149,907	4,157,026	2,157,503	7,596
Salaries & Benefits - Planning	1,779,858	1,930,324		1,940,514	10,190
Salaries & Benefits - Bylaw	248,725	270,681		270,681	-
Stationery & Supplies	19,929	23,642	23,642	25,000	1,358
Subscriptions	5,000	5,000	5,000	5,000	-
Telephone	69,769	90,150	78,000	82,500	(7,650)
Training	115,330	132,450	126,000	132,500	50
Travel	76,332	81,500	85,000	85,500	4,000
Trustee Remuneration	527,976	529,576	529,578	540,233	10,657
Operating Budget Subtotal	6,462,515	6,820,908	6,595,246	6,915,831	94,923
CAPITAL					
Information Systems related	22,829	71,500	71,500	71,500	-
Office	18,825	15,000	15,000	30,000	15,000
Reserve for potential office moves		10,000	10,000	-	(10,000)
Capital Subtotal	41,654	96,500	96,500	101,500	5,000
PROJECTS					
Project - Funded by Grants		50,000	25,000	150,000	100,000
Project - Funded by Special requisition		110,500	110,500	98,500	(12,000)
Strategic Plan objectives		135,000	60,000	213,000	78,000
LTC Projects		144,100	94,500	172,000	27,900
Projects Total	588,171	439,600	290,000	633,500	193,900
Total Expenditures	7,092,340	7,357,008	6,981,746	7,650,831	293,823
Net Surplus (Shortfall)	96,264	(65,000)	(28,114)	(65,000)	-
Add non-cash Item - amortization		65,000	65,000	65,000	
Surplus (deficit)		0	36,886	0	

Islands Trust				
Projects				
2017/18 Draft 2 Proposed Budget				
				STRATEGIC
		OTHER	LTC	PLAN
Funded by other sources	Funded by Grants		*50,000*	
offsetting revenue accounts	Funded by Special Property Tax Requisition		*98,500*	
	Funded by Prov Govt - Transition Plan	*100,000*		
	above not included in totals			
STRATEGIC PLAN	Victoria Office Location			*10,000*
	Technology investment to support electronic meetings			*30,000*
	Policy Statement Review			*48,000*
	LPC Housing Needs Assessment Strategy			*40,000*
	TPC research and advocacy for fresh water conservation and marine conservation			*25,000*
OPERATIONAL	Electronic Data Management	*20,000*		
	Potential office move	*30,000*		
LPS	C2C Funding - First Nations	*10,000*		
LTC	Denman		*6,000*	
	Gabriola		*8,500*	
	Galiano		*14,500*	
	Gambier		*15,000*	
	Hornby		*2,000*	
	Lasqueti		*8,000*	
	Mayne		*14,500*	
	N. Pender		*19,000*	
	Salt Spring		*60,000*	
	Saturna		*8,000*	
	S. Pender		*8,500*	
	Thetis		*7,000*	
	Ballenas Winchelsea		*1,000*	
	TOTAL	***60,000***	***172,000***	***153,000***

2017/18 LTC EXPENSE BUDGET

	615-Denman	620-Gabriola	625-Galiano	630-Gambier	635-Hornby	640-Lasqueti	645-Mayne	650-N.Pender	655-Salt Spring	660-Saturna	665-S.Pender	670-Thetis	Ball/Winch	Total 2017/18
population	*1095*	*4050*	*1258*	*313*	*1074*	*359*	*1112*	*1996*	*9780*	*359*	*236*	*372*		*22004*
% of population	*5%*	*18%*	*6%*	*1%*	*5%*	*2%*	*5%*	*9%*	*44%*	*2%*	*1%*	*2%*		*100%*
% of assessed values (previous year)	*4%*	*13%*	*7%*	*7%*	*5%*	*2%*	*6%*	*10%*	*38%*	*3%*	*2%*	*2%*		*100%*
LTC EXPENSES														
LTC Meeting Expenses	4,500	4,750	5,500	4,750	2,750	1,250	1,500	4,000	7,000	2,500	2,000	1,000		41,500
APC Meeting Expenses	600	600	500	500	500	500	500	600	1,500	500	500	500		7,300
Communications	500	1,250	500	1,000	1,000	1,000	1,000	500	1,250	300	300	1,000		9,600
Special Projects	500	1,000	500	500	500	500	500	500	4,500	500	500	500		10,500
SUB-TOTAL EXPENSES	6,100	7,600	7,000	6,750	4,750	3,250	3,500	5,600	14,250	3,800	3,300	3,000	0	68,900
Program	6,000	8,500	14,500	15,000	2,000	8,000	14,500	19,000	60,000	8,000	8,500	7,000	1,000	172,000
TOTAL	**12,100**	**16,100**	**21,500**	**21,750**	**6,750**	**11,250**	**18,000**	**24,600**	**74,250**	**11,800**	**11,800**	**10,000**	**1,000**	**240,900**
% of total project expenses	*5%*	*7%*	*9%*	*9%*	*3%*	*5%*	*7%*	*10%*	*31%*	*5%*	*5%*	*4%*		

PROJECT CODE	DENMAN	Project	Budget		Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes
		First Nations Relationship Building	$	1,000.00	x				Potential Protocol Agreement with K'omoks
		Denman Farm Plan Implementation	$	3,500.00					
		Targeted OCP/LUB Amendments	$	1,500.00	x				Marine, RAR or housing amendments
		TOTAL PROJECTS	$	6,000.00					

PROJECT CODE	Ballenas Winchelsea	Project	Budget	Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes
		First Nations Relaionship Building	$ 500.00	x				
		Crown Islet Advocacy	$ 500.00	x				
		TOTAL PROJECTS	$ 1,000.00					

PROJECT CODE	GABRIOLA	Project	Budget		Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes
		Housing Options Review	$	2,500.00	x		x		
		Housing Needs Assessment	$	5,000.00	x				TC approved $40,000 budget for housing needs assessements. $5,000 for bylaw amendments
		First Nations Relationship Building	$	1,000.00	x				Potential Protocol Agreement with Snuneymux'w
		TOTAL PROJECTS	$	8,500.00					

PROJECT CODE	GALIANO	Project	Budget	Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes
		Dock Review	$ 4,500.00					continuation of 2016-17 project
		Telecommunications Strategy	$ 5,000.00					completion / implementation of 2016 - 17 project
		OCP / LUB	$ 5,000.00					specific project to be determined (technical amendments, forest policy)
		TOTAL PROJECTS	$ 14,500.00					

PROJECT CODE	GAMBIER	Project	Budget	Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes
		Gambier Island OCP Review	$ 5,000.00	x		x		Targeted review
		DAI Bylaws	$ 1,500.00	x				
		Foreshore Protection	$ 8,000.00	x				
		First Nations Relationship Building	$ 500.00	x				Continuation of St'a'pas Working Group
		TOTAL PROJECTS	$ 15,000.00					

PROJECT CODE	HORNBY	Project	Budget	Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes
		First Nations Relationship Building	$ 500.00	x				Potential C2C Forum with K'omoks
		Ford Family Orchard Heritage Protection	$ 500.00					
		Review of Vacation Home Rentals	$ 1,000.00	x	x			
		TOTAL PROJECTS	$ 2,000.00					

PROJECT CODE	LASQUETI	Project	Budget		Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes
		OCP/LUB Review	$	7,000.00	x		x		Targeted review
		First Nations Relationship Building	$	1,000.00	x				Potential Protocol Agreement with Qualicum
		TOTAL PROJECTS	$	8,000.00					

PROJECT CODE	MAYNE	Project	Budget	Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes
		Commercial Land Use Review	$ 4,500.00			x		
		RAR Implementation	$ 5,000.00	x	x	x		
		OCP / LUB Amendments	$ 5,000.00					specific project(s) TBD
		TOTAL PROJECTS	$ 14,500.00					

PROJECT CODE	N. PENDER	Project	Budget	Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes
		Land Use Planning for Waste Management (completion)	$ 7,000.00			x		Communications, CIM, legal, Public hearing, contingency
		Housing (secondary suites)	$ 5,000.00				x	communications, CIM, Public hearing, contingency
		Housing (Needs Assessment)	$ 2,000.00				x	CRD undertaking housnig needs assessments. $2,000 for possible bylaw amendments.
		OCP / LUB	$ 5,000.00			x		to commence LUB or OCP amendment project
		TOTAL PROJECTS	$ 19,000.00					

SALT SPRING	PROJECT CODE	Project	Budget	Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes
Project #1	4014	Watershed Management (exclusive of delegated authority 4045)	$ 20,000.00	1.1; 4.1; 4.2		yes	no	Consultation Program; Specialist Consultation; Facilitated Meeting Costs; Legal Review; Advertising, etc.
Project #2	4020	Ganges Village Planning - Harbourwalk	$ 4,000.00	5.3		yes	no	Public Hearing; Legal Review; Advertising; Communications
Project #3	4021	TUP's for secondary Suites and Cottages (Bylaw 471)	$ 2,000.00	5.2		no	no	In case adoption of Bylaw 471 is delayed (Legal Review and Meeting Costs)
Project #4	4057	Land Uses in Rural Watersheds	$ 1,000.00	5.6		yes	no	Potential changes to Project Charter, lead to caution to include project into next fiscal; Advertising; Communications
Project #5	4068	Integrated Community Sustainability Plan	$ 20,000.00	3.1; 5.2; 8.2	No. Consider LGA 484: DAI	yes	no	Consultation Program; Specialist Consultation; Facilitated Meeting Costs; Legal Review; Advertising, etc.
Project #6	4058	First Nations Heritage Conservation	$ 1,000.00	6.2		yes	no	Possible further background research; Meeting Costs; Consultation Program
	4030	Proposed National Marine Conservation Area Reserve - Internal Boundaries	$ 4,000.00	2.2		yes	no	Recent media announcements suggest Parks Canada is ready to proceed with this project thus: Consultation Program; Meeting Costs; Legal Review; Advertising, etc.
	2007	Bylaw Review - Procedural Updates	$ 3,000.00	7.1; 7.2	LGA 547 (LUC)	no	no	Development Approval Information Bylaw**,** Land Use Contracts (LUC), Bylaw Enforcement Policies; Soil Bylaw update, Outer Islands; Background Research
		Affordable Rental Housing: Cottages	$ 4,000.00	5.2		no	no	Consultation Program; Meeting Costs; Legal Review; Advertising, etc.
		Marine Environment Protection	$ 1,000.00	1.6; 2.1		no	no	Background Research; Scoping; Meeting Costs; Consultation Program
		OCP and LUB Review - Housing for Farm Workers; Subdivision for a Relative		5.1		no	no	Background Research
		Update the Farmland and Agricultural Land Reserve Inventory				no	no	Early Consultation Program (primarily with Ministry of Agriculture and agricultural community)

TOTAL PROJECTS	**$**	**60,000**
Special Levy Request SSIWPA Coordination	$	110,500

PROJECT CODE	SATURNA Project	Budget	Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes
	LUB Technical Review	$ 6,000.00					to review and update references in LUB
	First Nations relations	$ 2,000.00					costs associated with LTC priority to strengthen relations with first nations
	TOTAL PROJECTS	$ 8,000.00					

PROJECT CODE	S. PENDER	Project	Budget		Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes
		OCP / LUB Amendments	$	6,000.00					heritage designation, agricultural review
		LUB Review (completion)	$	2,500.00					completion of LUB review (public hearing)
		TOTAL PROJECTS	$	8,500.00					

PROJECT CODE	THETIS	Project	Budget		Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes
		RAR Implementation	$	1,500.00	x	x			
		OCP/LUB Review	$	3,000.00	x				Targeted review
		First Nations Relationship Building	$	500.00	x				
		Thetis Associated Islands OCP/LUB	$	2,000.00	x				
		TOTAL PROJECTS	$	7,000.00					

PROJECT CODE	LPC	Project	Budget	Strategic Plan	Prov. Requirement	Continuation of existing OCP/LUB	Newly Adopted Policy in OCP	Notes
		Housing Needs Assessments (Trust Council approved in September 2016	$ 40,000.00	x				
		TOTAL PROJECTS	$ 40,000.00					

Islands Trust

STAFF REPORT

File No.:	1700-04 (2017/18 LPS Programs Budget)
DATE OF MEETING:	September 23, 2016
TO:	Saltspring Island Local Trust Committee
FROM:	Stefan Cermak, Regional Planning Manager Saltspring Island Office
SUBJECT:	**2017/18 Local Planning Programs Budget Development**

RECOMMENDATIONS

1. That the Saltspring Island Local Trust Committee request an allocation of $4,500 to its 2017/18 Special Projects Budget;
2. That the Saltspring Island Local Trust Committee approve and forward the draft 2017/18 Salt Spring Island Project Budget Request to Financial Planning Committee as presented;
3. That the Saltspring Island Local Trust advise the Director of Administrative Services that a Budget Proposal will be submitted prior to the October 19, 2016 Financial Planning Committee meeting to support Salt Spring Island Watershed Management coordination services delegated from Trust Council and supported by Special Tax Requisition.

REPORT SUMMARY

The purpose of this report is to assist the Salt Spring Island Local Trust Committee (SSI LTC) in the 2017/18 Local Planning Programs budget development process. The SSI LTC is requested to approve and forward to the Financial Planning Committee a draft 2017/18 Salt Spring Island Project Budget Request by conclusion of the SSI LTC September 23, 2016 regular business meeting.

BACKGROUND

This report supplements staff reports considered by the SSI LTC at their previous meetings July 21, 2016 and September 1, 2016. No budget related resolutions were made at that time although the SSI LTC requested additional details, options and project estimates for 1) Affordable Rental Housing for Cottages; and 2) Watershed Management specifically regarding an Integrated Water Management Program and follow up actions from recommendations in the Water Conservation and Water Demand Management Report dated April 2016. The requested additional details were presented in the previous staff report.

Trust Council approved a $55,000 SSI LTC Project Budget for 2016/17. At time of drafting this report, the proposed Project Budget for 2017/18 totals $ 60,000 (Attachment 1). The total remains unchanged since LTC's last consideration September 1, 2016.

Local Trust Committee Expense Budgets:

A budget for Local Expense Account will be developed based on the current budget (2016/17). Local Trust Committees may request changes to this allocation (by resolution); however, consideration should be given to the historical spending and a rationale provided for making the request.

On June 29, 2016, the SSI LTC became aware of the significant change in the Special Projects budget line item from $4,500 in 2015/16 to $1,000 in 2016/17. Staff has drafted a resolution for SSI LTC consideration to restore the Special Projects budget line item to $4,500 in 2017/18. The rationale is to restore previous budget levels and the need for the SSI LTC to have flexible funding to meet unanticipated project demands.

Budget Request Guidelines:

When making Project Budget requests for the 2017/18 fiscal year, local trust committees and staff are advised to consider the following in order to obtain greater support of Trust Council for the requested budget item:

1. the project is required to meet Provincial legislation (in other words, not undertaking the project means that the Official Community Plan (OCP) or Land Use Bylaw (LUB) would not comply with Provincial legislation);
2. the project advances one of the objectives of the Islands Trust Strategic Plan;
3. the project is a continuation of an existing OCP or LUB program and is required to continue or complete the program; or
4. the project implements newly adopted policies in the OCP.

Generally speaking, the budgets are applied to external costs, including consultation programs, specialist consultant services, legal review, advertising and meeting room costs. Projects planned for the current fiscal (2016/17) which are not completed should be considered as a new project for the 2017/18 fiscal year with resources allocated to support that work. Attachment 1 is a Table summary of all projects currently on the Top Priority and Projects lists with comment regarding the above guidelines as well as the Salt Spring Island Local Trust Committee Strategic Priorities.

Budget Request Timeline (for 2017/18):

July 21	RPM begins developing budget estimates for consideration by LTC
Sept. 1	LTC reviews budget requests at LTC meeting
Sept. 23	LTC reviews and approves budget requests at LTC meeting
Oct. 19	Draft Budget and Program (Project) List considered by Financial Planning Committee (FPC)
Nov. 16	FPC approves a draft Budget and principles to be submitted to Trust Council
Dec. 6-8	Trust Council debates and endorses budget principles and preliminary budget

Jan. 2017	LTC pass resolution to fund “additional operations” (SSIWPA) via special tax requisition and engage in public consultation
Feb. 2017	FPC and Executive review budgets and programs
Mar. 2017	Trust Council approval of base budget and programs list

PLANNING SERVICES COMMENTS:

The Salt Spring Island Local Trust Committee is encouraged to undertake no more than five projects at a time, and it is difficult to undertake more than two or three significant initiatives even when fully staffed. The Proposed Projects Budget shown in Attachment 1 is a starting point for SSI LTC discussion and is based on the following assumptions:

- The following projects will remain ongoing:
  - Watershed Management and the Ganges Village Planning – Harbourwalk
- The following projects should be concluded:
  - Industrial Land Uses; Technical Amendments to the Land Use Bylaw; and Piers Island Bill 27 OCP Update
- The following projects may be concluded:
  - Land Uses in Rural Watersheds; Secondary Suites and Cottages – TUP Implementation
- The SSI LTC may anticipate an approved Projects Budget of $40,000 -$60,000

Note that the SSI LTC Project Budget Request includes allocation to land use planning activities in Watershed Management but does not include Salt Spring Island Watershed Protection Authority coordination activities. The budget for Coordination Services is via special tax requisition, relates to authority delegated by Trust Council, and is considered at Trust Council independent of the Local Planning Services programs budget.

At its meeting, the SSI LTC has the following options:

- Identify any other projects it is currently considering and add them to the budget request (and to the Salt Spring Island Local Trust Committee work program projects list if necessary);
- Amend expenses associated with any of the programs;
- Identify projects which may not have sufficient priority, resources or partners in the 2017/18 fiscal year and remove from the budget request;
- Consider a request for increase in the Local Trust Committee Expense Account to provide for additional LTC or APC meetings or Special Projects.

The following resolution will assist the LTC if considering any of the options:

> That the Saltspring Island Local Trust Committee revise the draft 2017-18 LTC Project Budget Request by including (amending) (deleting) _*insert project name(s)*__ with a budget of $__________;

NEXT STEPS

Approve and forward to the Financial Planning Committee a draft 2017/18 Salt Spring Island Project Budget Request.

Submitted By:	Stefan Cermak, Regional Planning Manager, Salt Spring Island Team	September 14, 2016

ATTACHMENTS

1. SSI LTC DRAFT 2017/18 Project Budget

BUSINESS CASE

ISLANDS TRUST

Completion of this form initiates a request to the management team for allocation of budget funds. The form is to be completed and submitted at the start of the decision making process. The business case forms part of the Annual Budget Process (refer to Islands Trust Council Budget Process Policy 6.3.i).

TO BE COMPLETED BY INITIATOR

Initiated by: Carmen Thiel	Budget Source: (describe) New project budget for Fiscal 2017/18
Operational Unit: Management Group	
Name of Request (identify the problem, opportunity or need) Electronic Document Management (EDM)	
Date initiated: September 1, 2016	Date required: April 1, 2017

1. **BACKGROUND** (*A brief description of the current situation*.)

   In April, 2011 Trust Council adopted a records classification system that was initially implemented for paper files of the Islands Trust. In 2011 Legislative Services created a formal document management system for paper records as part of the overall records management program for Islands Trust. The records management program aligns industry best practices for records management with Islands Trust legislative requirements.

   The second phase of the overall records management program is to move electronic records to the current file structure that meets Islands Trust legislative requirements.

2. **PROBLEM STATEMENT/OBJECTIVES** (*What is the problem you are trying to solve? What strategic item is this addressing? What are the future needs? What personal or organizational objectives are being addressed?*)

   This proposal is for the creation of a network folder structure on Islands Trust storage area network (SAN) based on the classification system adopted by Trust Council in April, 2011.

   Proposed timeline subject to change:

   By December 2016, create a network folder structure for electronic final form documents which meets the legislative and operational records management requirements of Islands Trust.

   • By December 2017, complete migration of current electronic records from existing network folder structure to the new EDM and remove the old network folder structure.

This will give staff certainty around the naming and retention of electronic records and emails and provide Islands Trust with the ability to retain and gather electronic documents required under the Freedom of Information and Protection of Privacy Act (FOIPPA).

Should Salt Spring Island choose to incorporate, having the EDM structure in place will enable Islands Trust to quickly identify all records to be transferred to the municipality.

3. PROJECTED RESULTS/DELIVERABLES (*How does this address the objectives described above*?)

The new structure will provide Islands Trust management and staff with:

- A secure storage location to save permanent electronic files
- The ability to manage and maintain retention schedules on electronic documents
- Formalize the digital document management process within Islands Trust

The following are the deliverables of the project:

- Create a single network folder structure which is connected to the three geographically separated offices
- Create a high-level folder structure
- Adopt standard naming convention for all final form documents being stored in the EDM
- Create user access and security within the file structure
- Create training for current and future Islands Trust management and staff
- Migrate current electronic records to the EDM

4. ALTERNATIVES CONSIDERED (*What other options/alternative courses of action were considered? Each option must be supported by a succinct and realistic presentation of the benefits, financial implications, resource requirements and other implications to allow for an informed decision among the options. One option should reflect the status quo - ie. do nothing - and the anticipated results of that action.*)
Options:

Option 1
Continue as currently with staff making uninformed decisions about the status of records (permanent or transient).
This has led to the deletion of records that should be kept or the retention of all electronic documents and emails in fear that deleted records may be needed at a later time. Over time the retention of all documents would lead to unmanageable amounts of information and increased server costs for the storage of unnecessary electronic files.

Option 2
Implement without the assistance of a contractor who has previously assisted other local governments with similar work.
In house staff members do not have the time or expertise required to assist all staff with decision making to cut over to a new system within a short time period. Implementing over a long period of time is likely to reduce staff buy in to the program, giving them time to put unacceptable structures in place in order to avoid having to apply EDM concepts.

Option 3
Hire a contractor, who has previously assisted other local governments with similar work.
The contractor would migrate existing documents to the new file structure by assisting and training the project

team members and champions in each office to cut over to a new system within a short period of time. This will enable Islands Trust to benefit from lessons learned by other local governments.

5. CRITICAL SUCCESS FACTORS (*What related factors have been identified? What risks are involved*?)

Critical Success Factors
- Ongoing support from Sponsor and Management
- Strong Change Management planning
- Staff buy-in of this new process
- Project is adequately resourced
- Project completes on time

Risk Factors
- Limited or no project budget
- Limited staff resources
- 100% compliance is necessary to ensure the success of this project

6. CHANGE MANAGEMENT/COMMUNICATIONS/COLLABORATION (*Are there any concerns and how will they be addressed? Have other stakeholders been identified*?)

The EDM team has applied formal project management procedures. They have identified all of the stakeholders and assessed the impact and level of influence of each. Interviews have been conducted with the members of the Management Team who have all indicated their support for this project.

The Islands Trust Communications Specialist has been brought on to the EDM team to assist with the development of a communications plan and the creation of communications material.

Presentations will be done in each office (SSI, NO and Victoria) by members of the EDM team. Feedback and discussions will be monitored and responded to.

7. BENEFIT/COST ANALYSIS SUMMARY (*Summarize the benefits and costs included. Identify capital and operational needs. Are there one-time or start-up costs? Are there impacts in future years*?)

The following table represents one-time project costs during Fiscal 2017/18.

Item	**Details**	**Cost**
Consulting Fees	Hire Consultant to migrate current documents to the new system	$12,000
Technical Support	To establish new SAN structure	$ 5,000
Travel	For project team to go to offices to roll out the project and train staff	$ 1,000
Contingency		$ 2,000
TOTAL		**$20,000**

8. RECOMMENDED DECISION (*Clearly outline the decision being sought and why this particular decision is being recommended*)

The preferred option is Option 3 to hire a contractor who has previously assisted other local governments with similar work. This is being recommended so that Islands Trust can implement within a short period of time after the file structure and naming conventions are in place and understood by staff. In addition Islands Trust will benefit from lessons learned by other local governments.

9. PURCHASING PROCEDURE *(describe any purchasing processes that will be needed to support this initiative (ie. Direct Award, RFP, ITQ to qualified vendor*)

It is recommend that a direct award of consulting services take place to a known vendor who is already familiar with our file structure and records and who has experience implementing similar projects with more than one local government.

Initiator **Date**

Director **Date**

REVIEWED BY MANAGEMENT TEAM:	
Date received:	**Approved:** □ **YES** □ **NO**
Next steps:	

December 2016 Islands Trust Council

First Nations Legal Seminar

11:00 a.m. – 12:30 p.m., Wednesday, December 7, 2016

Purpose: To undertake a seminar on legal principles associated with local government and First Nations governance.

Resources: Russ Hotsenpiller, Chief Administrative Officer
Reece Harding, Young Anderson

TIME	TOPIC	WHO
11:00 – 12:30	**Local Government & First Nations: Some Foundational Legal Principles**	**Reece Harding**
	This discussion is aimed at giving local government elected officials a foundational understanding of the legal principles at work between local government and First Nations. To begin, a brief review of the *Constitution Act* and several key court decisions will be discussed to explain aboriginal title and rights and the implications and opportunities for local government resulting from these decisions. We will then discuss the duty to consult and accommodate with a view to understanding how the current case law affects local government. Finally, a discussion pulling these concepts together from a local government perspective asking "what does this all mean" will be our focus. The goal of these discussions is to provide a greater degree of understanding for key Islands Trust staff and its elected officials to assist in facilitating discussions with First Nations as we transition into an era of reconciliation	Reece, a partner in Young, Anderson, holds a Bachelor of Arts degree from Simon Fraser University and graduated from the UBC Faculty of Law in 1992. He articled with the Attorney-General of British Columbia. His practice is primarily focused on local government law litigation, but includes significant components of aboriginal law, assessment and taxation law, natural hazard risk avoidance, mediation and police law. Reece has appeared routinely in the British Columbia Provincial Court, Supreme Court, Court of Appeal, the Federal Court of Canada and recently appeared in the Supreme Court of Canada.

Islands Trust

December 2016 Islands Trust Council

Delegations and Town Hall Session

2:00 p.m. – 3:00 p.m., Wednesday, December 7, 2016

Chair: **Peter Luckham, Chair, Islands Trust Council**

1. **Gulf Islands Alliance re 10 year anniversary**
2. **Mayne Island Conservancy re oil spill preparedness in the Trust Area**
3. **Salish Sea Trust re Salish Sea World Heritage Site**

From: David Steen [mailto:thetisteen@gmail.com]
Sent: Tuesday, November 08, 2016 7:07 PM
To: Jas Chonk
Cc: Peter Luckham
Subject: Gulf Islands Alliance

Hi Jas
Exactly 10 years ago at the December Trust Council meeting we announced the launch of the Gulf Islands Alliance (GIA), a grassroots group of islanders who enthusiastically endorse the Trust Act and the work of Islands Trust Council that supports of its mandate.
To celebrate this important anniversary GIA has sponsored the creation of a short film (12 minutes 35 seconds) with beautiful imagery and positive text that tells our shared story/purpose.
This note is to make two requests:
1. We would like to give the film its first public showing at the beginning of the town hall hour at Trust Council on Dec. 7. (Without describing the film, I talked informally with Chair Peter Luckham and advised that we would be asking for slightly more than the traditional 10 minutes. Introducing the film to council will take a few seconds; it speaks for itself.)
2. We wish to invite trustees and staff to drop in for hors doerves and a toast at our official film launch/reception at the Lions Hall on Salt Spring the same afternoon, from 5.30 to 6.30 p.m. Possibly an accommodation can be made for this special occasion if it overlaps with the start of Council's dinner.
Thanks
Dave Steen
Gulf Islands Alliance

(To Peter -- I tried to reach you by phone in regard to this note. You had just left for Victoria.)

Mayne Island Conservancy Society

To: Jas Chonk
Acting Executive Coordinator
Islands Trust

Date: November 13. 2016

RE: **Seeking Leave to Present to Council**

The Mayne Island Conservancy Society seeks permission to send a delegation to the December 20016 Trust Council. The subject of the Conservancy's presentation is oil spill preparedness in the Trust Area.

The Conservancy has been actively looking at the state of readiness to respond to spills of petroleum-based materials in the Salish Sea for the past two years. We have found capacities sorely wanting and have been working with regional governments, officials and residents to find solutions.

We presented to Council in the spring of 2015, seeking support as we began our work to build a local response capacity in the region. Council supported us materially by helping us to convene an oil spill workshop in the fall of 2015, at the Mary Winspear Centre in Sidney. This workshop ran in conjunction with the Economic Development Conference jointly attended by representatives of the Trust, the Capital Regional District and the San Juan Islands. Our workshop was well attended by officials and residents from around the region, as well as from the San Juan Islands. We are grateful for the Trust's support.

We have continued to work on the spill preparedness issue and held a well-attended "Community Oil Spill Response Forum" on Mayne Island, on November 5. We would like to update Council on our progress, and seek support as we move forward. Please feel free to phone if you have any questions at my personal number, 250-539-2402

For the Mayne Island Conservancy Society,

Malcolm Inglis
President

Parks Canada-
2013 Certificate of Appreciation

EcoStar AWARDS 2013 WINNER

Islands Trust- 2013 Community
Stewardship Award Recipient

PO Box 31 • Mayne Island • British Columbia • V0N 2J0
Phone: 250-539-5168 • Email: info@conservancyonmayne.com •
www.conservancyonmayne.com

The SalishSea

...Roundtable & World Heritage Site.

November 4, 2016

To: Mr. Peter Luckham
Chair, Islands Trust

Re: Salish Sea World Heritage Site, & 'Roundtable' Website

Dear Mr Luckham,

It has been busy since the September meeting in Sydney when we last met and there was much discussion about options for the Salish Sea. I look forward to providing an update at the December Islands Trust meeting.

As you know from my short presentation at the Sydney meeting we are in the process of applying to have an application submitted that would see UNESCO consider the Salish Sea as a World Heritage Site.

What may be of equal interest to you however, and mutual benefit in such protection measures for marine and cultural considerations, is the work that colleagues have underway for a 'Salish Sea Roundtable'. I've attached the draft introduction that was circulated last month in Sydney at a subsequent meeting with government and civil society representatives from the US and Canada.

We have since been in touch about this work with the BC Intergovernmental Secretariat, who are in turn working with the State of Washington on a 'Cascadia Innovation Corridor'. As well as expressing interest in participating in the CIC's development and support for hi-tech start-ups and business initiatives we have proposed opportunity for non-profits and open-source innovations such as ours to similarly become involved.

The 'Salish Sea Roundtable' is an immediate example of the potential which the Cascadia Innovation Corridor might integrate as plans advance. Evolving rapidly as a dynamic website powered by a comprehensive graph database the 'Roundtable' system is expected to be available for testing by users by the end of the year - a demonstration to be announced as we acquire data and reports.

It is in this respect that I am writing to you. I recall a discussion in a meeting which CPAWS hosted in Sydney in September, which briefly mentioned research and reports which had been undertaken prior to the MOU which announced the proposed NMCA in 2004. I believe there was a suggestion that a decision had not been reached by Parks Canada and related departments as to whether such work might be updated for the present deliberations on the proposed NMCAR.

Salish Sea Trust, Box 333, Cedar, B.C., V9X 1W1
250.722.3444, <SalishSeaTrust@shaw.ca> (www.salishseatrust.ca)

I would then like to see if there may be interest, in your capacity and leadership with the Islands Trust - and perhaps as you are in touch with other government departments and institutions, to provide access to data, information and reports which you have at hand? We have written with a similar request to Mr James Gordon, the project manager of the proposed NMCAR.

At this time we are building the demo of the Salish Sea Roundtable website using US data from two Washington state sources. We are looking to supplement this with Canadian data pertinent to the biology, ecology and geology of the northern portion of the Salish Sea, Canada's 60%.

As resources become available we will also be looking to integrate all cultural, natural and economic data and information resources along with governmental, First Nation and non-government projects and activities in and around the Salish Sea.

We believe our work will benefit the initiative and discussions of the Islands Trust in the process, providing a one-stop-shop if you will for such real-time data and updates pertinent to the Salish Sea. The searches will of course able to be defined by geographic and socio-cultural parameters as may be specifically required.

Over the past month we have been encouraged by the commitment and announcements by the White House and WA Governor Inslee of some $600 million for Puget Sound rehabilitation measures, along with the MOU which creates the Puget Sound Federal Task Force,

> “A healthy Puget Sound provides key economic, cultural and ecological benefits, and serves as the cornerstone of the region's high quality of life. Building on decades of conservation efforts from federal, state, local and tribal agencies, today's actions will strengthen federal efforts to bolster conservation, restoration, and enhance tribal treaty rights within the Puget Sound at a critical juncture in the ecosystem's recovery.”

Recent remarks of Premier Clark also closely reflect the goals we have for the 'Roundtable' and the Salish Sea World Heritage Site application - the need to protect the environment and coast, attendant to First Nation interests and economic benefits for BC.

We are also hopeful that the federal government's pivotal role in marine protection measures could offer opportunity to foster economic and environmental initiatives particular to the Salish Sea. We believe the 'Roundtable' could be a great asset in this work, as well as lending itself to other applications around North America and the world as ocean and marine restoration efforts increase.

Last week's major announcement for marine protection in the Antarctic is of particular note, as is the Prime Minister's promise of last year for 5% & 10% MPA's by 2017 and 2020. We expect to send a follow-up letter to Minister Bains with a copy to the Prime Minister's office early next week, raising attention to Pacific Gateway planning, the Cascadia Innovation Corridor and the Salish Sea 'Roundtable' and World Heritage Site initiative.

In doing so we will suggest that we are working to help build a foundation for cultural and natural heritage protection which will result in jobs and economic returns, renewing meaningful consultation opportunities as well as cooperation across sectors and interests.

We are then interested in discussing the possibility of acquiring materials, reports and data relevant to the Salish Sea which may be in need of updating as well as such recent information as may be available, so that it might be cross-referenced and incorporated within the development and demonstration of the 'Roundtable'.

Could you let us know what opportunity there may be to garner such data and resources? We would similarly welcome any additional contacts you may be able to suggest of individuals, organizations, First Nations and governments who might have additional data and knowledge pertinent to the Salish Sea and MPAs.

We can provide further information, as well as updates on progress, at your request. For now however we hope this note serves to keep you in touch with our progress, while providing a quick follow-up on our work.

As you can we would appreciate hearing from you at your earliest convenience.

regards,

Laurie Gourlay
Interim Director, Salish Sea Trust

Salish Sea Trust, Box 333, Cedar, B.C., V9X 1W1
250.722.3444, <salishseatrust@shaw.ca> (www.salishseatrust.ca)

ROUNDTABLE^tm

Knowledge Management

Efficient Collaboration

Multi-Stakeholder Program

Inclusive Process

Informed Decisions

Effective Actions

ROUNDTABLEtm
Connect the dots.
All the dots.

Knowledge Management

Emails, maps on websites, tables in various databases, personal spreadsheets, … conventional *information* tools fail to manage *knowledge*. ROUNDTABLE manages the enormously rich conversations and knowledge that develop throughout a program as hundreds of people in various groups and organizations plan strategies and execute projects through events and activities.

Assemble, share, find, and discuss *all* the reports, media files, projects, maps, activities, people, events, and conversations. ROUNDTABLE allows every participant to upload unlimited documents and media files. Everyone can cross-link, tag, and discuss each piece of information. Of course, access to some information can be restricted by modern security.

Efficient Collaboration

So many people, so much data, so many perspectives—and constantly changing! All this information needs to be shared across many people, to be secure, cross-linked, searched, discussed… *used.*

ROUNDTABLE is a leading-edge tool a breakthrough for all sectors and community interests when planning for development, growth, protection, and restoration. ROUNDTABLE clarifies the substantial and real differences in values and goals among diverse groups, rather than sustaining the myths that arise from failing to share and discuss the facts and documents that underlie each issue.

ROUNDTABLE supports Chambers of Commerce, businesses, NPOs, academics, and government agencies exploring and evaluating options that will serve the public's interest—while being attentive to economic and employment goals. In doing so it helps to develop the relationships, goals, and initiatives necessary for sustainable future development while meeting the bottom-line needs of today's society.

Information is hard to find: people endlessly re-assemble documents and data. Misinformation is hard to fix in all the disconnected places it appears. The quality and original sources of information are critical but often unavailable. These problems can be fixed. ROUNDTABLE is the way to fix them.

Inclusive Process

Stakeholders need to engage people and agencies within decision-making circles so that our social, cultural, and historical heritages are properly balanced with the immediacies, commercial interests, and past promises that governments must consider.

ROUNDTABLE will gather First Nations' traditional knowledge as well as scientific reports, environmental assessments, and development proposals. This offers a means for First Nations to determine their priorities and communicate them clearly. This improves the potential for substantial conversations and *"meaningful consultation"* that will legitimately address First Nation interests.

Technical Details

RoundTable merges human intelligence with computer intelligence to transform data and information into knowledge and wise decisions.

RoundTable provides transparent access to a shared set of ***Resources***: Persons, Organization, Groups, Events, Activities, Places, Media, Maps, Models, and Data. Resources are linked together by detailed relationships and by tags to concepts (forming a semantic web).

As an "Open Source cloud-based collaboration platform" based on *jquery*, *structr* and *neo4j*, RoundTable will be extended by contributed tools from all over the world, e.g. social media interfaces, scientific models, interactive data visualization, planning scenarios, etc.

The ability to easily link people, resources, conversations, and activities comes from the power and efficiency of the underlying *neo4j* "graph database."

RoundTable presents your assembled knowledge as interactive tables and "graphs" (think: mind-maps) where you can drill down quickly to find what you need. Discover and follow meaningful links among people, events, locations, actions, documents, and data. Work collaboratively to interpret what you have found.

RoundTable[tm]

Connect the dots.
All the dots.

Informed Decisions

It is critical to assemble, analyze, present, and challenge evidence if we want to have informed and balanced decisions. For example:

"Many processes are concurrently going on in the Salish Sea that require both the support, involvement, and consent of the affected First Nations, US Tribes, non-native citizens, local, state, provincial and federal governments, and industry. If we fail to coordinate people, government, and industry we put the environment, culture, and economy of the Salish Sea at risk from increased vessel traffic risk, oil spill, habitat degradation, ocean acidification, and sea level rise." – author

This coordination is precisely what RoundTable was designed for: *Get everyone on the same page.*

Effective Actions

RoundTable is a support tool for communities of practice, helping to ensure that collaboration become action:

Collaboration support →
Consensus building →
Informed decisions →
Appropriate actions.

RoundTable supports online activities that explore the goals, values, and actions possible within a community of practice. Discussions—and subsequent actions—are grounded in a shared set of facts and knowledge (*Resources*), even among disparate or competing groups.

Multi-Stakeholder Program

RoundTable offers an intriguing new model and a radically efficient process for engagement between governments, business, the civic sector, and the voting public. It is big step toward the knowledge-based society.

Right here, right now, there is an opportunity to find new ways to achieve economic growth, environmental restoration, and cultural development—as synergy instead of competition.

"Practitioners [should] take collective responsibility for managing the knowledge they need, ... create a direct link between learning and performance, ... address the tacit and dynamic aspects of knowledge creation and sharing, [and] create connections among people across organizational and geographic boundaries." – Etienne Wenger

RoundTable is a web application that supports the collaborative activities of multi-stakeholder "communities of practice" engaged in the assessment, design, decision-making, and implementation of complex projects.

For More Information

Please contact:

The Salish Sea Trust
PO Box 333, Cedar BC, V9X 1W1
phone: 1-250-722-3444
email: SalishSeaTrust@shaw.ca
website: www.salishseatrust.ca

DIRECTOR OF ADMINISTRATIVE SERVICES
2016-2017 THIRD QUARTER REPORT

Date: 18/11/2016

COMPLETED SINCE LAST REPORT	PLANNED FOR NEXT QUARTER
Trust Council, Executive Committee, Financial Planning Committee • Completed 2nd Quarter Financial Results Analysis • FPC meetings October 18 and November 16, 2016 • Completed 2017/18 Budget Assumptions & Principles for presentation to Trust Council • Assisted with development of decision-making criteria for Select Committee to Review Victoria Office Location • Attended GFOABC workshop on Reserves and provided information session to FPC	**Trust Council, Executive Committee, Financial Planning Committee** • FPC meetings January 17 and February 28, 2017 • Provide support to Select Committee to Review Victoria Office Location • Review Purchasing Procedure Policy and provide feedback to FPC • Review General Revenue Surplus Fund Policy and provide recommendations to FPC • Complete 1st Draft of 2017/18 budget for FPC review • Support development of Transition Plan as needed
Human Resources and Payroll (Employee Services) • Staff trip to Salt Spring Island September 21, 2016 • Completed several hiring processes • Monthly OSH Committee Meetings • Nicole got married and went on her honeymoon • Assisted with creation and 1st meeting of Employee Advisory Committee • Organized several Provincial Employees' Community Services Fund (PECSF) fund-raising events	**Human Resources and Payroll (Employee Services)** • Develop training for managers on hiring processes • Review HR policies in operations manual • Staff Meeting December 2016 • Development comprehensive orientation plan for new staff • Continue with monthly OSH Committee Meetings • Provide orientation and tools to guide the completion of the 2016 Performance Review Process
Financial Management • Completed 2nd Quarter Financial Results • Completed 2016/17 Forecast (based on 2nd Quarter results • Completed draft of proposed 2017/18 Budget for December TC • Drafted RFP for Financial Audit	**Financial Management** • Review Finance policies in operations manual • Complete 2015/16 Statement of Financial Information • Complete 3rd Q Financial Results • Complete 2016/17 Forecast • Complete RFP for Financial Audit • Complete 2016 T-4's for Trustees
Information Systems • Completed delivery of the new Trustee Agenda Delivery Process • Completed implementation of a new telephone system on SSI • Completed staff report in response to KPMG Assessment Report • eSCRIBE Review Team Meeting October 31, 2016 • Worked on development of a new Strategic Plan DataBase • Worked on new reports for Council Committees (FUAL, Priorities)	**Information Systems** • Develop project proposal for enhancing electronic meeting experience for Trustees • Continued work on an Information Systems Strategic Plan • Complete eSCRIBE functionality review (last item is Work Flows) • Create a Resolutions DataBase • Complete work on new Strategic Plan DataBase • Participate on Electronic Documents Management Project with Legislative Services Manager • Implement new telephone system on SSI • Review IS policies in operations manual
General • Participated in Operations Manual Review Project • Participated on Electronic Data Management Project	**General** • Continued participation on Operations Manual Review Project • Continued participation on EDM Project (Finance Officer and Computer Applications Support Technician)

Top Priorities

Financial Planning Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	First Draft of the 2017/18 Budget	Current - reviewed first draft of proposed budget at FPC meetings October 18 and November 16, 2016 Planned - first draft of proposed budget to December 2016 Trust Council; review public consultation documents in January 2017 and seek public input in February 2017		Cindy Shelest	
2	Complete the 2016/17 Forecast	Current - Reviewed at FPC Meting November 16, 2016 Planned - Forward briefing to Trust Councils December 2016 meeting		Cindy Shelest	
3	Propose Revisions to Trust Council Policy 6.5.i General Revenue Fund Surplus	Current - presented information sessions to FPC at their November meeting Planned - staff to present recommended changes to FPCs January and February 2017 meetings; to be forwarded for approval to March 2017 Trust Council		Cindy Shelest	

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:: December 6, 2008**

From: Financial Planning Committee **File No: Quarterly Reports**

SUBJECT: SEPTEMBER 30, 2016 QUARTERLY FINANCIAL REPORT

RECOMMENDATION:

That the Islands Trust Council approve the September 30, 2016 Quarterly Financial Report as presented.

CHIEF ADMINISTRATION OFFICER COMMENTS: The financial report reflects that Islands Trust is generally following the financial plan for 2016/17.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: There are no organizational implications to the recommendation.

FINANCIAL: Expenditures to September 30, 2016 are within approved budgets.

POLICY: There are no implications for existing policy.

IMPLEMENTATION/COMMUNICATIONS: Managers and Directors will receive ongoing reports throughout the year.

OTHER: None.

BACKGROUND

Islands Trust Policy 2.3. iii Financial Planning Committee Terms of Reference requires the Financial Planning Committee to report to Trust Council regarding the organization's financial management practices.

REPORT/DOCUMENT: The Islands Trust Statement of Net Financial Position (Balance Sheet) and Consolidated Statement of Revenue and Expenditures to September 30, 2016 are attached.

KEY ISSUE(S)/CONCEPT(S):

Statement of Net Financial Position (September 30, 2016 compared to March 31, 2016)
For the most part (unless otherwise identified) differences are due to timing of expenditures, receipt of revenues and reversal of accruals following fiscal year end. Results for September 30, 2015 are also provided for year over year comparison.

Consolidated Statement of Revenue and Expenditure
The benchmark for revenues and expenditures after six months (second quarter completion) of operations is 50% of the annual budget. The revenue and expense areas that vary significantly from the 50% benchmark include:

Revenue:

- Fees and Sales total includes $82,902.80 of receipts (75% of the Fees and Sales annual budget) offset by $3,468.80 in refunds and interest accrued on development application deposits.
- The general property tax requisition, special property tax requisition, and the Bowen Island property tax requisition were all received during the second quarter.
- Investment income is higher than budget due to investment of the general property tax requisition received at the end of July. Investment income should level off as investments are drawn down to fund operations throughout the remainder of the fiscal year.
- Other revenues are lower than budget as we have fewer active approved grants than prior year.

Expenses:

Council

- Trust Council expenditures are lower than anticipated due to $35,000 budget to fund the Select Committee to Review the Victoria Office Location which is underspent and expected to remain underspent by the end of the fiscal period.
- Trust Area Services expenditures are lower than budget due to underspending on the $82,000 Policy Statement Review Project by $57,000.

Local Planning Services

- Projects are lower than budget due to changing priorities by Local Trust Committees. Regional Planning Managers are reviewing work programs to redirect funds as needed.

Trust Fund

- Board expenses are lower due to delay in appointment of members by the Provincial Government.
- Operations expenses are lower than budget due to spending on communications that will occur by the end of the fiscal year. There are also flexible working arrangements for staff that are making this lower than budget.
- Property Management expenses are lower than budget due to covenant & acquisition and property management expenditures that are expected to occur by the end of the fiscal year.

Administration

- CAO Office expenditures are higher than budget due to additional travel and training by the CAO that was not anticipated when the budget was formulated.
- Finance, Human Resources and Administrative Services are lower than budget due to timing of expenditures related to spending on salaries (offset in part by increased contractor expenses) and training.
- Computer/Furniture & Equipment Purchases are higher than budget due to timing of purchases of equipment which occurred early in the fiscal year.

FINANCIAL PROJECTIONS TO MARCH 31, 2017 FISCAL YEAR END

A detailed forecast for 2016/17 has been completed based on the second quarter results and has been forwarded to the Financial Planning Committee.

RELEVANT POLICY: Bylaw No. 165, Islands Trust Financial Plan Bylaw 2016/17.

DESIRED OUTCOME: Approval of the September 30, 2016 Quarterly Financial Report.

RESPONSE OPTIONS

Recommended:

That Trust Council approve the September 30, 2016 Quarterly Financial Report..

Alternative:

None identified.

Prepared By:	Nancy Roggers, Finance Officer	**November 1, 2016**
Reviewed By:	Cindy Shelest, Director of Admin Services Russ Hotsenpiller, Chief Administrative Officer Financial Planning Committee	November 6, 2016 November 8, 2016 November 16, 2016

Islands Trust
Statement of Net Financial Position
September 30, 2016

	Sept 30 2016	Sept 30 2015	Mar 31 2016
Financial Assets			
Cash & Short-term Investments	6,936,305	6,971,741	3,714,688
Accounts Receivable	147,662	60,520	358,102
Due (to) from TFB		(302)	
Total Financial Assets	7,083,968	7,031,959	4,072,790
Liabilities			
Wages & benefits payable	633,213	895,066	931,366
Accounts payable & accrued liabilities	318,495	272,912	521,009
Development Application Deposits	44,207	29,038	29,038
Deferred Revenue	32,483	52,025	44,108
Employee Benefit Obligations	105,443	81,224	105,443
Capital Lease Obligations	73,640	49,870	93,776
Cost Recovery Deposits	12,684	650	6,642
Total Liabilities	1,220,164	1,380,785	1,731,382
Net financial assets	**5,863,804**	**5,651,173**	**2,341,409**
Non-Financial Assets:			
Tangible Capital Assets	106,079	109,582	137,397
Prepaid Expenses	67,103	73,718	40,913
Total Non-Financial Assets	**173,181**	**183,301**	**178,310**
General Revenue Surplus Fund	**6,036,985**	**5,834,474**	**2,519,719**

Islands Trust
Statement of Revenue and Expenditure
September 30, 2016

	Description	Prior YTD Actual	YTD Actual	Annual Budget	% of Budget
Revenue:					
	Fees & Sales	47,242	79,434	110,000	72%
	Provincial Grant	123,052	177,880	180,000	99%
	Property Tax Levy General	6,187,953	6,249,834	6,249,833	100%
	Special Property Tax Requisition	119,500	110,500	110,500	100%
	Property Tax Levy Bowen	213,766	223,418	223,418	100%
	Investment Income	19,526	28,403	50,000	57%
	Other Revenues	53,703	17,298	50,000	35%
Total Revenue		6,764,742	6,886,767	6,973,751	99%
Expenses					
Council					
	Trust Council	142,022	141,813	317,798	45%
	Executive and Council Committees	74,368	57,146	120,108	48%
	Trust Area Services	178,003	212,992	472,307	45%
	General Admin Allocation - 17%	113,536	145,785	317,849	46%
Total Council Expenses		507,930	557,735	1,228,062	45%
Local Planning Services					
	Local Trust Committees	384,157	343,142	726,000	47%
	Projects	154,158	87,900	322,600	27%
	Planning Staff	1,070,778	1,141,353	2,360,257	48%
	LPS Facilities	162,874	160,884	339,392	47%
	Bylaw Enforcement	147,189	147,464	299,581	49%
	General Admin Allocation - 74%	525,105	634,592	1,383,574	46%
Total Local Planning Services Expenses		2,444,262	2,515,333	5,431,404	46%

Islands Trust
Statement of Revenue and Expenditure
September 30, 2016

Description	Prior YTD Actual	YTD Actual	Annual Budget	% of Budget
Trust Fund				
Board	8,383	8,413	20,000	42%
Operations	183,978	180,588	431,270	42%
Property Management	46,763	30,252	78,000	39%
General Admin Allocation - 9%	70,960	77,180	168,272	46%
Total Trust Fund Expenses	310,084	296,433	697,542	42%
General Admin				
CAO Office	126,148	178,874	326,283	55%
Financial, HR and Admin Services	331,977	360,009	870,712	41%
Office Operations	208,548	144,555	311,200	46%
Information Systems	134,461	93,681	200,000	47%
Computer/Furniture & Equipment Purchases	22,716	49,118	96,500	51%
Amortization Expense	20,212	31,319	65,000	48%
General Admin Recovery	(709,601)	(857,556)	(1,869,695)	46%
Total General Admin Expenses	134,461	0	0	0%
Less Non-Cash Expenditures - Amortization			(65,000)	
Transfer from General Revenue Surplus Fund			(318,257)	
Total Expenses	3,396,736	3,369,501	6,973,751	48%
Surplus (Deficit) to date	3,368,005	3,517,266	0	
General Revenue Surplus Fund, beginning of the period	2,466,469	2,519,719		
General Revenue Surplus Fund, end of the period	5,834,474	6,036,985		

BRIEFING

To: Financial Planning Committee **For the Meeting of:** November 16, 2016

From: Nancy Roggers, Finance Officer **File No.: 2016-17 Forecast**

SUBJECT: FINANCIAL FORECAST FOR MARCH 31, 2017 YEAR END, UPDATED WITH SEPTEMBER 2016 ACTUAL RESULTS

DESCRIPTION OF ISSUE:
The fiscal year ending March 31, 2017 was balanced with a transfer from the General Revenue Fund Surplus of $318,257. The year-end financial results for March 31, 2017 have been forecasted based on actual results to September 30, 2016 plus estimates to the end of the fiscal year. Based on this review the transfer from the General Revenue Fund Surplus will not be necessary. There will be an estimated contribution to the Fund of $36,886.

BACKGROUND:

A total net decrease from budget is indicated of $355,143. An explanation of the revenues and expenditures that contribute to the variance from budget are commented on below.

Revenue:

A total decrease from budget of $20,119 due to lower than anticipated Provincial Grant Revenues ($2,120); higher than anticipated other income; and lower estimated grant income ($25,000) which is offset by lower estimated projects funded by grants expenditures.

Expenditures:

Total forecasted expenditures are lower than budget by a net of $375,262. Some of the more significant items to note are:

- Salaries and benefits are lower than budget by $193,884 due to staff vacancies in Planning and the Executive office;

- Legal expenditures are forecast to be lower than budget by $100,000 due to lower than anticipated costs for bylaw litigation and receipt of legal cost settlements;

- Projects are expected to trend lower than budget by $124,600. It is expected that the following project budgets will remain unspent at the end of the year:

    - Policy statement review - $47,000
    - Select Committee to Review Victoria Office Location - $19,000
    - LTC projects - $58,000

- Telephone costs are forecast to be lower than budget by $12,150 due to savings realized by installation of new phone equipment in the Victoria and Salt Spring Island Offices. Further savings will be realized in 2017-18 when Gabriola Office installation occurs.

- Local Trust Committee expenditures on meetings, communications and special projects are lower than budget by $11,400;

- Islands Trust Fund expenditures for Board costs and covenants and acquisitions are lower than budget by $9,000;

- Statutory Notices are predicted to be higher than budget by $19,000 based to notices for TUPs due to bylaw enforcement of Short-Term Vacation Rentals;

- Meeting costs for the Executive Committee are higher than budget by $7,000 due to increased travel requirements and the geography of the Executive Committee members this term;

- Insurance costs are higher than budget by $12,000 as costs increased for 2016-17 coverage;

- Contract services are higher than budget by $77,000 due to hiring contractors to cover staff shortages.

Other variances are not significant in nature.

CONCLUSIONS:

Based on the forecast results, the March 31, 2017 contribution to the General Revenue Fund Surplus is forecast to be $36,886 and the transfer from surplus originally budgeted of $318,257 will not be required.

ATTACHMENT(S):

Financial Forecast detail for 2016/17 fiscal year.

AVAILABLE OPTIONS: No other options identified.

FOLLOW-UP: Forward to Trust Council.

Prepared By: Nancy Roggers, Finance Officer

Reviewed By: Cindy Shelest, Director Administrative Services
Russ Hotsenpiller, Chief Administration Officer

Date: **November 16, 2016**

Islands Trust

Forecast to March 31, 2017 based on
YTD Actuals to September 30, 2016

Description	Annual Budget	YTD Actual	Forecast to March 31, 2017	Forecast Higher (Lower) than budget
Revenue:				
Fees & Sales "Development Permits	110,000	79,434	110,000	0
Provincial Grant	180,000	177,880	177,880	(2,120)
Property Tax Levy General	6,249,833	6,249,834	6,249,834	1
Property Tax Levy Bowen	223,418	223,418	223,418	0
Special Levy Property Tax Requisition	110,500	110,500	110,500	0
Interest Income	50,000	28,403	50,000	0
Other Income	0	4,491	7,000	7,000
Grant Income	50,000	12,807	25,000	(25,000)
Total Revenue	6,973,751	6,886,767	6,953,632	(20,119)
Expenditures				
Amortization Expense	65,000	31,319	65,000	0
Applications sponsored by Exec Committee	5,000	0	5,000	0
Audit	25,000	(1,900)	25,000	0
Bank Charges & Interest	8,000	2,204	4,000	(4,000)
Board of Variance	1,500	138	500	(1,000)
Carbon Offset Purchases	1,500	(530)	1,500	0
Communications	28,000	5,866	28,000	0
Information Systems	200,000	94,101	200,000	0
Contingency	15,000	0	15,000	0
Contract Services	83,000	57,280	160,000	77,000
Elections /By Elections	5,000	0	5,000	0
Equipment Supplies & Maintenance	15,000	9,023	15,000	0
Insurance	95,000	53,499	107,000	12,000
Islands Trust Fund	98,000	38,665	89,000	(9,000)
Land Title Registrations	3,000	2,316	5,000	2,000
Legal	254,981	97,150	156,000	(98,981)
Local Trust Committee expenses	100,900	44,522	89,500	(11,400)
Meeting Expense	127,300	69,968	134,000	6,700
Memberships	17,500	4,821	13,000	(4,500)
Notices Statutory & Non Statutory	17,997	22,536	36,500	18,503
Office Rent	370,000	184,897	370,000	0
Office Services	51,000	18,517	45,000	(6,000)
Postage & Courier	10,000	6,815	10,000	0
Projects funded by grants	50,000	12,807	25,000	(25,000)
Projects	389,600	101,658	265,000	(124,600)
Recruitment	5,000	4,051	7,000	2,000
Safety	5,000	3,941	5,000	0

Islands Trust

Forecast to March 31, 2017 based on
YTD Actuals to September 30, 2016

Description	Annual Budget	YTD Actual	Forecast to March 31, 2017	Forecast Higher (Lower) than budget
Salaries & Benefits	4,350,910	2,032,115	4,157,026	(193,884)
Stationary & Supplies	23,642	16,582	23,642	0
Subscriptions	5,000	2,703	5,000	0
Telephone	90,150	31,809	78,000	(12,150)
Training	132,450	66,086	126,000	(6,450)
Travel	81,500	40,724	85,000	3,500
Trustee Remuneration	529,578	266,701	529,578	0
Total Expenditures	7,260,508	3,320,384	6,885,246	(375,262)
Capital				
Computer Hardware and Software	71,500	44,252	71,500	0
Furniture and Equipment	15,000	3,141	15,000	0
Office Renovations	10,000	1,725	10,000	0
	96,500	**49,118**	**96,500**	**0**
Total Expenditures including Capital	7,357,008	3,369,502	6,981,746	(375,262)
Non-cash expenditures - amortization	(65,000)		(65,000)	
Transfer from General Revenue Fund Surplus	(318,257)			
Surplus	**0**	**3,517,266**	**36,886**	**355,143**

Islands Trust

BRIEFING

To: Financial Planning Committee

For the Meeting of: November 16, 2016

From: Mark van Bakel, Acting Manager
Information Services

File No.:IS Assessment

SUBJECT: STAFF RESPONSE TO KPMG INFORMATION SYSTEMS ASSESSMENT

DESCRIPTION OF ISSUE:

At its March 2, 2016 meeting, the Financial Planning Committee requested staff provide a response to the KPMG Information Systems Assessment Report. Staff have reviewed the report and the recommendations provided. The key points from staff's perspective are described in the Available Options section and a detailed response to each of the KPMG recommendations is included in Appendix A.

BACKGROUND:

In January 2015, when the Financial Planning Committee expressed interest in receiving an audit of Islands Trust Information Technology, Director of Administrative Services Shelest advised that an internal strategic review of Islands Trust information services had just been initiated and was scheduled to be completed in July 2015. She requested that the Financial Planning Committee reserve their request until the review was completed. In anticipation of an audit to occur in the 2015/16 fiscal year, $10,000 was included in budgeted audit expenses.

The internal Information Services Review was completed and received by the Financial Planning Committee at their August 26, 2015 meeting. FPC then requested staff work with Trustee Luckham to prepare a draft project charter regarding an assessment of Islands Trust's Information Technology systems. A project charter was established and an engagement was undertaken by KPMG to perform an Information Systems Assessment. The report was completed on in February 2016 and presented to FPC at their March 2 meeting. FPC requested that staff provide a report on the KPMG information technology report that provides comments and identifies measures being taken to address recommendations. Due to leaves of key personnel in Information Services, staff's response was delayed. It is being presented to the November 16, 2016 meeting.

ATTACHMENT(S):

KPMG Information Systems Assessment Report

AVAILABLE OPTIONS:

KPMG's Information Systems Assessment report provided several recommendations for the consideration of Islands Trust. Staff have reviewed the recommendations and detailed responses are outlined in Appendix A attached. In addition, the following three key points are highlighted which correspond to recommendations in the KPMG Report:

1. Project Management Framework

Given the lessons learned with the eSCRIBE Project, the need for a strong project management framework within Islands Trust was identified. We began with the creation of a new position – the Computer Application Support Technician (CAST). The CAST position was tasked with formalizing and documenting project management practices, with the continued support of IS. Since that time a project matrix has been developed, which now serves as the Islands Trusts Project Management Office (PMO). The project matrix outlines all projects in various states; active, completed, on hold and under consideration. Since implementing the new framework several major projects have been completed successfully, reinforcing the value of this approach.

Currently, all new projects follow the *Project Management Body of Knowledge*'s (PMBOK) Project Management Process Group and Knowledge Area's framework, and much of the project management documentation reflects the guidelines laid out in BC Provincial Government Project Management Toolbox. Monitoring of project Scope, Quality, Time, Budget, Resources, and Risk is now ongoing, culminating in project completion and a standardized lessons learned, which is filed with the PMO for future review and consideration.

2. Information Systems Strategic Plan (ISSP)

The IS Department has a 5-year operational plan with respect to our existing IT infrastructure and continues to revisit and adapt this plan on an annual basis in consultation with industry consultants. IS staff are engaging in a series of staff meetings intent on updating and maintaining the plan. These meetings are to provide greater feedback and discussions surrounding staff needs, which IS will be synthesizing into IS strategic directions.

KPMG's recommendation takes this existing process further into the development and maintenance of a long-term Information Systems Strategic Plan (ISSP) , reflecting best practice in the industry. This direction will benefit both IS and the IslandsTrust organization. To complete this level of planning requires involvement beyond the IS department and mayimpact financial and staff resources Discussions involving the Chief Administrative Officer and other management within Islands Trust continue to evolve. Some areas discussed have been the overall direction of the organization and how to best support Trust Council's vision and strategic priorities. Further alignment of IS and the overall strategic direction of the organization will require further discussion with Financial Planning Committee.

3. Technology options to support electronic meetings

Based on this recommendation and Trust Council's direction in the Strategic Plan, this project has been identified as a top priority for IS. Work is underway to explore ways to streamline our on-line meeting environment and improve the overall user experience. The first step in this review process, following our project management framework, is to build and define a business case and fully identify user requirements. In anticipation of entering into a procurement phase in 2017/18, a budget request has been put forward in the 2017/2018 budget.

FOLLOW-UP:

- Forward 2017/18 Budget Proposal for Electronic Meeting Technology to FPC's November 16, 2016 meeting
- Staff will continue to consider a long-term Information Systems Strategic Plan (ISSP)
- Forward to Trust Council for information

Prepared By: Mark van Bakel, Acting Manager Information Services

Reviewed By: Cindy Shelest, Director Administrative Services
Russ Hotsenpiller, Chief Administration Officer

Date: **November 4, 2016**

Appendix A

KPMG Recommendations and Staff Responses

1. **The Information Services Manager be responsible for the development and maintenance of a long-term ISSP, aligned with the Islands Trust Council Strategic Plan, that defines how the Information Services department and IS/IT initiatives will contribute to the achievement of the organization's strategic goals. The ISSP should cover investment/operational budget, funding sources, sourcing strategy, acquisition strategy, and legal and regulatory requirements. The ISSP should be sufficiently detailed to allow for the definition of tactical IS/IT plans.**

Staff supports the development and maintenance of a long-term Information Systems Strategic Plan (ISSP) is an important planning tool. After the Information Services Manager returned from leave in September 2016, discussions began around developing a plan that integrates with and contributes to the achievement of the organization's strategic goals. Discussions involving the Chief Administrative Officer and other management within Islands Trust continue to evolve. Some areas discussed have been the overall direction of the organization and how to best support Trust Council's vision and strategic priorities.

2. **Islands Trust consider how best to engage business units and Trustees in the development and approval of the ISSP. Consideration should be given to the establishment of an Information Systems Committee to guide the development of the ISSP, comprised of Information Services staff, staff from business units and Trustees.**

The IS Department has a 5-year operational plan with respect to our existing IT infrastructure and continues to revisit and adapt this plan on an annual basis in consultation with industry consultants. A current initiative is that IS staff are engaging in a series of staff meetings intent on informing the plan. These meetings are to provide greater feedback and discussions surrounding staff needs, which IS will be synthesizing into IS strategic directions.

KPMG's recommendation takes this existing process further into the development and maintenance of a long-term Information Systems Strategic Plan (ISSP) , reflecting best practice in the industry. We acknowledge that this further direction would benefit both IS and the IslandsTrust organization. To complete this level of planning requires involvement beyond the IS department and may have impact on financial and staff resources Discussions involving the Chief Administrative Officer and other management within Islands Trust continue to evolve. Some areas discussed have been the overall direction of the organization and how to best support Trust Council's vision and strategic priorities.

3. **A post-implementation review of the eScribe project be undertaken to identify lessons learned, assess whether the application as currently configured is meeting the organization's needs and whether there are any opportunities to enhance the application's effectiveness.**

An eScribe review team has convened and a number of times to date. Ongoing efforts are being made to streamline existing processes and identify new opportunities. Staff are currently communicating directly with the software provider in an effort to reduce identified risks associated with Scribe updates. A full report is expected for year end.

4. Islands Trust undertake a review of technology options for supporting on-line meetings in remote locations that could contribute to an improved experience for meeting administrators and participants.

Based on this recommendation and Trust Council's direction in the Strategic Plan, this project has been identified as a top priority for IS. Work is underway to explore ways to streamline our on-line meeting environment and improve the overall user experience. The first step in this review process, following our project management framework, is to build and define a business case and fully identify user requirements. In anticipation of entering into a procurement phase in 2017/18, a budget request has been put forward in the 2017/2018 budget.

5. **The IS/IT Project Management Framework used by Islands Trust include the following additional measures:**
    a. **The Framework should be formally documented by the Information Services Manager;**
    The Framework should provide for obtaining commitment and participation from affected stakeholders in the definition and execution of the project;
    The Project Plan should be maintained throughout the life of the project and, any changes should be approved in line with the project governance framework;
    b. **Project Risk Management should be incorporated into the Project Plan to provide for a systematic approach to identifying, analysing, responding to, monitoring and controlling the areas or events that have the potential to impact the project outcomes;**
    c. **Project performance should be measured against the planned project scope, schedule, quality, cost, and risk criteria, identifying any deviations from the plan. Assess the impact of deviations on the project and report results to key stakeholders. Recommend, implement and monitor remedial action, when required; and,**
    d. **On project closure, require that the project stakeholders assess and report on whether the project delivered the planned results and benefits. The report should identify and communicate any outstanding activities required to achieve the full project benefits and identify and document lessons learned for use on future projects.**

The Computer Application Support Technician (CAST) position was tasked with formalizing and documenting project management practices, with the continued support of IS. A project matrix has been developed, and now servers as the Islands Trusts Project Management Office (PMO). The project matrix outlines all projects in various states; active, completed, on hold and under consideration. Since implementing the new framework several major projects have been completed successfully, reinforcing the value of this approach.

Currently, all new projects follow the Project Management Body of Knowledge's (PMBOK) Project Management Process Group and Knowledge Area's framework, and much of the project management documentation reflects the guidelines laid out in BC Provincial Government Project Management Toolbox. Monitoring of project Scope, Quality, Time, Budget, Resources, and Risk is now ongoing, culminating in project completion and a standardized lessons learned, which is filed with the PMO for future review and consideration.

6. **To ensure that future procurement decisions for IT-enabled business projects are optimized, we**
    recommend that the IS/IT Project Management Framework define standard procurement practices to be followed, including the requirement to:
    a. **Identify, prioritize, specify and agree on business functional and technical requirements covering the full scope of the IT-enabled project;**
    b. **Identify, document and analyze risks associated with the business requirements and solution;**
    c. **Involve users in every stage of the procurement process;**
    d. **Develop a feasibility study that examines the possibility of implementing the requirements. Business management, supported to the business sponsor; and**

e. **Obtain Project Sponsor approval and sign off on business functional and technical requirements and feasibility study reports at predetermined key stages. The Project Sponsor should make the final decision with respect to the choice of solution and acquisition approach.**

Standard project management practices have been implemented by IS and the organization in general. prior to procurement, a business case is prepared. As part of the business case a requirements document is developed, risks are identified and rated, key users engaged, business solution options are evaluated, culminating with the sign off from the project sponsor.

7. **The use of customized software be addressed in the development of the ISSP and that consideration of any alternatives to these customized solutions be considered within the context of the ISSP.**

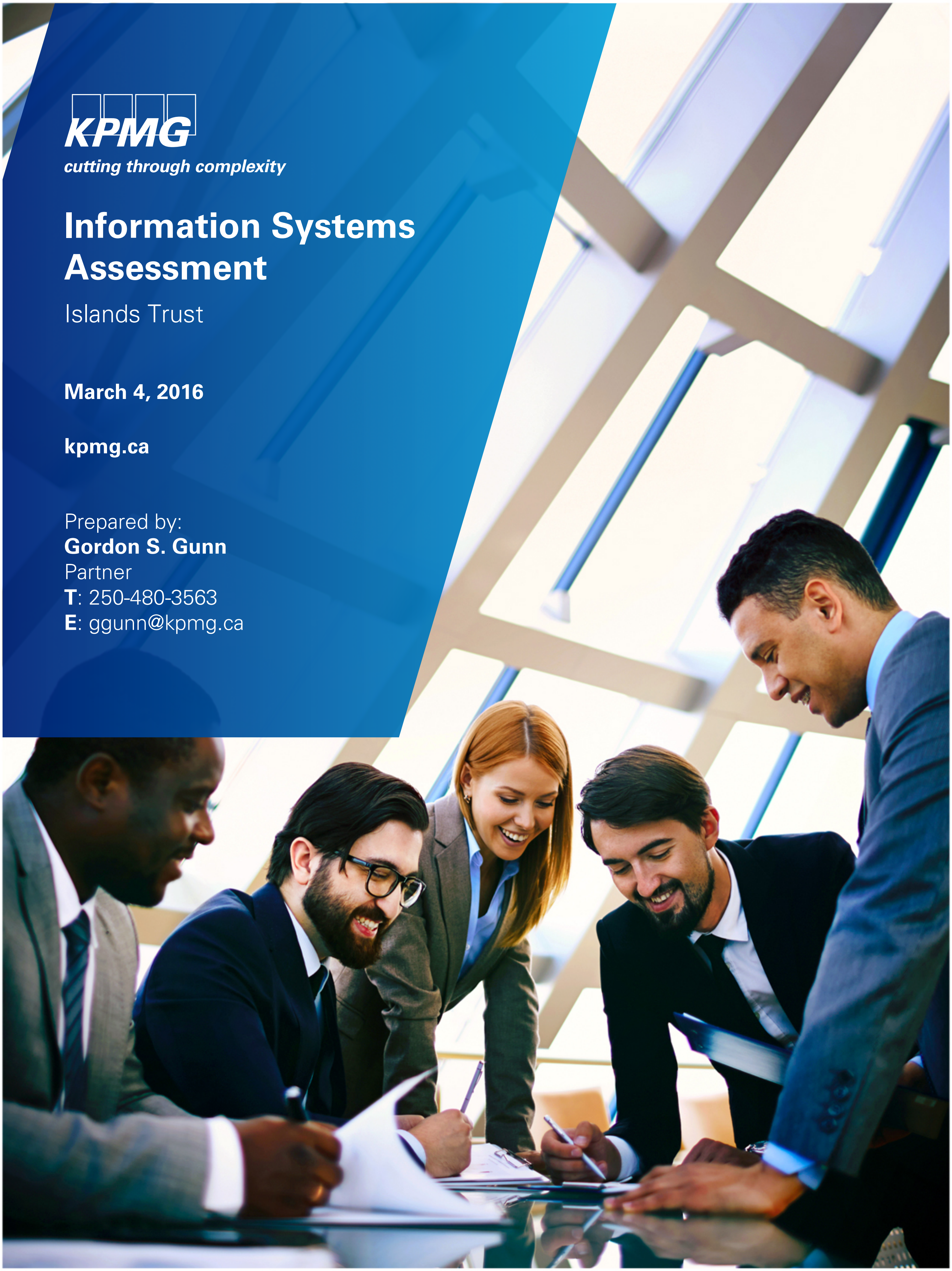
Staff continue to consider the pros and cons of customized versus off the shelf solutions when reviewing business solution options. At a high level the specific business needs, processes, the available infrastructure, resources, budget and return on investment all weigh in and drive the decision making process. As standard practice, these aspects are incorporated into the business case.

8. **The Information Services Manager consider the potential to outsource additional IS/IT services within the scope of the ISSP.**

Staff continue to consider outsourced IS/IT services where appropriate to cost and quality of service. KMPG and IS agree that IS has effectively struck a balance between in house fostered skills and resources and outsourced expertise.

9. **Islands Trust consider adopting the five-year planning cycle for server management as recommended by Blackman.**

Islands Trust servers are currently incorporated into the IS 5 year operations plan, which is outlined in the Information System Strategic Review. Future Strategic Planning documents will also reflect this, with efforts being made to make the operations plan more transparent and accessible.



KPMG

cutting through complexity

Information Systems Assessment

Islands Trust

March 4, 2016

kpmg.ca

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Executive Summary

KPMG LLP was engaged by the Islands Trust to assess the effectiveness of its information systems ("IS") which encompasses all aspects of infrastructure support services for information technology ("IT"), office equipment and user support for employees, management and trustees in its existing Victoria, Gabriola Island and Salt Spring Island offices.

Our assessment was a high-level review, based upon information gathered through interviews, surveys and review of documentation. As a result, our report is not an exhaustive review of all aspects of information systems management but rather focuses on those areas having significant issues or implications for future IS/IT investments.

Key Finding and Conclusions

Islands Trust is a relatively small organization with a broad mandate. It provides a range of services to the Trust Area, consisting of 13 major islands and more than 450 smaller islands covering an area of approximately 5,200 square kilometers. To support the delivery of services to the population of approximately 25,000 people, Islands Trust must manage significant internal information systems, support the management of regular Trust Council and Local Trust Area meetings held regularly through the trust areas, and support communications and outreach to the population served. Information systems support the needs of approximately 50 staff and 26 Trustees. Of staff surveyed, 97% feel that information systems are "very important" or "critically important" for Islands Trust. Of Trustees surveyed, 90% feel that information systems are "very important" or "critically important" to the organization.

In general, staff and Trustees reported that Islands Trust has effective information systems that meet their business requirements. Through our discussions with Information Services staff and feedback from staff and Trustees, we concluded that systems are current, stable and available when required. Information Services staff follow industry best practices for upgrading systems as appropriate. Support services provided by the Information Services function are highly rated by both staff and Trustees.

As our review was critical in nature, we focused on aspects of information systems management that, from the information gathered, have not been fully effective in the past and where opportunities exist to improve future performance. We found that:

- Key concerns relate to change management, not to the operation of information systems;
- Islands Trust has not historically had a long-term approach to the planning for IT-enabled business projects (business projects with an IS/IT aspect), giving the perception that the organization is more reactive than proactive in the management of information systems;
- There is no long-term Information Systems Strategic Plan (ISSP) to guide the planning and implementation of new information systems and information technology, creating risks that investments in IS/IT are not aligned with the strategic objectives of the organization and that overlapping change initiatives may compete for scarce Information Services resources; and
- The *eScribe/iPad* project has been a challenged project since its initiation in 2012 and has significantly impacted the perspectives of staff and Trustees with respect to the effectiveness of information systems. The impact of this project has overshadowed successful IS/IT projects during the same time frame. Islands Trust has learned a number of key lessons from this project and these lessons have informed new approaches that management has adopted for project planning, solution procurement and project management.

From the review work performed, we have concluded that:

- The new organizational structure for Information Services supports the need for more structured management of the Information Services function and having the Information Services Manager report to the Director, Administrative Services is appropriate;
- The current complement of an Information Services Manager (1/2 position), IS Coordinator and CAS Technician, with support from three service contractors, is appropriate for the current needs of the organization. Future staffing requirements may be impacted by the level of change activity to be supported and by actions to further outsource infrastructure support;
- Information Services would benefit from the development of long-term Information Systems Strategic Plan (ISSP), with input from business units and Trustees, as a means of guiding long-term investment in IS/IT and communicating those plans to Trustees, management and staff;
- There are opportunities to strengthen and formalize the project management practices of the organization, to enhance the delivery of benefits from IT-enabled business projects;
- Islands Trust should recognize that there are risks and uncertainties in implementing new technologies and ensure that appropriate risk management practices are employed within its internally-developed IS/IT Project Management Framework (the "Framework"); and
- Procurement practices should ensure that business users and Information Services staff are involved in defining business and functional requirements for IS/IT projects and involved in the selection process.

Recommendations

To address our key findings and conclusions, we recommend that:

1. The Information Services Manager be responsible for the development and maintenance of a long-term ISSP, aligned with the Islands Trust Council Strategic Plan, that defines how the Information Services department and IS/IT initiatives will contribute to the achievement of the organization's strategic goals. The ISSP should cover investment/operational budget, funding sources, sourcing strategy, acquisition strategy, and legal and regulatory requirements. The ISSP should be sufficiently detailed to allow for the definition of tactical IS/IT plans.
2. Islands Trust consider how best to engage business units and Trustees in the development and approval of the ISSP. Consideration should be given to the establishment of an Information Systems Committee to guide the development of the ISSP, comprised of Information Services staff, staff from business units and Trustees.
3. A post-implementation review of the *eScribe* project be undertaken to identify lessons learned, assess whether the application as currently configured is meeting the organization's needs and whether there are any opportunities to enhance the application's effectiveness.
4. Islands Trust undertake a review of technology options for supporting on-line meetings in remote locations that could contribute to an improved experience for meeting administrators and participants.
5. The IS/IT Project Management Framework used by Islands Trust include the following additional measures:
   - The Framework should be formally documented by the Information Services Manager;
   - The Framework should provide for obtaining commitment and participation from affected stakeholders in the definition and execution of the project;
   - The Project Plan should be maintained throughout the life of the project and, any changes should be approved in line with the project governance framework;

- Project Risk Management should be incorporated into the Project Plan to provide for a systematic approach to identifying, analyzing, responding to, monitoring and controlling the areas or events that have the potential to impact the project outcomes;
- Project performance should be measured against the planned project scope, schedule, quality, cost, and risk criteria, identifying any deviations from the plan. Assess the impact of deviations on the project and report results to key stakeholders. Recommend, implement and monitor remedial action, when required; and,
- On project closure, require that the project stakeholders assess and report on whether the project delivered the planned results and benefits. The report should identify and communicate any outstanding activities required to achieve the full project benefits and identify and document lessons learned for use on future projects.

6. To ensure that future procurement decisions for IT-enabled business projects are optimized, we recommend that the IS/IT Project Management Framework define standard procurement practices to be followed, including the requirement to:
   - Identify, prioritize, specify and agree on business functional and technical requirements covering the full scope of the IT-enabled project;
   - Identify, document and analyze risks associated with the business requirements and solution;
   - Involve users in every stage of the procurement process;
   - Develop a feasibility study that examines the possibility of implementing the requirements. Business management, supported by the Information Services function, should assess the feasibility and alternative courses of action and make a recommendation to the business sponsor; and
   - Obtain Project Sponsor approval and sign off on business functional and technical requirements and feasibility study reports at predetermined key stages. The Project Sponsor should make the final decision with respect to the choice of solution and acquisition approach.
7. The use of customized software be addressed in the development of the ISSP and that consideration of any alternatives to these customized solutions be considered within the context of the ISSP.
8. The Information Services Manager consider the potential to outsource additional IS/IT services within the scope of the ISSP.
9. Islands Trust consider adopting the five-year planning cycle for server management as recommended by Blackman.

Scope and Objectives

Background

Since 1974, Islands Trust has been operating in accordance with the Islands Trust Act, with a mandate to preserve and protect the unique amenities and environment of islands in the Salish Sea.

Islands Trust achieves its mandate in several ways:

- At the local level, much of the work of the Islands Trust is carried out by local trust committees, a special-purpose form of local government, given authority for land use planning and regulation under the BC Local Government Act for the purpose of carrying out the Islands Trust's provincial object. Local trust committees develop and adopt Official Community Plans and land use bylaws for each local trust area to carry out the policies expressed in the Islands Trust Policy Statement.
- At the regional level, the Islands Trust Council has overall responsibility for carrying out the Islands Trust's provincial object. It is responsible for creating the Islands Trust Policy Statement that guides the content of Official Community Plans and land use regulations throughout the Islands Trust Area. Each term, it adopts a strategic plan to focus efforts in some priority areas related to the goals of the Policy Statement and adopts an annual budget to support planned activities.
- As the land conservation arm of the Islands Trust, the Islands Trust Fund also works at the regional level, helping island communities to protect special places throughout the Islands Trust Area. It accepts donations, grants and bequests of money, land and covenants in order to preserve and protect significant natural and cultural features in the Trust Area.

In August 2015, an internal Information Services review was completed by the Information Services Manager and submitted to the Financial Planning Committee of the Islands Trust Council. This review of Islands Trust's information systems is a follow-on step from the internal strategic review of Information Services.

KPMG LLP was engaged by Islands Trust to assess the effectiveness of their information systems which encompasses all aspects of infrastructure support services for information technology, office equipment and user support for employees, management and trustees in its existing Victoria, Gabriola Island and Salt Spring Island offices.

Scope and Objectives

The scope of the engagement included addressing the following questions:

1. Are the right purchasing choices being made?
2. Are investments serving the needs of Islands Trust?
3. Is Islands Trust being proactive or reactive in its information system initiatives?
4. Is Islands Trust staying current with its information system technology? Is there a plan in place to stay current? Is Islands Trust following best practices for systems upgrades?
5. Is the IT function staffed appropriately given the size of the organization?

To address these questions, we gathered sufficient information to assess:

- How technology choices are being made within Islands Trust;
- Whether best practices are followed in terms of hardware/software planning;

- Whether current information technology is serving Trustees and the public in the best way (i.e. access to website);
- Whether the information system needs of staff are being met;
- Whether the reporting structure of Information Systems within Islands Trust is appropriate; and
- Whether the Islands Trust makes appropriate use of staff and contractors to support the information system's infrastructure.

Out of Scope

The engagement did not involve assessing cyber security although the internal strategic review of the information services indicated that privacy is a significant concern.

Approach

The review approach included the following activities:

- Performed interviews with management, Information Services staff, finance department, external services support and Islands Trust council executives (see appendix 1). The series of interviews were either structured as focus groups (as in the case of the Information Services function) or one-on-one interviews;
- Requested relevant documents relating to procurement of new technology and IT planning;
- Carried out surveys for both staff and trustees, and analyzed responses to further substantiate finding documented in the interviews; and
- Performed a gap analysis of the organization highlighting key IS issues and areas for potential improvement (See Appendix 2).

Findings, Conclusions and Recommendations

Information Systems Context

The information systems/information technology needs of Islands Trust are impacted by the organization's mandate. Islands Trust provides its services within the Trust Area, consisting of 13 major islands and more than 450 smaller islands covering an area of approximately 5,200 square kilometers. To support the delivery of services to a population of approximately 25,000 people, Islands Trust must manage significant internal information systems, support the management of Trust Council and Trust Area meetings held regularly through the Trust Area and Vancouver Island, and support communications and outreach to the population served.

In undertaking this review, our focus was on assessing the overall effectiveness of information systems in meeting the needs of staff, management, trustees and public stakeholders. As we conducted our interviews, it was soon apparent that the perspectives of those interviewed were significantly influenced by a single project, the *eScribe*[1] implementation. This project, while addressing many of the organization's requirements has been impacted by unexpected technical problems and shortcoming on the *iPad* platform. We will discuss aspects of this project throughout our report.

As our assessment was intended to be a broad review of information systems effectiveness, we considered the *eScribe* project from a systemic perspective to avoid being overly influenced by the impacts of this single project. In considering the lessons learned from the *eScribe* project, we also recognize that management has made changes to the organizational structure of the Information Technology function within Islands Trust and taken steps to strength the planning, procurement and project management processes for information system/information technology initiatives. Management believes these measures will effectively address the lessons learned from the *eScribe* project.

As Islands Trust manages over 250 meetings annually in locations throughout the Islands Trust Area and on Vancouver Island, the ability to effectively manage these meetings is a critical need. To address the issues associated with the *eScribe* project, we recommend that:

- A post-implementation review of the *eScribe* project be undertaken to identify lessons learned, assess whether the application as currently configured is meeting the organization's needs and whether there are any opportunities to enhance the application's effectiveness; and
- Islands Trust undertake a review of technology options for supporting on-line meetings in remote locations that could contribute to an improved experience for meeting administrators and participants.

Information Services Function - Organizational Structure

The mission of the Information Services function is to deliver "the best possible information technology services and solutions in support of the Islands Trust communities, Islands Trust bodies and staff. With respect to Geographical Information Systems (GIS), the mission of the function is "To provide responsive, high-quality municipal GIS support and services to all Islands Trust communities, Islands Trust bodies and staff."

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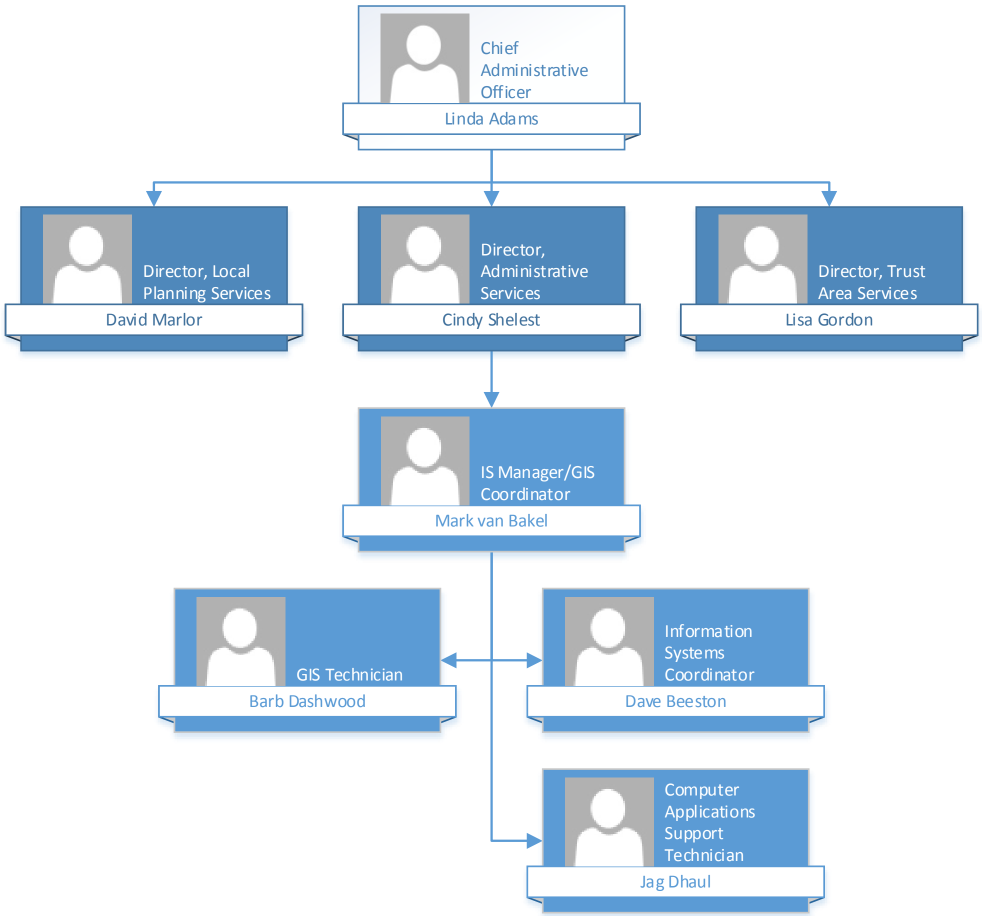
[1] *eScribe* (eScribemeetings.com) is an integrated paperless meeting automation solution. *eScribe* meeting management software eliminates manual, paper-based processes by automating the lifecycle of meetings and providing all the necessary procedural support.

The Information Services function within Islands Trust is structured as per the following chart. The organization structure is the result of a recent re-organization that combined the Information Services team (2 staff) with the Geographical Information Systems ("GIS") team (2 staff). By consolidating the Information Services and GIS teams, Islands Trust has been able to better align skills and responsibilities, provide increased management and increase the support for IS projects and users.



The positioning of Information Services within the Administrative Services department is typical of many organizations, where corporate services such as finance, human resources and information technology are coordinated to support front-line service departments.

During our review, we heard suggestions that Information Services management should be strengthened and report to an executive level position with a strong IT background. With the establishment of the Information Services Manager position, we believe this organizational change will address the need for more structured management of the Information Services function and that having the Information Services Manager report to the Director, Administrative Services continues to be appropriate.

Information Services – Staff and Contract Resources

As indicated in the previous section, the Information Services function consists of four full-time staff, reporting through the Information Services Manager to the Director, Administrative Services. Of the four staff, approximately 1 ½ staff are committed to providing GIS services and 2 ½ staff are committed to IS services.

The Information Services staff provide primary (Tier 1) support to Islands Trust staff and Trustees. In addition, information system support services are partially outsourced to three external contractors: Blackman Support Services Ltd. (*Blackman*), *Think Communications (Think)* and *Caorda Web Solutions (Caorda)*, who provide specialized secondary (Tier 2) support.

Blackman provides expertise to support network equipment, storage-area networks, servers and desktop computers. *Think* provides support for the configuration and management of Islands Trust's Virtual Server environment. *Caorda* supports the organization's website environment.

By drawing upon outside resources for competencies and expertise, the Information Services function feels it significantly enhances the support model at a very efficient cost (estimated to be approximately $45,000 annually). When using contractor services, the organization is getting access to multiple skilled resources that can provide required coverage throughout the year. Using in-house resources can be more restrictive and provide little back-up support when a staff resource is unavailable.

Based upon the input gathered during our review, we concluded that:

- The current combination of in-house staff and external contractors is appropriate for supporting the IS needs of the organization;
- The Information Services Manager is perceived to have the skills and competencies to provide a more structured management approach to IS/IT;
- The Information Systems Coordinator does an effective job in supporting the IT infrastructure and responding to support requests. The continuing need for this position will be dependent upon the level and range of support services delivered in-house; and
- The Computer Application Support Technician ("CAST") is a key role in supporting the user community make effective use of IS/IT resources and for supporting change initiatives. The ongoing need for the CAST role is dependent upon the number and scope of future change initiatives. There may be an opportunity to increase business analyst support for business departments before, during and after change initiatives.

Organizations of the size and complexity of Islands Trust use a variety of sourcing approaches to meet the support requirements of their IS/IT infrastructure. This can make it difficult in assessing the appropriateness of the size of the in-house Information Services team. A standard rule-of-thumb suggests that an organization requires about 1 IS employee for every 50 front-end users, though this can vary widely depending on the complexity of the organization's information systems. Smaller organizations tend to have a lower ratio of IS staff to users (e.g. 1:30), while larger organizations tend to have a higher ratio (e.g. 1:300). The number of IS staff can also be impacted by the number of physical locations that must be supported. As Islands Trust serves a large geographic area, with three office locations, this increases the service requirements on the Information Services function.

Islands Trust has approximately 50 IT-enabled staff, which would suggest a need for at least one IS staff. However, if we consider the needs of 26 Trustees as part of the user community, then an estimate of 1 ½ IS staff would result.

Ultimately, if the Information Services function is to more effectively meet the needs of the user community in the future, then the current complement of an Information Services Manager (1/2 position), IS Coordinator and CAST is appropriate. Future staffing requirements may be impacted by opportunities to further outsource infrastructure support.

Effectiveness of Information Systems – Staff and Management Perspective

In interviewing the senior management team and selected staff, we found that:

- The challenges encountered on the *eScribe* project have overshadowed the successes on other IS/IT projects completed in the past two years, including: implementation of the VOIP telephone system; the Time, Leave and Attendance Management (TLAM) project; upgrades to the Trust Area Property Information System (TAPIS); and replacement of Cold Fusion applications;

- The Website upgrade project took two years to complete compared to a six-month project schedule. There were insufficient resources committed to the project which contributed to an implementation that was over schedule and over budget;
- Staff feel they have access to the hardware and software necessary to support their job functions. Software versions are current and hardware is refreshed on a reasonable schedule; and
- Staff expressed concerns about the effectiveness of server file structures in each office that are not consistently structured, are not aligned with hard-copy filing systems and, as a result, make it difficult to location digital documents when required.

In addition to our interviews, 34 Islands Trust staff also responded to a short survey on the effectiveness of information systems within Islands Trust. Key findings from the survey included:

- 97% of staff surveyed feel that information systems are "very important" or "critically important" for Islands Trust;
- 41% of staff surveyed feel that Islands Trust is "ineffective" or "slightly effective" in making procurement decisions and in implementing new information systems and technology;
- While the majority of staff feel that Islands Trust is effective in implementing new technology, 30% of staff surveyed feel that Islands Trust is "slightly effective" or "ineffective";
- The majority of staff feel that the organization is in supporting staff in managing the changes associated with new technology and meeting their training needs. However, about 1/3rd of respondents expressed some concerns with change management support;
- Staff surveyed were very satisfied with the availability of information systems supported by the Information Services function;
- Staff surveyed were also highly satisfied with the Information Services' user support function; and
- Overall, 77% of staff surveyed were "satisfied", "very satisfied" or "totally satisfied" with the information systems at Islands Trust.

Comments from staff included:

- "I think that it's the front-end transparency of the decisions to implement a new system that may generate a lot of issues. Users are very rarely asked for their input at the front-end and design stages."
- "Need more end-user engagement during procurement evaluation (staff and Trustees)."
- "Please take a strategic and holistic approach to information systems by first defining business process and requirements and understanding how business processes/systems should be integrated".

Effectiveness of Information Systems – Trustees and Public Perspectives

In interviewing the selected Trustees, we identified the following comments and issues:

- Trustees have little direct access to Islands Trust information systems, except those systems that support the management of Trust Council meetings, the Islands Trust website (http://www.islandstrust.bc.ca/) and the *MapIT* application which provides the public with access to land use data via a geographical interface.
- Trustees feel that they and the public are well served by the Islands Trust website and the *MapIT* application.
- Some Trustees expressed significant frustration with the *eScribe*/*iPad* solution for the management of Trust Council meetings. Implementation issues have disrupted the effective operation of Trust Council meetings and continued challenges are being experienced in working with *eScribe* documents in the *iPad* tablet environment.

- Some Trustees indicated that they prefer working with *iPads* compared to the prior laptop solution and that this may reflect a personal preference amongst Trustees;
- Trustees may be asked to approve funding for IS/IT projects, but are not typically involved in the planning for strategic information system initiatives and rely on the expertise of management;
- Trustees may focus more on the cost implications of information system projects that the associated benefits that may flow from the projects;
- "The inability to access the *MapIT* application (provides the public with online access to GIS data) on an *iPad* should have been a consideration in whether to adopt the *eScribe*/*iPad* solution";
- "Core functionality appears to work well"; and
- "We need to look at a more strategic approach."

In addition to our interviews, 11 Trustees also responded to a short survey on the effectiveness of information systems within Islands Trust. Key findings from the survey included:

- 90% of trustees surveyed feel that information systems are "very important" or "critically important" for Islands Trust;
- Trustees surveyed do not have a clear perspective on the effectiveness of funds spent on information systems;
- Trustees have concerns about the effectiveness of information systems implementation at Islands Trust;
- The majority of trustees are satisfied with the support they receive when new technologies are introduced, though some felt that training support might be more effective;
- Trustees surveyed felt that Information Services was very effective in providing help desk support when problems are reported; and
- Overall, 5 of 11 trustees surveyed reported being "somewhat satisfied" with information systems at Islands Trust, while 6 of 11 reported being "satisfied" or "very satisfied".

Comments from trustees included:

- "My main concern is with the decision-making process and the vision we have with regards to access and delivery of information within and from our organization."
- "We need to manage and plan for change better."
- "I find it ineffective when staff and Trustees use different technology."
- "There are examples of trying to implement new software without evaluation of the needs, and without input from staff."
- "Strategic initiatives are not as well-handled by the organization."
- "I am very satisfied with the people and the dedication they have to helping the organization function. I am less satisfied with some of the software choices that been complicated to implement and proven more problematic than helpful."

Information Technology – Planning

In conducting our review, we drew upon *Control Objectives for Information and related Technology* (COBIT®)[2] as a best practices guide for the management of information technology. *COBIT* is a governance model for information technology that provides good practices across a domain and process framework and presents

[2] *Control Objectives for Information and related Technology* (COBIT®), IT Governance Institute, 2007.

activities in a manageable and logical structure. *COBIT's* good practices represent the consensus of experts and, if employed, help optimise IT-enabled investments and ensure effective service delivery.

For many enterprises, information and the technology that supports it represent their most valuable, but often least understood, assets. Successful enterprises recognise the benefits of information technology and use it to drive their stakeholders' value. These enterprises also understand and manage the associated risks, such as increasing regulatory compliance and critical dependence of many business processes on information technology (IT).

The need for assurance about the value of IT, the management of IT-related risks and increased requirements for control over information are now understood as key elements of enterprise governance. Value, risk and control constitute the core of IT governance.

IT governance is the responsibility of executives and the board of directors, and consists of the leadership, organisational structures and processes that ensure that the enterprise's IT sustains and extends the organisation's strategies and objectives.

COBIT begins with the **Plan and Organize** domain. This domain covers strategy and tactics, and concerns the identification of the way IT can best contribute to the achievement of the business objectives. This domain typically addresses the following management questions:

- Are IT and the business strategy aligned?
- Is the enterprise achieving optimum use of its resources?
- Does everyone in the organization understand the IT objectives?
- Are IT risks understood and being managed?
- Is the quality of IT systems appropriate for business needs?

During our review, we identified the following:

- The Islands Trust Council develops and maintains a five-year strategic plan. The 2014 – 2018 Strategic Plan identifies 10 strategic objectives, reflecting input from the public and from Islands Trust bodies (local trust committees, the Trust Fund Board, Bowen Island Municipality and Council committees). It groups objectives and strategies according to broad goals derived from the Islands Trust's Object and Policy Statement. It also indicates the actions that will be taken to implement the strategies and identifies responsibilities for the actions to be taken;
- In reviewing the current and prior Strategic Plans, we found no mention of specific IS/IT initiatives in support of the organization's strategies; and
- We found no Management Plan or Information Systems Strategic Plan (ISSP) in place to guide the long-term direction of information systems.

Our review identified a number of concerns from trustees and staff with respect to IS/IT planning, including that:

- Islands Trust is not strategic enough with respect to the use of IS/IT;
- IS/IT projects are more reactive than proactive;
- Information Services staff are not always involved in the initial planning and assessment phases of some IT-enabled change initiatives;
- There is more focus on cost management of IS/IT initiatives that on value and risk management; and
- Trustees and managers have limited insight into planned IS/IT initiatives.

Within the **Plan and Organize** domain, COBIT recommends that organizations create a strategic plan that defines, in co-operation with relevant stakeholders, how IT goals will contribute to the enterprise's strategic objectives and related costs and risks. The strategic plan should include how IT will support IT-enabled investment programmes, IT services and IT assets. IT should define how the objectives will be met, the measurements to be used and the procedures to obtain formal signoff from the stakeholders.

We recommend that the Information Services Manager be responsible for the development and maintenance of a long-term ISSP, aligned with the Islands Trust Council Strategic Plan that defines how the Information Services function and IS/IT initiatives will contribute to the achievement of the organization's strategic goals. The ISSP should cover investment/operational budget, funding sources, sourcing strategy, acquisition strategy, and legal and regulatory requirements. The strategic plan should be sufficiently detailed to allow for the definition of tactical IT plans.

The development of an ISSP is both a governance process and a means of communicating the direction the organization is taking. As such, it is important that the development of the ISSP have input from the Information Services function, business departments and Trustees before being adopted. There are a number of ways that IS organizations obtain input from stakeholders, including: consultative processes such as interviews, focus groups and surveys; review of the organization's strategic and management plans; and/or, joint development through an Information Systems Committee (comprised of Information Services staff, staff from business units and Trustees).

We recommend that Islands Trust consider how best to engage business units and Trustees in the development and approval of the ISSP. Consideration should be given to the establishment of an Information Systems Committee to guide the development of the ISSP, comprised of Information Services staff, staff from business units and Trustees.

Information Technology – Project and Change Management

Within the **Plan and Organize** domain of *COBIT*, the **Manage Project** control objective sets the standard for an organization's approach to managing the change associated with IT-enabled business initiatives.

Our review identified a number of concerns from Trustees and staff with respect to IS/IT project management, including that:

- Project sponsors may not have the capacity to fulfil their management roles;
- The need for a dedicated Project Manager may not be considered;
- The required resources to support the project may be understated or under-funded by Trustees;
- Compatibility with the organization's technical architecture may not be fully considered; and
- Technical and project risks may not be effectively considered and risk management plans may be inadequate.

Management has acknowledged that some IS/IT initiatives have suffered from some of the concerns identified above but the organization has learned from these experiences and has now adopted the IS/IT Project Management Framework (the "Framework"), a more formal set of project management practices over IS/IT initiatives, including:

- Assignment of a Project Sponsor from the business unit most affected by the IS/IT initiative;
- Assignment of a Project Manager for key IS/IT initiatives;
- Completion of a business case to support the investment in the IS/IT initiative; and
- Preparation of a Project Plan.

We support the measures taken by management to enhance the internally-developed IS/IT Project Management Framework and recommend that the following additional measures as outlined in COBIT be considered:

- **The Framework be formally documented by the Information Services Manager;**

- **The Framework provide for obtaining commitment and participation from affected stakeholders in the definition and execution of the project;**
- **The Project Plan should be maintained throughout the life of the project and, any changes should be approved in line with the project governance framework;**
- **Project Risk Management be incorporated into the Project Plan to provide for a systematic approach to identifying, analyzing, responding to, monitoring and controlling the areas or events that have the potential to impact the project outcomes;**
- **Project performance be measured against the planned project scope, schedule, quality, cost, and risk criteria, identifying any deviations from the plan. Assess the impact of deviations on the project and report results to key stakeholders. Recommend, implement and monitor remedial action, when required; and,**
- **On project closure, require that the project stakeholders assess and report on whether the project delivered the planned results and benefits. The report should identify and communicate any outstanding activities required to achieve the full project benefits and identify and document lessons learned for use on future projects.**

Information Technology – Procurement

The second domain within *COBIT* is the **Acquire and Implement** domain, which includes the processes involved in defining business requirements, selecting IT hardware and software solutions and procuring IT resources.

Our review identified a number of concerns with respect to how Islands Trust goes about selecting IS/IT hardware and software solutions, including that:

- Business and functional requirements are not always clearly defined at the commencement of the procurement process;
- Information Services staff are not always involved in the planning and procurement stages of IT-enabled business projects;
- Compatibility of solutions with the organization's IT architecture is not always considered. For example, the *eScribe* software product was selected, in part, due to its compatibility with *SharePoint,* a browser-based collaboration and document management platform from Microsoft. Ultimately, Islands Trust choose not to implement *SharePoint* due to cost considerations. Use of Apple *iPads* for Trustees is inconsistent with the organization's Windows architecture and the inability to support access to MapIT on *iPads* may not have been considered in the selection process;
- Islands Trust may be overly reliant on customized software solutions that increase risks associated with the ongoing ability to maintain custom software; and
- Islands Trust may not have optimized opportunities to outsource IT services where available.

Management is generally confident that its' IS/IT procurement processes are appropriate to the requirements of the organization and reflect the lessons learned from prior projects.

The Information Services Manager is confident that the use of customized software and the decision to maintain the current scope of in-house operations are cost-effective solutions that effectively address the business requirements of the organization.

To ensure that future procurement decisions for IT-enabled business projects are optimized, we recommend that the IS/IT Project Management Framework define standard procurement practices to be followed, including the requirement to:

- **Identify, prioritize, specify and agree on business functional and technical requirements covering the full scope of the IT-enabled project;**

- **Identify, document and analyze risks associated with the business requirements and solution;**
- **Involve users in every stage of the procurement process;**
- **Develop a feasibility study that examines the possibility of implementing the requirements. Business management, supported by the Information Services function, should assess the feasibility and alternative courses of action and make a recommendation to the business sponsor; and,**
- **Obtain Project Sponsor approval and sign off on business functional and technical requirements and feasibility study reports at predetermined key stages. The Project Sponsor should make the final decision with respect to the choice of solution and acquisition approach.**

Our project scope did not provide for us to do a detailed assessment of the use of customized software to support the business requirements of the organization. We understand that Islands Trust has identified the availability of packaged software that could replace current customized software solutions. However, the Information Services Manager's assessment is that replacement of customized software with packaged solutions would not be cost-effective for the organization.

We recommend that the use of customized software be addressed in the development of the ISSP and that consideration of any alternatives to these customized solutions be considered within the context of the ISSP.

In July 2015, the Information Services Manager prepared an internal assessment of information systems within Islands Trust, including an evaluation of the organization's sourcing strategies. Specifically, the internal assessment evaluated the current sourcing strategy (using a combination of in-house and contractor resources) against the option of outsourcing services to Shared Services BC ("SSBC"). As Islands Trust is considered part of the BC Public Sector, it has access to the same technology solutions and services available to the BC provincial government. The internal analysis concluded that the current sourcing model is more cost effective and provides higher service quality than the services offered by SSBC.

The internal assessment prepared by the Information Services Manager suggests there is little advantage to be gained from the outsourcing of IS/IT services to SSBC. While this conclusion appears reasonable based upon the analysis provided, it does not close the book on this conversation. In general, we find that organizations are increasingly outsourcing their IS/IT requirements to achieve efficiencies and acquire access to skills and competencies not available in-house. This is a long-term trend and suggests that Islands Trust should continue to evaluate opportunities to outsource aspects of its IT environment. To some extent, Islands Trust has already outsourced support services to take advantage of these benefits.

In the future, assessment of new opportunities to outsource IT infrastructure services would be facilitated by:

- Maintaining an inventory of in-house and contracted IT services;
- Maintaining a detailed cost-analysis of IS/IT services to support a comparison of alternative support arrangements;
- Identifying service providers, including SSBC, that are able to provide the services needed by Islands Trust;
- Identifying specific IS/IT services that offer the greatest opportunity for outsourcing; and
- Obtaining price and service quotes from selected service providers that provide a more objective basis for comparing service options.

We recommend that the Information Services Manager consider the potential to outsource additional IS/IT services within the ISSP.

The internal assessment prepared by the Information Services Manager identified that Islands Trust follows an infrastructure lifecycle for the IT infrastructure based on a five-year renewal period (four years for laptop computers). Maintaining a technology replacement program on a lifecycle basis is a best practice approach for ensuring the effective integration of hardware and software.

During our review, we were informed that Blackman uses a five-year planning cycle for server management which coincides with the server warranty cycle. Blackman has recommended that Islands Trust move to this five-year planning cycle but this recommendation has not be adopted.

We recommend that Islands Trust consider adopting the five-year planning cycle for server management as recommended by Blackman.

Appendix 1

Interview List and Schedule

Order	Interviewee	Title/Position	Interview Type	Place	Date and Time
1	Lisa Gordon	Director, Trust Area Services	One-on-one	Islands Trust Office	Friday Nov 13, 11:30am-12:30pm
2	David Marlor	Director, Local Planning Services	One-on-one	Islands Trust Office	Friday Nov 13, 12:30pm-1:30pm
3	Linda Adams	Chief Administrative Officer	One-on-one	Islands Trust Office	Friday Nov 13, 1:30pm-2:30pm
4	Cindy Shelest	Director, Administrative Services	One-on-one	Islands Trust Office	Tuesday Nov 17, 1:30pm-2:30pm
5	IT Services Focus Group	Administrative Services	Focus group	Islands Trust Office	Tuesday Nov 17, 2:30pm-4pm
6	Finance Focus Group	Administrative Services	Focus group	Islands Trust Office	Tuesday Nov 17, 4:15pm-5pm
7	Evan Fredrickson	Blackman Support Services Ltd.	One-on-one	KPMG Office	Wednesday Nov 25, 2:00pm-3:00pm
8	Stefan Cermak	A/Regional Planning Manager (Salt Spring)	One-on-one	Phone	Monday Nov 30, 11:00am – 12:00pm
9	George Grams	Trustee and Vice Chair, Executive Committee	One-on-one	Phone	Tuesday Dec 1, 8:30am - 9:00am
10	Ann Kjerulf	Regional Planning Manager (Northern)	One-on-one	Phone	Tuesday Dec 1, 9:15am – 9:45am
11	Peter Luckham	Trustee and Chair, Islands Trust Council	One-on-one	Phone	Tuesday Dec 1, 11:00am - 11:30am

Order	Interviewee	Title/Position	Interview Type	Place	Date and Time
12	Laura Busheikin	Trustee and Vice Chair, Executive Committee	One-on-one	Phone	Wednesday Dec 2, 2:30pm -3:00pm
13	Susan Morrison	Trustee and Vice Chair, Executive Committee	One-on-one	Phone	TBD

IT Services –Focus Group

Mark Van Bakel – Geographical Information Systems Coordinator

Dave Beeston – Information Systems Coordinator

Jag Dhaul – Computer Application Support Technician

Finance –Focus Group

Cindy Shelest – Director, Administrative Services (Treasurer)

Nancy Roggers – Finance Officer

Appendix 2 - Gap Analysis

In conducting our review, we drew upon *Control Objectives for Information and related Technology* (COBIT®)[3] as a best practices guide for the management of information technology. *COBIT* is a governance model for information technology that provides good practices across a domain and process framework and presents activities in a manageable and logical structure. *COBIT's* good practices represent the consensus of experts and, if employed, help optimise IT-enabled investments and ensure effective service delivery.

Based upon the scope and objectives for the assessment, we drew from *COBIT (Version 4)* relevant control objectives and performed a gap analysis against the practices in place at Islands Trust. The gap analysis is summarized in the following table:

Control Objective #	Control Objective	Observations	Gap
Plan and Organize 1.2 Control Objective	**Business – IT Alignment** - Establish processes of bi-directional education and reciprocal involvement in strategic planning to achieve business and IT alignment and integration. Mediate between business and IT imperatives so priorities can be mutually agreed.	We did not identify an IS strategic planning process within Islands Trust that would allow for reciprocal involvement in strategic planning.	There is no IT strategic planning process in place.
Plan and Organize 1.4 Control Objective	**Strategic Plan** - Create a strategic plan that defines, in co-operation with relevant stakeholders, how IT goals will contribute to the enterprise's strategic objectives and related costs and risks. It should include how IT will support IT-enabled investment programmes, IT services and IT assets. IT should define how the objectives will be met, the measurements to be used and the procedures to obtain formal signoff from the stakeholders. The IT strategic plan should cover investment/operational budget, funding sources, sourcing strategy, acquisition strategy, and legal and regulatory requirements. The strategic plan should be sufficiently detailed to allow for the definition of tactical IT plans.	We noted that the Trust Council maintains a long-term strategic plan that would provide a basis for aligning IS plans. However, the Information Services function does not maintain an IS strategic plan that guides the long-term investment in IS and IT.	There is no IS Strategic Plan in place.
Plan and Organize	**IT Strategy Committee** - Establish an IT strategy committee at the board level. This committee should ensure that IT governance, as part of enterprise	The Trust Council has limited involvement in IS decision making, other than to review and	The Trust Council has limited involvement in the

[3] *Control Objectives for Information and related Technology* (COBIT®), IT Governance Institute, 2007.

Control Objective #	Control Objective	Observations	Gap
4.2 Control Objective	governance, is adequately addressed; advise on strategic direction; and review major investments on behalf of the full board.	approve funding of individual IS projects.	governance of IS investments.
Plan and Organize 4.4 Control Objective	**Organizational Placement of the IT Function** - Place the IT function in the overall organizational structure with a business model contingent on the importance of IT within the enterprise, specifically its criticality to business strategy and the level of operational dependence on IT. The reporting line of the chief information officer (CIO) should be commensurate with the importance of IT within the enterprise.	As a small organization, Islands Trust does not have a Chief Information Officer. The Information Services Manager reports through the Director, Administrative Services, a member of the senior management team. While some staff indicated an interest in having a CIO role providing oversight of the Information Services function, this is likely beyond the needs and resources of the organization.	Given the size of the organization, the structure of the Information Services function is appropriately placed within the Administrative Services function.
Plan and Organize 4.6 Control Objective	**Establishment of Roles and Responsibilities** - Establish and communicate roles and responsibilities for IT personnel and end users that delineate between IT personnel and end-user authority, responsibilities and accountability for meeting the organization's needs.	There appears to be an appropriate understanding of the respective roles of Information Services staff and end users.	No gap identified.
Plan and Organize 4.10 Control Objective	**Supervision** - Implement adequate supervisory practices in the IT function to ensure that roles and responsibilities are properly exercised, to assess whether all personnel have sufficient authority and resources to execute their roles and responsibilities, and to generally review key performance indicators.	The newly established role of Information Services Manager will address the supervisory requirements of the Information Services function. Oversight of the Information Services function is provided by the Director, Administrative Services.	No gap identified.
Plan and Organize 4.12	**IT Staffing** - Evaluate staffing requirements on a regular basis or upon major changes to the business, operational or IT environments to ensure that the IT function has	With the recent reorganization of the Information Services and GIS functions, we have concluded that the	No gap identified.

Control Objective #	Control Objective	Observations	Gap
Control Objective	sufficient resources to adequately and appropriately support the business goals and objectives.	Information Services function has sufficient staff resources to fulfil its responsibilities.	
Plan and Organize 10.1 Control Objective	**Programme Management Framework** - Maintain the programme of projects, related to the portfolio of IT-enabled investment programmes, by identifying, defining, evaluating, prioritising, selecting, initiating, managing and controlling projects. Ensure that the projects support the programme's objectives. Co-ordinate the activities and interdependencies of multiple projects, manage the contribution of all the projects within the programme to expected outcomes, and resolve resource requirements and conflicts.	The Information Services function is responsible for a small portfolio of IS projects at any one time. We did not identify a Programme Management Framework in place, though this requirement may not be necessary for Islands Trust.	No significant gap identified.
Plan and Organize 10.2 Control Objective	**Project Management Framework** - Establish and maintain a project management framework that defines the scope and boundaries of managing projects, as well as the method to be adopted and applied to each project undertaken. The framework and supporting method should be integrated with the programme management processes.	While we did not identify a formal Project Management Framework in place, we did observe that many of the standard practices employed by Islands Trust in managing there IS/IT projects are in place. The Information Services function has taken lessons learned and updated their project management approach.	The Project Management approaches followed address the control objective but could be formalized in a framework document.
Plan and Organize 10.3 Control Objective	**Project Management Approach** - Establish a project management approach commensurate with the size, complexity and regulatory requirements of each project. The project governance structure can include the roles, responsibilities and accountabilities of the programme sponsor, project sponsors, steering committee, project office and project manager, and the mechanisms through which they can meet those responsibilities (such as reporting and stage reviews). Make sure all IT projects have sponsors with	It is standard practice in Islands Trust to assign a Project Sponsor for all significant IS/IT projects. In some past projects, the Project Sponsor may not have had sufficient capacity to fulfil the role and this should be considered in future projects.	No significant gap identified.

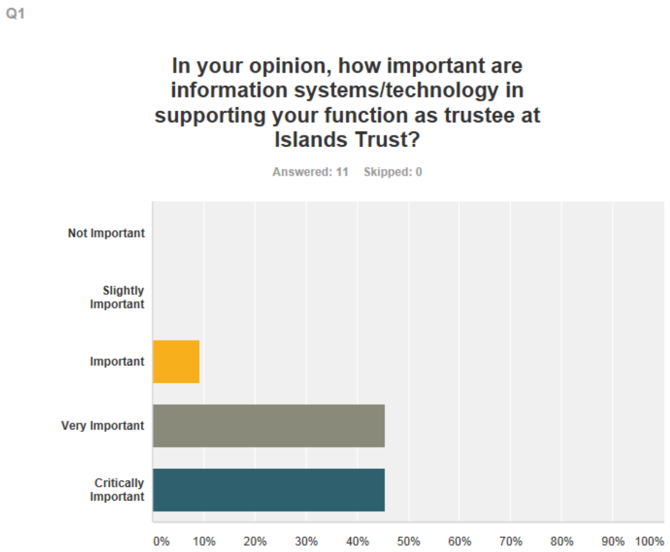
Control Objective #	Control Objective	Observations	Gap
	sufficient authority to own the execution of the project within the overall strategic programme.		
Plan and Organize 10.7 Control Objective	**Integrated Project Plan** - Establish a formal, approved integrated project plan (covering business and information systems resources) to guide project execution and control throughout the life of the project. The activities and interdependencies of multiple projects within a programme should be understood and documented. The project plan should be maintained throughout the life of the project. The project plan, and changes to it, should be approved in line with the programme and project governance framework.	It is standard practice for Islands Trust to prepare project plans to guide key IS/IT projects.	No gap identified.
Plan and Organize 10.8 Control Objective	**Project Resources** - Define the responsibilities, relationships, authorities and performance criteria of project team members, and specify the basis for acquiring and assigning competent staff members and/or contractors to the project. The procurement of products and services required for each project should be planned and managed to achieve project objectives using the organization's procurement practices.	We identified that some past IS/IT projects have been impacted by insufficient access to resources to ensure project success. Some projects have proceeded with insufficient funding which has impacted the project's delivery of benefits.	Without a full understanding of the strategic benefits delivered by IS/IT projects, funding constraints can result which impacts the project's ability to deliver the benefits sought.
Acquire and Implement 1.1 Control Objective	**Definition and Maintenance of Business Functional and Technical Requirements** - Identify, prioritize, specify and agree on business functional and technical requirements covering the full scope of all initiatives required to achieve the expected outcomes of the IT-enabled investment programme.	We observed that some IS/IT projects are initiated without the active involvement of Information Services staff. In these situations, it is possible that key technical requirements or constraints may be missed, negatively impacting the project outcomes.	Information Services staff should be actively engaged in all IT-enabled business projects, from the commencement to the end of the project.
Acquire and Implement	**Detailed Design** - Prepare detailed design and technical software application requirements. Define the criteria for acceptance of the	We observed that requirements definition is a standard practice within the project management	Current practices appear consistent with the control objective.

Control Objective #	Control Objective	Observations	Gap
2.2 Control Objective	requirements. Have the requirements approved to ensure that they correspond to the high-level design. Perform reassessment when significant technical or logical discrepancies occur during development or maintenance.	approach. However, we also heard concerns that some past projects may have proceeded even when key requirements are not fully met.	
Acquire and Implement 5.1 Control Objective	**Procurement Control** - Develop and follow a set of procedures and standards that is consistent with the business organization's overall procurement process and acquisition strategy to acquire IT-related infrastructure, facilities, hardware, software and services needed by the business.	Islands Trust has a Procurement Policy that guides all procurement activities, even those for IS/IT projects. We observed that the practices followed are consistent with the control objective.	No gap identified.
Acquire and Implement 5.3 Control Objective	**Supplier Selection** - Select suppliers according to a fair and formal practice to ensure a viable best fit based on specified requirements. Requirements should be optimized with input from potential suppliers.	Islands Trust has a Procurement Policy that guides all procurement activities, even those for IS/IT projects. We observed that the practices followed are consistent with the control objective.	No gaps identified.
Acquire and Implement 7.1 Control Objective	**Training** - Train the staff members of the affected user departments and the operations group of the IT function in accordance with the defined training and implementation plan and associated materials, as part of every information systems development, implementation or modification project.	Our survey of staff and Trustees identified that users are generally satisfied by the training support provided when new IS/IT is introduced to the organization.	No gaps identified.

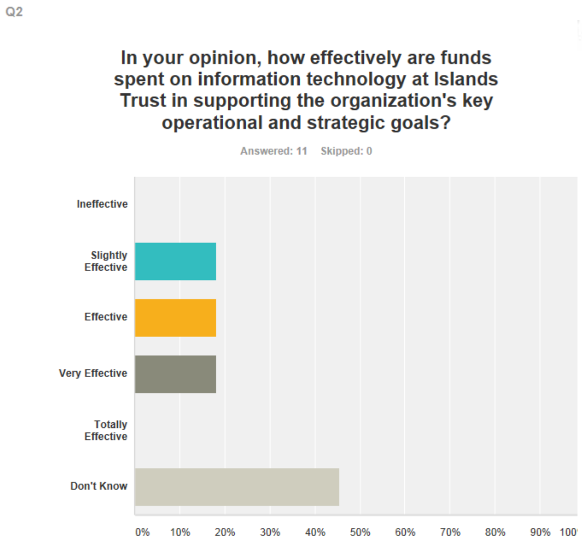
Appendix 3

Trustee Survey Results

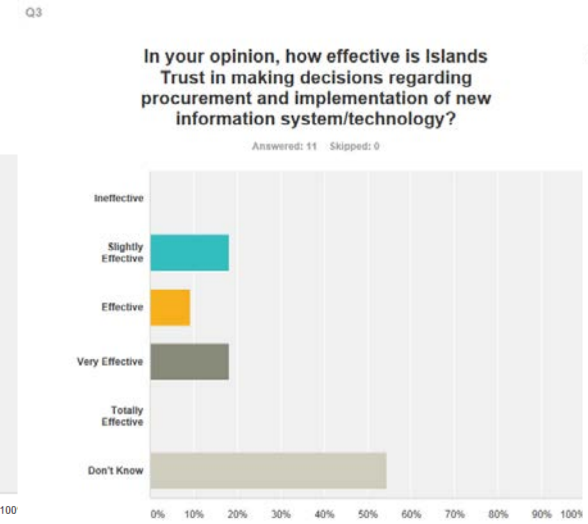
The following Trustee survey was conducted between December 8, 2015 and December 18, 2015 and was responded to by 11 of 26 Islands Trust trustees.



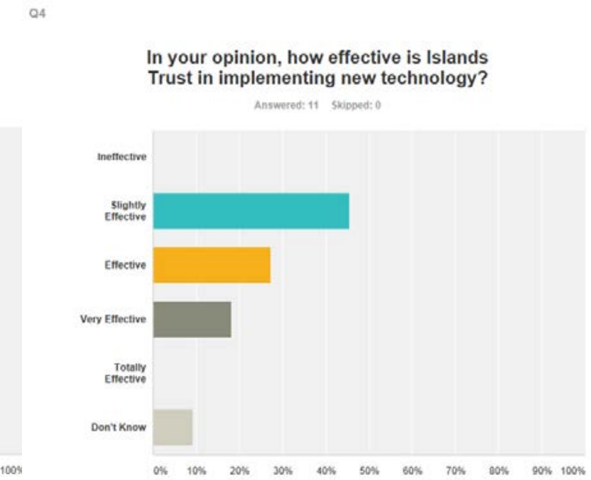
Answer Choices	Responses	
Not Important	0.00%	0
Slightly Important	0.00%	0
Important	9.09%	1
Very Important	45.45%	5
Critically Important	45.45%	5
Total		11



Answer Choices	Responses	
Ineffective	0.00%	0
Slightly Effective	18.18%	2
Effective	18.18%	2
Very Effective	18.18%	2
Totally Effective	0.00%	0
Don't Know	45.45%	5
Total		11



Answer Choices	Responses	
Ineffective	0.00%	0
Slightly Effective	18.18%	2
Effective	9.09%	1
Very Effective	18.18%	2
Totally Effective	0.00%	0
Don't Know	54.55%	6
Total		11

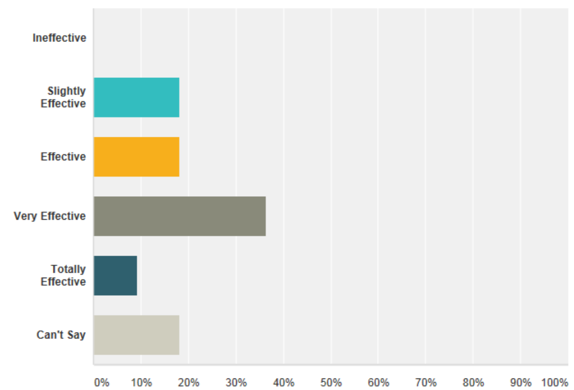


Answer Choices	Responses	
Ineffective	0.00%	0
Slightly Effective	45.45%	5
Effective	27.27%	3
Very Effective	18.18%	2
Totally Effective	0.00%	0
Don't Know	9.09%	1
Total		11

Q5

Do you feel the organization is effective in supporting trustees in managing changes when implementing new technology (consider impacts on operational process and responsibilities as trustees)?

Answered: 11 Skipped: 0

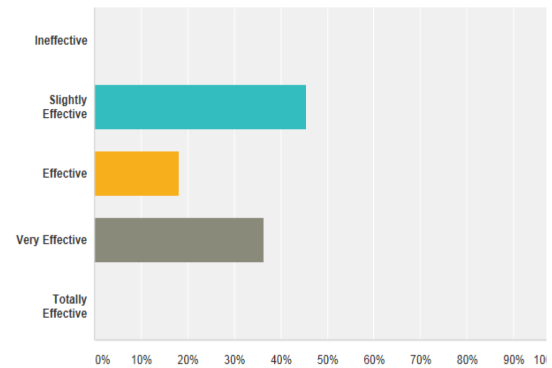


Answer Choices	Responses	
Ineffective	0.00%	0
Slightly Effective	18.18%	2
Effective	18.18%	2
Very Effective	36.36%	4
Totally Effective	9.09%	1
Can't Say	18.18%	2
Total		11

Q6

In your experience, how effective is Islands Trust in meeting your training needs when introducing new technology?

Answered: 11 Skipped: 0

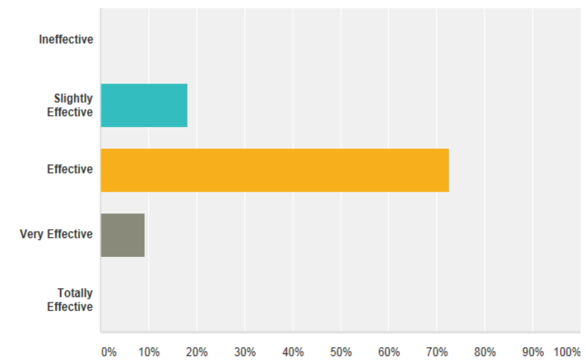


Answer Choices	Responses	
Ineffective	0.00%	0
Slightly Effective	45.45%	5
Effective	18.18%	2
Very Effective	36.36%	4
Totally Effective	0.00%	0
Total		11

Q7

In your opinion, how effective is the IT function to make sure you have the information systems when you need them?

Answered: 11 Skipped: 0

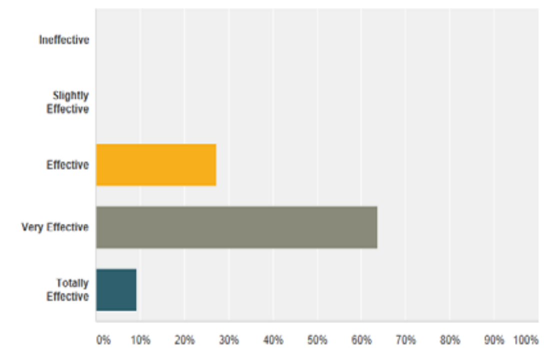


Answer Choices	Responses	
Ineffective	0.00%	0
Slightly Effective	18.18%	2
Effective	72.73%	8
Very Effective	9.09%	1
Totally Effective	0.00%	0
Total		11

Q8

In your experience, how effective is the IT function in responding to requests for support when you have hardware/software/knowledge issues?

Answered: 11 Skipped: 0

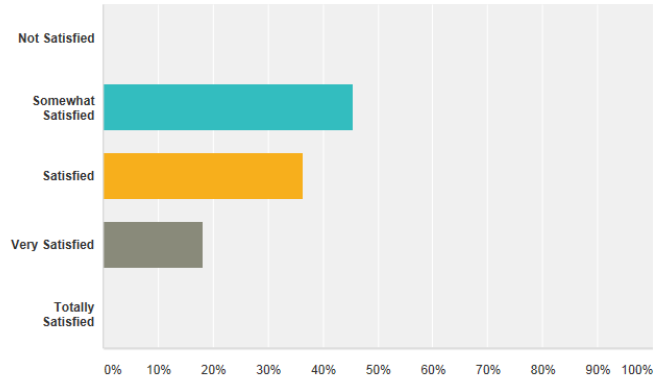


Answer Choices	Responses	
Ineffective	0.00%	0
Slightly Effective	0.00%	0
Effective	27.27%	3
Very Effective	63.64%	7
Totally Effective	9.09%	1
Total		11

Q9

Overall, how satisfied are you with the information systems at islands Trust?

Answered: 11 Skipped: 0



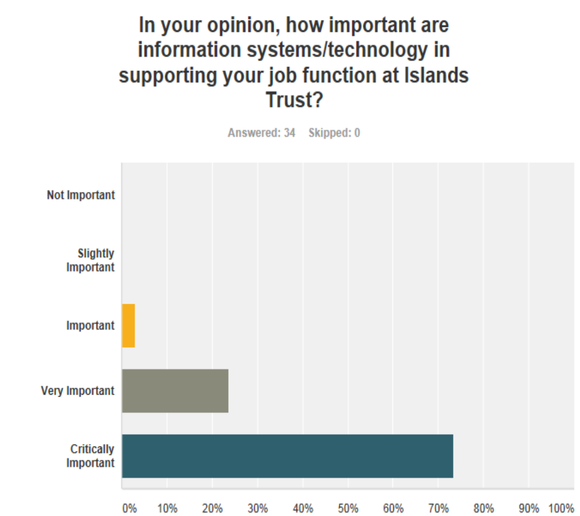
Answer Choices	Responses	
Not Satisfied	0.00%	0
Somewhat Satisfied	45.45%	5
Satisfied	36.36%	4
Very Satisfied	18.18%	2
Totally Satisfied	0.00%	0
Total		11

Appendix 4

Staff Survey Results

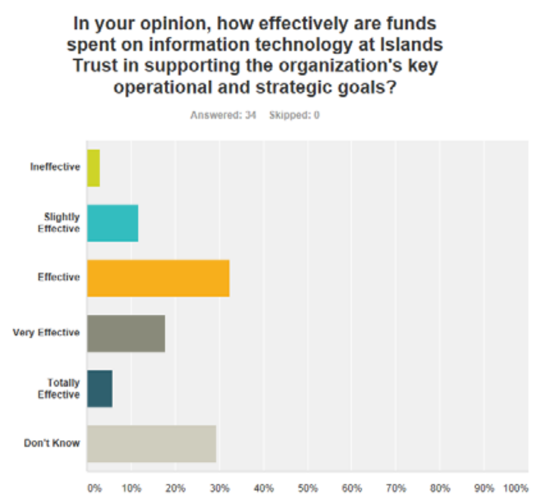
The following staff survey was conducted between December 8, 2015 and December 18, 2015 and was responded to by 34 of approximately 50 Islands Trust staff.

Q1



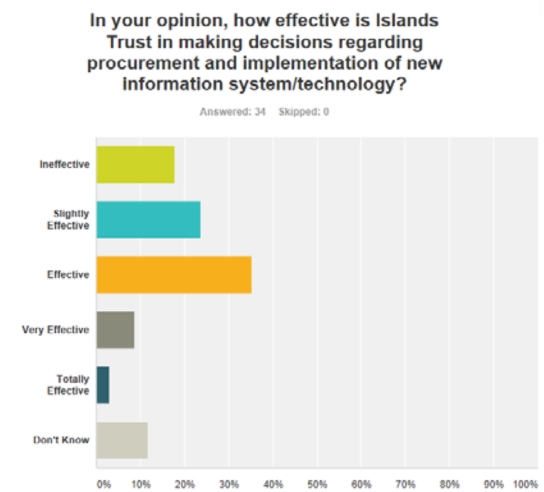
Answer Choices	Responses	
Not Important	0.00%	0
Slightly Important	0.00%	0
Important	2.94%	1
Very Important	23.53%	8
Critically Important	73.53%	25
Total		34

Q2



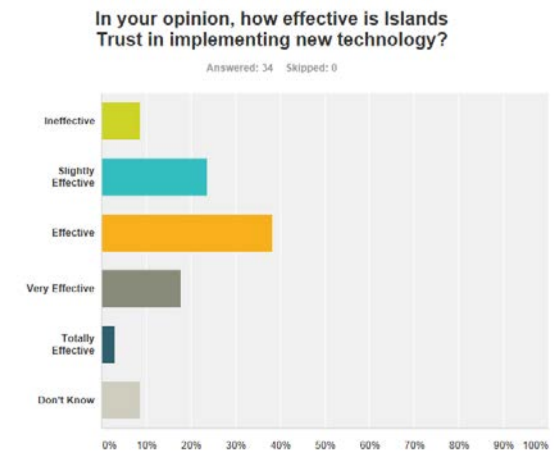
Answer Choices	Responses	
Ineffective	2.94%	1
Slightly Effective	11.76%	4
Effective	32.35%	11
Very Effective	17.65%	6
Totally Effective	5.88%	2
Don't Know	29.41%	10
Total		34

Q3



Answer Choices	Responses	
Ineffective	17.65%	6
Slightly Effective	23.53%	8
Effective	35.29%	12
Very Effective	8.82%	3
Totally Effective	2.94%	1
Don't Know	11.76%	4
Total		34

Q4

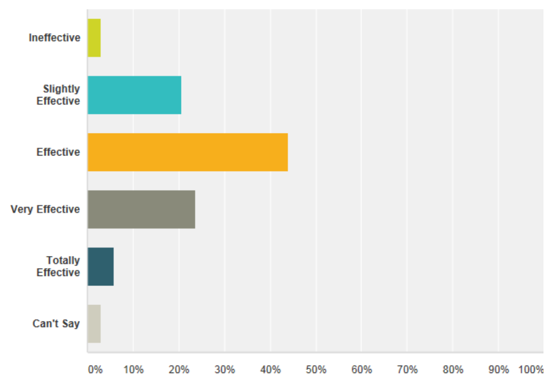


Answer Choices	Responses	
Ineffective	8.82%	3
Slightly Effective	23.53%	8
Effective	38.24%	13
Very Effective	17.65%	6
Totally Effective	2.94%	1
Don't Know	8.82%	3
Total		34

Q5

Do you feel the organization is effective in supporting staff in managing changes when implementing new technology (consider impacts on operational process and job responsibilities)?

Answered: 34 Skipped: 0

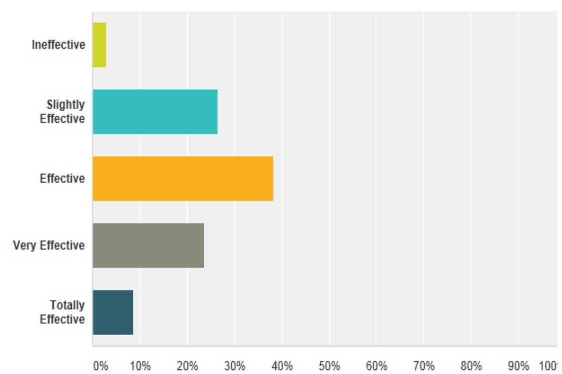


Answer Choices	Responses	
Ineffective	2.94%	1
Slightly Effective	20.59%	7
Effective	44.12%	15
Very Effective	23.53%	8
Totally Effective	5.88%	2
Can't Say	2.94%	1
Total		34

Q6

In your experience, how effective is Islands Trust in meeting your training needs when introducing new technology?

Answered: 34 Skipped: 0

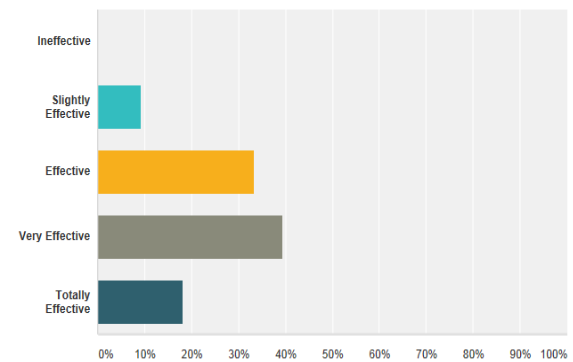


Answer Choices	Responses	
Ineffective	2.94%	1
Slightly Effective	26.47%	9
Effective	38.24%	13
Very Effective	23.53%	8
Totally Effective	8.82%	3
Total		34

Q7

In your opinion, how effective is the IT function to make sure you have the information systems when you need them?

Answered: 33 Skipped: 1

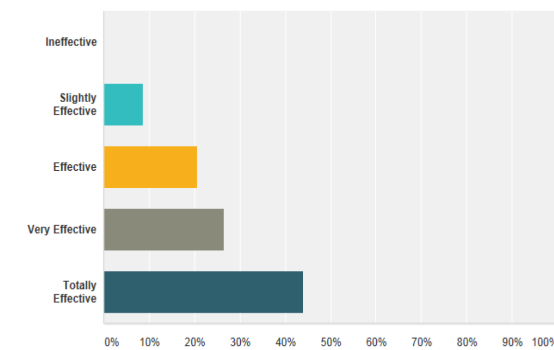


Answer Choices	Responses	
Ineffective	0.00%	0
Slightly Effective	9.09%	3
Effective	33.33%	11
Very Effective	39.39%	13
Totally Effective	18.18%	6
Total		33

Q8

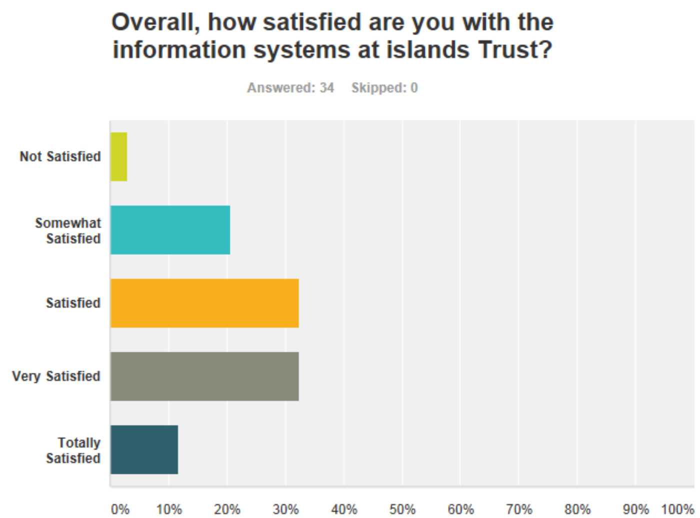
In your experience, how effective is the IT function in responding to requests for support when you have hardware/software/knowledge issues?

Answered: 34 Skipped: 0



Answer Choices	Responses	
Ineffective	0.00%	0
Slightly Effective	8.82%	3
Effective	20.59%	7
Very Effective	26.47%	9
Totally Effective	44.12%	15
Total		34

Q9



Answer Choices	Responses	
Not Satisfied	2.94%	1
Somewhat Satisfied	20.59%	7
Satisfied	32.35%	11
Very Satisfied	32.35%	11
Totally Satisfied	11.76%	4
Total		34

Local Planning Services REPORT September to December 2016

Date: 23/11/2016

COMPLETED SINCE LAST REPORT	PLANNED FOR NEXT QUARTER
Executive Committee and Council • This quarter most of my time has been allocated to working with SIPA and the Senior Policy Analyst in developing documentation for First Nations principles and Charter on implementation of these principles • The Senior Intergovernmental Policy Advisor (SIPA) has travelled regularly to the Salt Spring and Gabriola offices to support planning staff, and has travelled to island meetings to support local trust committees • Attended a meeting with the Ministry of Transportation and Infrastructure and members of the Executive Committee on October 12, 2016 • Attended a meeting with the Agricultural Land Commission Island Panel, CEO and planners from ALC, and the Executive Committee on October 17, 2016	**Executive Committee and Council** • Continue to work with SIPA on implementation of the Project Charter • Continue to work with the management team on a new approach to maintaining and updating the Strategic Plan
Local Planning Committee • Final report on the Housing Committee presented to Trust Council in September 2016 • Reallocated resources for Local Planning Committee to accommodate changes in planner assignments • Provided recommendations on work program items to Local Planning Committee for the next six months	**Local Planning Committee** • Staff will work according to the priorities provided by the Local Planning Committee at the November 18, 2016 meeting
Management of Local Planning Services Unit • Local Planning Services reorganised planning assignments for some planning staff to accommodate the need for a senior planner for Salt Spring Island • Local Planning Services Management Meetings with regional planning managers (RPMs) held on October 15 and November 14, 2016 • Attended the Northern Office on October 24, 2016 • Attended the Salt Spring Office on October 20, 2016 • Attended the Association of Regional District Planning Managers on November 2 and 3, 2016 • The Director of Local Planning Services was on vacation during this reporting period from September 19 to October 3, 2016	**Management of Local Planning Services Unit** • Local Planning Services Management Meetings planned monthly • Local Planning Services professional development day planned for November 30, 2016. Topics include a discussion about the *Water Sustainability Act* and applicability and implications for planning in the Islands Trust Area • Attend the Northern Office on regular basis • Attend the Salt Spring Office on a regular basis
Planning Support to Local Trust Committees • RPM facilitated interagency meeting between Salt Spring Island Local Trust Committee and members of Lyackson First Nations and Cowichan Tribes • RPM advised Salt Spring Island Local Trust Committee of relationships between local regulation and provincial regulations in cases of overlapping or concurrent jurisdictional issues	**Planning Support to Local Trust Committees** • Coordinate interagency meeting between the Capital Regional District and Salt Spring Island Local Trust Committee for waste management, industrial land uses, and development of a Ganges Harbourwalk • Coordinate and assist in the determination and implementation of multiple agencies' policies for management of fresh water on Salt Spring Island

COMPLETED SINCE LAST REPORT	PLANNED FOR NEXT QUARTER
• Local Planning Services to implemented revised Staff Report templates • Local Planning Services began work on revising the Public Hearing notice	• Continue to provide support to local trust committees • Continue to improve engagement with First Nations, including development of procedures to do so • Continue work on various bylaw enforcement strategies and reporting
Support for the CAO • Management meetings weekly (Tuesday mornings) • Worked on revising the operations policy manual and incorporating local trust committee standing resolutions • Assisted with orientation of the new Executive Coordinator	**Support for the CAO** • Participate in management meetings • Assist with next stages of the implementation plan
Grants Administration • Continued to maintain and update Grants Database • Updated Grants tracking document • Continued to research for grant opportunities and notify relevant parties • Conducted requested grant research • Updated FNDB as required • Maintained funder relations – UBCM, CEA, FBC, MoEM • Successful C2C funding application for Saturna island • Prepared and presented information session on Grants Management for Local Planning Services Pro- D Day • Met with SIPA re First Nations Database content and procedures • Assisted with Species at Risk policy and referral responses • Assisted with World Town Planning Day presentation and workshop to Gabriola Elementary School	**Grants Administration** • Update Grants Database as needed • Update Grants tracking as needed • Research and Review fall grant application opportunities • Update Community Grants listings as needed. • Maintain funder relations • Meet with UBCM on Strategic Priorities Fund • Grant research and applications as requested • Continue assistance with Species at Risk policy and referral responses • Liaise with funded LTC's on C2C dates and commitments • FNDB data entry stage 1

Islands Trust

Top Priorities

Local Planning Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Community Housing Needs	**Current:** Draft Project Charter for Housing Needs Phase 2 **Planned:** To be determined by the Local Planning Committee.	18-Nov-2016	Justine Starke	16-Feb-2017
2	Shoreline Marine Planning	**Current:** Establish a Project Charter **Planned:** To be determined by the Local Planning Committee	03-Mar-2016		
3	Protect Coastal Douglas-fir and Asso ciated Ecosystems	**Current:** Develop a planning tool kit **Planned:** To be determined by the Local Planning Committee	18-Nov-2016		

Projects

Local Planning Committee

Description	Activity	R/Initiated
Development Approval Information Model Bylaw	Staff to draft amendments to Trust Council Policy 2.1 viii in order to develop a Development Approval Information Model Bylaw.	03-Mar-2016
Letter of Agreement with the Ministry of Transportation and Infrastructure - including discussion around access to water bodies.	Staff working with the MOTI to address the Letter of Agreement; next meeting planned for May 17, 2016. Local Planning Committee is monitoring the process.	03-Mar-2016
Domestic Wind Power	Update report as required.	03-Mar-2016
Blue Dot Campaign	Consideration of this proposal (added per resolution May 2015)	03-Mar-2016

Local Planning Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
	Land Use Consultation for Radio Communication Towers	Request from the Trust Council for the Local Planning Committee to make recommendations on policy that includes public consultation procedures and development guidelines for the siting and design of antenna systems, which may then be adapted and implemented by local trust committees.			25-Aug-2016
	Alternative Ways of Measuring Density	Bring forward a thorough analysis of alternative ways of measuring density and how to manage any corresponding impacts before consideration of requesting model bylaws be developed for local trust committees.			25-Aug-2016
	Appropriate Economic Development	To be determined by the Local Planning Committee			18-Nov-2016

Islands Trust

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** December 7, 2016

From: Executive Committee **Date:** November 3, 2016

SUBJECT: **FIRST NATIONS AND PUBLIC ENGAGEMENT**

RECOMMENDATION:

1. **That the Islands Trust Council adopt Policy 6.1.i "First Nations Engagement Principles".**
2. **That the Islands Trust Council approve in principle the "First Nations and Public Engagement Project Charter".**
3. **That the Islands Trust Council approve the amendments to Section 9.1 of the Strategic Plan as illustrated in updated version of the plan (Attachment 1), dated November 8, 2016.**

CHIEF ADMINISTRATIVE OFFICER COMMENTS:
Although there has been a review of the principles proposed in August 2016, Executive Committee asked staff to bring forward a plan to illustrate how these principles would start to be integrated into the work of Islands Trust.

This is a significant shift for Islands Trust. We are reconciling our organizational history with that of the emerging common law in Canada that acknowledges that First Nations have never had their rights and title fully extinguished.

Dealing with these emerging issues head on and with a sense of humility seems like the best approach. The method articulated in the Project Charter represents a departure from the conventional way either provincial or federal governments have dealt with First Nations. Yet we can see from recent court cases that the typical "arm wrestling" strategy over rights and title has limited success and only further alienates agencies from having mutually respectful relationships with First Nations.

Part of the journey of defining the future of Islands Trust includes a review and amendment of our Policy Statement. Embarking on this work will trigger our obligation for "early and meaningful" engagement with First Nations. Rather than approaching this in a conventional write-a-letter or check-the-box sort of process, let us instead earn the trust of First Nations, so we can ask them to help us define our future and shape our Policy Statement to reflect that.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL:
By adopting a First Nations engagement principles policy, a First Nations and public engagement project charter and making related changes to the Strategic Plan, Trust Council will be establishing a strong foundation for sincere relationship-building with First Nations and for raising understanding of the Policy Statement.

Local Planning Services staff will be investing more time and resources to project development and application processing in the early stages of projects to ensure First Nations engagement is undertaken in a manner that is consistent with the proposed principles.

If Salt Spring Island votes to incorporate, Trust Council may choose to re-evaluate whether there will be sufficient organizational resources to implement the Project Charter.

This First Nations and Public Engagement Project Charter is not a single discrete project:

1. It is a compilation of activities/actions designed to implement the First Nations Principles across the organization.
2. It lays the foundation for meaningful discussions with First Nations and the public about the Policy Statement amendments topics.
3. It lays the foundation for cooperation with First Nations on Trust Council's marine protection priorities.

Amending the Strategic Plan to accommodate the activities proposed in the Project Charter means that Trust Council would postpone adoption of a Policy Statement amendment bylaw to the 2018-2022 term of office. This carries the risk that the next Trust Council will decide against amending the Policy Statement, but it increases the likelihood that any resulting amendments will have broad support.

FINANCIAL:

Trust Council has allocated $82,000 in FY 2016/17 for "Public Engagement for Policy Statement Topic Identification and Visioning". Staff estimate the State of the Islands costs will be $27,880 by the end of the fiscal year project. The table below outlines planned spending of $21,000 this fiscal for implementation of the First Nations and Public Engagement Project Charter. Staff estimate that $33,120 of the original $82,000 project funding will be available to carry forward into FY 2017/18 for the project.

An additional $15,000 has been included in the draft 2017/18 budget for this project. Staff also plan to suggest to the Executive Committee that $5,000 of the 2017/18 communications budget be set aside for the activities described, as the project will incorporate general corporate communications goals.

Local Planning Services will be submitting a 2017/18 program budget request for $10,000 for "First Nations C2C (Community to Community) to match anticipated UBCM grant funding. In addition, Local Planning Services has submitted a 2017/18 program budget request for $6,000 to support First Nations site visits of locations subject to a development application.

Budget source / expenditure	**Fiscal 2016/17**		**Fiscal 2017/18**	
Program	TAS (Policy Statmnt project budget)	LPS	TAS ($33,120 Policy Statmnt project budget carryover PLUS $15,000 additional budget ask PLUS $5K from Comm. budget)	LPS
LTC Special Projects *(LTC resolution required)*		tbd		tbd
FN Site visits for Referral Inputs *(LTC resolution required)*		$3,000 (LPS Scientific/ Tech funds)		$6,000 additional ask for budget
FN database entry/organisation	$10,000			
Communications (FN and public engagement activitoes e.g events, displays, mailouts, online consultations, website content to support prepatory discussions for Policy Statement amenment topics)	$5,000		$41,120 ($5K from comm budget and remaining $36K from Policy Stmt budget)	
Mapping (weekly elders knowledge of FN historical places: site-specific and Trust-wide)	$6,000		$12,000	
Meetings (C2C matching funds)				$10,000 Additional ask for budget
Contingency				
Totals	**$24,000**		**$69,120**	

POLICY:
The adoption of the first recommendation will result in a new Council policy. Staff will oversee integration of the new policy into the reference sections of other Council policies as part the policy renewal project already underway.

IMPLEMENTATION/COMMUNICATIONS:
Staff will develop a detailed 18-month "First Nations and Public Engagement Communication Strategy" to support the Project Charter.

The First Nations Engagement Principles policy will be circulated to holders of the Islands Trust Policy Manual and placed on the Islands Trust website. It will also be reviewed with all staff.

The First Nations Engagement Principles policy will support activities and processes relating to Islands Trust's desire to have an enduring relationship with First Nations based on trust, honour and goodwill. These principles have been broadly shared with staff and trustees since September 2016, and have received positive feedback.

OTHER:
None

BACKGROUND

For the past seven to eight years, Trust Council has articulated in various ways the organization's desire and vision to have an enduring relationship with First Nations based on trust, honour and goodwill. Momentum has built recently and has resulted in a temporary staff position for 2016-2018, which is intended to change the organizational approach to First Nations.

After a few months of discussions with staff and trustees, the Executive Committee determined that to change the organizational approach to First Nations in a more permanent and meaningful way, a standard set of principles will help inform activities, language and relationship building for many years to come. When drafting the proposed principles, staff were informed by broader societal shifts in the Canadian context of reconciliation with First Nations, such as the adoption of the United Nations Declaration of Rights of Indigenous Peoples in May 2016, the 2015 Truth and Reconciliation Commission's Calls to Action and the 2014 Supreme Court of Canada's decision in the case of the *Tsilhqot'in Nation vs. British Columbia.*

Past Decisions

On August 17, 2016, the Executive Committee reviewed the proposed principles and resolved that staff "develop a Project Charter and draft set of principles that will inform a new organizational approach to First Nations relationship-building".

On August 31, 2016, the Executive Committee asked staff to develop a Project Charter that includes the scope, timeline and budget for researching and developing a recommendation on how to advocate with respect to First Nations archaeological sites in collaboration with local trust committees and Bowen Island Municipality.

In September 2016, Trust Council requested that Executive Committee propose amendments to Section 9.1 of the Strategic Plan to include a new phase in the Policy Statement amendment process to raise public awareness of the role and importance of the Policy Statement in shaping the future of the islands, and to develop an effective and progressive program to establish a spirit of reconciliation with First Nations.

As staff considered these three requests, it became apparent that all three initiatives could be captured within one strategic "First Nations Engagement Principles Implementation Project Charter". Developing site-specific and Trust-wide advocacy for improved identification and protection of First Nations historical values, informed by the First Nations principles, will support having meaningful discussions about the Policy Statement amendments and eventual coordination with First Nations on marine protection issues.

Overview: First Nations and Public Engagement Project Charter

There are 4 Attachments to this RFD:

- Appendix 1: Draft First Nations Engagement Principles Policy
- Appendix 2: Draft Project Charter First Nation and Public Engagement Plan
- Appendix 3: Draft First Nations and Public Project Charter Summary
- Appendix 4: Draft amendments to Strategic Plan

Attachment 2 to this RFD is a draft Project Charter for the implementation of the principles contained in draft Policy 6.1.i (Attachment 1). The following section outlines the objectives and goals for the three phases contained in the Project Charter.

Phase 1: "A Learning Approach" (Approximately 5 months; November 2016 to March 2017)

Objective: To increase staff, trustee and public understanding of First Nations' connections to the land and waters of the Trust Area, including Indigenous perspectives, philosophies, special place names, Indigenous land laws and personal experiences/aspirations for the Trust Area.

First Nation Engagement Goals: There is a broad range of activities planned to provide opportunities for Indigenous-language speakers, knowledge-holders and elected representatives to share land-use and historical knowledge with Islands Trust staff, trustees and Trust Area residents. These activities are designed respectfully and try to mitigate some of the challenges First Nations have had in the past trying to have meaningful dialogue with government agencies, such as travel costs, assuming meetings are only about transactions rather than relationships, not enough meeting space to allow for an explanation of more complex issues, etc.

Public Engagement Goals: A cautionary approach to raising public awareness of First Nations issues allows people to embark on their own journey of education with as little controversy as possible. Understanding First Nations issues is not like an on/off switch but rather like a dial. The focus will be on innocuous topics (such as language, place names, culture) and, over time, expose public awareness to increasingly more challenging topics (such as Aboriginal rights and title, treaties, etc.).

Phase 2: "Real Discussions with First Nations about Real Issues" (Approximately 6 months; April 2017 to September 2017)

Objective: To engage First Nations in direct and courageous dialogue about topics of real interest to both First Nations and Islands Trust staff and trustees. Once certain topics become known as key concerns, those topics will be strategically introduced in a public forum – at first in a passive media format, then increasingly in formats that allow for public feedback.

First Nation Engagement Goals: To start direct dialogue with the key Douglas Treaty First Nations who have substantial interests in the south Gulf islands. This starting approach respects this pre-Confederate treaty as a priority and as protected under Canada's Constitution. Then, working northward, have conversations with other First Nations with Aboriginal rights and title Constitutionally-protected since 1982. Where appropriate, these meetings will be with groups of First Nations with similar interests (Saanich Tribes, Hul'quimi'num Tribes, Greater Vancouver Nations, etc.) but will be with individual First Nations where that is most appropriate.

The plan is to set aside 1-2 day workshops between First Nations leadership and Islands trust leadership to possibly discuss:

- The history of Islands Trust and how it came to be, and how it has evolved;
- The current societal shifts with regard to Aboriginal title and the authority of the Crown;
- The fundamental benefits/challenges to land-use planning, regulation and enforcement; and
- Ways of sharing knowledge and objectives, and ways of working together.

Public Engagement Goals: Once certain topics become known as key concerns after the first few months of direct dialogue with First Nations, then these topics will start being introduced in a public forum – at first in a passive media format and then increasingly in formats that allow for public feedback. These discussions will lay the foundation for meaningful discussion about Policy Statement amendments topics; and cooperation on Trust Council's marine protection priorities.

Phase 3: "Reconciliation Made Real" (Approximately 6 months; October 2017 to March 2018)

Objective: To explore changes to Islands Trust to identify opportunities for First Nations to better share their Indigenous knowledge, perspectives and experiences while at the same time, learning about Islands Trust. The assumption is that this will take many years and evolve with increasing meaningfulness.

First Nations Engagement Goals: Similar to the model used currently with some Regional Districts, First Nations can integrate into Islands Trust governance structures as ex-officio members of committees and even Trust Council. Much like the collegial relationship Trust Council has with San Juan County, First Nations could be invited to share in Trust Council sessions and even present issues of mutual concern to Trust Council.

Although the next 18 months will be focused at a working ground level with planners, information gathering on important sites, issues and referral processes, the goal is to develop enough mutual trust so that First Nations can tell us how they would like to participate in the work of Islands Trust.

Public Engagement Goals: To normalize respectful relationships toward First Nations and have a positive public awareness and sensitivity to First Nations' connections the land and waters of the Trust Area, and to develop broad support for potential Policy Statement improvements and cooperative marine protection work.

REPORT/DOCUMENT:

1. Draft Trust Council Policy 6.1.1- First Nations Engagement Principles
2. Draft Detailed First Nations and Public Engagement Principles Project Charter
3. Draft Summary of First Nations and Public Engagement Strategy
4. Draft Amendments to Section 9.1 of the Strategic Plan

KEY ISSUE(S)/CONCEPT(S):

1. Increased awareness and cultural sensitivity of staff and trustees with regard to First Nations current issues and how to engage in a project-by-project level
2. Engagement of Trust Area residents in First Nations' history, language, culture, perspectives, traditional knowledge and experience of the islands.
3. Engagement of First Nations on topics of importance to them

RELEVANT POLICY:

- *Islands Trust Act*
- Island Trust Policy Statement

DESIRED OUTCOME:

- Sustained long-term relationships with First Nations
- Amendment of the Policy Statement to ensure it adequately includes Policy direction with respect to First Nations issues and concerns in the Trust Area
- Developing cooperative relationships and processes in support of shared interests in preserving and protecting the Islands Trust Area.

RESPONSE OPTIONS

Recommended:

1. **That the Islands Trust Council adopts Policy 6.1.1 "First Nations Engagement Principles".**
2. **That the Islands Trust Council approves in principle the "First Nations and Public Engagement Project Charter".**
3. **That the Islands Trust Council approves the amendments to Section 9.1 of the Strategic Plan as illustrated in updated version of the plan (Attachment 1), dated November 8, 2016.**

Alternatives:

1. That the Islands Trust Council requests that staff provide more information about the First Nations and Public Engagement Project Charter.
2. That the Islands Trust Council requests that staff provide more information about the proposed 6.1.1 "First Nations Engagement Principles" policy.
3. That the Islands Trust Council direct staff to extend the timeline of the Project Charter to go beyond the end date of the Senior Intergovernmental Policy Advisor term position and provide a revised Project Charter to Trust Council in March 2017.
4. That Islands Trust Council undertakes no action.

Prepared By: Fiona MacRaild, Sr. Intergovernmental Policy Advisor

Reviewed By/Date: David Marlor, Director Local Planning Services/Nov 8, 2016
Clare Frater, Acting Director, Trust Area Services/Nov 8, 2016

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Russ Hotsenpiller, Chief Administrative Officer

6.1.i. Policy

FIRST NATIONS ENGAGEMENT PRINCIPLES POLICY

Trust Council: December 6-8, 2016

A: PURPOSE

1. To provide a framework for engaging and building relationships between Islands Trust and First Nations.
2. To find opportunities for collaboration and mutual support through its many organizational activities.
3. To initiate and maintain respectful relationships with First Nations communities.

B: BACKGROUND

1. In the Islands Trust Area, there is a high level of uncertainty regarding current and future First Nations ownership and management of the land base. As of November 2016, many things are in a state of flux because of evolving provincial, national and international recognition of Aboriginal Title.

    1. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) is an international instrument adopted by the United Nations on September 13, 2007. It describes a minimum standard of rights for the "survival, dignity and well-being of the indigenous peoples of the world." Additionally, Article 26 states that "Indigenous peoples have the right to the lands, territories and resources which they have traditionally owned, occupied or otherwise used or acquired," and it directs governments to recognize these territories. UNDRIP was endorsed by Canada in 2010 and officially adopted it in May 2016.

    2. In 2015, the Truth and Reconciliation Commission issued 'Calls to Action' to redress the legacy of residential schools and to advance the process of Canadian reconciliation. Several of these calls to action speak to the recognition of aboriginal rights over land. In particular, action 47 calls on all levels of government, including local governments, to "repudiate concepts used to justify European sovereignty over Indigenous peoples and lands… and to reform those laws, government policies, and litigation strategies that continue to rely on such concepts." (Truth and Reconciliation Commission of Canada, 2015).

    3. In 2014, the Supreme Court of Canada handed down a decision in the case of the *Tsilhqot'in Nation vs. British Columbia*. In that decision, the court concluded that the Tsilhqot'in Nation has Aboriginal title to over 1,750 square kilometers of their traditional lands, previously deemed Crown land. *Tsilhqot'in* also confirmed that where Aboriginal title has not been established, the Crown has a duty to consult with and accommodate First Nations with stated land claims.

    4. The Islands Trust works with separate nations with different customs, history, culture and expectations of engagement.

C: REFERENCES

1. *United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP),* United Nations, Sept.13, 2007.
2. *Truth and Reconciliation Commission: Calls to Action,* Truth and Reconciliation Commission of Canada, 2015.
3. *Tsilhqot'in Nation vs. British Columbia*, Supreme Court of Canada, 2014.

D: DEFINITIONS

"**First Nations**" refer to entities recognized by the Department of Aboriginal Affairs and Northern Development of Canada who have included the Trust Area, or a part of the Trust Area in the asserted traditional territory.

"**Islands Trust**" refers to all Islands Trust bodies including Trust Council, council committees, local trust committees and Trust Fund Board.

E: FIRST NATIONS ENGAGEMENT PRINCIPLES

1. Islands Trust is committed to becoming aware of what it does not know or understand about First Nations.

2. Islands Trust is committed to proving sincere desire for reconciliation

3. Islands Trust is committed to integrating, where possible, activities that support First Nations reconnecting with the Trust Area lands and waters

F: POLICY

1. The First Nations Engagement Principles in Section E:
   a. underpin every activity of Islands Trust in order to have an enduring relationship with First Nations based on trust, honour and goodwill; and
   b. are sequential and they speak of a way forward to acknowledge how profoundly First Nations have been ignored and disrespected, but these principles also point to a path forward that is genuine and sincere.

2. In committing to Principle E.1, Islands Trust should and Islands Trust municipalities are encouraged to:
   a. commit to "listening and learning" about the history of First Nations' connection to the land and waters;
   b. commit to "listening and learning" about First Nations' perspective on treaties, rights and title; and
   c. commit to acknowledging that history, to ensure First Nations and ourselves that the history has been heard and understood correctly.

3. In committing to Principle E.2, Islands Trust should and Islands Trust municipalities are encouraged to:
   a. commit to acknowledging the historical biases in the organization, which come from Canadian culture and assumptions, and have often resulted in non-Natives citizens ignoring and minimizing their relationship with First Nations; and
   b. commit to undertaking actions that reflect an effort to change societal attitudes and systems.

4. In committing to Principle E.3, Islands Trust should and Islands Trust municipalities are encouraged to:
   a. commit to supporting, where possible, traditional gathering and harvesting activities;
   b. commit to supporting, where possible, the integration of Traditional Knowledge into stewardship practices and policies; and
   c. commit to supporting the development of a Reconciliation Action Plan.

DRAFT: First Nations and Public Engagement Project – Charter v1

Trust Council **Date: December 6-8, 2016**

Deliverables Detail

This First Nations and Public Engagement Project Charter is not a single discrete project but rather a series of activities/actions designed to:

- implement the First Nations Principles across the organisation
- lay the foundation for meaningful discussions with First Nations and the public about the Policy Statement amendments topics
- lay the foundation for cooperation with First Nations on marine protection priorities.

Deliverable / Milestone	Target Completion Date	Responsible
Phase 1: Saturna Island LTC Public Culture Event • Plus soft public launch of First Nations events and information to Islands Trust residents	Nov. 19, 2016	Fiona MacRaild Gary Richardson Regina Robinson Pamela Hafey Saturna LTC
Phase 1: Fulford marina site visits • Plus soft public launch of First Nations events and information to Islands Trust residents	Nov. 30, 2016	Fiona MacRaild Jason Youmans Claire Olivier Pamela Hafey Salt Spring LTC
Phase 1: Sharing eelgrass mapping and other maps from Trust Fund to First Nations	Nov. 30, 2016	Jennifer Eliason Kate Emmings Fiona MacRaild Trust Fund Board
Phase 1: C2C Komoks • plus soft public launch of First Nations events and information to Islands Trust residents	Dec. 31, 2016	Fiona MacRaild Ann Kjerolf Denman LTC Pamela Hafey
Phase 1: C2C Nanaimo • Plus soft public launch of First Nations events and information to Islands Trust residents	Dec. 31, 2016	Fiona MacRaild Ann Kjerolf Gabriola LTC Pamela Hafey
Phase 1: Inventory of Special Places • Plus soft public launch of First Nations events and information to Islands trust residents	Dec. 31, 2016	Fiona MacRaild Pamela Hafey
Phase 1: FN Database: info confirmation • Plus soft public launch of First Nations events and information to Islands Trust residents	Jan. 31, 2017	Fiona MacRaild Mike Richards (possibly) Pamela Hafey
Phase 1: FN Referral Input Workshops • Plus soft public launch of First Nations events and information to Islands Trust residents	Jan. 31, 2017	Fiona MacRaild LPS Management Team Pamela Hafey
Phase 1: Cont'd Public Culture Events	Feb. 28, 2017	Fiona MacRaild

Deliverable / Milestone	Target Completion Date	Responsible
• Plus soft public launch of First Nations events and information to Islands Trust residents		Island Planner LTC Pamela Hafey
Phase 1: Cont'd Inventory of Sp. Places • Plus soft public launch of First Nations events and information to Islands Trust residents	Feb. 28, 2017	Fiona MacRaild Pamela Hafey
Phase 1: C2C Tsawout/Tseycum • Plus soft public launch of First Nations events and information to Islands Trust residents	March 31, 2017	Fiona MacRaild Robert Kojima Saturna LTC Pamela Hafey
Phase 1: Cont'd site visits for FNs • Plus soft public launch of First Nations events and information to Islands Trust residents	March 31, 2017	Fiona MacRaild Island Planners Leg. Clerks Pamela Hafey
Phase 2: 1-2 day workshop with five Saanich Tribes (preparatory discussions for Policy Statement amendment topics) • Plus soft public launch of First Nations events and information to Islands Trust residents	April 30, 2017	Fiona MacRaild Russ Hotsenpiller SGI trustees Directors Pamela Hafey
Phase 2: 1-2 day workshop with five Hul'quimi'num Tribes (preparatory discussions for Policy Statement amendment topics) • Plus soft public launch of First Nations events and information to Islands Trust residents	May 31, 2017	Fiona MacRaild Russ Hotsenpiller Trustees Directors Pamela Hafey
Phase 2: 1-2 day workshop with Chemainus First Nation (preparatory discussions for Policy Statement amendment topics) • Plus soft public launch of First Nations events and information to Islands Trust residents	June 30, 2017	Fiona MacRaild Russ Hotsenpiller Trustees Directors Pamela Hafey
Phase 2: Public Engagement Forum with provisions for public feedback on Islands Trust, First Nations issues and current issues regarding land-use in the Trust Area (preparatory discussions for Policy Statement amendment topics)	June 30, 2017	Fiona MacRaild Pamela Hafey
Phase 2: 1-2 day workshop with Nanaimo First Nation (preparatory discussions for Policy Statement amendment topics)	July 31, 2017	Fiona MacRaild Russ Hotsenpiller Trustees Directors
Phase 2: Public Engagement Forum with provisions for public feedback on Islands Trust, First Nations issues and current issues regarding land-use in the Trust Area (preparatory discussions for Policy Statement amendment topics).	July 31, 2017	Fiona MacRaild Pamela Hafey
Phase 2: 1-2 day workshop with Nanoose First Nation(preparatory discussions for Policy Statement amendment topics)	Aug. 31, 2017	Fiona MacRaild Russ Hotsenpiller Trustees Directors

Deliverable / Milestone	Target Completion Date	Responsible
Phase 2: Public Engagement Forum with provisions for public feedback on Islands Trust, First Nations issues and current issues regarding land-use in the Trust Area(preparatory discussions for Policy Statement amendment topics) .	Aug. 31, 2017	Fiona MacRaild Pamela Hafey
Phase 2: 1-2 day workshop with Qualicum First Nation(preparatory discussions for Policy Statement amendment topics)	Sept. 30, 2017	Fiona MacRaild Russ Hotsenpiller Trustees Directors
Phase 2: Public Engagement Forum with provisions for public feedback on Islands Trust, First Nations issues and current issues regarding land-use in the Trust Area (preparatory discussions for Policy Statement amendment topics) .	Sept. 30, 2017	Fiona MacRaild Pamela Hafey
Phase 3: 1-2 day workshop with K'omoks First Nation (preparatory discussions for Policy Statement amendment topics)	Oct. 31, 2017	Fiona MacRaild Russ Hotsenpiller Trustees Directors
Phase 3: Public Release of organizational change reflecting improved relations with First Nations	Oct. 31, 2017	Fiona MacRaild Pamela Hafey
Phase 3: 1-2 day workshop with Squamish First Nation, Tseil Waututh First Nation and Musqueum First Nation (preparatory discussions for Policy Statement amendment topics)	Nov. 30, 2017	Fiona MacRaild Russ Hotsenpiller Trustees Directors
Phase 3: Public Release of organizational change reflecting improved relations with First Nations	Nov. 30, 2017	Fiona MacRaild Pamela Hafey
Phase 3: 1-2 day workshop with Esquimalt First Nation, Songhees First Nation, Beecher Bay First Nation and T'Souke First Nation (preparatory discussions for Policy Statement amendment topics)	Dec. 31, 2017	Fiona MacRaild Russ Hotsenpiller Trustees Directors
Phase 3: Public Release of organizational change reflecting improved relations with First Nations	Dec. 31, 2017	Fiona MacRaild Pamela Hafey
Phase 3: 1-2 day workshop with Sechelt First Nation (preparatory discussions for Policy Statement amendment topics)	Jan. 31, 2018	Fiona MacRaild Russ Hotsenpiller Trustees Directors
Phase 3: Public Release of organizational change reflecting improved relations with First Nations	Jan. 31, 2018	Fiona MacRaild Pamela Hafey
Phase 3: 1-2 day workshop with Semiahmoo First Nation (preparatory discussions for Policy Statement amendment topics)	Feb. 28, 2018	Fiona MacRaild Russ Hotsenpiller Trustees Directors
Phase 3: Public Release of organizational change reflecting improved relations with First Nations	Feb. 28, 2018	Fiona MacRaild Pamela Hafey
Phase 3: possible meetings with Sliammon First Nation, Tswwassen First Nation or Sto:lo Treaty Nations	March 31, 2018	Fiona MacRaild Russ Hotsenpiller

Deliverable / Milestone	Target Completion Date	Responsible
(preparatory discussions for Policy Statement amendment topics)		Trustees Directors
Phase 3: Transition Plan for Continuance of Policy Statement amendments Engagement Plan	March 31, 2018	Fiona MacRaild Russ Hotsenpiller Directors

Project Team Resources

Name	Project Role	Responsibilities	Days or Hours
Executive Committee via CAO	Project Sponsor	• Approve Charter • Approve changes to the Charter	18 months
Fiona MacRaild	Project Manager	• Language and tone guide • Project timelines and deliverables • Project review and adjustments	18 months
Pamela Haffey	Communications Specialist	• Public culture event plans • Local articles • advertising • FN Webpage • Email notifications • News releases • LTC meetings – sharing experiences • Community Events • Social media • Audio-video story telling • Book clubs • Placespeak – online discussion boards and survey • Facebook launch • Media relations • Direct mail and paper inserts • School workshops • Information sheets, brochures • Web updates – state of the islands, vision	18 months
Island Planners		• FN site visits for referral input • FN public cultural events	tbd
Support Staff		• FN site visits for referral input • FN public cultural events	tbd
Local Trustees		• C2C meetings • FN public cultural events	tbd
LPS Managers		• Communications and budget approvals • FN Referral Input Workshops • C2C meetings	tbd
Trust Fund staff		• FN communications re shared mapping, management plans, etc.	tbd
Trust Fund Board		• Approval of FN communications re shared mapping, management plans, etc.	tbd
Russ Hotsenpiller		• FN meetings involving FN Chief or Councillors	tbd
Directors		• Review of budget, Staff Reports, timelines and Charter Adjustments for Executive Council via CAO	tbd

Stakeholders

Stakeholder	Represented by	Interests, expectations, concerns
LTCs and IMs	Trustees	Local planning function
TC	Trustees	Object, budget, communications, implementation processes, advocacy, legal oversight
MCSCD	Director, Community Relations (currently, Brent Mueller)	Provincial interests, engagement process
Regional Districts	First Nations Liaison	Municipal interests, engagement process
Capital Regional District	Manager of Aboriginal Initiatives (currently, Sue Hallett)	Municipal interests, engagement process
Other Provincial Agencies	First Nations Consultation management	Provincial interests, engagement process
Other Federal agencies	First Nations Consultation management	Federal interests, engagement process
Other Non-Governmental Agencies	First Nations Consultation management	Environmental interests, engagement process

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 proposed change. The following categories of First Nations are organized by weighted claim. Many First Nations have more than one category that applies to them. With multiple categories comes increased weight of claim.

Total of 37 First Nations	Notes
First Nations with neighbouring Reserve lands to the Trust Area	• Tsawout First Nation (Salt Spring Island, South Pender Island, Saturna Island) • Tseycum First Nation (South Pender Island, Saturna Island) • Tsartlip First Nation (Mayne Island) • Penelakut First Nation (Penelakut Island) • Lyackson First Nation (Valdes Island) • Nanaimo First Nation (Gabriola Island)
First Nations who are Douglas Treaty Nations (also have Aboriginal rights and title over claimed Traditional Territories) [N.B. Nations forfeit their Douglas Treaty rights if and when they sign a modern BC Treaty]	• Esquimalt First Nation • Tsartlip First Nation • Tsawout First Nation • Pauquachin First Nation • Tseycum first Nation • Malahat First Nation (also part of Te’Mexw Treaty Assoc.; stage 5 of 6 in BC Treaty process) • Songhees First Nation (also part of Te’Mexw Treaty Assoc.; stage 5 of 6 in BC Treaty process) • Beecher Bay First Nation (also part of Te’Mexw Treaty Assoc.; stage 5 of 6 in BC Treaty process) • Sooke First Nation (also part of Te’Mexw Treaty Assoc; stage 5 of 6 in BC Treaty process) • Nanaimo First Nation (also in stage 4 of 6 in BC Treaty

Total of 37 First Nations	Notes
	process)
First Nations in Stage 5 of 6 in Treaty Process (Agreement-in-Principle; awaiting ratification)	• K'omoks First Nation • Nanoose First Nation (part of Te'Mexw Treaty Assoc.) • Malahat First Nation (also part of Te'Mexw Treaty Assoc., and a Douglas Treaty Nation) • Songhees First Nation (also part of Te'Mexw Treaty Assoc., and a Douglas Treaty Nation) • Beecher Bay First Nation (also part of Te'Mexw Treaty Assoc., and a Douglas Treaty Nation) • Sooke First Nation (also part of Te'Mexw Treaty Assoc., and a Douglas Treaty Nation)
First Nations in Stage 4 of 6 in Treaty Process (Negotiating Agreement) [N.B. Chemainus First Nation has indicated they have pulled out of the Hul'quimi'num Treaty Group and remain in the BC Treaty process independent of HTG. This has yet to be confirmed with BC Treaty staff]	• Cowichan Tribes (part of the Hul'quimi'num Treaty Group) • Chemainus First Nation (part of the Hul'quimi'num Treaty Group) • Penelakut First Nation (part of the Hul'quimi'num Treaty Group) • Halalt First Nation (part of the Hul'quimi'num Treaty Group) • Lyackson First Nation (part of the Hul'quimi'num Treaty Group) • Lake Cowichan First Nation (part of the Hul'quimi'num Treaty Group) • Nanaimo First Nation (also a Douglas Treaty Nation) • Sechelt First Nation • Tseil-Waututh First Nation • Musquem First Nation • Aitchelitz First Nation (part of the Sto:lo Nation treaty group) • Leqá:mel First Nation (part of the Sto:lo Nation treaty group) • Popkum First Nation (part of the Sto:lo Nation treaty group) • Skawahlook First Nation (part of the Sto:lo Nation treaty group) • Skowkale First Nation (part of the Sto:lo Nation treaty group) • Tzeachten First Nation (part of the Sto:lo Nation treaty group) • Yakweakwioose First Nation (part of the Sto:lo Nation treaty group)
First Nations in Stage 3 of 6 in Treaty Process (Agreement Framework)	• Squamish First Nation
First Nations in Stage 2 of 6 in Treaty Process (Statement of Intent)	• Hwlitsum First Nation (status of Nation under review)
First Nations with Ratified Modern Treaties	• Tsawwassen First Nation (2009) • Tla'amin (Sliammon) First Nation (2016)
First Nation Currently Before the Court Regarding Rights and Title, Impacting Islands Trust	• Esquimalt First Nation • Songhees First Nation • Hwlitsum First Nation

Project Budget Detail

For future fiscal years budgets, enter the anticipated budget need, subject to Trust Council approval. The Project Charter should be updated to reflect adopted budgets if they are different from the anticipated budget need.

Budget source / expenditure	**Purchasing Processes Required? (describe)**	**Fiscal 2016/17**		**Fiscal 2017/18**	
Program		TAS (Policy Statmnt project budget)	LPS	TAS (Policy Statmnt project budget carryover)	LPS
LTC Special Projects *(LTC resolution required)*			tbd		tbd
Technical / Scientific (FN site visits for referral input) *(LTC resolution required)*		$6,000	$3,000 additional ask for budget	$6,000 additional ask for budget	
FN database entry/organisation		$10,000			
Communications (FN and public engagement activitoes e.g events, displays, mailouts, online consultations, website content to support prepatory discussions for Policy Statement amenment topics)		$5,000		$45,000	
Mapping (weekly elders knowledge of FN historical places)				$12,000	
Meetings (C2C matching funds)					$10,000 Additional ask for budget
Contingency					
Totals		**$24,000**		**$73,000**	

Risk Assessment

Risk	**Probability**	**Impact**	**Response Strategy**	**Residual Risk**
First Nations may not be interested in participating in project activities	medium	high	First Nations leadership generally want to participate only with decision-makers that can significantly further legal recognition of their rights and title. Although the courts, Canada and the Province have the ultimate decision-making authority on rights and title, Islands Trust wants to incorporate Indigenous knowledge, history and experiences into their land-use planning, decisions and enforcement.	medium
Timelines of this Project may be affected by changing FN case law or	low	medium	Close monitoring of possible changes as a result of FN case law development and/or government	medium

government direction. This could either slow the Project down, or accelerate it.			direction.	
Incorporation of Salt Spring Island will require a thorough review of Project Charter details	medium	medium	If Salt Spring Island incorporates, a new Project Charter will be proposed indicating adjusted resources, timelines and topics.	medium
As the ultimate responsibility for “duty to consult”, the provincial government may increasingly defer to Islands Trust FN engagement activities. This may result in capacity issues for Islands Trust	low	low	Islands Trust staff will keep provincial staff at FLNRO and MCSCD updated regularly on the progress of this project, and try to coordinate efforts where possible.	low

Project Approvals

	Name	Signature	Date
Project Lead			

Charter Change Table

[record changes made to the Project Charter here, after endorsement date. Changes could be scope changes, or could be adjustments to the timeline and budget]

Date	Changes made	LTC Resolution (if applicable)

DRAFT: First Nations and Public Engagement Project Charter Summary

<table>
<tr><th>Timing</th><th>Objective/Theme</th><th>FIRST NATIONS ACTIVITIES</th><th>PUBLIC ACTIVITIES</th><th>Budget Estimate.</th><th>Comm. Strat.</th></tr>
<tr><td>Nov.</td><td rowspan="5">Phase 1
• Proving Sincerity
• Historical Diversity of the Trust Area</td><td>*SILTC Public Culture Event
*Fulford marina site visits
*Sharing mapping for Trust Fund</td><td rowspan="8">Phase 1/2
Learning about the diversity of FN historical connections to the islands

Starting with cultural info and slowly making FN topics more challenging

"Passive"
Current topics that inspire positive public attitudinal shifts toward FNs</td><td rowspan="5">Trust Area Services:
*$6k for weekly meetings with FN elders to document sharable stories of significance about the Trust Area
*$10: database entry
*$5K communications
LP Services:
*Public Culture Events (LTC funding under Special Projects)
*Site visits for referrals ($3K)</td><td>FN Lang. & Tone Guide for staff</td></tr>
<tr><td>Dec.</td><td>*C2C Komoks
*C2C Nanaimo
*Inventory of Special Places</td><td rowspan="7">Communication tools for building awareness of historical values and positive public attitudes to FNs:
• Local articles
• advertising
• FN Webpage
• Email notifications
• News releases
• LTC meetings – sharing experiences
• Community Events
• Social media
• School workshops
• Audio-video story telling
• Book clubs
• Language and tone guide</td></tr>
<tr><td>Jan.2017</td><td>*FN Database: info confirmation
*FN Referral Input Workshops</td></tr>
<tr><td>Feb.</td><td>*Cont'd Public Culture Events
*Cont'd Inventory of Sp. Places</td></tr>
<tr><td>Mar.</td><td>*C2C Tsawout/Tseycum
*Cont'd site visits for FNs</td></tr>
<tr><td>Apr.</td><td rowspan="6">Phase 2
• Common Ground with First Nations
• Visioning How to Work Together in the Future
• Current land-use issues in the Trust Area (preparatory for Policy Stmt amendment topics</td><td rowspan="6">Meetings with First Nations: : 1-2 day workshops to discuss the following topics, in the following sequence:
1. History of Islands Trust
2. Authority of the Crown
3. Importance of land-use regulation
4. Naming the moral dilemmas for I.T.
5. "Preserve and Protect": ways of working together (similar to San Juan County)</td><td rowspan="11">Trust Area Services
*$12K Recording elder stories of place - weekly
*$45K communications

L. Planning Services

*Public Culture Events (LTC funding under Special Projects)

*C2C matching funds ($10K)

*Site visits for referrals ($6K)</td></tr>
<tr><td>May</td></tr>
<tr><td>June</td></tr>
<tr><td>July</td><td rowspan="8">"Engaged"
Start themed public feedback forums using initial feedback about current land-use issues in the Trust Area (preparatory for Policy Stmt amendment topics)</td><td rowspan="8">Broadening the stakeholders:
• NGOs
• Academia
Phase I tools plus:
• Placespeak – online discussion boards and survey
• Facebook launch
• Media relations
• Direct mail and paper inserts
• Information sheets, brochures
• Web updates – state of the islands, vision</td></tr>
<tr><td>Aug.</td></tr>
<tr><td>Sept.</td></tr>
<tr><td>Oct.</td><td rowspan="6">Phase 3
• Program Plan for Implementing a Future of Working Together
• Cooperative review and planning of Policy Stmt amendment process</td><td rowspan="5">Possible:
*FN Governance involvement in Trust Council and Committees (integrated approach similar to Regional Districts)
*FN Reconciliation Plan
*FN considerations in hiring processes
*FN Integration on land-use decisions and regulations</td></tr>
<tr><td>Nov.</td></tr>
<tr><td>Dec.</td></tr>
<tr><td>Jan.2018</td></tr>
<tr><td>Feb.</td></tr>
<tr><td>Mar.</td><td colspan="4">TRANSITION/SUCCESSION PLAN ON ALL WORK</td></tr>
</table>

Overall Considerations:

- Senior Intergovernmental Policy Advisor (SIPA) position only funded for 22 months so program plan is accommodating that limitation but each Phase may take longer
- Given recent court cases indicating that Nations with treaty rights and Aboriginal rights and title are at the highest end of the continuum of consultation, the work plan assumes starting with southern LTCs and working northward throughout the 18 month plan
- It is unknown how the BC treaty process will unfold, or how new court decisions will affect the plan
- This plan will be reviewed for effectiveness every six months and adjusted as necessary

DRAFT: Proposed Amendments to the Islands Trust Council's 2014-2018 Strategic Plan Section 9.1 (November 8, 2016)

9. Improve community and agency understanding and support of the Islands Trust	**9.1 Review the Islands Trust Policy Statement**	**FY 2015/16** **T.9.1.1 Amend policies administering the Islands Trust Policy Statement**	**TPC**		**Funded by base budget**	**By whether Trust Council has amended the policies administering the Islands Trust Policy Statement**	**Complete**
		FY 2015/16 **T.9.1.2 Develop a project charter and budget request regarding a Phase A ('State of the Islands' report) of targeted update of the Policy Statement**	TPC		Funded by base budget	By whether TPC has recommended a project charter and budget request regarding a Phase 1 of targeted update of the Islands Trust Policy Statement	**Complete**
		FY 2016/17 T.9.1.3 Implement project charter regarding Phase A ('State of the Islands' report) of the targeted update of the Policy Statement	TPC		Funded by Policy Statement project budget	By whether Trust Council has endorsed TPC's 'State of the Islands Report' as Phase 1 of a targeted update of the Policy Statement	***Report delivered in Sept 2016. Communications products in progress.***
		FY 2016/17 T.9.1.4 Develop a project charter regarding Phase B of targeted update of the Policy Statement (First Nations and public engagement process to prepare for Policy Statement amendment topics)	TPC		Funded by Policy Statement project budget	By whether Trust Council has endorsed TPC's project charter for a First Nations and public engagement process to prepare for Policy Statement topics amendment process	Project Charter due Feb. 2016
		FY 2017/18 T.9.1.5 Undertake a First Nations and public engagement process to prepare for Policy Statement amendment topics	TPC	EC	Funded by Policy Statement project budget and base communications budget with some activities subject to 2017/18 program funding	By whether TPC/EC has undertaken a First Nation public engagement process	Engagement processes to start in Dec. 2016
		FY 2017/18 T.9.1.6 Develop a project charter and budget request regarding Phase C of the targeted update of the Policy Statement (Cooperative review with First Nations and planning of Policy Statement amendment process)	TPC		Subject to funding in 2016/17 program budget	By whether Trust Council has endorsed TPC's project charter and budget request a cooperative review with First Nations and planning of Policy Statement amendment process	Project charter and budget request due March 2018
		FY 2018/19 T.9.1.7 Implement project charter regarding Phase C (Cooperative review with First Nations and planning of Policy Statement amendment process)			Subject to funding in 2017/18 program budget	By whether TPC/EC has undertaken a cooperative review with First Nations and planning of Policy Statement amendment process	Due to start in 2018/19 subject to TC decision re budget request (see T.9.1.6)
		FY 2018/19 T.9.1.8 Develop a draft bylaw to update selected Policy Statement topics	TPC	EC	Subject to funding in 2017/18 program budget	By whether EC and TPC have developed a draft bylaw to update selected Policy Statement topics	Due to start 2018/19,subject to TC decision re budget request (see T.9.1.6)

Islands Trust

STAFF REPORT

File No.: 2960-20

DATE OF MEETING: December 6-8, 2016

TO: Trust Council

FROM: Miles Drew, Bylaw Enforcement Manager

SUBJECT: **BYLAW ENFORCEMENT STATISTICAL REPORT**

REPORT SUMMARY

This report provides the number of enforcement files by local trust area. The reporting function for bylaw enforcement files in the Islands Trust TAPIS program has been substantially improved by in house information technology staff. As a result bylaw enforcement, statistics are now more easily produced and are more reliable.

BACKGROUND

The attached tables and charts give information per Local Trust Area and a total for the numbers of new files opened, numbers of files closed, volume of files, type of files, and length of time files have been open.

COMMENT

These statistical reports show that the number of files is holding steady at around 305. In the last quarter, 48 new files were opened and 59 were closed. The number of files remains high because of the STVR projects taking place on Galiano Island and North Pender Island.

Ticketing under the Bylaw Enforcement Notification Bylaws, which exist in many Local Trust Areas, continues to be a very useful tool. Most tickets result in compliance agreements and the eventual closing of the bylaw enforcement file. In the past months, collections procedures on unpaid tickets were developed, which resulted in several previously-ignored issues suddenly being resolved. Additionally, the first adjudication hearings have been set.

NEXT STEPS

Reports will be updated and presented to the March Trust Council meeting.

Submitted By:	Miles Drew, Bylaw Enforcement Manager	November 3, 2016
Concurrence:	David Marlor, Planning Director	November 15, 2016

ATTACHMENTS

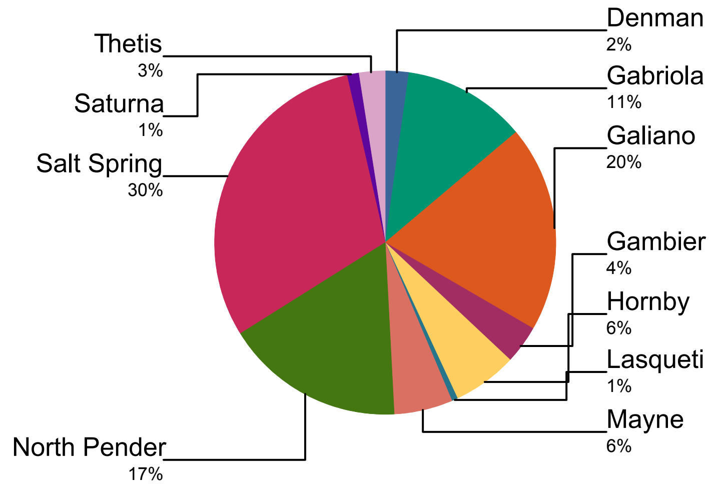
1. Bylaw Enforcement Tables and Charts:
    - File volume
    - New files
    - Closed files
    - Length of time
    - Violation type

Islands Trust

Bylaw Enforcement - File Volume

Local Trust Area	2013		2014		2015		2016	
	Open	%	Open	%	Open	%	Open	%
Denman	11	5%	14	5%	13	4%	7	2%
Executive Committee	0	0%	0	0%	0	0%	0	0%
Gabriola	31	14%	38	15%	38	12%	35	11%
Galiano	29	13%	30	12%	69	22%	60	20%
Gambier	14	6%	16	6%	17	5%	11	4%
Hornby	13	6%	16	6%	16	5%	18	6%
Lasqueti	1	0%	1	0%	1	0%	2	1%
Mayne	10	4%	13	5%	17	5%	17	6%
North Pender	37	16%	32	12%	53	17%	52	17%
Salt Spring	69	31%	86	33%	86	27%	92	30%
Saturna	3	1%	4	2%	1	0%	3	1%
South Pender	0	0%	0	0%	1	0%	0	0%
Thetis	7	3%	9	3%	7	2%	8	3%
TOTAL	225	100%	259	100%	319	100%	305	100%

Open Files

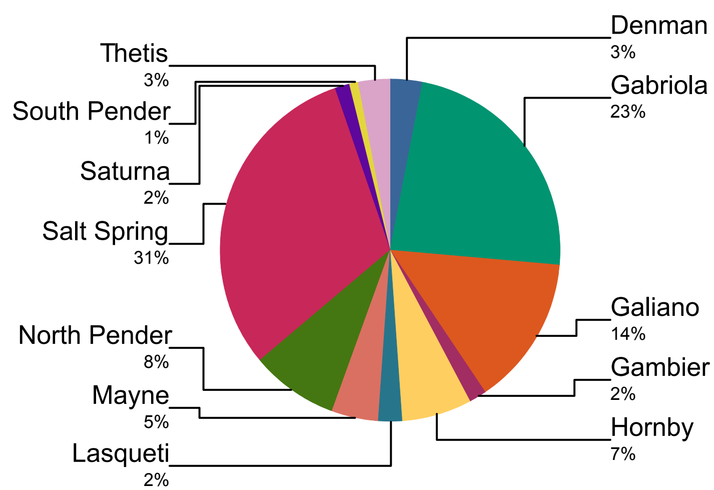


Islands Trust

Bylaw Enforcement - New Files

Local Trust Area	2013		2014		2015		2016		2016 Q1		2016 Q2		2016 Q3		2016 Q4	
	New	%	New	%	New	%	New	%	New	%	New	%	New	%	New	%
Denman	7	7%	4	3%	8	4%	4	3%	0	0%	0	0%	4	8%	0	0%
Executive Committee	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Gabriola	21	20%	32	28%	33	17%	31	23%	10	26%	7	23%	10	21%	4	24%
Galiano	7	7%	8	7%	45	23%	19	14%	13	34%	4	13%	2	4%	0	0%
Gambier	2	2%	3	3%	3	2%	2	2%	0	0%	0	0%	2	4%	0	0%
Hornby	2	2%	4	3%	1	1%	9	7%	0	0%	1	3%	7	15%	1	6%
Lasqueti	0	0%	0	0%	0	0%	3	2%	0	0%	2	6%	1	2%	0	0%
Mayne	11	11%	5	4%	20	10%	6	5%	2	5%	3	10%	1	2%	0	0%
North Pender	11	11%	11	10%	40	20%	11	8%	2	5%	6	19%	2	4%	1	6%
Salt Spring	34	33%	42	37%	41	21%	41	31%	8	21%	7	23%	16	33%	11	65%
Saturna	1	1%	2	2%	2	1%	2	2%	1	3%	1	3%	0	0%	0	0%
South Pender	3	3%	1	1%	1	1%	1	1%	1	3%	0	0%	0	0%	0	0%
Thetis	5	5%	3	3%	4	2%	4	3%	1	3%	0	0%	3	6%	0	0%
TOTAL	**104**	**100%**	**115**	**100%**	**198**	**100%**	**133**	**100%**	**38**	**100%**	**31**	**100%**	**48**	**100%**	**17**	**100%**

New Files

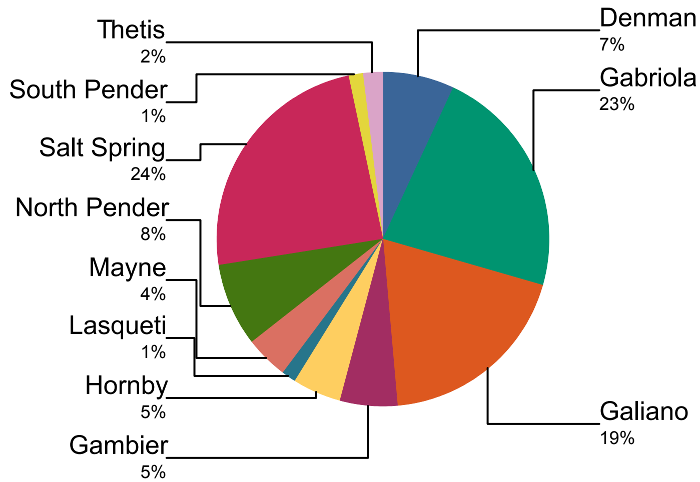


Islands Trust

Bylaw Enforcement - Closed Files

Local Trust Area	2013		2014		2015		2016		2016 Q1		2016 Q2		2016 Q3		2016 Q4	
	Closed	%	Closed	%	Closed	%	Closed	%	Closed	%	Closed	%	Closed	%	Closed	%
Denman	11	7%	1	1%	10	8%	10	7%	0	0%	0	0%	10	17%	0	0%
Executive Committee	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%	0	0%
Gabriola	21	14%	25	32%	28	21%	33	23%	4	14%	17	40%	10	17%	2	13%
Galiano	2	1%	6	8%	6	5%	28	19%	8	28%	7	17%	10	17%	3	19%
Gambier	2	1%	1	1%	2	2%	8	5%	5	17%	0	0%	3	5%	0	0%
Hornby	3	2%	1	1%	1	1%	7	5%	0	0%	0	0%	7	12%	0	0%
Lasqueti	0	0%	0	0%	0	0%	2	1%	0	0%	0	0%	2	3%	0	0%
Mayne	7	5%	2	3%	14	11%	6	4%	1	3%	1	2%	1	2%	3	19%
North Pender	20	13%	15	19%	18	14%	12	8%	3	10%	4	10%	4	7%	1	6%
Salt Spring	70	46%	24	31%	42	32%	35	24%	4	14%	13	31%	11	19%	7	44%
Saturna	6	4%	1	1%	5	4%	0	0%	0	0%	0	0%	0	0%	0	0%
South Pender	4	3%	1	1%	0	0%	2	1%	2	7%	0	0%	0	0%	0	0%
Thetis	6	4%	1	1%	6	5%	3	2%	2	7%	0	0%	1	2%	0	0%
TOTAL	**152**	**100%**	**78**	**100%**	**132**	**100%**	**146**	**100%**	**29**	**100%**	**42**	**100%**	**59**	**100%**	**16**	**100%**

Closed Files

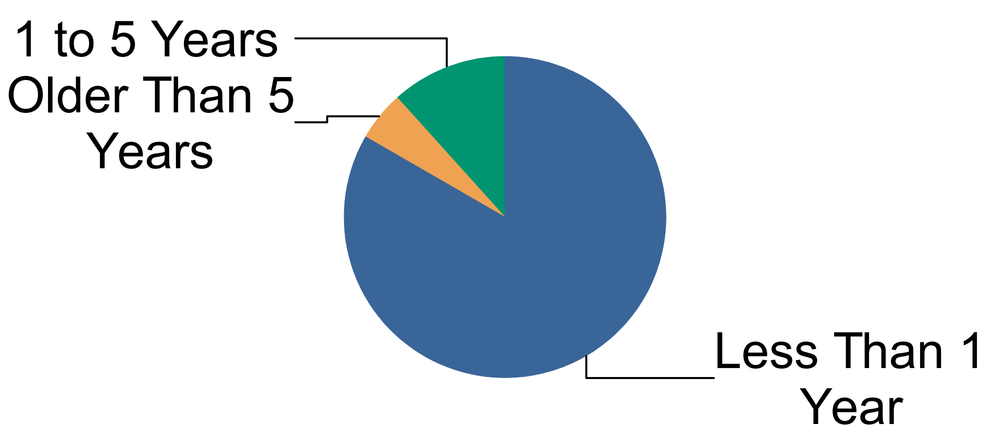


Islands Trust

Bylaw Enforcement - Length of Time Files Have Been Open

Local Trust Area	<1 Year	1-5 Years	>5 Years	Total
Denman	6	1	0	7
Executive Committee	0	0	0	0
Gabriola	25	8	2	35
Galiano	56	1	3	60
Gambier	10	0	1	11
Hornby	16	1	1	18
Lasqueti	2	0	0	2
Mayne	11	6	0	17
North Pender	44	6	2	52
Salt Spring	77	11	4	92
Saturna	2	1	0	3
South Pender	0	0	0	0
Thetis	5	1	2	8
TOTAL	254	36	15	305
%	83%	12%	5%	

File Age



Islands Trust

Bylaw Enforcement - Violation Type

LTC	Development Permit	Foreshore	Home Occupation	Siting	Soil Bylaw	STVR	Vehicles	Unlawful Dwelling	Other Land Use	TOTALS	Percentage
	Violation Type										
Denman	3							1	3	7	2%
Executive Committee											0%
Gabriola	5	3	1	8		1	1	9	7	35	12%
Galiano	3	1	1	6		30	2	7	10	60	20%
Gambier		9		1				1		11	4%
Hornby	2	1		2		1		8	4	18	6%
Lasqueti								1	1	2	1%
Mayne				3		9		2	3	17	6%
North Pender	1	5		3		24	1	6	12	52	17%
Salt Spring	7	2	3	5	7	13	3	28	23	91	30%
Saturna				1		1		1		3	1%
South Pender											0%
Thetis		5						1	2	8	3%
TOTAL	21	26	5	29	7	79	7	65	65	304	100%
Percentage	7%	9%	2%	10%	2%	26%	2%	21%	21%	100%	

December 2016 Islands Trust Council

Closed Session

8:00 a.m. – 8:45 a.m., Thursday, December 8, 2016

Purpose:

1. **To provide an update regarding general employee relations and provide trustees with an opportunity to ask questions regarding confidential labour relations and employee relations at the Islands Trust.**
2. **To approve previous minutes from Trust Council's closed meeting September 2016.**
3. **To provide trustees with an update regarding bylaw enforcement and litigation matters.**

Resources: Russ Hotsenpiller, Chief Administrative Officer (Sections 1-2)
David Marlor, Director, Local Planning Services (Section 3)
Miles Drew, Bylaw Enforcement Manager (Section 3)
Carmen Thiel, Legislative Services Manager (Section 2)

Resolution*:*
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 or other employee relations*
- *litigation affecting the Islands Trust, and*
- *receipt of advice that is subject to solicitor-client privilege;*

and that CAO Russ Hotsenpiller be invited to attend the entire meeting, that other Islands Trust staff be invited to attend Part 2 of the meeting.

TIME	TOPIC	WHO
8:30 - 8:50 a.m.	**1. Council/CAO Session**	Russ Hotsenpiller
8:50 - 8:55 a.m.	**2. Previous Closed Meeting Minutes*** **a. September 2016**	Carmen Thiel
8:55-9:15 a.m.	**3. Summary of Litigation Activity***	David Marlor Miles Drew

TRUST AREA SERVICES
2016-2017 Third Quarter Report

Date: November 18, 2016

COMPLETED SINCE LAST REPORT	PLANNED FOR NEXT QUARTER
1. **TRUST COUNCIL / TRUST PROGRAMS COMMITTEE** • Sent letters to seven Trust Council delegates and guests • Assisted with Salt Spring Transition Plan • Participated in Select Committee to Review Victoria Office Location • Report to Trust Council re marine protection options • Updated legislative monitoring report for Dec. TC • Delivered revised Policy Statement amendment process as part of First Nations relationship report • Delivered RFDs proposing revisions to the Policies 2.1.xi and 5.7.i • Submitted 2017-18 budget requests for $25K for water and marine conservation, $15K for Policy Statement engagement and $10K for census reports	• Continue to implement State of the Islands project • Complete guidelines for gift exchange with First Nations • Research water conservation tools and current regulatory environments • Develop advocacy session for March Trust Council • Develop Species at Risk session for future Trust Council • Deliver Community Stewardship Awards program • Work with BC Hydro and Bowen Island Municipality to assess the future need for a letter of understanding concerning the use of pesticides during BC Hydro's woodpole test and treat program.

2. **AGENCY LIAISON and ADVOCACY**
• Collaborated on First Nations Language and Tone Guide
• Supported EC and CAO meetings at UBCM convention
• Advised EC re Steelhead LNG and Malahat LNG
• Chair correspondence to:
  ○ Ministerial panel re Transmountain pipeline
  ○ BC EAO re BURNCO
  ○ CEAA re Roberts Bank Terminal 2
  ○ ALC re Oct 17 meeting
  ○ MOTI re Oct 12 meeting
  ○ Howe Sound Fixed Link consultant re feasibility
  ○ Environment Canada and Climate Change re Species at Risk Act draft policies
  ○ Prime Minister re Ocean Protection Plan
	• Continue to negotiate amendments to agreements with the Ministry of Forests, Lands and Natural Resource Operations in partnership with Bowen Island Municipality.
	• Support consultations re Pacific Pilotage Authority anchorage proposal near Gabriola Island (delayed)
	• Continue participation in Regional Advisory Council on Oil Spill Response meetings (on-hold pending federal funding availability)
	• Continue participation in Joint Working Group for Removal of Problem Vessels meetings (September)
	• Develop advice re fallow deer
	• Develop advice re encouraging transboundary oil spill response improvements

3. **COMMUNICATIONS**
• Distributed 2015-2016 Annual Report to Minister etc.
• Attended two open houses re Salt Spring incorporation
• Distributed results of State-of-the-Islands survey and Council visioning exercise
• Finalized media relations tips for trustees and staff
• Supported First Nations event on Saturna Island
• Issued three news releases:
  ○ SSI Transition Plan
  ○ December Council program
  ○ Rezoning on Galiano Island
• Issues management and media relations support (FAQs, keys messages and coaching) for:
  ○ SSI Transition plan
• Twitter: 23 new followers (796) and 3 new tweets (640)
	• Support electronic document management project
	• Develop public engagement on 2017-18 budget
	• Continue working with LPS and Legislative Services Manager on improving public hearing notices
	• Develop corporate identity guide
	• Develop corporate communications strategy
	• Support First Nations and Public Engagement
	• Communications support for Council visioning project (widen use of vision graphic)
	• Update Islands Trust promotional signs at BC Ferries terminals
	• Explore ways to better manage Islands Trust multimedia assets – images, audio and video data
	• Promote Islands Trust-specific terminology guide to trustees and staff
	• Update Communications Policy

Top Priorities

Trust Programs Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
1	Amend Crown Land Cooperation Agreements (Strategic plan 8.1)	Engage Bowen Island Municipality and the Province of B.C. in updating and consolidating six existing agreements into one. Consider implications for First Nations relationships.		Lisa Gordon Clare Frater	
2	Review the Islands Trust Policy Statement (Strategic plan 9.1)	a) State of the Islands project b) Support First Nations and public engagement related to this project		Clare Frater Lisa Gordon	
3	Protect Quality and Quantity of Water Resources (Strategic plan 4.3)	Prepare to advocate for and educate about water conservation measures (phase 1 staff training and assessment of capacity and scope).		Clare Frater Lisa Gordon	

Projects

Trust Programs Committee

Description	Activity	R/Initiated
Protect quality and quantity of water resources	Advocate for and educate about water conservation measures (phase 2 e.g. rainwater catchment, greywater recycling) (2016-17)	
Enhance (protect / restore) community character, socio-economic diversity and economic sustainability	Work with other agencies to promote economic sustainability (2016-18) Facilitate exploration of intra and inter-island transportation routes (2017-19)	

Trust Programs Committee

No.	Description	Activity	R/Initiated	Responsibility	Target Date
	Strengthen relations with First Nations	Improve protection of archaeological and First Nations cultural resources (2017-20)			
	Improve cooperation and integration with other levels of government	Explore opportunities and benefits of working with UNESCO and the TFB and others re: UN Biosphere Reserve. (2016-18)			
	Improve community and agency understanding and support of the Islands Trust	Policy statement amendment process (2016-18)			

ISLANDS TRUST FUND

TRUST FUND BOARD
REPORT TO TRUST COUNCIL
3rd Quarter 2016-2017

COMPLETED SINCE LAST REPORT	PLANNED FOR NEXT QUARTER
1. STRATEGIC PLANNING/ADMINISTRATION	
Provided orientation to Hoops Harrison, newly appointed Trust Fund Board member (one vacancy remains) Completed Land Securement Strategy regarding voluntary protection of high biodiversity priority areas provided to TFB (Regional Conservation Plan work item) All staff and three TFB members attended annual seminar series of Land Trust Alliance of B.C. Kate Emmings recognized with "Outstanding Land Trust Staff Person of the Year" award. Provided Audited Financial Statements to Trust Council	Provide feasibility assessment of a working landscape conservation program for Board consideration Complete work on Property Management Strategy to assist decision making and resource allocation Complete mapping forage fish habitat for Lasqueti, Galiano, Salt Spring, Secretary, Wallace and Valdes Islands
2. COVENANT AND PROPERTY ACQUISITIONS	
	Negotiate eight covenants (Denman, Link, South Pender, Galiano, Salt Spring (3) & Lasqueti) Assist Thetis Island Nature Conservancy with negotiations to purchase 16 hectare Fairyslipper Forest (Lower Burchell Hill) Negotiate transfer of three nature reserves (Denman, Thetis & Keats)
3. COVENANT AND PROPERTY MANAGEMENT	
Approved revised Cyril Cunningham Nature Reserve Management Plan (Salt Spring) Approved first Burren's Acres Nature Reserve Management Plan (Gabriola) Collected and removed garbage from Kwel Nature Reserve (Lasqueti)	Obtain covenant holder and board approval for the revised Cyril Cunningham Nature Reserve Management Plan (Salt Spring) Initiate partnership projects to research species at risk on TFB nature reserves and revise management plans to address recovery of species at risk

As of December 2016 the Trust Fund Board owns 26 properties and holds 73 covenants (of which 24 have NAPTEP certificates)

Consulted First Nations, partner groups and neighbours of Burren's Acres (Gabriola) and Kwel (Lasqueti) Nature Reserves regarding development or revision of management plans Issued letters regarding annual monitoring of all TFB nature reserves and covenants to partners and landowners	Seek quotes for boardwalk development at Elder Cedar Nature Reserve, if funding application is successful (Gabriola) Complete Kwel Nature Reserve (Lasqueti) Management Plan Restore disturbed area at David Otter Nature Reserve (Bowen) through site preparation and tree planting Complete Singing Woods Nature Reserve (Bowen) Management Plan Remove and dispose of invasive species from McFadden Creek Nature Sanctuary
4. COMMUNICATIONS	
Developed Heron Newsletter and distributed to 288 mail recipients and 644 email recipients Partnered with Salt Spring staff to host a booth at Salt Spring Island Fall Fair, including a family friendly interpretive game Delivered a Conservation Covenant presentation at the Gulf Islands Realtors Conference on Gabriola Island	Issue news release and update webpage for new Hornby Island conservation covenant; update 'Conservation Success Stories' webpage Continue improving recognition of First Nations rights and interests in key documents and communications Develop communications materials highlighting TFB's 100 conservation properties Develop print newsletter directed to covenant landowners to accompany annual monitoring information
5. FUNDRAISING AND CONSERVANCY SUPPORT	
Submitted proposal to TD Friends of the Environment Foundation for funding to build raised boardwalks in two areas of the Elder Cedar S'ul-hween X'pey Nature Reserve (Gabriola)	Continue to identify grant opportunities from foundations and corporations for various projects Apply to several granting organizations for funding to complete acquisition of Fairyslipper Forest (Thetis)

BRIEFING

To:	**Trust Council**	**For the Meeting of:**	December 6-8, 2016
From:	**Trust Fund Board**	**Date prepared:**	November 8, 2016

SUBJECT: **AUDITED FINANCIAL STATEMENTS OF THE ISLANDS TRUST FUND FOR 2015-16**

DESCRIPTION OF ISSUE: The audited financial statements of the Islands Trust Fund for the year ended March 31, 2016 were approved by the Trust Fund Board at their July 19, 2016 meeting and are being provided here for information.

BACKGROUND: The *Islands Trust Act* Section 46 requires the Trust Fund Board to prepare and submit to Trust Council a report respecting the previous fiscal year that includes an audited balance sheet, a statement of revenue and expenditures and a schedule of all assets held in trust, with their valuation.

ATTACHMENT(S): Financial Statements of the Islands Trust Fund, Year Ended March 31, 2016

AVAILABLE OPTIONS: Receive audited financial statements for information.

FOLLOW-UP: The Audited Financial Statements of the Islands Trust Fund have been included in the Islands Trust 2015-16 Annual Report and have been posted to the islands Trust Fund website.

Prepared By: Jennifer Eliason, Manager, Islands Trust Fund

Reviewed By: Lisa Gordon, Director, Trust Area Services

Date:

Russ Hotsenpiller, Chief Administrative Officer

Financial Statements of

THE ISLANDS TRUST FUND

Year ended March 31, 2016

KPMG LLP
St. Andrew's Square II
800-730 View Street
Victoria BC V8W 3Y7
Canada
Telephone (250) 480-3500
Fax (250) 480-3539

INDEPENDENT AUDITORS' REPORT

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

We have audited the accompanying financial statements of The Islands Trust Fund, which comprise the statement of financial position as at March 31, 2016, the statements of operations, changes in fund balances 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 qualified audit opinion.

Basis for Qualified Opinion

In common with many charitable organizations, The Islands Trust Fund derives revenue from donations, the completeness of which is not susceptible to satisfactory audit verification. Accordingly, verification of these revenues was limited to the amounts recorded in the records of The Islands Trust Fund. Therefore, we were not able to determine whether as at March 31, 2016 and for the years ended March 31, 2016 and March 31, 2015, any adjustments might be necessary to revenue and excess of revenue over expenses reported in the statement of operations, statement of cash flows, statement of changes in fund balances and assets and fund balances reported in the statement of financial position as at March 31, 2016. This caused us to qualify our audit opinion on the financial statements as at and for the year ended March 31, 2015.

Qualified Opinion

In our opinion, except for the possible effects of the matter described in the Basis for Qualified Opinion paragraph, the financial statements present fairly, in all material respects, the financial position of The Islands Trust Fund as at March 31, 2016, its results of operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

KPMG LLP

Chartered Professional Accountants

July 19, 2016
Victoria, Canada

THE ISLANDS TRUST FUND

Statement of Financial Position

March 31, 2016, with comparative information for 2015

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	2016 Total	2015 Total (Schedule 1)
Assets:						
Current assets:						
Cash	$ 34,501	$ 325,829	$ -	$ -	$ 360,330	$ 250,723
Short-term investments (note 2)		151,785	-	88,000	239,785	246,653
Inventory of fundraising items	1,612	-	-	-	1,612	1,785
	36,113	477,614	-	88,000	601,727	499,161
Investments (note 3)	-	63,257	-	-	63,257	60,212
Land (notes 4 and 6)	-	-	7,073,903	5,396,601	12,470,504	12,470,504
	$ 36,113	$ 540,871	$ 7,073,903	$ 5,484,601	$ 13,135,488	$ 13,029,877
Liabilities:						
Current liabilities:						
Accounts payable	$ -	$ -	$ -	$ -	$ -	$ 1,024
Fund Balances:						
Unrestricted	36,113	-	-	-	36,113	33,295
Investment in land (note 4)	-	-	7,073,903	-	7,073,903	7,073,903
Internally restricted (note 5)	-	24,320	-	-	24,320	32,697
Externally restricted (note 5)	-	516,551	-	-	516,551	404,357
Restricted for endowment purposes (note 6)	-	-	-	5,484,601	5,484,601	5,484,601
	36,113	540,871	7,073,903	5,484,601	13,135,488	13,028,853
	$ 36,113	$ 540,871	$ 7,073,903	$ 5,484,601	$ 13,135,488	$ 13,029,877

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

Approved by the Trust Fund Board:

Tony Law Board member

Board member

THE ISLANDS TRUST FUND

Statement of Operations

Year ended March 31, 2016, with comparative information for 2015

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	2016 Total	2015 Total
						(Schedule 2)
Revenue:						
Donations:						
Cash	$ 2,895	$ 111,752	$ -	$ -	$ 114,647	$ 137,410
Land	-	-	-	-	-	401,040
Grants	-	5,053	-	-	5,053	3,758
Rental income	-	10,200	-	-	10,200	10,200
Investment income (loss)	23	(3,430)	-	-	(3,407)	15,883
Sale of fundraising items	150	-	-	-	150	613
	3,068	123,575	-	-	126,643	568,904
Expenses:						
Repairs and maintenance - Alton property	-	11,286	-	-	11,286	5,423
Cost of sales of fundraising items	173	-	-	-	173	443
Bank charges	77	72	-	-	149	23
Donations to conservancy groups	-	-	-	-	-	3,800
Consultant fees	-	8,400	-	-	8,400	-
	250	19,758	-	-	20,008	9,689
Excess of revenue over expenses	$ 2,818	$ 103,817	$ -	$ -	$ 106,635	$ 559,215

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

THE ISLANDS TRUST FUND

Statement of Changes in Fund Balances

Year ended March 31, 2016, with comparative information for 2015

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	Total
Fund balances, March 31, 2014	$ 34,056	$ 299,679	$ 7,073,903	$ 5,062,000	$ 12,469,638
Excess (deficiency) of revenue over expenses	(761)	158,936	-	401,040	559,215
Interfund transfer (note 7)	-	(21,561)	-	21,561	-
Fund balances, March 31, 2015	33,295	437,054	7,073,903	5,484,601	13,028,853
Excess of revenue over expenses	2,818	103,817	-	-	106,635
Fund balances, March 31, 2016	$ 36,113	$ 540,871	$ 7,073,903	$ 5,484,601	$ 13,135,488

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

THE ISLANDS TRUST FUND

Statement of Cash Flows

Year ended March 31, 2016, with comparative information for 2015

	2016	2015
Cash provided by (used in):		
Operating activities:		
Excess of revenue over expenses	$ 106,635	$ 559,215
Item not involving cash:		
Donation of land	-	(401,040)
Changes in non-cash operating working capital:		
Inventory of fundraising items	173	443
Accounts payable	(1,024)	1,024
	105,784	159,642
Capital activities:		
Cash paid to acquire land	-	(21,561)
Investing activities:		
Decrease in short-term investments	6,868	47,536
Increase in long-term investments	(3,045)	(61,675)
	3,823	(14,139)
Increase in cash	109,607	123,942
Cash, beginning of year	250,723	126,781
Cash, end of year	$ 360,330	$ 250,723

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

The 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.

The Islands Trust Fund (the "Trust Fund") is also incorporated under The Islands Trust Act of British Columbia and is empowered to accept donations, grants and bequests on behalf of the Trust and to hold land and other property in compliance with a Trust Fund plan approved by the Ministry of Community, Sport and Cultural Development.

The Trust Fund is administered by the Trust and for financial reporting purposes, the Trust and the Trust Fund are reported on separately. The Trust Fund's annual expenses are funded by and reported as part of the Trust in accordance with The Islands Trust Act. These financial statements present the financial position and changes in fund balances of the Trust Fund.

1. Significant accounting policies:

The financial statements have been prepared in accordance with Canadian Public Sector Accounting Standards including the 4200 standards for government not-for-profit organizations:

(a) Fund accounting:

The Trust Fund follows the restricted fund method of accounting for contributions.

The Opportunity Fund reports unrestricted resources.

The Restricted Fund reports the assets, liabilities, revenue and expenses related to internally and externally restricted assets.

The Capital Fund reports the assets, liabilities, revenue and expenses related to the Trust Fund's capital assets.

The Endowment Fund reports resources that are contributed for endowment purposes.

(b) Financial instruments:

Financial instruments are recorded at fair value on initial recognition. Derivative instruments and equity instruments that are quoted in an active market are reported at fair value. All other financial instruments are subsequently recorded at cost or amortized cost unless management has elected to carry the instruments at fair value. Management has elected to record all investments at fair value as they are managed and evaluated on a fair value basis.

Unrealized changes in fair value are recognized in the statement of remeasurement gains and losses until they are realized, when they are transferred to the statement of operations.

1. Significant accounting policies (continued):

(b) Financial instruments (continued):

Transaction costs incurred on the acquisition of financial instruments measured subsequently at fair value are expensed as incurred. All other financial instruments are adjusted by transaction costs incurred on acquisition and financing costs, which are amortized using the straight-line method.

All financial assets are assessed for impairment on an annual basis. When a decline is determined to be other than temporary, the amount of the loss is reported in the statement of operations and any unrealized gain is adjusted through the statement of remeasurement gains and losses. When the asset is sold, the unrealized gains and losses previously recognized in the statement of remeasurement gains and losses are reversed and recognized in the statement of operations. During the years presented, there are no unrealized gains and losses, and as a result, no statement of remeasurement gains and losses has been included in these financial statements. All investments held by the Trust Fund are classified as Level 2 investments for fair value measurement and there were no changes in classification in the years presented.

(c) Land:

Purchased land is recorded at cost. Contributed land is recorded at estimated fair value at the date of contribution.

(d) Revenue recognition:

Restricted contributions are recorded as revenue of the appropriate restricted fund when received or receivable, if the amount can be reasonably estimated and collection is reasonably assured.

Unrestricted contributions are recorded as revenue of the Opportunity Fund in the year received or receivable if the amount can be reasonably estimated and collection is reasonably assured.

Contributions for endowment are recorded as revenue in the Endowment Fund balance.

Interest income earned on Endowment Fund resources is restricted for the purpose of maintaining certain specified property and is recorded in the Restricted Fund. Interest income of internally restricted funds is recorded as revenue of the Restricted Fund. Other interest income is recorded as revenue of the Opportunity Fund when earned.

All other forms of income are recorded as revenue of the Opportunity Fund when received or receivable.

1. Significant accounting policies (continued):

(e) Liability for contaminated sites:

A liability for contaminated sites is recognized when a site is not in productive use and the following criteria are met:

(i) an environmental standard exists;

(ii) contamination exceeds the environmental standard;

(iii) the Trust is directly responsible or accepts responsibility;

(iv) it is expected that future economic benefits will be given up; and

(v) a reasonable estimate of the amount can be made.

The liability is recognized as management's estimate of the cost of post-remediation including operation, maintenance and monitoring that are an integral part of the remediation strategy for a contaminated site.

(f) Use of estimates:

The preparation of financial statements in conformity with Canadian generally accepted accounting principles requires management to make estimates and assumptions which affect the reported amounts of assets and liabilities and disclosures of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenditures during the period. Significant estimates include assumptions used in estimating the fair value of contributed land at the date of contribution. Actual results could differ from those estimates.

2. Short-term investments:

Short-term investments consist of an endowment fund with the Victoria Foundation and Municipal Finance Authority of British Columbia (“MFA”) Bond and Money Market Funds. Investments in MFA Funds are recorded at cost plus earnings reinvested in the funds.

3. Investments:

Investments consist of a guaranteed investment certificate that matures on April 16, 2019. It has an interest rate of 2.55%.

4. Land:

	Acquisition date	2016	2015
Inner Island Nature Reserve, Denman Island	1992	$ 70,000	$ 70,000
Coats Millstone Reserve, Gabriola Island	1994	100,000	100,000
Medicine Beach Nature Sanctuary, North Pender Island	1996	477,000	477,000
Cunningham Reserve, Salt Spring Island	1994	265,000	265,000
Deep Ridge Reserve, Salt Spring Island	1992	255,000	255,000
Lower Mt. Erskine Nature Reserve, Salt Spring Island	1996	284,000	284,000
Kwel Nature Sanctuary, Lasqueti Island	1997	195,497	195,497
Singing Woods Nature Reserve, Bowen Island	1999	157,000	157,000
Trincomali Nature Sanctuary, Galiano Island	2001	242,406	242,406
Horton Bayviary Nature Reserve, Mayne Island	2002	210,000	210,000
Morrison Marsh Nature Reserve, Denman Island	2006	438,000	438,000
Brigade Bay Bluffs Nature Reserve, Gambier Island	2006	150,000	150,000
Long Bay Wetland Nature Reserve, Gambier Island	2006	305,000	305,000
Elder Cedar Nature Reserve, Gabriola Island	2007	658,000	658,000
Mount Artaban Nature Reserve, Gambier Island	2009	1,177,000	1,177,000
Fairy Fen Nature Reserve, Bowen Island	2011	1,817,000	1,817,000
Laughlin Lake Nature Reserve, Galiano Island	2013	56,000	56,000
Vanilla Leaf Land Nature Reserve, Galiano Island	2014	217,000	217,000
		$ 7,073,903	$ 7,073,903

5. Restricted Fund balances:

	2016	2015
Internally restricted:		
McFadden Creek management fund	$ 24,320	$ 32,697
Externally restricted:		
Alton Nature Reserve - maintenance fund	76,394	80,115
Morrison Fund	20,057	20,046
Covenant Defense Fund	100,197	62,617
Lasqueti Acquisition Fund	32,533	31,761
Gambier Acquisition Fund	115,173	113,602
Thetis Island Acquisition Fund	172,197	96,216
	516,551	404,357
	$ 540,871	$ 437,054

6. Restricted for endowment purposes:

	Acquisition date		2016		2015
Short-term investments:					
Alton Nature Reserve - maintenance	2002	$	88,000	$	88,000
Land:					
Lindsay Dickson Nature Reserve, Denman Island	2001		2,200,000		2,200,000
Alton Nature Reserve, Salt Spring Island	2002		454,000		454,000
McFadden Creek Nature Sanctuary, Salt Spring Island	2015		422,601		422,601
Properties acquired under the Federal Government Ecological Gifts program:					
Mt. Trematon Nature Reserve, Lasqueti Island	2006		320,000		320,000
David Otter Nature Reserve, Bowen Island	2007		620,000		620,000
John Osland Nature Reserve, Lasqueti Island	2012		890,000		890,000
Valens Brook Nature Reserve, Denman Island	2013		280,000		280,000
Burren's Acres Nature Reserve, Gabriola Island	2014		210,000		210,000
			5,396,601		5,396,601
Total restricted for endowment purposes		$	5,484,601	$	5,484,601

Investment gains (losses) on endowment funds for the year of ($6,966) (2015 - $9,352) have been recorded in the Restricted Fund.

Two properties owned by the Trust Fund Board, the Lindsay Dickson property on Denman Island, and the Alton property on Salt Spring Island, were donated on the condition that the properties be used and managed in certain ways. The Lindsay Dickson property was donated "for so long as the land is used as a nature reserve for the use, benefit and enjoyment of the residents of B.C.". The Alton property is to be held, managed and preserved for its ecological environment and scenic features and not as a recreational park. The residence, gardens and driveway are to be preserved and managed for non-profit purposes.

In the event that these properties are not managed accordingly, the properties could revert to the Province of British Columbia in the case of the Lindsay Dickson Nature Reserve and to the Executors of the donor's estate in the case of the Alton Nature Reserve.

In 2015, the McFadden Creek Nature Sanctuary on Salt Spring Island was donated to the Trust Fund on the condition that the property was to be protected, preserved and maintained in its natural state. Should a disposition of this property ever be triggered, there is a Right of First Refusal on the property in favor of the Wild Bird Trust of BC.

Certain properties as listed in the preceding table were acquired under the Federal Government Ecological Gift program. Recipients of ecological gifts are responsible for maintaining the biodiversity and environmental heritage values of the property in perpetuity.

7. Interfund transfer:

During the year, there were no interfund transfers (2015 - $21,651). In prior year there were interfund transfers from the Restricted Fund to the Endowment Fund, representing cash paid to acquire the McFadden Creek Nature Sanctuary.

8. Related party:

The Trust is related to the Trust Fund through the composition of the Trust Fund's Board. The Trust Fund's Board is comprised of three members from the Trust's Council and up to three members appointed by the Minister of Community, Sport and Cultural Development.

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

	2016	2015
Operations	$ 432,813	$ 433,061
Board	15,155	17,319
Administration	156,306	132,925
	$ 604,274	$ 583,305

9. Financial risks and concentration of risk:

The Trust Fund's financial instruments consist of cash, short-term investments, investments and accounts payable. It is management's opinion that the Trust Fund is not exposed to significant interest, currency or credit risk arising from these financial instruments. The maximum exposure to credit risk at March 31, 2016 is the carrying value of cash, short-term investments and investments. The Trust Fund deals with creditworthy counterparties to mitigate credit risk. The Trust Fund manages its liquidity risk by monitoring its operating requirements. Interest rate risk is not significant due to the short term nature of investments held. There have been no significant changes to risk exposure in the years presented.

THE ISLANDS TRUST FUND

Statement of Financial Position

Schedule 1

March 31, 2015

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	2015 Total
Assets:					
Current assets:					
Cash	$ 31,510	$ 219,213	$ -	$ -	$ 250,723
Short-term investments	-	158,653	-	88,000	246,653
Inventory of fundraising items	1,785	-	-	-	1,785
	33,295	377,866	-	88,000	499,161
Investments (note 3)	-	60,212	-	-	60,212
Land (notes 4 and 6)	-	-	7,073,903	5,396,601	12,470,504
	$ 33,295	$ 438,078	$ 7,073,903	$ 5,484,601	$ 13,029,877
Liabilities					
Current liabilities:					
Accounts payable	$ -	$ 1,024	$ -	$ -	$ 1,024
Fund Balances					
Unrestricted	33,295	-	-	-	33,295
Investment in land (note 4)	-	-	7,073,903	-	7,073,903
Internally restricted (note 5)	-	32,697	-	-	32,697
Externally restricted (note 5)	-	404,357	-	-	404,357
Restricted for endowment purposes (note 6)	-	-	-	5,484,601	5,484,601
	33,295	437,054	7,073,903	5,484,601	13,028,853
	$ 33,295	$ 438,078	$ 7,073,903	$ 5,484,601	$ 13,029,877

THE ISLANDS TRUST FUND

Statement of Operations

Schedule 2

Year ended March 31, 2015

	Opportunity Fund	Restricted Fund	Capital Fund	Endowment Fund	2015 Total
Revenue:					
Donations:					
Cash	$ 2,805	$ 134,605	$ -	$ -	$ 137,410
Land	-	-	-	401,040	401,040
Grants	-	3,758	-	-	3,758
Rental income	-	10,200	-	-	10,200
Investment income	87	15,796	-	-	15,883
Sale of fundraising items	613	-	-	-	613
	3,505	164,359	-	401,040	568,904
Expenses:					
Repairs and maintenance - Alton property	-	5,423	-	-	5,423
Cost of sales of fundraising items	443	-	-	-	443
Bank charges	23	-	-	-	23
Donations to conservancy groups	3,800	-	-	-	3,800
	4,266	5,423	-	-	9,689
Excess (deficiency) of revenue over expenses	$ (761)	$ 158,936	$ -	$ 401,040	$ 559,215

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** December 6-8, 2016

From: Trust Programs Committee **Date Prepared:** November 14, 2016

SUBJECT: **COMMUNITY STEWARDSHIP AWARD POLICY AMENDMENTS**

RECOMMENDATION:
That the Islands Trust Council amend Policy 2.1.xi Community Stewardship Awards Program dated September 9, 2014 with Policy 2.1.xi Community Stewardship Awards Program dated December 7, 2016.

CAO COMMENTS:
The proposed amendments reflect Trust Programs Committee's experience with evaluating nominations and add greater weight to the effort and duration of the nominee's project.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The newly proposed criteria for evaluating nominations may make it easier for trustees to evaluate nominations. Previous evaluations had not given as much weight to the effort and duration of the nominee's project.

FINANCIAL: None

POLICY: This recommendation would amend Policy 2.1.xi Community Stewardship Awards Program.

IMPLEMENTATION/COMMUNICATIONS: Staff will circulate the revised policy to holders of the Islands Trust Policy Manual and post it on the Islands Trust website. Staff will amend the program webpage and promote the new criteria when launching the program in early 2017 and amend the scoring sheets in time for the May 2017 meeting of TPC.

OTHER: None

BACKGROUND

Since Trust Council launched the awards program in 2013, Council has amended the award categories and evaluation criteria several times.

Currently, the categories are: individuals, organizations, or other. The 'other' category may include, but is not limited to awards for enduring achievement, climate change (adaptation and/or mitigation), youth or posthumous recognition.

On November 14, 2016, Trust Programs Committee resolved to recommend to Trust Council that it amend Policy 2.1.xi to add two criteria: 1) time and effort and 2) ongoing public service.

The Trust Programs Committee evaluates and recommends award recipients 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 while considering:

a) the confidential comments provided by local trustees; and

b) the following criteria:

i. relationship of project or work to the Islands Trust Policy Statement
ii. benefits to the community or Trust Area
iii. collaboration with others
iv. innovation
v. community support

The newly proposed criteria are “time and effort” and “ongoing public service.” Previous evaluations had not given as much weight to the effort and duration of the nominee’s project.

REPORT/DOCUMENT:
1) Policy 2.1.xi Community Stewardship Awards Program (proposed revisions **underlined in bold**)

KEY ISSUE(S)/CONCEPT(S):
The awards program has consistent and clearly defined criteria with which to evaluate nominees.

RELEVANT POLICY:

DESIRED OUTCOME:
Continued excellence in delivering the Community Stewardship Award Program.

RESPONSE OPTIONS

Recommended:

That the Islands Trust Council adopt amendments to Policy 2.1.xi Administration of Community Stewardship Awards Program in the version dated December 9, 2016*.*

Alternative:

1) That different revisions to Policy 2.1.xi Community Stewardship Awards Program be adopted. E.g. Add or delete additional criteria.

2) That Policy 2.1.xi Community Stewardship Awards Program not be amended at this time.

Prepared By: **Lisa Gordon, Trust Area Services Director**

Reviewed By/Date: Executive Committee, November 23, 2016

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Chief Administrative Officer

Policy:	2.1.11
Approved By:	Trust Council
Approval Date:	March 7, 2003
Amendment Date(s):	December 5, 2003; September 16, 2005; December 8, 2006; March 11, 2009; September 16, 2009; September 10, 2014; **December 7, 2016**
Policy Holder:	Director of Trust Area Services

COMMUNITY STEWARDSHIP AWARDS PROGRAM POLICY

(proposed amendments in **bold underline**)

Purpose

1. To define policies that will ensure a fair and effective Community Stewardship Awards program in accordance with related policies of the Islands Trust Council.

2. To provide an opportunity for the Islands Trust to proactively and positively engage island communities in promoting stewardship within the Trust Area.

A. Definitions

n/a

B. Policy

GENERAL

1. The Islands Trust Council will establish an Islands Trust Community Stewardship Awards Program to recognize and encourage the actions of individuals and organizations that support the mandate of the Islands Trust.

2. The Islands Trust Council will offer the Community Stewardship Award program every two years, on odd-numbered years.

3. The Trust Programs Committee of Trust Council will be responsible for initiating the Islands Trust Community Stewardship Awards Program in the first quarter of an odd-numbered year.

NOMINATION ELIGIBILITY

4. The program will be open to any individual, school (or classroom), community group, non-profit or business entity that has demonstrated efforts to enhance a community or its environment in the Trust Area in a manner consistent with the mandate of the Islands Trust.

5. Current staff members, contractors, and trustees are not eligible as individual nominees and only become eligible twenty-four months after receiving final payment from the Islands Trust.

6. Organizations are not eligible as nominees if current staff members, contractors or trustees played a leadership role in the organization during the implementation of the nominated project or work.

7. Organizations that provide goods or services to the Islands Trust are eligible so long as the nominated project did not receive payment from the Islands Trust.

8. Projects that have received support from the Trust Fund Board are eligible if the value of the Islands Trust Fund cash and in-kind support is less than 50% of project budget.

9. Nominations can relate to either a single project, or to work carried out over a period.

10. At the time of nomination, the project or work must be ongoing or must have been completed within the previous twenty-four months.

11. Nominations must be received by the deadline established by the Islands Trust. Nominations submitted after the deadline will not be accepted unless the delay is due to a technical or logistical error on the part of the Islands Trust.

NOMINATION PROCESS

12. Nominations will be invited under the categories of individuals, organizations, or other. The 'other' category may include, but is not limited to awards for enduring achievement, climate change (adaptation and/or mitigation), youth, or posthumous recognition.

13. Members of the public and other agencies may nominate individuals or organizations.

14. Each nominator may make one nomination per category every two years.

15. All nominators will be required to fill out the Islands Trust Community Stewardship Awards Nomination Form.

16. Each individual or organization nominated for an award must indicate acceptance of the nomination by signing the nomination form, or by sending an email to accept the nomination and to confirm the information provided in their nomination form is accurate.

17. After the close of nominations, each nominee will receive a letter from the Islands Trust Chair recognizing their nomination.

NOMINATION EVALUATION

18. In May of odd-numbered years, the Trust Programs Committee will evaluate and recommend award recipients 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 while considering:
    - 18.1 the confidential comments provided by local trustees; and
    - 18.2 the following criteria:
        - 18.2.1 relationship of project or work to the Islands Trust Policy Statement;
        - 18.2.2 benefits to the community or Trust Area;
        - 18.2.3 collaboration with others;
        - 18.2.4 innovation;
        - 18.2.5 community support;
        - **18.2.6** **time and effort; and**
        - **18.2.7** **ongoing public service.**

19. In June of odd-numbered years, the Islands Trust Council will decide upon the Community Stewardship Award recipients while considering the items in section 18 above as well as the Trust Program's Committee's recommendations.

20. Nominations will be evaluated based on the information in the nomination form. Letters of support or other supporting materials will not be part of the evaluation.

AWARD PRESENTATION

1. Local trust committees and/or island municipalities will present the awards to the recipients. If an Islands Trust Council meeting is scheduled on a recipient's island in September, the local trust committee may choose instead to present the award(s) at that meeting.

2. The Awards will consist of framed certificates and/or small mementoes that represent the unique nature of the Islands Trust Area and, where practical, are constituted from products distinct to the Islands Trust Area.

PROGRAM COSTS AND FEES

1. The cost for each award will not exceed $100.

2. Local trust committees may use up to $100 from their local trust committee budgets to cover the costs of a public presentation ceremony.

C. Legislated References

1. Islands Trust Policy Statement, Part II - The Islands Trust Object and its meaning

   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.

2. Islands Trust Council Policy 6.5.3 Purchasing Procedure

D. Links to Supporting Forms, Documents, Websites, Related Policies and Procedures

n/a

REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** December 6-8, 2016

From: Executive Committee **Date Prepared:** November 16, 2016

SUBJECT: CONSEQUENTIAL AMENDMENTS TO POLICY 5.7.i

RECOMMENDATION:

That the Islands Trust Council replace Policy 5.7.i Bylaw Checklists dated June 16, 2005 with Policy 5.7.i Bylaw Checklists dated December 7, 2016.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: The recommended housekeeping amendments to policy 5.7.i reflect Trust Council's decision in March 2016, through the adoption of a revised Policy Statement Implementation Policy (1.3.i), to eliminate the rarely-used Council Commitments and Recommendations Checklist and to change the name of the Directives Only Checklist to Directives Checklist.

IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: This policy change is will ensure that a Council policy does not refer to a rescinded checklist and that the Directives Checklist is updated.

FINANCIAL: None

POLICY: The recommendations would amend Policy 5.7.i "Bylaw Checklist".

IMPLEMENTATION/COMMUNICATIONS:
The revised policy will be circulated to holders of the Islands Trust Policy Manual and placed on the Islands Trust website. The Director of Local Planning Services will advise Islands Trust and Bowen Island Municipality planning staff of the name change for the Directives Checklist.

OTHER: None

BACKGROUND

In March 2016, the Islands Trust Council directed staff to draft changes to the Policy 2.4.vi Executive Committee Legislative Role and the Policy 5.7.i Bylaw Checklists to remove reference to the Council Commitments and Recommendations Checklist. Staff have determined that the Policy 2.4.vi Executive Committee Legislative Role Policy does not require amendment at this time.

The attached revised policy reflects two changes:

1) Removal of reference to the Council Commitments and Recommendations Checklist
2) Renaming of Policy Statement Directives Only Checklist to Policy Statement Directives Checklist. This is consistent with the revised terminology used by Trust Council in the Policy Statement Implementation Policy adopted by Trust Council in March 2016.

REPORT/DOCUMENT:

1) Track changes version Policy 5.7.i “Bylaw Checklist”
2) Directives Checklist-track changes.doc

KEY ISSUE(S)/CONCEPT(S): Policy Statement implementation

RELEVANT POLICY: None.

DESIRED OUTCOME: Up-to-date policies.

RESPONSE OPTIONS

Recommended:

That the Islands Trust Council replace Policy 5.7.i Bylaw Checklists dated June 16, 2005 with Policy 5.7.i Bylaw Checklists dated December 7, 2016.

Alternative:

1. No action.

Prepared By: **Clare Frater, Policy Advisor**

Reviewed By/Date: Lisa Gordon, Trust Area Services Director, November 17, 2016
Executive Committee, November 23, 2016
David Marlor, Director, Local Planning Services, November 16, 2016

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Chief Administrative Officer

5.7.i. Policy and Procedure

BYLAW CHECKLISTS

Trust Council: March 12, 1994

Amended: March 11, 1995; December 7, 1996; June 16, 2005; December 7, 2016

A. PURPOSE:

1. To ensure that local trust committee bylaw processing is carried out in accordance with statutory requirements as outlined in the *Islands Trust Act* and the *Local Government Act*.

2. To ensure proper completion and procedural certainty of the finished bylaw document.

B. REFERENCES:

1 The *Islands Trust Act*:
   - 1.1 Part 2 Trust Council, Trust Policy Statement Section 15 (4) and Approval of Bylaws Section 16.
   - 1.2 Part 3 Executive Committee Section 22 Approval of Bylaws.
   - 1.3 Part 4 Approval requirement for local trust committees Section 27.

2. The *Local Government Act*:

3. The Islands Trust Council Bylaw No. 17, a Bylaw to Adopt a Policy Statement for the Trust Area cited as "The Islands Trust Policy Statement Bylaw, 1993".

4. The Islands Trust Policy Manual:
   - 4.1 Policy Statement, Implementation Policy~~ies~~ 1.3. i. ~~Policy Statement Implementation~~ (Amended March 23, 2016~~June 2005~~).
   - 4.2 ~~Policy Statement, Implementation Policies 1.3. ii. Topic Review Framework (Amended March 2005).~~
   - 4.3 Trust Council Executive Committee 2.4.iv. Executive Committee Legislative Role (~~June 1994~~Amended June 13, 2008).

C. BACKGROUND

1. The Bylaw Management Database Checklist for local trust committees ~~can be~~ is used as a tool by ~~both local trustees and~~ planning staff to ensure that statutory requirements, public accountability, and proper completion of the bylaw are addressed. ~~(Attachment I).~~

2. The Policy Statement Directives ~~Only~~ Checklist (Attachment I~~I~~) is based on the directive only policies from the Islands Trust Policy Statement.

3. ~~The Policy Statement Council Commitments and Recommendations Checklist (Attachment III) is based on the other types of statements in the Policy Statement which are non-directive.~~

D. PROCEDURE:

1. Use of Bylaw Checklists

1.1 Authority is provided to the Islands Trust Secretary (and/or designate) to ensure the use of the ~~Local Trust Committee Bylaw~~Bylaw Management Database Checklist ~~(Attachment I)~~ as follows:

i. No public hearing shall be booked until the Secretary provides authorization.

ii. Staff are responsible to ensure that local trust committees receive an updated Bylaw Checklist upon their consideration of a bylaw at the public hearing stage.

iii. Staff are responsible for ensuring that the Executive Committee receive an updated Bylaw Checklist upon their consideration of Section 22 approval.

1.2 The Directives ~~Only~~ Checklist (Attachment I~~I~~) is to be included with a bylaw referred to the Executive Committee for approval.

1.3 ~~The Council Commitments and Recommendations Checklist (Attachments III) may be used by staff to reference relevant sections of the Policy Statement in staff reports and briefings.~~

2. Bylaw Referrals

2.1 Planning staff may forward bylaws to referral agencies either before or after the bylaw has received first reading.

2.2 Planning staff will use the Policy Statement Directives ~~Only~~ Checklist (Attachment I~~I~~) as an unofficial reference when examining proposed bylaws for compatibility with the Policy Statement prior to first reading.

2.3 Planning staff may refer bylaws to Trust Area staff if planning staff need to seek clarification relative to the Policy Statement.

2.4 The Executive Committee is not considered a referral agency for local trust committee bylaws.

2.5 Correspondence sent to the Executive Committee regarding local trust committee bylaws should be forwarded to the Director of Local Planning Services who will prepare a report for consideration by the Executive Committee.

3. Public Hearing

3.1 Final booking arrangements and notification for a public hearing may only occur after ALL of the following events have occurred in the order as presented below:

i) either after 30 days from sending bylaw referrals to agencies or when the agency referral responses are complete to the satisfaction of planning staff; and

ii) when the application file (public hearing binder) is ready for public viewing; and

iii) when the Secretary or his/her designate has signed the Bylaw Checklist to authorize a bylaw to be booked for public hearing; and

iv) upon resolution of a local trust committee authorizing a bylaw to be forwarded to public.

3.2 Each member of the local trust committee will receive a public hearing information binder which will include a copy of the Bylaw Checklist ~~(Attachment I)~~ and any additional relevant information and material.

4. Executive Committee Approval

4.1 Under Section 22 of the *Islands Trust Act*, the Executive Committee must consider approval of all local trust committee bylaws after third reading.

4.2 Planning staff will forward to the Executive Committee after third reading, a copy of the proposed bylaw, the signed Bylaw Checklist ~~(Attachment I)~~ and the Policy Statement Directives ~~Only~~ Checklist (Attachment I~~I~~).

5. Ministerial Approval

5.1 If Ministerial approval is required, the following documentation is sent to the Ministry of Community Services:

i. two copies of the bylaw submission form; and

ii. three copies of the proposed bylaw, certified at third reading; and

iii. the completed Bylaw Checklist (includes Executive approval and the date); and

iv. Any additional staff planner reports to accompany agency comments and public hearing notes if necessary.

6. Bylaw Adoption

6.1 Once the Bylaw has been adopted by the local trust committee, certified copies of the bylaw are sent to appropriate agencies and staff.

7. Bylaw Filing

7.1 Once the original bylaw has been sealed and filed in the fire-proof filing cabinet, the Secretary of the Islands Trust signs and dates the Bylaw Checklist, which will be kept in the bylaw file along with a certified copy of the bylaw.

E. ATTACHMENTS:

~~**ATTACHMENT I – Bylaw Checklist**~~

ATTACHMENT I~~I~~ - Policy Statement Directives ~~Only~~ Checklist

~~**ATTACHMENT III - Policy Statement Council Commitments and Recommendations Checklist**~~

Islands Trust

POLICY STATEMENT DIRECTIVES ~~ONLY~~ CHECK LIST

Bylaw and File No:

PURPOSE

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

POLICY STATEMENT

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

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

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

DIRECTIVES ~~ONLY~~ CHECK LIST

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

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

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

Part III Policies for Ecosystem Preservation and Protection

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

PART IV: Policies for the Stewardship of Resources

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

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

	4.5.11	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.
	4.6	**Soils and Other Resources**
	4.6.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of productive soils.

PART V: Policies for Sustainable Communities

CONSISTENT	NO.	DIRECTIVE POLICY
	5.1	**Aesthetic Qualities**
	5.1 3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.
	5.2	**Growth and Development**
	5.2.3	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
	5.2.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
	5.2.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
	5.2.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.
	5.3	**Transportation and Utilities**
	5.3.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
	5.3.5	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
	5.3.6	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
	5.3.7	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.
	5.4	**Disposal of Waste**
	5.4.4	Local Trust Committees and Island Municipalities shall, in their official community plans and regulatory bylaws, address

		the identification of acceptable locations for the disposal of solid waste.

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

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

Islands Trust

BRIEFING

To: Trust Council

For the Meeting of: December 8, 2016

From: Fiona MacRaild, Senior Intergovernmental Policy Advisor
David Marlor, Director, Local Planning Services
Clare Frater, Trust Area Policy Analyst

Date prepared: November 16, 2016

SUBJECT: MARINE PROTECTION OPTIONS

DESCRIPTION OF ISSUE:
There has been a growing concern over the last several years about increased industrial and recreational use of the marine waters of the Trust Area. With increasing negative impacts, Trust Council would like to better understand the available tools of marine protection to help determine possible directions for Islands Trust.

BACKGROUND:
Relevant resolutions:

- Sept. 2015: That the Islands Trust Council request the Executive Committee to prepare a Request for Decision with respect to Trust Council supporting the preparation of a nomination for the Salish Sea as a Particularly Sensitive Sea Area for Council's consideration at its December meeting.
- Sept 2015: That the Islands Trust Council encourage the Executive Committee to identify and act upon appropriate opportunities for advocacy with respect to impacts of increased freighter anchorages in the Trust Area.
- Dec 2015: That Trust Council request the Executive Committee to look at the possibility for reorganization of committee structure of Trust Council with the possibility of creating in addition or substitution of marine matters generally.
- March 2016: That Trust Council request Executive Committee to review legislative tools, programs and processes that could advance Islands Trust Policy Statement policies 3.4.2 and 3.4.6 to protect marine areas and protect and enhance populations of native marine species (including in the context of the federal government's goal of increasing the proportion of Canada's marine /coastal areas that are protected) to 5% by 2017 and 10% by 2020 and to report back to Trust Council by December 2016 with recommendations.
- March 2016: That Trust Council amend section 2.5 of its strategic plan to complete the tasks related to shellfish aquaculture in the 2016-17 fiscal year using the new capacity created by the Intergovernmental Policy Advisor position.

  In November 2016, Bowen Island Municipality received a delegation from Bob Turner requesting support to nominate Howe Sound as a United Nations Educational, Scientific and Cultural Organization (UNESCO) Biosphere Region. By resolution, Bowen Island Municipal Council expressed support, in principle, for this ongoing initiative.

Analysis of Marine Protected Area Laws Pertaining to Trust Area Waters

Attached is a comprehensive chart of marine protection tools and process that spans international, multijurisdictional, federal, provincial, First Nations and other tools of marine protection. This is provided by West Coast Environmental Law.

1. Particularly Sensitive Sea Area (International Maritime Organization – U. N. designation)

What is not stated in the chart is the recent experience of this work being stalled by a collective of Canadian and American First Nations who have withdrawn their support due to this process developing to a considerable level before engaging with First Nations. Their lack of support is focused on not being asked by the IMO to help establish the parameters of the designation process at the outset. The Coast Salish Gathering has made the focus of their opposition a commentary about the fact First Nations feel they are the ones to determine what is meant by “early and meaningful” consultation.

2. Man and the Biosphere Reserve (MAB) (UNESCO designation)

One of the weaknesses not identified in the chart is the example of Mount Arrowsmith MAB and the Bioshere Reserve’s UNESCO review (on Vancouver Island) where their MAB designation was very close to being withdrawn several years ago due to a lack of involvement from local Indigenous communities and a too-strong focus on conservation values without the balanced approach of considering sustainable development values as well. The federal committee that receives the applications now requires endorsement by local Indigenous communities before supporting the designation. Securing this endorsement would be challenging with 37 First Nations with asserted interests in the Trust Area.

Staff attended two out of four MAB sessions in Sidney between September 13 and October 25, 2016. Although a broad range of community agencies were invited, a select core group of 8-12 continued in attendance. The most critical factor of local Indigenous community endorsement became the “lightening rod” of discussions, especially after the head researcher of the Mount Arrowsmith MAB Reserve came to share the lessons they had learned. There was a consensus among attendees that, until First Nations (all 37 in the Trust Area) come together and endorse this initiative, the partners should stand down on developing the designation process for the Gulf Islands. The exception to this may be a Howe Sound-specific MAB Reserve, as the First Nations interests in the Howe Sound are much less complicated.

As the same issues and prerequisite for local Indigenous community endorsement applies to UNESCO’s World Heritage Site designations, the Trust Area may want to first wait until each of the 37 local First Nations have indicated their support before Islands Trust provides support of either UNESCO World Heritage Site or Man and the Biosphere designation applications.

3. Marine Protected Areas (MPAs) (federal designation by Fisheries and Oceans Canada)

One of the more interesting MPA examples that have relevance for the Trust Area is the new Darnley Bay MPA in the North West Territories announced November 16, 2016. Not only is it the biggest marine protected area in Canada (about 2,400 square kilometres) but it is the first MPA with conservation objectives based specifically on Indigenous traditional knowledge. It bans oil and gas exploration and commercial fishing from the area, while still allowing for Indigenous hunting and fishing activities. This is an example of a broad conservation initiative based primarily on respecting Indigenous rights, and harvesting rights in particular.

4. National Park Reserves (federal designation by Parks Canada)

The Gulf Islands National Park Reserve has had a varied history of success with local First Nations relations. Within many of the Fist Nations that have asserted interests in the Southern Gulf Islands, there are residual bad feelings due to the way consultation was done at the outset of designating this Park Reserve. Although Parks Canada is now committing to establishing a model of co-management with these same First Nations, it will take Parks Canada time to restore trust.

5. Aquaculture Licensing Process (multijurisdictional, by Fisheries and Oceans Canada, Transport Canada and Province)

Even though licensing authorities have put some effort into establishing stricter limits on cumulative production through these permit/tenure processes, cumulative effects of aquaculture are increasingly concerning. An interesting legal challenge to cumulative effects of industrial development (despite cumulative impact policies and individual project limitations) is the Treaty 8 Nation of Blueberry First Nation. Although they have been signatories of multiple Benefit Impact Agreements over the course of the oil and gas developments in the northeast of BC, they are claiming their hunting, fishing and trapping treaty rights are impeded by cumulative effects. It is within the realm of possibility that this may not be the first claim of treaty harvesting rights being impeded and a First Nations drawing a legal “line in the sand”, saying enough is enough.

6. Aboriginal Title and Rights (determined by Canada, First Nations and developing case law)

With regard to marine protection in the Trust Area, the most relevant case is the *Claxton v. Saanichton Marina Ltd* case of 1989 which opposed the construction of a marina because it would interfere with their right to “fish as formerly” as guaranteed under their 1854 Douglas Treaty. The Trust Area has 10 Douglas Treaty First Nations with a guaranteed right to “fish as formerly”. Respecting this treaty right could be a very justifiable marine protection tool for any activity – or the cumulative effect of many activities - that would be perceived to impede that treaty right.

7. Marine Planning Partnerships (First Nations and the Province)

An excellent and nearby example of this marine protection tool is the North Vancouver Island Marine Plan signed by 17 First Nations on the northern end of Vancouver Island and the Province. This is the fourth such coastal Marine Plan with First Nations (see also Central Coast Marine Plan, Haida Gwaii Marine Plan and the North Coast Marine Plan). The partners agree to co-lead implementation of the marine plans, including ongoing engagement with communities, local governments, and stakeholders. The agreements describe how the Province and First Nations will work together and how implementation activities will be prioritized and managed. Example priorities include continuing collaborative governance arrangements; implementation of marine zoning; fostering marine stewardship, monitoring and compliance; and facilitating sustainable economic development opportunities to support healthy communities.

Scheduled ***Discussions with First Nations on Marine Protection Priorities***

As the analysis above describes, First Nations have significantly increasing influence on the tools and processes to protect the marine resources of the Trust Area.

Also included in the December 2016 Trust Council package is a First Nations and Public Engagement Strategy RFD. In this 18-month plan to improve relations with First Nations, is a second phase described as “Real Discussions with First Nations about Real Issues” slated for April 2017 to September 2017. This is intended to include marine protection priorities and shared concerns.

As the First Nations Engagement Strategy indicates, Islands Trust needs to first establish a mutually respectful relationship with the 37 First Nations of the Trust Area before earning the right and the trust to hear their meaningful input on issues such as marine protection priorities. With a sincere and comfortable relationship established, we can work together towards shared concerns and objectives in “preserving and protecting” marine resources.

Local Planning Tools

The *Islands Trust Act* provides many methods for local trust committees, island municipalities, and Trust Fund Board to protect the marine environment. Advocacy is one tool. However, there are also many opportunities for Islands Trust bodies to make decisions and undertake programs that would directly benefit the marine environment.

Local trust committees have planning jurisdiction over the surface of the sea and the foreshore within their local trust area. Island municipalities have the same planning powers and have other municipal powers such as the ability to issue building permits, and hold licenses of occupation. As such, all of the planning tools available for developing policy and regulating terrestrial land apply to the foreshore and surface of the sea.

The complexity with land use planning on the foreshore is that the owner is generally the Province, with leases or license of occupations provided to individuals and companies. Local government bylaws have no effect on the Province or its agents (as per the *Interpretation Act*), but local bylaws do have effect on third parties that are leasing or otherwise using the Crown foreshore and surface of the sea. Shoreline protection is further complicated because the federal government is responsible for fisheries and navigation. As these are federal powers, local governments cannot regulate those either, regardless of who is undertaking the federally regulated activities.

Local trust committee and island municipalities have the following land use planning tools available to protect shorelines (subject to the limitations listed above):

- Zoning – local trust committees and island municipalities can create zones on the foreshore and regulate the uses within those zones. For example, all or part of the shoreline can be zoned to prohibit docks and other structures on the foreshore.
- Development Permits – local trust committees and island municipalities can establish all or part of the foreshore areas as a development permit area to protect sensitive ecosystems, or protect development from hazardous conditions. A development permit will then contain guidelines to mitigate impacts from development that is permitted by the zoning regulations.
- Heritage Conservation – local trust committees and island municipalities can establish heritage conservations areas along the shoreline to protect identified heritage features.
- Screening - local trust committees and island municipalities can require screening on the upland to protect environmental sensitive areas, such as an identified sensitive shoreline.
- Drainage and runoff – local trust committees and island municipalities can regulate drainage and runoff on upland properties and mitigate impacts of the runoff on the foreshore.
- Tree cutting in relation to areas affected by hazards, such as land slip - local trust committees and island municipalities could establish tree cutting bylaws in upland areas known to be a hazard as a means of preventing erosion and landslips onto the foreshore.
- Restrictive covenants – local trust committee and island municipalities can use covenants to restrict uses along the upland to protect the foreshore. As these are agreements, the landowner at the time of signing would need to be in agreement with the terms of the covenant that would then run with land title. These covenants are typically used during a rezoning for things that cannot be controlled through the zoning authority.

Trust Fund Board Protection Tools:

Trust Fund Board can protect the areas upland from shorelines with conservation covenants and through direct ownership.

- Conservation covenants are voluntary agreements placed on the title of a property, binding future owners to the agreed terms.
- The Natural Area Protection Tax Exemption Program (NAPTEP) provides landowners with an annual 65% exemption on the property taxes for the portion of their property protected with a voluntary NAPTEP covenant.
- The Trust Fund Board can acquire nature reserves in a number of ways. Outright purchase is usually impractical due to the price of land in the Trust Area so residents are encouraged to consider donations of their land. There are a number of donation methods available including fee-simple donation, donation of a subdivided lot, life estate, bequest and bargain sale.

Islands Trust Process, Capacity and Roles for Responding to Marine Issues

Capacity:

	TAS 10% -Director 25%Senior Policy Advisor 25% Senior Intergovernmental Policy Advisor	**LPS** (*assumes LTCs uses the planner time allocated for “Projects” for marine shoreline protection policy and regulatory amendments.) 1-% Planner serving LPC	**TFB**	**Total**
FTE equivalent	0.65	3.25	.15	**4.05**

Roles and Responsibilities:

Responsibility	Role	Current Capacity	Comments
Trust Council / EC	After First Nations and Public Engagement, develop and adopt Policy Statement policies in support of marine protection	LOW	Council could amend Policy Statement to include new marine-related prohibitions/directive policies.
	Selecting which projects to fund	HIGH	Council could say it prioritizes marine-related LTC and TAS projects
	Develop toolkits/model bylaws re marine	MED	Already on LPC work program
	Funding mapping to enhance the effectiveness of regulatory tools and education initiatives	MED	More funding would increase capacity
	Funding of enforcement action against local land-use bylaw violations that threaten marine health (e.g. seawall, foreshore structures).	LOW	More funding and changes to staff resources/functions would increase capacity
	Directly conserve heritage properties that support healthy marine processes and cultural/ archaeological resources	LOW	Trust Council already owns one property (Denman school). Strategic Plan changes, more funding and changes to staff resources/ functions would increase capacity
	Funding of Trust Fund Board for conserving terrestrial areas that support healthy marine processes and cultural/ archaeological resources	MED	More funding would increase capacity
	Educating landowners, island residents and development professionals about actions they can take to protect the marine environment.	LOW	Strategic Plan changes, more funding and changes to staff resources/functions would increase capacity
	Advocating to other levels of government and businesses to place priority on the side of protection for Trust Area ecosystems. (e.g. re shipping)	HIGH	Already within EC scope and achievable if made high priority
	Cooperatively working with other levels of government and businesses to develop initiatives that reduce threats to the marine environment (e.g. derelict vessels, aquaculture)	LOW	Changes to staff resources/functions would increase capacity
LTC/ Island Municipality	Adopting of OCPs and bylaws in support of marine protection	HIGH	More funding and changes to staff resources/functions would increase capacity. Local trust committees and island municipalities could make

			marine topics a higher priority
	Set work programs priorities that focus on marine issues	HIGH	Already within LTC scope if they choose to prioritize
	Cooperatively working with other levels of government and businesses to develop initiatives that reduce threats to the marine environment. (e.g. Participation in local processes Howe Sound Community forum, Saanich Inlet Roundtable, Baynes Sound)	MED	Deeper levels of engagement would require more funding and changes to staff resources/functions
Trust Fund Board	Assist all staff to use ecosystem mapping to enhance the effectiveness of regulatory tools and education initiatives	HIGH	Current emphasis is on orienting new staff as they arrive
	Conserving terrestrial areas that support healthy marine processes	MED	Regional Conservation Plan sets priorities for acquisitions and covenants. More funding would enable more focus on protection for marine processes
	Educating landowners, island residents and development professionals about actions they can take to protect the marine environment (e.g. workshops and targeted landowner contact)	LOW	Strategic Plan changes, more funding and changes to staff resources/functions would increase capacity
Staff	Service delivery on all of the above	MED	More staff resources, more funding and/or fewer Council priorities would increase capacity for addressing marine issues that require cooperative actions developed through trusting relationships.
	Staff training and orientation on best practice for addressing marine issues	MED	Training and orientation on topics such as processing foreshore-related applications, promoting Green Shores concepts, cooperating with others, has not been a priority. Changes to staff resources/functions would increase capacity.
	Staff procedures	MED	Has not been a priority. Changes to staff resources/functions would increase capacity.

ATTACHMENT(S):

1. Chart of Marine Protected Area Laws, West Coast Environmental Law, November 2016

AVAILABLE OPTIONS:

1. Receive for information.
2. Direct Executive Committee to develop recommendations on preferred marine protection options.
3. Prioritize marine protection on committee work programs.
4. Allocate additional 2017/18 budget to marine protection initiatives.
5. Request additional information from staff.

FOLLOW-UP:

1. Staff will provide an update on any emerging discussions with First Nations with regard to areas of shared marine protection priorities at the March 2017 Trust Council meeting.
2. Staff will report in March about the possibility for reorganization of committee structure of Trust Council with the possibility of creating in addition or substitution of marine matters generally.

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Reviewed By/Date: Lisa Gordon, Director, Trust Area Services, November 17, 2016
Russ Hotsenpiller, Chief Administrative Officer, November 17, 2016
Executive Committee, November 23, 2016

Legal Tool	***Dept.***	***Purpose***	***Strengths***	***Weaknesses***	***Examples in BC***
			International		
International Maritime Organisation (IMO) Particularly Sensitive Sea Area (PSSA) Process Document: A.982(24)	Transport Canada Authority to Initiate: Only the federal government (3.1).	Protects an ecologically, socially or scientifically sensitive marine area against international shipping hazards. Area proposed as PSSA should meet at least one of the ecological, social, cultural, and economic scientific and educational criteria defined by IMO to be identified as a PSSA, and will usually meet more than one of these criteria	An IMO designation creates rules that ships follow. Enforcement available in addition to domestic enforcement: 1) Protective measures entered on charts (9.1), 2) Proposing state implements measures (9.2), and 3) IMO member states should take all appropriate steps to ensure their flagged ships comply with the measures (9.3). Impetus to develop more detailed protective measures. A state that proposes a PSSA must suggest associated protective measures (APM) to guard against the PSSA's international shipping vulnerabilities (unless existing measures already guard against the vulnerabilities). Protective measures include labelling all or part of the PSSA an Area to be Avoided (ATBA), a No Anchoring Area, or a restricted-discharge Special Area. If the IMO approves a protective measure, each of the 171 IMO member states "should take all appropriate steps" to make sure ships flying its flag comply with the protective measure. Available protective measures (6.1): 1) Into-water discharges restrictions, 2) Into-air discharge restrictions,	Political process to achieve IMO designation, need for support from other states At the time of the adoption of a PSSA, at least APM must be adopted so in practice a State could proceed to designate an APM such as an ATBA (see below) w/o need for lengthy PSSA process PSSAs are strengthened if protective measures are already in place, e.g. if the *Oceans Act* Marine Protected Area (MPA) designation already protects the area	No example in Islands Trust Area, but note: Friends of the San Juans have launched an initiative proposing the Salish Sea/Puget Sound a PSSA Other Global Examples: Great Barrier Reef, Galapagos, *Saba Bank (Caribbean)*: Ships over 300 tons should stay out of the ATAB. Ships must not anchor in the area (No Anchoring Area).

Legal Tool	***Dept.***	***Purpose***	***Strengths***	***Weaknesses***	***Examples in BC***
			3) Ship routeing restrictions or reporting requirements, or 4) Other measures to protect specific sea areas from ships.		
IMO Area to be Avoided (ATBA) Process Document: [MSC/Circular 1060 (see also the General Provisions on Ships' Routeing and SOLAS V Reg. 10)]()	Transport Canada Authority to Initiate: Only the federal government (1.1).	Recommends or requires that all or certain classes of ships steer clear of an area. The IMO creates and modifies Areas to be Avoided and other sea routeing measures on a regular basis.	IMO designations create rules that ships follow. Relatively short designation process- compared to other international designation options - Enforcement available in addition to domestic enforcement: Proposing state may monitor. IMO member states "shall do everything in their power to secure the appropriate use of ships' routeing systems adopted by the [IMO]" (SOLAS V 10.6). An ATAB designation will discourage or prohibit all or certain classes of ships from entering an area. The designation is one of the protective measures available under the PSSA scheme. A state may also propose also an ATAB as a stand-alone routeing measure. In approving an ATAB proposal, the IMO requires member states to "do everything in their power to secure the appropriate use of [approved] ships' routeing systems". Establishing an ATAB or putting in place another IMO routeing measure is quicker and easier than winning a PSSA designation	Political process to achieve IMO designation, need for support from other states Stringent requirements to prove need for the designation, must show: 1) Need for specific routeing measure (for example, history of damage to marine environment) (3.1), and 2) Why routeing measure can reasonably be expected to significantly prevent or reduce risk of damage to marine environment (3.5.2). If seeking mandatory routeing measure, must show that mandatory measure is: 1) Justified, and 2) Limited to what is essential to protect marine environment. Must also explain whether ports and harbours of littoral states would be adversely affected by mandatory measure (3.6).	No example in Islands Trust Area. The IMO has established many Areas to be Avoided outside of PSSAs. Non-PSSA Areas to be Avoided guard sensitive marine ecosystems in [Nova Scotia's Roseway Basin](), [around Alaska's Aleutian Islands](), and in other areas where ships threaten environmental integrity.
MAB Biosphere Reserve	Multiple federal departments	Protects an ecologically important area	Areas recognized as UNESCO Biosphere Reserves fulfill three basic tasks: conservation, sustainable development, and logistics (e.g.	Long designation process- up to ten years.	No example in Islands Trust

Legal Tool	***Dept.***	***Purpose***	***Strengths***	***Weaknesses***	***Examples in BC***
Process Document: The Statutory Framework of the World Network	may be involved Authority to Initiate: Only the federal government (5.1(a)).	(terrestrial or marine) against harm. Zones the area into a core (protected) section, a buffer (light touch) section, and a transition (development) section.	research, education, etc). Provide a platform for stakeholder cooperation Provide a 'brand name' to improve local economies. Impetus to complete a more detailed plan for the area. Proposal should include a domestic management plan and should identify authorities or mechanisms to implement the plan (4.7).	A Biosphere Reserve will receive only as much legal protection as national and sub-national governments provide through domestic legislation and enforcement. Reserves remain solely within national jurisdiction. May entail complex governance structures. For example, the Clayoquot Biosphere Reserve has a co-management Board with 10 Directors, 4 ExOfficio members from Department of Fisheries and Oceans (DFO), Environment Canada (EC), Parks Canada, and Province of BC and 5 local advisory committees. The first periodic review of the Clayoquot Biosphere Trust (CBT) noted that evolving governance institutions entailed delays, occasional setbacks, and conflicting ideas about what the designation meant and the role, purpose, activities, and priorities of the CBT.	Area, but note: Future of Howe Sound Society sent a letter of intent for a Howe Sound UNESCO Biosphere Region in 2016 Salish Sea Trust recently revived a proposal to designate the Capital Regional District as a UN Biosphere Reserve. Clayoquot Sound in BC is a Biosphere Reserve Canada hosts sixteen Biosphere Reserves in total.

Legal Tool	***Dept.***	***Purpose***	***Strengths***	***Weaknesses***	***Examples in BC***
UNESCO World Heritage Site Process Documents: The Convention (C) and the Operational Guidelines (OG)	Parks Canada Authority to Initiate: Only the federal government (C-11.1, 11.3).	Protects a cultural or natural area of Outstanding Universal Value Proposal should include a domestic management plan (OG-108). All properties must have adequate long-term legislative, regulatory, institutional or traditional measures to protect against harm to the property's Outstanding Universal Value (OG-97,98).	Increased likelihood of conservation success when a site is designated as a World Heritage site is often related to the high level of global scrutiny that World Heritage Sites receive, compared to other protected area designations. Convention requires states to report regularly on each site's State of Conservation. Each site is reviewed every six years as part of the monitoring regime. If a site faces a serious threat a quicker reactive monitoring visit and report can occur. Other benefits of World Heritage Site designation can include increased tourism, funding, public attention, and jobs for the local community. UNESCO may revoke a Site designation if the property loses its qualifying characteristics (OG 192-198). World Heritage Committee may list a Site as In Danger only when the Site meets all of the following requirements (OG 177): a) A serious and specific danger threatens the property, b) Conservation of the property requires major operations, and c) Someone has requested assistance for the property. The Mikisew Cree First Nation petitioned the World Heritage Committee in 2014 to list Wood Buffalo National Park as In Danger. As most dramatically shown in the Great Barrier Reef	Long process of designation. Canada updates its Tentative List of World Heritage Sites only once a decade. A World Heritage Site will receive only as much legal protection as national and sub-national governments provide through domestic legislation and enforcement.	No example in Islands Trust Area, but note: The Salish Sea Trust and Vancouver Island & Coast Conservation Society have begun a campaign that will have the Salish Sea considered for designation as a World Heritage Site. SGang Gwaay in Haida Gwaii is the only BC example of a World Heritage Site, designated for its cultural value under **Criterion (iii)** as it bears unique testimony to the culture of

Legal Tool	*Dept.*	*Purpose*	*Strengths*	*Weaknesses*	*Examples in BC*
			saga, campaigning to label a Site as In Danger brings a wealth of attention (and sometimes improvement) to the quality of a government's conservation efforts.		the Haida. Canada's Tentative List of World Heritage Sites of six sites includes Gwaii Haanas. These sites await full designation. Parks Canada is currently leading a new public process to add to its Tentative List and eventually nominate more Canadian sites to the World Heritage List
Special Areas under the 1973 International Convention for the Prevention of Pollution from Ships, modified by the 1978 Protocol relating thereto (MARPOL 73/78)	Transport Canada	Provide higher level of protection to an area to prevent pollution from ships (by oil, noxious liquid substances, garbage, or air pollution),	Discharges of oily waste and some chemical residues are prohibited in Special Areas Strict enforcement provisions promote compliance of vessels flying flags of MARPOL' s States Parties	Requirements of a Special Area designation can only become effective when adequate reception facilities are provided for ships in accordance with the provisions of MARPOL 73/78	No example in Islands Trust Area

Legal Tool	***Dept.***	***Purpose***	***Strengths***	***Weaknesses***	***Examples in BC***
		based on technical reasons relating to its oceanographic and ecological conditions, and to the particular character of its traffic.			
Ramsar Sites under the Ramsar Convention on Wetlands	Environment Canada	Conserve and ensure wise use of all wetlands through local and national actions, and international cooperation, as a contribution toward achieving sustainable development throughout the world	Ecological character of RAMSAR sites must be maintained by the national government who requests the designation. Impetus for more detailed management action and conservation focus as management plan is required for each RAMSAR site Higher local and International profile for site	RAMSAR permits “wise use” of sites, but neither prohibits nor regulates the taking of species for any purpose, although such use must not affect the ecological characteristics of the wetland	No example in Island Trust Area. BC examples include: Ramsar sites include Alaksen National Wildlife Area (NWA) in Delta, the Columbia Wetlands, the Creston Valley Management Area, Burns Bog, and the Fraser River Delta Canada currently has 37 sites designated as

Legal Tool	*Dept.*	*Purpose*	*Strengths*	*Weaknesses*	*Examples in BC*
					Wetlands of International Importance (Ramsar Sites), with a surface area of over 13 million hectares, 17 of which are NWAs or Migratory Bird Sanctuaries.
Multijurisdictional					
Estuary Management Plans (EMP) via Order in Council	Fisheries and Oceans Canada BC Ministry of Environment Municipal governments	Bring together multiple jurisdictions to protect and manage estuaries Each plan has its own stated objectives.	Coordination of multiple jurisdictions is main purpose of these plans; this gives the plans added power once finalized Flexible plans that allow for buy-in from all stakeholders and sectors; can be adapted to meet the specific needs and concerns in the area Allows for extensive public participation in planning and review Allows for balanced form of development Real potential for small-scale habitat restoration projects	Not adaptive to changing circumstances because formal Cabinet approval required for changes to the plan (for some EMPs) Maintaining adequate funds is a challenge because no single department is responsible Balanced management approach means that conservation concerns are not necessarily the top priority Building consensus amongst jurisdictions can be challenging partially because of changing politicians Difficulty in large geographic areas	No example in Island Trust Area. BC examples include: • Cowichan Estuary Environmental Plan BC examples include: • Campbell River EMP (good example for conservation)

Legal Tool	*Dept.*	*Purpose*	*Strengths*	*Weaknesses*	*Examples in BC*
Federal					
Marine Protected Areas *Oceans Act* SC 1996, c 31	Fisheries and Oceans Canada (DFO)	Conserve and protect fish, marine mammals, and their habitats; unique areas; areas of high productivity or biological diversity.	Act requires Minister to create network of MPAs (though no deadline or time limit established for this goal) Process of establishment is faster than National Marine Conservation Areas (NMCA), though still takes average of five years to designate Boundaries can be more easily adjusted than those of NMCAs, important for climate change Power to make emergency order for protection, valid for 90 days, unless renewed, where the Minister is of the opinion that a marine resource or habitat is or is likely to be at risk High fines available for violations of the Act.	Each MPA has its own regulations- no minimum protection standards exist. Act does not prohibit any activity outright, and allows for a wide range of activities within MPA boundaries if authorized by relevant Minister. Fishing is allowed in specific areas of all the MPAs established by DFO to date. Does not use International Union for Conservation of Nature (IUCN) categories Zones must appear in regulations establishing the MPA, invalid if only in management plan (Bowie Seamount) No penalty or consequence if deadline to complete management plan for MPA missed No overarching rule on the minimum amount of fisheries observer coverage required within the MPA	No example in Islands Trust Area. BC examples include: • Bowie Seamount MPA • Endeavour Hydrothermal Vent MPA • Race Rocks Area of Interest • Hecate Strait/Queen Charlotte Sound Glass Sponge Reefs Area of Interest

Legal Tool	*Dept.*	*Purpose*	*Strengths*	*Weaknesses*	*Examples in BC*
National Marine Conservation Areas and Reserves Act SC 2002, c 18	Parks Canada	Conserve and protect representative examples of Canada's natural and cultural marine heritage, and provide opportunities for public education and enjoyment "..managed and used in a sustainable manner that meets the needs of present and future generations without compromising the structure and function of the ecosystems, including the submerged lands and water column, with which they are associated."	Mineral and hydrocarbon exploration and development are prohibited within NMCAs Disposal of any substance within an NMCA is prohibited, unless authorized by a permit issued under strict conditions Regulations can be made to restrict both fishing and shipping in conjunction with DFO, Transport Canada, and once made they prevail over regulations adopted under Acts such as *Fisheries Act*, *Canada Shipping Act* Traditional fishing activities permitted, but managed with the conservation of the ecosystem as the main goal Must include at least one zone that fully protects special features or sensitive elements of ecosystems. ie a no-take zone, only requirement in Canadian federal law for this More budget and staff than *Oceans Act* MPAs and NWAs Usually larger areas than *Oceans Act* MPAs and NWAs. Legislative rather than regulatory designation Interim management plan with management objectives and a zoning plan must be tabled in House of Commons as part of establishing MPA.	Process of establishment can take longer than *Oceans Act* MPAs because of extensive assessments, and consultations Limited guidance on restricting fishing or shipping other than section 9(3), which states, "In order to protect marine ecosystems and maintain marine biodiversity, the primary considerations in the development and modification of management plans and interim More costly to establish than *Oceans Act* MPAs and NWAs NMCAs do not try to protect marine ecosystems in a state essentially unaltered by human activity - the primary goal for national parks.	In Islands Trust Area: Feasibility Study for the Proposed Southern Strait of Georgia NMCA Reserve released in 2012. Parks Canada currently consulting with affected First Nations. Gwaii Haanas NMCA Reserve and Haida Heritage Site

Legal Tool	***Dept.***	***Purpose***	***Strengths***	***Weaknesses***	***Examples in BC***
National Park and National Park reserves with marine components *Canada National Parks Act* SC 2000, c 32	Parks Canada	National Parks of Canada are dedicated to the people of Canada for their benefit, education and enjoyment, and shall be maintained and made use of so as to leave them unimpaired for the enjoyment of future generations.	The first priority for National Park management is the maintenance or restoration of ecological integrity, through the protection of natural resources and natural processes: s.8 (2). The Act defines "ecological integrity" as "a condition that is determined to be characteristic of its natural region and likely to persist, including abiotic components and the composition and abundance of native species and biological communities, rates of change and supporting processes."	The case law provides that the duty to maintain ecological integrity in National Parks is not as strong as the wording appears.[1]	In Islands Trust Area: Gulf Islands National Park Reserve of Canada BC examples include: Gwaii Haanas National Park Reserve, NMCA Reserve, and Haida Heritage Site Pacific Rim National Park Reserve of Canada
Marine Wildlife Areas and National Wildlife Areas *Canada Wildlife Act* RSC 1985, c. W-9	Canadian Wildlife Service, Environment Canada	Conserve and protect habitat for a variety of wildlife,	Wide range of activities prohibited outright, Regulations Respecting the Management of Wildlife Areas and Control Thereof prohibit these activities within any wildlife area:	Discretionary powers of the Minister to allow exceptions to the prohibited activities Limited budgets compared to	No examples in Islands Trust Area. BC examples

[1] "The Federal Court has effectively ruled that ecological integrity is simply one of many factors for Parks Canada to consider in exercising its legal power to manage the national parks, despite how poorly this reading fits with the literal terms of subsection 8(2)." Shaun Fluker, How Legal Design May Constrain the Power of Law to Implement Environmental Norms: The Case of Ecological Integrity in Canada's National Parks , 2012 Environment in the Courtroom Symposium Papers.

Legal Tool	***Dept.***	***Purpose***	***Strengths***	***Weaknesses***	***Examples in BC***
		including migratory birds and species at risk Main objective of this type of protected area is conservation and research	a) hunting and fishing b) causing damage, destruction, or removal of plants c) swimming d)carrying on any commercial or industrial activity e) disturbance or removal of any soil, sand, gravel, or other material f) dumping or depositing any rubbish, waste material, or substance that would degrade or alter the quality of the environment	other MPAs 2008 Commissioner of the Environment and Sustainable Development (CESD) Status Report identified that: • Environment and Climate Change Canada (ECCC) has identified specific threats to each of its protected areas, but has not assessed whether conditions are improving or deteriorating at the sites, or used the information collected to address threats on a priority basis • Most protected areas still lack up to date management plans • ECCC has allocated insufficient human and financial resources to address urgent needs or activities related to maintaining the sites and enforcing regulations in protected area	include: • Scott Islands: A Proposed Marine NWA NWAs in BC with marine component: • Alaksen NWA • Qualicum NWA
Fisheries closures *Fisheries Act* R.S.C., 1985, c. F-14	Fisheries and Oceans Canada	Spatial fishery management measures intended to protect a portion of fish stocks from harvest	Can be established faster than MPAs Easier implement or adjust than formally established MPAs, a benefit in a changing climate. May be addressing the only threat that needs management attention.	Lack the permanency of an MPA. No authority over non-fishing activities. Minister has unconstrained discretion to impose, adjust or end fisheries closures.	Various: see http://www-ops2.pac.dfo-mpo.gc.ca/fns-sap/index-eng.cfm?pg=fishery_search for current closures

Legal Tool	*Dept.*	*Purpose*	*Strengths*	*Weaknesses*	*Examples in BC*
			Ease of implementation potentially allows for the speedy creation of large networks of protected areas, effective species-level management	Fishery management areas with no wider stated conservation aims are not considered to be MPAs. "For such sites to meet IUCN's definition of a protected area, managers would need to address the overall health and diversity of the ecosystem and have a stated primary aim to this effect."[2]	
Rockfish Conservation Areas *Fisheries Act* R.S.C., 1985, c. F-14	Fisheries and Oceans Canada	Conservation of rockfish and rockfish habitat	The special 'Rockfish Conservation Area' designation, imposing strict restrictions on fishing in areas critical to the conservation of Rockfish, has been applied to over 160 sites in BC Targeted approach to conservation, tailored to the particular vulnerabilities of Rockfish As above, ease of implementation allows for effective network-level planning and implementation	Do not address the 'overall health and diversity' of the ecosystem: not technically MPAs Limited to restricting fishing activities Poor levels of recreational compliance Lack of baseline data from before designation makes assessment of effectiveness difficult	In Islands Trust Area: • Area 18 – Gulf Islands • Area 17 – Northern Gulf Islands • Area 29 – Valdes + Northern Galiano • Area 19 + 20 – Victoria
Protection of environmentally sensitive areas *Fisheries Act* R.S.C., 1985, c. F-14	Fisheries and Oceans Canada	Identification and protection of ecologically sensitive areas (ESAs) that	s 37(3) allows the minister to define certain areas as 'ecologically significant areas' Any person proposing to undertake any activity in an ESA must provide the minister with any	New and untested provision Regulations required to define, designate and control activities in ESAs	None have yet been designated by regulation

[2] Day J., Dudley N., Hockings M., Holmes G., Laffoley D., Stolton S. & S. Wells, 2012. Guidelines for applying the IUCN Protected Area Management Categories to Marine Protected Areas. Gland, Switzerland: IUCN. at pg 16.

Legal Tool	***Dept.***	***Purpose***	***Strengths***	***Weaknesses***	***Examples in BC***
		require enhanced protection.	information regarding the work, as well as the water, place or fish habitat likely to be affected (s 37(1.1)). If the minister believes the proposed activities are likely to be harmful to fish, s/he may require modifications to the activity, or prohibit it altogether (s 37(2))		
Migratory Bird Sanctuaries (MBS) listed under the Schedule in the Migratory Bird Sanctuary Regulations under the *Migratory Birds Convention Act*	Canadian Wildlife Service (CWS), Environment Canada	Protect migratory birds from killing, harm and harassment during a critical part of their life cycle, such as breeding, nesting, moulting, or staging and stopover during their migration	A Migratory Bird Sanctuary can be established on private, provincial, territorial or federal land. Strong limitations on a defined list of activities CWS provides detailed technical guidance for avoiding harm to migratory birds	Few designated. Wildlife agencies seem to prefer other designations. CWS has limited enforcement capacity	In Islands Trust Area: • Christie Islet MBS BC examples include: • Victoria Harbour MBS • Esquimalt Lagoon MBS • George C. Reifel MBS • Nechako River MBS • Vaseux Lake MBS
Species at Risk Act – Critical Habitat Designation	Environment Canada Fisheries and Oceans Canada (for	Prevent Canadian species, subspecies and distinct populations of	Identifying critical habitat is a legislative requirement for all listed species (in both the recovery plan and the action plan). SARA includes legislated timelines for identifying critical habitat.	Provides species by species protection (not by geographic area) For species that are not aquatic or migratory birds, SARA only	In Islands Trust Area: Critical habitat order of Northeast Pacific

Legal Tool	***Dept.***	***Purpose***	***Strengths***	***Weaknesses***	***Examples in BC***
	aquatic species)	wildlife from being extirpated or becoming extinct Critical habitat is the habitat which is necessary for the survival or recovery of listed species	It is an offence to destroy any part of the critical habitat of any listed endangered or threatened species. Critical habitat now includes both geographic and biophysical features (ie. important feeding areas).	applies to critical habitat that is on federal lands. Provinces consider critical habitat as science advice only, not as binding on provincial land. Government have often failed to identify critical habitat, claiming that there is scientific uncertainty about extent of habitat	northern and southern orca (*Orcinua orca*) Through extensive litigation, recovery strategy exists and is being implemented and will entail additional regulatory actions.
Shipping Regulations *Canada Shipping Act* S.C. 2001, c. 26	Transport Canada	"protect the marine environment from damage due to navigation and shipping activities"	Offers various regulatory mechanisms for regulating or prohibiting marine traffic in certain areas. S 120(1)(j) allows the minister to set out compulsory and recommended routes; (k) allows the regulation or prohibition of marine traffic for the purpose of protecting environmentally sensitive areas S 136(i) allows the minister to regulate or prohibit navigation for the purpose of protecting the environment	Largely regulatory in nature: few long-term designations Strict regulations/prohibitions on navigation more typical of inland waters than marine waters Discretionary: competing environmental and economic purposes may impede the imposition of adequate regulation	In Islands Trust Area: Regulations prohibit shipping for : "That part of Howe Sound north of Porteau Cove extending 300 m from the shoreline of Lot 2808". Examples in BC: Speed limits in Pendrell Sound

Legal Tool	*Dept.*	*Purpose*	*Strengths*	*Weaknesses*	*Examples in BC*
Designated Sewage Areas *Vessel Pollution and Dangerous Chemicals Regulations,* SOR/2012-69 under *Canada Shipping Act* S.C. 2001, c. 26	Transport Canada	Allows the designation of Designated Sewage Areas (DSA) listed in SCHEDULE 2(Section 83) of the *Regulations*	All ships within Designated Sewage Areas must treat waste before discharge, and ensure any such discharge does not exceed a given fecal coliform count (s 96(1)(b)); if not equipped with the necessary equipment to ensure this, ships must carry temporary waste storage (s 86(2)(b).	Designated Sewage Areas tend to be small in area Without wider implementation, ineffective means of mitigating risks of pollution	In Islands Trust Area: • Montague Harbour • Pilot Bay Examples in BC: • Carrington Bay • Cortes Bay • Manson's Landing • Prideaux Haven • Roscoe Bay • Smuggler Cove • Squirrel Cove
Aquaculture Licencing Process – conditions of licence	Fisheries and Oceans Canada (with Transport Canada and Province of BC – have single harmonized application)	Regulate aquaculture industry in B.C. Ensure that licence holders operate legally and are in compliance with the *Fisheries Act* and regulations	DFO can change licence conditions for conservation and protection purposes at any point during licence Failure to comply with licence conditions can result in investigation and enforcement actions Goal of Siting Guidelines is to locate aquaculture in environmentally suitable places, while promoting economy	Dual mandate of DFO allows economy to be prioritized over environment No limits to the number of licences for a given species Limited public consultation Issue multi-year licences with no necessary reviews	No examples in Islands Trust Area. BC examples include: • Plover Point, Fortune Channel (#1413555)

Legal Tool	***Dept.***	***Purpose***	***Strengths***	***Weaknesses***	***Examples in BC***
				DFO has limited capacity to investigate and enforce licence conditions	licence contains extra conditions: Must submit annual monitoring report Stricter limit on cumulative production
Provincial					
Ecological Reserves *Ecological Reserve Act,* RSBC 1996, c 103	Ministry of the Environment	Reservation of areas of ecological importance. Purposes include: research; preserving representative examples of ecosystems; observation of modified ecosystems allowed to return to natural state;	Established by order in council Highly restrictive: no extractive activities permitted (up to and including camping) Research/education use and occupation allowed, but only with permit Minister can prohibit all access at any time	s 3(2): government can cancel entirely or delete any portion of an established ecological reserve, unless established under *Protected Areas of British Columbia Act* Generally small in area, and limited to areas of special ecological importance Lack of coordination between provincial management and federal DFO can undercut management intent: as of 2008, commercial fishing was permitted in 21 Pacific marine	In Islands Trust Area: • Satellite Channel Ecological Reserve • Canoe Islets Ecological Reserve • Rose Islets Ecological Reserve • Ballingall Islets Ecological

Legal Tool	***Dept.***	***Purpose***	***Strengths***	***Weaknesses***	***Examples in BC***
		protection of rare or endangered species; preservation of unique/rare phenomena		ERs, despite the apparent ban on extractive activities in such areas[3] Many ERs only partly marine: management intent with regard to the terrestrial portion may not be implemented with regard to the marine area	Reserve BC examples include: • Robson Bight Ecological Reserve • Race Rocks Ecological Reserve
Provincial Parks (Classes A, B, C + Recreational Areas) *Park Act,* RSBC 1996, c 344	Ministry of the Environment	Protection and maintenance of natural and cultural values; recreational opportunities	Broad protection of natural resources: no sale, removal, destruction, disturbance etc. without permit: Classes A & C: permits can be granted only where 'necessary for the preservation and maintenance of recreational value.' Class B: can be issued provided not 'detrimental to recreational values': lower standard Recreational Areas: permits issued at minister's discretion: potentially the lowest standard s 5(1)(b): Lieutenant Governor in Council (LGiC) can designate 'wildland areas' within parks where no such permits can be issued s 12(3) forbids activities contrary to the park's	'Recreational value', not ecological concern, provides the primary limitation on granting of licenses Highly discretionary: permit system allows a range of potentially damaging activities, and though the Act allows gov. to make far-reaching regulations, it does not require it to do so As of 2011, only 3 Class A Parks demonstrated an intent to prohibit all commercial fisheries in their management plans; 25 noted 'issues or vulnerability to commercial fishing'; and 24	In Islands Trust Area: • Helliwell Provincial Park • Squitty Bay Provincial Marine Park • Broughton Archipelago Provincial Park • Wallace Island Marine

[3] Carolyn Robb et al., "Commercial fisheries closures in marine protected areas on Canada's Pacific coast: The exception, not the rule," (2011) Marine Policy 35.3: 309 at 315.

Legal Tool	*Dept.*	*Purpose*	*Strengths*	*Weaknesses*	*Examples in BC*
			designated purpose s 29: LGiC gets broad powers to make regulations controlling fishing, access etc.	stated a need 'for better coordination with the DFO'.[4] Lower standards for permits to tourism/resort projects: must be 'consistent with or complementary to recreational values' (s 9.1) Fishing does not need a permit provided it adheres to the Wildlife Act (s 9) If a park is not included in the Protected Areas of BC Act, LGiC can increase or decrease area of park Little consideration for First Nations cultural/economic practices (but see conservancies) Standards of protection vary significantly depending on the park, and do not necessarily offer meaningful protection to marine environments Coordination issues with federal DFO makes it hard to control fisheries effectively, where such	Provincial Park • Bodega Ridge Provincial Park • Montague Harbour Marine Provincial Park Examples in BC: • Newcastle Island Marine Park • Discovery Island Marine Provincial Park • Jáji7em and Kw'ulh Marine Provincial Park

[4] Carolyn Robb et al., "Commercial fisheries closures in marine protected areas on Canada's Pacific coast: The exception, not the rule," (2011) Marine Policy 35.3: 309 at 313.

Legal Tool	*Dept.*	*Purpose*	*Strengths*	*Weaknesses*	*Examples in BC*
				control is part of the management plan.	
Provincial Parks (Conservancies) *Park Act,* RSBC 1996, c 344	Ministry of the Environment	*Park Act* s 3.1: "(a) for the protection and maintenance of their biological diversity and natural environments, (b) for the preservation and maintenance of social, ceremonial and cultural uses of First Nations, (c) for protection and maintenance of their recreational values, and (d) to ensure that development or use of their natural	Incorporation of First Nations cultural/economic/social concerns: more holistic understanding of conservation involving both human and natural aspects Both more, and less, permissive than a Class A Park: larger range of low-impact human activities permitted, but permits cannot be issued for commercial logging, mining, hydro-electric power, or any activity that might restrict or hinder the purposes listed in s 3.1. Selection process involves First Nations as well as government Joint management with local communities Tool for First Nations to protect and manage valued areas through formal legal protections Though only established in 2006, conservancies now cover almost 3,000,000 h of land, the second highest amount of any Park or Ecological Reserve designation in BC in general (Class A parks are #1)[6]. Conservancies with marine components, meanwhile, cover the largest marine area of any designation (1082 km^2)[7]	Many of the same weaknesses as other provincial parks Lack of coordination with DFO Though this designation provides extra protections against logging, mining and hydroelectric development, there are no specific prohibitions against potentially damaging marine activities, like shipping, fishing, offshore oil and gas development, mineral extraction	No examples in Islands Trust Area. BC examples include: • Hakai Lúxvbálís Conservancy (also the largest provincial MPA) • Fjordland Conservancy

[6] British Columbia, BC Parks. "Summary of designations and protected area activities", online (2016) at 2 <http://www.env.gov.bc.ca/bcparks/aboutBCParks/summary-of-pa-designations-activities.pdf>
[7] Carolyn Robb et al., "Commercial fisheries closures in marine protected areas on Canada's Pacific coast: The exception, not the rule," (2011) Marine Policy 35.3: 309 at 310.

Legal Tool	Dept.	Purpose	Strengths	Weaknesses	Examples in BC
		resources occurs in a sustainable manner consistent with the purposes of paragraphs (a), (b) and (c).” Created “expressly to recognize the importance of some natural areas to First Nations for food, social, and ceremonial purposes.”[5]			
Wildlife Management Areas *Wildlife Act,* RSBC 1996, c 488	Ministry of Forests, Lands, and Natural Resources	Protection of "diverse and sustainable wildlife supporting varied uses for current and future generations"	Minister can designate wildlife management areas by regulation with consent of Lieutenant Gov. in Council Flexible tool granting broad powers of regulation, with a number of ‘creative sentencing options’ Fine-grained local management possible through regional managers with extensive powers over WMAs	Doesn't prohibit commercial fisheries Generally small in area: difficult to control effects of activities outside the WMA Varying levels of protection, rarely, if ever, going as far as creating ‘no-take’ areas Can accommodate a wide variety	No examples in Islands Trust Area. BC examples include: • Parksville WMA • Roberts Bank WMA • Boundary Bay WMA

[5] British Columbia, BC Parks. “Summary of designations and protected area activities”, online (2016) at 1 <http://www.env.gov.bc.ca/bcparks/aboutBCParks/summary-of-pa-designations-activities.pdf>

Legal Tool	Dept.	Purpose	Strengths	Weaknesses	Examples in BC
			s. 5 allows designations of 'critical wildlife areas' and 'wildlife sanctuaries' s. 26(1)(b) makes it an offence to hunt, take, or kill wildlife in a wildlife sanctuary Protections against damaging wildlife habitat in WMAs: s 7(1) makes it an offence to damage wildlife habitat or deposit substances in a manner harmful to wildlife and their habitats within a wildlife management area s. 7(4) gives broad powers to regional managers to prohibit entry, disturbance to wildlife etc. s. 8 gives government a right of action against those who destroy or damage wildlife habitat s. 108 gives LGiC power to make regulations regarding WMAs in general.	of commercial activities Granting of permits can allow damage to habitat/wildlife, despite designation Relatively few WMAs with significant marine components	• Tofino Mudflats WMA
Reserves of Crown Land and Aquatic Crown Land **Orders in Council** *Land Act,* RSBC 1996, c 245	Ministry of Forests, Lands and Natural Resource Operations	Means of preventing or restricting the disposition of the land due to an acknowledged value or concern in the public interest	s. 15-17: LGiC can reserve Crown land from disposition Reserves can prevent dispositions of Crown land altogether (either permanently or temporarily) or can place conditions on disposition to meet a specific purpose (ie. wildlife management) Often used to protect estuarine or foreshore habitat, but aquatic Crown land can be reserved as well	No administrative or regulatory framework inherent in the reserve process Often an interim measure before designation as a WMA or other form of protected area Reserves only prevent lands from being turned over to private interests under the *Land Act*. Grants under other Acts (ie. Mineral Tenure Act) may still be made.	No examples in Islands Trust Area. BC examples include: • Nanaimo River Estuary Wildlife Reserve • Fanny Bay Wildlife Reserve

Legal Tool	***Dept.***	***Purpose***	***Strengths***	***Weaknesses***	***Examples in BC***
				Only for aquatic crown land under provincial jurisdiction	
Tenures that restrict specific uses *Land Act,* RSBC 1996, c 245	Ministry of Forests, Lands and Natural Resource Operations		s 66(1): LGiC can prohibit specific uses of Crown land Allows specific uses that harm conservation values to be prohibited	See above	
Protected Areas *Protected Areas of British Columbia Act,* SBC 2000, c 17		Ecological Reserves and Parks can be designated, or, if already designated, given more formal legal status by inclusion in the schedules of this Act.	Parks and ERs protected under this act cannot be cancelled or altered by the LGiC without amending the Act itself (i.e. through the Legislature) Designation under the Act provides identical protections, but a more formal legal status	See above under headings ‘Ecological Reserves and “Provincial Parks”	Robson Bight ER Hakai Lúxvbálís Conservancy
Environment and Land Use Designations *Environment and Land Use Act***,** RSBC 1996, c 117	Environment and Land Use Committee	“[E]nsure that all aspects of the preservation and maintenance of the natural environment are fully considered in the administration of land use and	Empowers the BC Government’s Environment and Land Use Committee to make a range of recommendations to the LGiC, who can then make any orders “necessary or advisable respecting the environment or land use." Grants a general wide discretionary power over the environment that can be used to create protected areas, establish management direction Targeted, flexible: in the creation of protected	Similar problems as above	No examples in Islands Trust Area. BC examples include: • Kitlope Heritage Conservancy Protected Area (establishe

Legal Tool	***Dept.***	***Purpose***	***Strengths***	***Weaknesses***	***Examples in BC***
		resource development"[8]	areas, usually the provisions of the Park Act are applied, with additional prohibitions against specific activities More specific protections/regulations are possible.		d under the Act; has a marine component)
Licencing process for commercial harvest of wild aquatic plants *Fisheries Act,* RSBC 1996, c 149 Nb: *Fish and Seafood Act* will be brought into force on January 1, 2017	Ministry of Agriculture	Ensure seafood is safe for public consumption (seafood includes aquatic plants grown or cultivated for commercial purposes) Requires licences for commercial aquatic plant growing and harvesting	Failure to comply with licence conditions can result in investigation and enforcement actions Harvesting kelp for commercial purposes is prohibited except with a licence	No public consultation involved in issuance of licences No legislated limit on commercial harvest of aquatic plants No zoning in the Act, no off-limits geographic areas Focus is on food safety and not on marine environmental protection	No examples in Islands Trust Area. BC examples include: Beach-cast Seaweed on east coast of Vancouver Island Gov't taking adaptive management approach to regulation (see here) Stricter licence conditions Harvest Plan proposals are required

[8] British Columbia, BC Parks. "Summary of designations and protected area activities", online (2016) at 6 <http://www.env.gov.bc.ca/bcparks/aboutBCParks/summary-of-pa-designations-activities.pdf>

Legal Tool	*Dept.*	*Purpose*	*Strengths*	*Weaknesses*	*Examples in BC*
Provincial Heritage Sites *Heritage Conservation Act,* RSBC 1996, c 187	Ministry of Forests, Lands and Natural Resource Operations	"…encourage and facilitate the protection and conservation of heritage property in British Columbia."	Protects areas of historical and archaeological significance Sites can be designated by minister (s 9), by agreement with First Nations (s 4), or automatically, where a site contains artifacts from before 1846 (s 13) Strong prohibition on alteration or damage to heritage sites	Automatic protections require a material basis (sacred sites not sufficient) Arbitrary division into pre- and post- 1846 No arrangements have been concluded with First Nations under s 4 Costly to identify/designate sites with archaeological significance Limited application to marine spaces	In Islands Trust Area. • Grace Islet
First Nations					
Aboriginal Title and Rights		Number of cases claiming Aboriginal title to marine space now underway in BC	Asserted or established ab. title/rights over certain areas can be used to prevent the establishment of fisheries which threaten these rights in those areas. Full extent of Aboriginal title to marine areas not yet determined, likely includes other powers to restrict activities such as industrial development and shipping Duty to consult, and possibly accommodate may apply even if ab. title/rights not yet established See e.g. *Ahousaht Indian Band v Canada (Minister of Fisheries and Oceans)*, 2014 FC 197, where the Ahousaht Band's motion for an	Uncertainty Cost/duration of litigation Limited, unsystematic protections	No example or Aboriginal title yet established in Islands Trust Area: *Haida Nation v Canada (Fisheries and Oceans),* 2015 FC 290 (injunction prohibiting re-opening commercial herring fishery

Legal Tool	*Dept.*	*Purpose*	*Strengths*	*Weaknesses*	*Examples in BC*
			injunction prohibiting the creation of a commercial roe herring fishery succeeded on the basis of an established Ab. right to fish commercially		on basis of a breach of the duty to consult)
Tribal Parks			First Nations-led initiatives: incorporate FN concerns, traditional governance, and ecological/cultural practices Allow for a higher degree of (sustainable) human presence and activities in the park, and a higher degree of community involvement Though they lack formal legal recognition, various political and legal concerns can crystallize around declarations of tribal parks, leading ultimately to formal recognition: for example, the Duu Guusd Tribal Park, established by the Haida Nation in 1981, has subsequently been recognized as a heritage site and conservancy. TPs can also find legal protection outside the strict Precautionary Approach (PA) framework. Meares Island Tribal Park, for example, declared by the Tla-o-qui-aht First Nation in 1984, has not yet been recognized as a park. An injunction against logging on the island still stands, however, providing some degree of protection without formal PA recognition. Gwaii Hanaas provides an example of an MPA which began as a tribal park. The Haida Nation designated a 'Haida Heritage Site' in 1985 over mixed terrestrial and marine territory, which	No formal legal recognition; complex and uncertain interactions with provincial/federal law and policy, Ab. rights and title claims Legal and political strength of TPs dependent on the strength of FN claims to land (a strong claim to ab. title or rights over/affecting the area may provide the basis for more robust legal action and protection) Few tribal parks currently declared over marine waters	No examples in Islands Trust Area. BC examples include: • Duu Guusd Tribal Park • Meares Island Tribal Park • Gwaii Hanaas (now recognized as National Park Reserve and Heritage Site) • Dasiqox Tribal Park

Legal Tool	*Dept.*	*Purpose*	*Strengths*	*Weaknesses*	*Examples in BC*
			eventually gained federal recognition as a National Park Reserve and Heritage Site, jointly managed by agreement.		
Indigenous Peoples' and Community Conserved Territories and Areas (ICCA)	Recognized by the Convention on Biological Diversity's Aichi Targets: Target 11 "…other effective area-based conservation measures…" Target 18: ".. the traditional knowledge, innovations and practices of indigenous and local communities" .. are respected"		Defined as "[n]atural and/or modified ecosystems containing significant biodiversity values, ecological services, and cultural values, voluntarily conserved by indigenous, mobile and local communities, through customary laws and other effective means."[9] A tribal park could be considered a kind of ICCA Offers a form of international recognition to pre-existing local systems of conservation and land use; collective and traditional ecological knowledge; indigenous legal traditions Integrates cultural, economic, and ecological concerns Contextually tailored to local cultural and ecological conditions Potential locus of community involvement and activism, participatory governance; raises awareness of community conservation efforts	No formal legal recognition in Canada Inadequate political, legal, and economic support Conflict/competition with formal, state-managed conservation approaches Loss of cultural knowledge, large-scale economic and environmental change threaten the existence of ICCAs	No examples in Islands Trust Area. None formally established in Canada, but many de facto ICCAs exist See also the 'Nakwaxda'xw Nation's efforts to declare ICCA status for the Ba'as/Blunden Harbour Protection Management Zone (PMZ)
Contemporary Indigenous legal tools (eg. RELAW project)	Individual Indigenous communities	To create legal tools for environmental decision-making	Recognizes the deep connections of Indigenous peoples to the lands and waters and their right and responsibility to manage them according to their respective laws and governance systems.	Uncertainty about Canadian legal implications; non-binding under Canadian law	No examples yet in Islands Trust Area, but of special note:

[9] IUCN, "Indigenous and Community Conserved Areas: A Bold New Frontier for Conservation", *IUCN* online: <https://iucn.org/about/union/commissions/ceesp/topics/governance/icca/>.

Legal Tool	*Dept.*	*Purpose*	*Strengths*	*Weaknesses*	*Examples in BC*
		that are grounded in Indigenous legal orders These include policies, codes, Constitutions, assessment processes and more.	Draws on Indigenous legal traditions that have different understandings of marine protection and governance that go beyond the PA-framework. Can have significant impact on negotiations with Canadian government. Can mobilize public opinion and crystallize other political and legal concerns which can lead ultimately to formal recognition Can serve as "bridging" mechanism between Canadian and Indigenous legal orders	Complex and uncertain interactions with provincial/federal law and policy, ab. rights and title claims Process of revitalizing Indigenous legal traditions takes time and capacity	• Tsawout Marine Planning Process (under way) • Tsleil-Waututh Kinder Morgan Assessment Examples in BC: • Gitanyow Land Use Plan • Central Coast Crab Fishery Closure
Other					
Marine plans	Marine Planning Partnership (MaPP) 17 First Nations and Province of BC	MaPP's purpose was to identify acceptable marine uses that support sustainable communities while protecting and, where	Large scale integrated ocean zones approved after intensive 3.5 year scientific and community stakeholder process. Three types of ocean zone: General Management, Special Management, Protection Management (each assigned an IUCN protected area category). Adopted ecosystem based framework	Plans are voluntary, no legal duty to implement Federal nonparticipation meant key ocean issues under federal jurisdiction like fishing and shipping were excluded from the plans.	No example in Islands Trust Area. MaPP applicable to Central and North Coasts

Legal Tool	Dept.	Purpose	Strengths	Weaknesses	Examples in BC
		necessary, restoring marine ecosystems	Unique co-governance structure- co-led by First Nations and the Province with substantial participation and input from local governments. Federal government now re-engaging.		

BRIEFING

To: Trust Council **For the Meeting of:** December 7, 2016

From: Executive Committee **Date prepared:** November 18, 2016

SUBJECT: **LEGISLATIVE MONITORING REPORT**

DESCRIPTION OF ISSUE: Every six months, staff provides a summary of 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.

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BACKGROUND: The attached legislative monitoring report includes:

- Planned legislation
- Legislation in process (N/A for this report)
- Legislation in effect
- Court decisions (N/A for this report)
- New resources
- Discussion/Planning/Trust Fund Board (TFB) related advocacy topics
- Environmental assessment processes in/near the Trust Area
- Legislative change requests

Staff also use this report to track legislative change requests from Island Trust bodies and submitted to the provincial government. The report does not track private members' bills.

The report 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.

ATTACHMENT(S):

1) Legislative Monitoring Report, February 2016
2) Status of Treaty Negotiations in the Trust Area
3) Summary of federal government's Ocean Protection Plan

AVAILABLE OPTIONS: If Trust Council wishes to direct new staff actions on any of the topics in this report, a resolution adding a new business item to Trust Council's agenda is required.

FOLLOW-UP: Staff will continue to monitor past or proposed external regulatory changes and will advise the Executive Committee of consultation opportunities. This report will be provided for the information of Trust Council twice a year, staff time permitting.

Prepared By: Clare Frater, Senior Policy Advisor

Reviewed By/Date: Lisa Gordon, Director, Trust Area Services, Nov. 19, 2016
Russ Hotsenpiller, Chief Administrative Officer, Nov. 19, 2016
Executive Committee, Nov 23, 2016

Islands Trust

LEGISLATIVE MONITORING REPORT
December, 2016

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. The chart captures changes in the last six months and is organized according to the following categories:

- Planned legislation
- Legislation in process (none in this report)
- New legislation in effect
- Court decisions (none in this report)
- New resources
- Discussion/Planning/Trust Fund Board (TFB) related advocacy topics
- Environmental assessment processes in the Trust Area
- Legislative change requests

Attachments

- Status of Treaty Negotiations in the Trust Area
- Summary of federal government Ocean Protection Plan

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Planned Legislation

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Contaminated Sites Discussion Paper	Draft – feedback closed	The Province is proposing to amend the Contaminated Sites regulations to change how and when contaminated sites are identified and proof of remediation is required. The Province asked for feedback earlier in 2016 and 40 local governments, including the Islands Trust, responded. Generally, the new regulations as proposed would eliminate some triggers for contaminated sites review, such as subdivision, and add other's such as building permits. Remediation would be required before issuance of occupancy permit. Local government bylaw processes would not be frozen (as they are now) if a contaminated site is identified. In a effort to make the process consistent across the province, the option to opt out of the process will be revoked.	When the regulation was first brought in in the late 1990s, the Islands Trust and many other local governments, based on legal advice, opted out.	If the regulation is amended as proposed, all local trust committees would need to comply, including development of processes dealing with contaminated sites during a development application process.
Proposed changes to *Fisheries Act*	Spring 2017 – Second phase of public consultati on will solicit ideas on new legislation	The Government of Canada is reviewing the 2012-2013 changes to the *Fisheries Act* with an online consultation called Let's Talk Fish Habitat. The website provides two methods for input. Participants can : a) share ideas on the interactive Ideas Forum, and comment, 'like' or critique all posted ideas. b) Fill out four eWorkbooks on: Why you care about fish habitat; threats to fish and fish habitat; the right protections in the right places; and monitoring and reporting back to Canadians.		

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New Legislation in Effect

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Agricultural Land Commission Act via • Order in Council 159/2016 • Bill 25 – 2016 *Miscellaneous Amendments Act*. • Order in Council 508/2016 • Order in Council 602/2016	In effect	The provincial government has enacted the following changes in 2016: • New fee for ALC applications. ALC portion of the fee increased from $300 to $1200 (no change to the $300 fee to local government) • Local governments undertaking block exclusions require consent of the landowner. Block exclusion is a process where a local government has identified, through planning process, a need to remove land from the ALR for other uses. The local government can make the request for more than one parcel at a time. The change in the *Act* now requires owner consent from all affected parcels. • Clarified definition of agri-tourism and adds a definition of "gathering for an event".	New fee being collected as of April 1, 2016 and forwarded to the ALC with referral of application. Local trust committees have not undertaken any block exclusions.	No action required. Future local trust committee and island municipality land use amendments should consider the implications of the changes to the definition of agri-tourism and what is allowed as a gathering for an event.
Local Government Act via Bill 25 – 2016 – *Miscellaneous Amendments Act*.	In effect	Amends s.498 (Development Variance Permits) to correct a revision error that resulted in an unnecessary cross-reference.		No action required.

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New Resources

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Canada's Marine Coasts in a Changing Climate	Released in 2016	*Canada's Marine Coasts in a Changing Climate* is Natural Resources Canada's latest science assessment of climate change impacts and adaptation is available on-line. The report contains a Synthesis, background chapters on the physical environment and human dimension of coasts, chapters examining Canada's East, North and West coast regions, and a series of FAQs. Case studies demonstrating action on adaptation are found throughout the report. The report states that southern Vancouver Island is one of three regions of BC where the largest amounts of relative sea-level rise are projected to occur.		
Adapting to Climate Change on the BC Coast video series	Released in 2016	The "Adapting to Climate Change on the BC Coast" video series was developed by the Ministry of Environment for elected officials and the general public. It provides an introduction to living with climate change on the BC Coast, with special attention to three subject areas: coastal flood management examples of adaptation to sea level rise; rainwater management examples of adaptation to changed precipitation and stormwater patterns; water conservation examples of adaptation to seasonal droughts.		Trust Area Services staff will review the videos for potential use as part of TPC water conservation research project
Draft Manual of Composting Toilet and Greywater Practice for British Columbia	Released in July 2016	This BC Ministry of Health technical manual is for industry, government agencies, environmental health officers and the general public who wish to consider cost-effective, ecofriendly alternatives to conventional onsite sewerage systems within the scope of the Sewerage System Regulation. It provides minimum standards and guidelines for planning, installation, monitoring and maintenance of composting toilet and greywater systems that will protect human health and the environment. The manual provides a comprehensive set of provisions that support the design, installation and maintenance of composting toilet-based sewerage systems, and aligns with the guiding legislation and the BC Building Code.	None.	Trust Area Services staff will review the manual for potential use as part of TPC water conservation project.

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DISCUSSION/ PLANNING/TFB RELATED ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
BC land-based oil spill regime improvements	Announced in May 2015	In May, the provincial government updated the *Environmental Management Act*, to create a provincial oil spill regime for land-based spills. The changes follow several years of engagement. The legislation: • Establishes new requirements for spill preparedness, response and recovery • Creates new offences and penalties • Enables the certification of a Preparedness and Response Organization • Increase transparency, participation and accountability Regulations are now being developed to enact the new legislation.	Highlights: In 2014, wrote to the BC Minister of Environment with input on the Policy Intentions Paper In 2013, wrote to the BC Minister of Environment expressing support for potential improvements. In 2012, submitted a UBCM resolution about the need for industry funding for BC oil spill prevention, preparedness and response with a three page backgrounder that included dramatic charts comparing BC spill capacity to Washington State and Alaska. In 2012, organized a “Role of Local Government during Oil Spill Response” session at the Association of Vancouver Island and Coastal Communities convention, which highlighted the lack of provincial leadership. In 2011, EC met with the BC Minister of Environment, and provided Executive Summary of a 2008 report. In 2010, EC met with the BC Minister of Environment. The Chair followed-up with a letter outlining the need for additional provincial resources for oil spill planning and response.	None planned.

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DISCUSSION/ PLANNING/TFB RELATED ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Federal Ocean Protection Plan – oil spills	Announced November 7, 2016	The federal government announced a $1.5 billion ocean protection plan, addresses many but not all, of Islands Trust Council's oil spill and derelict vessel advocacy requests, and may provide tools for better oversight of anchorages. The plan is vague regarding implementation on the West Coast. Transport Canada staff advise that they will provide Islands Trust with a technical briefing on the plan in the coming months. Additional details will also likely become available in federal budget announcements in early 2017. Details of the announcement are summarized in an attachment. Full details are available online at: http://pm.gc.ca/eng/news/2016/11/07/canadas-ocean-protection-plan-world-leading-marine-safety-system-protects-canadas	Highlights: In 2016, wrote to the Prime Minister to express Council's ask for a moratorium until Transport Canada does proactive planning/mitigation. In 2016, submitted a UBCM resolution asking Transport Canada to assess the cumulative impacts and develop a mitigation plan. In 2015, wrote to the Minister of Transport with anchorage concerns. In 2013, provided a written submission as well as a letter co-signed by San Juan County's Chair to Transport Canada's Tanker Safety Expert Panel. In 2011, wrote to the Minister of Transport, requesting that the Islands Trust Area get Geographic Response Plans. In 2011, wrote to Minister of Transport expressing concern about diluted bitumen. In 2010, wrote to the Minister of Transport, expressing concerns re shipping and anchorages.	Staff will continue to monitor and make recommendations to EC.
Ocean Protection Plan – derelict vessels House of Commons Motion passed regarding derelict vessels	Announced November 7, 2016	The Ocean Protection Plan also included measures to address derelict vessels. The Oceans Protection Plan includes a package of measures, but it is unclear at this time if there will be funding to support removal of vessels where the owner is difficult to identify. Prior to the Ocean Protection Plan announcement in November, Federal	From 2012-2016, staff have participated in Joint Working Group for Removal of Problem Vessels in BC. In 2014, staff helped develop of provincial guides about problem vessels. In 2014, trustees and staff also supported a 2014 Transport Canada Inventory of Vessels of Concern in British Columbia.	Staff will continue to monitor and make recommendations to EC. Staff will continue to

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DISCUSSION/ PLANNING/TFB RELATED ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
		parliament unanimously supported a motion on October 26 re derelict vessels. The motion supports that within six months the federal government will: *make amendments to the legislation surrounding the prohibition of abandoned vessels, incorporate more education, improve vessel owner identification, identify ways for government help in removing abandoned vessels and ensure that owners of abandoned vessels are liable for the vessels*. Islands Trust was mentioned twice during the discussion in Parliament.	In 2014, wrote to the federal Minister of Transport and the Minister of FLNRO about finding solutions to derelict vessels. In 2014, wrote to partner local governments encouraging them to also advocate to the provincial and federal governments for the timely development of long-term solutions to derelict vessel issues. In 2013, wrote to the Minister of FLNRO providing a derelict vessel advocacy update. In 2013, Islands Trust and Bowen Island Municipality offered a derelict vessel session at the UBCM Convention. The Chair provided a presentation at the clinic session. In 2013, proposed a resolution to UBCM petitioning the provincial and federal governments to increase their efforts to work together to create a permanent solution to the issue of abandoned and derelict vessels that includes sustainable funding sources. In 2013, met with Minister of FLNRO about derelict vessels and brought representatives from 17 partner local governments. In 2012, staff responded to a Transport Canada survey on derelict vessels using information provided by Islands Trust elected officials and community members.	participate on a Joint Working Group.

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DISCUSSION/ PLANNING/TFB RELATED ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
			In 2011, wrote to three local government partners providing a derelict vessel advocacy update. In 2011, discussed derelict vessel issues with the BC Minister of Environment. In 2011, wrote to the federal Minister of Transport, Infrastructure and Communities, regarding support for derelict vessels bill (Bill C-231) In 2010, EC organized a meeting with the BC Minister of FLNRO about derelict vessels and docks, and brought six other local governments. Following this meeting, the Minister wrote to the federal Minister of Transportation about the issue. In 2010, EC worked with three other local governments and (AVICC) to develop a joint UBCM resolution on derelict and abandoned vessels, barges and docks. The same partners also organized a Finding Solutions for Management of Derelict Vessels workshop at UBCM. At UBCM, the EC also met with BC Minister of Forests, Mines and Lands re derelict vessels and followed up with a letter and with a letter to the new responsible Minister.	
Call for Nominations for Canada's Tentative List for World Heritage Sites	Nomination period closes in January 27, 2017	Parks Canada has initiated a public process to solicit applications for consideration for Canada's Tentative List for World Heritage Sites. Canadians are invited to submit applications over a six-month period. Applications must demonstrate that the proposed site has potential Outstanding Universal Value – the core requirement for all		

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DISCUSSION/ PLANNING/TFB RELATED ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
		sites inscribed on the World Heritage List – by satisfying one or more of ten natural and cultural criteria. They must also meet additional World Heritage requirements for integrity and authenticity, be effectively managed and protected, and enjoy broad local support. Applications for the Tentative List must also demonstrate landowner consent, engagement and support of local Indigenous communities, and the support and engagement of local stakeholders.		
Howe Sound Management and Cumulative Effects	Provincial staff updated the Howe Sound Community Forum at meetings in 2016. Seven Howe Sound Current Condition Reports are targeted for completion by the Spring of 2017	As part of the province's phased implementation of the BC Cumulative Effects Framework, FLNR staff collaborated with local communities and initiated the Howe Sound Cumulative Effects Project in the Spring of 2015. This project will help develop a common understanding of the current and potential future condition of key environmental values in Howe Sound. Information from the project will help to inform future management and land use decisions.	June 10, 2015 Executive Committee requested that Trust Area Services staff track the province's work in relation to Howe Sound as part of its legislative monitoring program. Staff monitored media re Howe Sound.	Staff will continue to monitor the Province's work regarding Howe Sound.

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DISCUSSION/ PLANNING/TFB RELATED ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP)	Partnership is active.	The CDFCP is a partnership pf 40 organizations that have signed on to the CDFCP Statement of Collaboration. These members include Local Governments, Regional Governments, the Province of BC, the University of BC, several Environmental Non-Profit organizations and private landowners. To date, Islands Trust signatories include: the Islands Trust, Trust Fund Board, Gambier Island LTC, Gabriola Island LTC, Galiano LTC and Hornby Island LTC. In 2015, the CDFCP issued a Conservation Strategy that will begin to address a multi-variable approach to ecosystem conservation. The CDFCP has some funding in place from the Real Estate Foundation of BC until May 2017, to do outreach with local governments.	March 2013: Trust Council signed on to the Coastal Douglas-fir and Associated Ecosystems Conservation Partnership (CDFCP) Statement of Cooperation. June 2014: Trust Council session June 2015: Trust Council requested that staff work with the CDFCP to develop recommendations for Trust Council's consideration regarding local planning tools that local trust committees could use to protect Coastal Douglas-fir ecosystems. September 2015: The Islands Trust's CDFCP resolution passed at the UBCM convention. September 2015: Council received the CDFCP Conservation Strategy for information November 2015: Chair sent a letter to the CDFCP Steering Committee in support of the Conservation Strategy and indicating Trust Council's willingness to work with the CDFCP to implement the strategy as capacity allows. November 2015: Staff forwarded the CDFCP Conservation Strategy to local trust committees and Bowen Island Municipality as a potential resource. Gambier Island LTC has asked for CDFCP input into its OCP review. Gabriola Island LTC has added working with the CDFCP to its project list.	The Islands Trust Fund Ecosystem Protection Specialist will continue to be on the CFDCP Steering Committee. Trust Area Services staff will monitor for the Provincial response to the successful 2015 UBCM resolution Gambier Island Planner will follow up with CDFCP Steering Committee regarding Gambier LTC resolution inviting input into OCP review.

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DISCUSSION/ PLANNING/TFB RELATED ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Provincial Species and Ecosystems at Risk and Local Governments Working Group	Active since 2009.	The Species and Ecosystems at Risk Local Government Working Group (SEAR LGWG) was established in the fall of 2009 in response to the Minister of Environment's interest in developing a collaborative, provincial vision for species and ecosystems at risk protection on private land. The SEAR LGWG consists of representatives from municipal, regional and provincial governments and the Union of British Columbia Municipalities (UBCM). A jointly prepared discussion paper *Working Together to Protect Species at Risk: Strategies Recommended by Local Government to Improve Conservation on Municipal, Regional and Private Lands in British Columbia* was completed in January 2011. In 2016, the Working Group struck a SEAR Charter Advisory Committee to help develop a SEAR Charter between the province and local governments to provide greater clarity on roles and responsibilities of both parties. The Charter is currently in draft form and being reviewed by the advisory committee. A SEAR Charter was one of the four short-medium term recommendations that came out of a 3-year SEAR Incentive Project, which supports the Five Year Plan for Species at Risk in B.C.	Marnie Eggen, Planner 2,and Mike Richards, Grants Administrator are members of Species and Ecosystems at Risk (SEAR) Local Government Working Group (LGWG) and a member of the a SEAR Charter Advisory Committee. Staff provided a response to the Province's survey of local government in 2014.	LPS staff will continue to participate in the Working Group. LPS staff will attend the 4th SEAR Local Government Working Group Symposium (31 Jan – 1 Feb 2017) in Victoria
Provincial engagement on Species at Risk	Consultation closes November	Three of the actions defined in 2014 provincial Five-Year Plan for Species at Risk plan aim to strengthen the foundation of the species at	The Islands Trust Chair sent a letter	TAS staff will continue to monitor

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DISCUSSION/ PLANNING/TFB RELATED ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
	30, 2016	risk program: 1. Analyze opportunities for and make recommendations regarding changes to existing or new policy and legislation to address gaps in protection for species at risk, ensuring input from stakeholders and the public is considered prior to making any changes. 2. Explore and recommend new ways (including incentives and possible project funding) to promote voluntary protection of species at risk. 3. Develop options for innovative and enduring funding for species at risk stewardship programs. The British Columbia Government has determined these actions are best informed by consultation and have asked for comments on four topic areas: • Principles for the protection • Provincial protection • Protection on private land • Funding		

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DISCUSSION/ PLANNING/TFB RELATED ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Consultation on federal *Species at Risk Act* policies	Consultation closes November 8, 2016	Environment and Climate Change Canada is seeking input on seven draft policies on the implementation of the *Species at Risk Act*. The seven draft policies are designed to support predictable, clear and consistent implementation of the act, and address critical habitat protection on non-federal lands, Species at Risk Act permitting, and listing policy for terrestrial species at risk, among other topics.	The Islands Trust Chair sent a letter	
Proposed Sunshine Coast Fixed Link	BC Gov't awarded contract on Feb 3, 2016, for feasibility study. Report due to BC Government in fall 2016.	The Government of B.C. is studying the costs and benefits of a possible highway link between the Sunshine Coast and Metro Vancouver. The link could include direct bridge connections across Howe Sound islands. The costs and benefits of each route will be assessed, and compared with ferry services.	The Islands Trust Chair and Gambier Island Chair sent letters in November 2016. In July 2016, Ann Kjerulf, Regional Planner Manager and Aleksandra Brzozowski, Island Planner, attended a local government staff consultation and Trustee Stamford attended an elected officials session.	Staff will monitor for release of final report.
Federal expert Panel review of federal environmental assessment processes	In progress	In September 2016, a federal Expert Panel launched a public review of Canada's environmental assessment processes. The consultation timelines is as follows: **September 19, 2016** – Expert Panel launched its public review of environmental assessment processes, beginning its cross-country tour with public hearings and workshops in Saskatoon, SK **December 12, 2016** - In-person engagement in	On January 22, 2016, the Islands Trust Chair wrote to the Minister of Environment and Climate Change re concerns with evaluation of marine shipping during environmental assessments and suggestions for improving public participation.	

DISCUSSION/ PLANNING/TFB RELATED ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
		Vancouver (Advanced registration is strongly encouraged) **December 15, 2016** – Final in-person engagement session, in Nanaimo, BC (Advanced registration is strongly encouraged) **December 23, 2016** – Closing date for written and online submissions **January 31, 2017** – Deadline for the Expert Panel to submit its report and recommendations to the Minister of Environment and Climate Change **Mid-2017** – Once the Expert Panel has completed its work, the Minister of Environment and Climate Change will consider the recommendations in the Panel's report and identify next steps to improve federal environmental assessment processes.		
Proposed Gabriola anchorage	On hold DFO completed a section 35 referral in June 2016	The Pacific Pilotage Authority has put a hold on the proposed new anchorage based on stakeholders' and partners' concerns regarding the consultation process with respect to the proposed location of five anchorages off Gabriola.	Highlights: In 2016, wrote to the Prime Minister to express Council's ask for a moratorium until Transport Canada does proactive planning/mitigation and wrote to the Minister of Transport encouraging Transport Canada to engage in full community consultation and a detailed public analysis of the potential implications of extending the jurisdiction of the Nanaimo Port Authority, On March 30, 2016, Chair Luckham wrote to Pacific Pilotage Authority regarding the timing of the planned public meeting about the proposed Gabriola Island	

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			anchorages. On December 18, 2015, Chair Luckham wrote to the Honourable Marc Garneau, Minister of Transport, re minimizing anchorage use. On November 4, 2015, the Islands Trust hosted a stakeholder meeting about the Plumper Sound, Cowichan Bay and proposed Gabriola anchorages to promote dialogue and increased understanding of the issues.	

Environmental Assessments in/near the Islands Trust Area

ENVIRONMENTAL ASSESSMENT	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
Kinder Morgan's Trans Mountain Pipeline Expansion Project application to National Energy Board	The federal cabinet is expected make a decision about approving the project on or before December 19.	The project will increase the number of oil tankers from 60/year to about 408/year. On April 2, 2014, the National Energy Board announced that the Islands Trust Council was accepted as one of 1250 commenters. Oral summary arguments and final arguments concluded in February 2016. On May 19, 2016 the National Energy Board recommended to Cabinet that the Trans Mountain pipeline be approved with 157 conditions. In early November, a three-member Ministerial Panel provided a final report to the Minister of Natural Resources that summarized the input received and posed a set of questions for the federal government to consider prior to making a decision on the project in December.	On August 18, 2015, submitted a 13 page letter of comment with pictures. On August 9, 2016 the Islands Trust Chair provided a verbal presentation to the Ministerial Panel and resubmitted the letter of comment. Trustee Rogers also spoke to the Panel as a trustee.	Staff will monitor for further consultation opportunities.

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ENVIRONMENTAL ASSESSMENT	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
BURNCO Aggregate Project environmental assessment process update	Public comments on the application closed on September 28, 2016.	BURNCO Rock Products Ltd is proposing to construct and operate a sand and gravel mine within the Lower McNab Valley, approximately 22 kilometres (km) southwest of Squamish and 35 km northwest of Vancouver. The projected lifespan of the proposed Project is 16 years. The average estimated rate of sand and gravel production is 1,000,000 tonnes per year, with one barge (two transits) every other day.	Aleksandra Brzozowski, Island Planner, was a member of the Environmental Assessment Office Working Group until April 2015 and rejoined the Working Group on January 2016 Trustee Stamford joined the Working Group on January 2016. October 2013 Chair letter to Environmental Assessment Office. October 2016 Chair Letter to EAO October 2016 Gambier LTC Chair letter to EAO	Staff will continue to monitor.
Roberts Bank Terminal 2 Canadian Environmental assessment	Consultation on the application closed on October 29, 2016	Port Metro Vancouver (PMV), proposes to build a new container terminal at Roberts Bank, Delta, B.C. consisting of a new three-berth marine container terminal located at Roberts Bank, Delta, B.C. The terminal could result in 520 additional vessel transits in the Salish Sea. In April 2015, CEAA issued the Roberts Bank Terminal 2 Project Review Panel Final Terms of Reference which stated that the environmental assessment must also take into account the environmental effects of marine shipping associated with the project which is beyond the care and control of the proponent (PMV) and within the 12 nautical mile limit of Canada's territorial sea. However, for the purposes of the Minister's decision on whether the project	October 2016 Chair letter to CEAA November 2015: Staff advised allies of the public comment period on the Marine Shipping Addendum to the Environmental Impact Statement Chair letter December 6, 2013	None planned.

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ENVIRONMENTAL ASSESSMENT	STATUS	SUMMARY	ISLANDS TRUST ACTIONS - PAST	ISLANDS TRUST ACTIONS - FUTURE
		is likely to cause significant adverse environmental effects, the environmental effects of marine shipping are not considered environmental effects and will not be subject to conditions to the proponent in any decision statement issued by the Minister under CEAA 2012. CEAA has received correspondence from number First Nations, local governments, non-profits agencies and individuals criticizing this approach.		

ISLANDS TRUST REQUESTS TO THE PROVINCE OF BC FOR CHANGES TO ISLANDS TRUST LEGISLATION / REGULATION (DURING PAST 10 YEARS)

ISLANDS TRUST COUNCIL REQUEST	WHEN	METHOD	RESPONSE
1. Amendments to the *Islands Trust Act* that would cause four local trustees to be elected to sit on the Salt Spring Island Local Trust Committee and Trust Council.	July 20, 2007	Letter to Hon. Ida Chong, Minister of Community Services	May 2008 Minister Chong suggested Islands Trust hold a referendum in the Salt Spring Island LTA. If the referendum was successful, Minister Chong was willing to approve four local trustees for the SSILTC, but not to increase Salt Spring Island representation on Trust Council. Turned down by Salt Spring Island LTA referendum November 15, 2008.
2. Changes to the *Islands Trust Act* 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	Not advanced by the Ministry. Never formally turned down.
	June 2008	Trust Council later requested a simpler amendment - that S. 20(3) of the Islands Trust Act be amended to increase the number of vice chairs from three to four.	
	June 2011	Raised during a meeting between the Executive Committee and the Hon. Ida Chong, Minister of	

ISLANDS TRUST COUNCIL REQUEST	WHEN	METHOD	RESPONSE
		Community Services	
3. 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 through provincial creation of a new Islands Trust Regulation.
4. 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	This topic originally arose in response to a court case, where a bylaw was quashed because the public hearing was held outside the jurisdiction. Further evaluation determined that the relevant legislation had been amended and did not apply to local trust committees.
5. 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 through minor amendment to legislation.
6. Bylaw dispute adjudication system	October 27, 2009	Meeting with Hon. Bill Bennett, Minister of Community and Rural Development	Achieved in 2011
7. Trust Fund Board corporate status and name change	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. Several requests have been made
	June 2011	Staff met with Ministry staff	
	November 20, 2012	Letter to Hon. Bill Bennett, Minister of Community, Sport and Cultural Development	Response received Feb 2013. Minister Bennett stated that changing the corporate structure of the Trust Fund Board has broad implications that require careful consideration. He further noted that government often requires a compelling reason, such as a legislative barrier to operations, prior to considering such a legislative request. He suggested that Islands Trust staff contact the Assistant Deputy Minister to arrange for

ISLANDS TRUST COUNCIL REQUEST	WHEN	METHOD	RESPONSE
			further evaluation of the proposal.
	Sept 2013 and Feb 2014	Letters to Hon. Coralee Oakes, Minister of Community, Sport and Cultural Development	Several contacts with Ministry staff have been made, most recently in May 2015. The Assistant Deputy Minister repeated earlier advice that that the ministry does not currently have the capacity to undertake this complex a legislative change, given other provincial priorities.
	May 12, 2015	Executive Committee and senior staff met with new Assistant Deputy Minister Jay Schlosar, who has since left government	
	September 2015	Letter to Hon. Peter Fassbender, Minister of Community, Sport and Cultural Development	Minister Fassbender was not responsive to Trust Council's request for legislative changes. Conversation during the meeting focused on Salt Spring governance and his request that Executive Committee meet with the Aboriginal Aquaculture Association.
	November 2015	Executive Committee and CAO met with Hon. Peter Fassbender, Minister of Community, Sport and Cultural Development	
8. **Support in principle amending the Islands Trust Act to add "First Nations" to the list of those with whom we work "in co-operation."**	September 2015	Trust Council requested the Executive Committee to consider asking the Minister of Community, Sport and Cultural Development to make this amendment, at an appropriate time, with respect to available resources and the potential for the amendment to be achieved.	

PENDING REQUEST TO TRUST COUNCIL	WHEN	METHOD	RESPONSE
Salt Spring Island Local Trust Committee requested the Executive Committee to investigate the possibility of amendments to the *Islands Trust Act* to broaden the Islands Trust's ability to serve its communities and to strengthen its mandate to preserve and protect.	May 5, 2016	Resolution #SS-2016-72	On May 18, 2016 the Executive Committee requested staff to add Salt Spring Island LTC Resolution re: *Islands Trust Act* to the Executive Committee work program report.

Caveat: This chart is provided for convenience only and is not to be construed as a legal document or as legal advice.

Status of Treaty Negotiations in the Islands Trust Area

First Nations in Stage 5 of 6 in Treaty Process (Agreement-in-Principle; awaiting ratification)

1. K'omoks first Nation
2. Nanoose First Nation (part of Te'Mexw Treaty Assoc.)
3. Malahat First Nation (also part of Te'Mexw Treaty Assoc., and a Douglas Treaty Nation)
4. Songhees First Nation (also part of Te'Mexw Treaty Assoc., and a Douglas Treaty Nation)
5. Beecher Bay First Nation (also part of Te'Mexw Treaty Assoc., and a Douglas Treaty Nation)
6. Sooke First Nation (also part of Te'Mexw Treaty Assoc., and a Douglas Treaty Nation)

First Nations in Stage 4 of 6 in Treaty Process (Negotiating Agreement)

1. Cowichan Tribes (part of the Hul'quimi'num Treaty Group)
2. Penelakut First Nation (part of the Hul'quimi'num Treaty Group)
3. Halalt First Nation (part of the Hul'quimi'num Treaty Group)
4. Lyackson First Nation (part of the Hul'quimi'num Treaty Group)
5. Lake Cowichan First Nation (part of the Hul'quimi'num Treaty Group)
6. Nanaimo First Nation (also a Douglas Treaty Nation)
7. Sechelt First Nation
8. Tseil-Waututh First Nation
9. Musquem First Nation
10. Aitchelitz First Nation (part of the Sto:lo Nation treaty group)
11. Leqá:mel First Nation (part of the Sto:lo Nation treaty group)
12. Popkum First Nation (part of the Sto:lo Nation treaty group)
13. Skawahlook First Nation (part of the Sto:lo Nation treaty group)
14. Skowkale First Nation (part of the Sto:lo Nation treaty group)
15. Tzeachten First Nation (part of the Sto:lo Nation treaty group)
16. Yakweakwioose First Nation (part of the Sto:lo Nation treaty group)

First Nations in Stage 3 of 6 in Treaty Process (Agreement Framework)

17. Squamish First Nation

First Nations in Stage 2 of 6 in Treaty Process (Statement of Intent)

18. Hwlitsum First Nation (status of Nation under review)

First Nations with Aboriginal Rights and Title but no longer in BC Treaty process

19. Chemainus First Nation (part of the Hul'quimi'num Treaty Group)

First Nations with Ratified Modern Treaties

20. Tsawwassen First Nation (2009)
21. Tla'amin (Sliammon) First Nation (2016)

N.B. Nations forfeit their Douglas Treaty rights if and when they sign a modern BC Treaty

Summary of Federal Government Ocean Protection Plan

Below is a summary of federal commitments that are relevant to the Islands Trust Area:

Regulatory changes *(details still to come):*

- Regulations and other tools to better respond to local marine traffic issues *(may provide for anchorage management/oversight)*
- Tougher requirements on industry to provide quicker action for any spills from a ship
- Amendments to the Canadian Ship-source Oil Pollution Fund *to* ensure adequate industry-funded compensation is available for those affected by oil spills.

Anchorage management:

- The federal government's commitment to pursue shared leadership opportunities with Indigenous and coastal communities related to managing vessel navigation locally may provide for opportunities to reduce risks and social impacts associated with anchorages.
- The announcement includes a commitment to support enhanced sharing of marine traffic information with local communities in real-time (which could mean use of domain awareness systems such as the one developed by the Port of Nanaimo)

Emergency towing:

- Coast Guard to lease two large vessels capable of towing commercial vessels and large container ships (location in Canada unclear)
- Install towing kits on CCG major vessels

Research:

- Research to into how petroleum products behave in Canada's waters and specific environmental conditions.
- Six pilot projects in priority areas to improve oil spill trajectory modelling. The six regions have not been announced.
- A pilot baseline monitoring program (location not clear) to:
  - better understand the cumulative effects of shipping on coastal ecosystems;
  - develop appropriate mitigation measures; and
  - better monitor clean-up in the event of a spill

Response improvements:

- New international partnerships to provide access to the best technology available for spill response.
- New Coast Guard environmental response depot with modern response equipment and a dedicated Primary Environmental Response Team near Port Hardy and with the possibility of another Response Team in BC

Protecting marine mammals

- Research into how to protect marine mammals from the effects of shipping, including collisions and noise pollution,
- Program to locate and track marine mammals in high vessel traffic areas and provide this information to mariners.

- Research to identify and assess the most pressing local environmental issues impacting the state of marine mammals and the effectiveness of existing mitigation measures.
- New capacity for DFO Fishery Officers to develop a national approach, in line with international best practices, to respond to marine mammal incidents such as collisions, entanglements and standings.

Funding:

- Funding for *coastal zone plans* and to identify restoration priorities.
- Additional emergency and enforcement officers on the Pacific and Atlantic coasts

Stronger Canadian Coast Guard

- Strengthened CCG's Marine Communications and Traffic Services Centres to ensure uninterrupted communications with mariners;

Better coordinated federal emergency response

- Form new Indigenous Community Response Teams in British Columbia, which will offer training for search and rescue, environmental response, and incident command.
- Expand the CCG Auxiliary's role in responding to oil spills.
- Conduct regular response exercises with communities, stakeholders and Indigenous communities to ensure response readiness.

Indigenous and coastal communities/governments role

- The Government of Canada will partner with Indigenous and coastal communities and seek their advice in a number of areas, including:
    - understanding the combined effects of shipping;
    - creating local vessel control areas to minimize safety risks and/or environmental impacts;
    - updating and modernizing regulations and other tools to better respond to community issues related to marine traffic;
    - setting habitat restoration priorities and taking the most appropriate measures when monitoring clean-up, in the event of a spill;
- Regional partnerships with Indigenous and local communities so they can play an active role in decisions about marine safety.
- Form new Indigenous Community Response Teams in British Columbia which will offer formal training for search and rescue, environmental response, and incident command.
- Create a new chapter of the CCG Auxiliary in British Columbia to support Indigenous communities.

Abandoned, derelict and wrecked vessels

- Prohibit owners from abandoning their vessels;
- Make vessel owners responsible and liable for the cost of any vessel clean-up as a result of abandonment, maritime casualty, or irresponsible vessel management;

- Empower the federal government to take more proactive action on vessels causing hazards before they become costly to address;
- Improve the accuracy of vessel owner identification to help ensure they can be held responsible;
- Create a list of problem vessels to understand the scope, scale and risks associated with this issue;
- Work with provincial and local governments and Indigenous communities to support the clean-up of smaller high-priority vessels posing risks to coastal communities, and develop plans to address large commercial problem vessels, according to the risks they pose; and,
- Promote education and outreach activities to inform owners of their responsibilities for proper vessel disposal.

In the federal Finance Minister's November economic update he mentions that Budget 2017 he stated that marine safety will be a key area of focus of Budget 2017.

Howe Sound Community Forum Summary

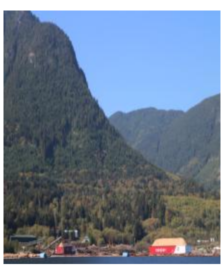
Future of Howe Sound Society Website

On Friday October 14th, 2016 the rain and wind warnings didn't deter the seventy six people that made their way to the Gleneagles Golf Club House for the Howe Sound Community Forum hosted by the District of West Vancouver.

Councillor Nora Gambioli welcomed everyone to the charming historically significant place that has been the venue for a number of Howe Sound events over the past four years. Squamish Nation Council member and spokesperson Chris Lewis welcomed everyone to their traditional territory.

The first presentations focused on major developments and initiatives potentially impacting the Howe Sound region. Squamish Councillor Karen Elliott provided background to the active development map illustrating the many project proposals at various stages in Squamish.

Marcin Pachcinski, Division Manager, Electoral Area and Environment for Metro Vancouver shared the draft map of Electoral Area A between West Vancouver and Lions Bay. The area is currently undergoing its first Official Community Plan with a priority on containing growth.

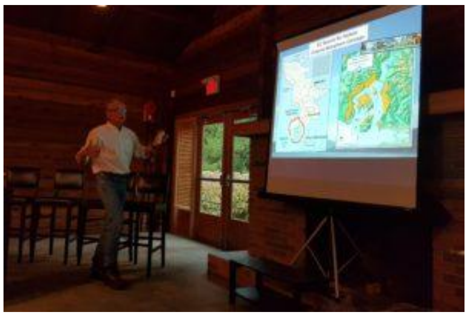


Director Ian Winn representing Area F, West Howe Sound on the Sunshine Coast explained the Official Community Plan review process that is underway. Director Winn pointed to where on the map this area is industrial use, primarily forestry based. This area also includes the proposed BURNCO Aggregate Mine proposal at McNab Creek and Director Winn reported to the Forum the Sunshine Coast Regional District's review of the ongoing environmental assessment for this project.

Jeff Juthans, Land and Resource Specialist with the BC Ministry of Forest, Lands and Resource Operations, provided an update on the Cumulative Effects Assessment for Howe Sound. Seven Howe Sound Current Condition Reports are targeted for completion by the Spring of 2017.

Thomas Chhun, District Manager with the Ministry of Transportation presented on the Sunshine Coast Fixed Link Study. The presentation is being closely followed by the public open houses starting October 18th at which time everyone will learn more about the results of the feasibility study. MLA Sturdy assured everyone this study is to put to rest the long time question of exploring cost/benefits of a fixed link compared to the ferries and updates a previous study conducted in 1998. The study is not a yes or no for a future project and costs are a key factor.

Ruth Simons, Executive Director of the Future of Howe Sound Society introduced the topic of regarding the Howe Sound UNESCO Biosphere Region initiative. After four years of work on generating the dialogue for the need for a comprehensive land and marine use plan for Howe Sound, Ruth explained why being recognized by the United Nations Educational, Scientific and Cultural Organization as a unique Biosphere region is aligned with the aspirations and objectives of the Howe Sound Community Forum's Principles of Cooperation. Under the framework of a Biosphere Region logistical support to operationalize the vision for sustainable development in balance with environmental protection is achieved.



Stan Boychuk, Chair of UNESCO's Canadian Council for Man and the Biosphere provided information on the Biospheres and the MAB programme and what elements are required to qualify for this status. Bob Turner, member of the exploration team and formerly with Geological Survey of Canada, illustrated with simple maps, the potential boundaries around Howe Sound that would fall in the Biosphere region. Howe Sound currently has the required elements of zones of cooperation, buffer and core protected areas. Questions were asked of the exploration team followed by an indication of support from the Forum for continuing to pursue this initiative.

After a short lunch, updates by representatives from each of the communities included Gibsons, Bowen Island, Lions Bay, Squamish, Whistler, the Sunshine Coast Regional District, Islands Trust and the Gambier Island Local Trust area and Squamish Nation. The District of West Vancouver's presentation was an overview of from the Community Energy & Emissions Plan committee and the Horseshoe Bay revitalization plan.

Karin Bodtker, Marine Manager for Coastal Oceans Research Institute, Vancouver Aquarium, provided an update of the Howe Sound Coastal Ocean Health Report and what to expect when it is released in January 2017. Stephen Foster, Howe Sound Team Lead for the Suzuki Foundation followed with an explanation of the the Foundation's initiative of a National Park for Howe Sound that is imbedded into their 2016/2017 plan. The Forum members did not object to supporting a feasibility study be requested of Parks Canada for Gambier Island.

After spending the day listening and interacting with the presenters, MLA Jordan Sturdy of West Vancouver Sea to Sky, MLA Nicholas Simons from Powell River/Sunshine Coast and MP Goldsmith-Jones ended the day with updates from their governments and constituency. The next forum will be April 2017.

Islands Trust

Island Trust Council
Priorities Chart

Print Date: November 23, 2016

Islands Trust Council Goals	Executive Committee	Trust Fund Board
1.Ecosystem Preservation and Protection 2.Ensure human activity and development are compatible with maintenance of Trust Area ecosystems 3.Sustain Island Character and Healthy Communities 4.Effective, Efficient and Collaborative Governance	1.Islands Trust Act Amendments 2.Oil Spill and Shipping Safety 3.Revisions to Crown Land protocol agreements and letters of understanding 4.First Nations Relationship Building	1.Strategic Planning/Administration 2.Covenant and Property Acquisitions 3.Property and Covenant Management 4.Communications 5.Fundraising and Conservancy Support

Financial Planning Committee	Local Planning Committee	Trust Programs Committee
1.First Draft of the 2017/18 Budget 2.Complete the 2016/17 Forecast 3.Propose Revisions to Trust Council Policy 6.5.i General Revenue Fund Surplus	1.Community Housing Needs 2.Shoreline Marine Planning 3.Protect Coastal Douglas-fir and Associated Ecosystems	1.Amend Crown Land Cooperation Agreements (Strategic plan 8.1) 2.Review the Islands Trust Policy Statement (Strategic plan 9.1) 3.Protect Quality and Quantity of Water Resources (Strategic plan 4.3)

Islands Trust

Southern Team **Galiano**, Mayne, N. Pender, S. Pender, Saturan	**Northern Team** Ballenas-Winchelsea, Denman,Gabriola, Gambier, Hornby, Lasqueti and Thetis	**Salt Spring Team**
• **Galiano** - Telecommunication Strategy; Affordable Housing Strategy; Dock Review; • **Mayne** - Riparian Area Regulation Implementation; Fallow Deer Eradication; STVR Review; Commercial Land Use Review; • **North Pender** - Land Use Planning for Waste Management; Housing; • **Saturna** - First NationsRelationship Building ; LUB Technical Review; • **South Pender** - LUB Review and Update;	• **Ballenas-Winchelsea s -** Explore opportunities to build a relationship with Nanoose First Nation.; Advocacy for the protection and appropriate use of Crown islets.; • **Denman** - Relationship building with Komoks First Nation; Denman Island Farm Plan Implementation; Marine Issues; OCP and LUB Housekeeping Amendments ; • **Gabriola** - Review of water taxi feasibility at or near Descanso Bay, Gabriola Island; Review of roadside signage regulations on Gabriola Island; Housing Options Review Project; • **Gambier** - Riparian Areas Regulation ; Foreshore protection & stewardship; OCP advocacy policies - implementation & supportGambier OCP comprehensive review. ; • **Hornby** - Relationship building with Komoks First Nation; Housing amendments; Vacation rentals review; • **Lasqueti** - Community to Community Forum; Lasqueti Official Community Plan and Land Use Bylaw Review; Lasqueti Official Community Plan and Land Use Bylaw review; • **Thetis** - Riparian Areas Regulation Implementation; Amendments to Thetis Island OCP and LUB; staff to provide staff report when time permits.; Follow up on comments from Lyackson First Nation post adoption of Thetis Assoc. Islands OCP and LUB;	• **Salt Spring** - Watershed Management + SSIWPA; LUB Update - Industrial Zones; Ganges Village Area Planning - Harbourwalk; LUB Update - Rural Watershed Uses. Agricultural uses appear incompatible with watershed drinking water quality.; TUPs for Secondary Suites and Cottages;

DRAFT

Trust Council Quarterly Meeting Schedule
March 14-16, 2017
The Haven – Auditorium, 240 Davis Road, Gabriola Island

Tuesday, March 14	Wednesday, March 15	Thursday, March 16
	7:30 Breakfast –	**7:30 Breakfast –**
Ferries to Gabriola Island:	8:30 **New Business Items***	8:30 **Closed meeting**
	9:00 **Archaeological Site Protection**	9:15
	10:30 Break	
	11:00 **Effective Advocacy**	10:00 **Summary/Updates** Trustee Updates Priorities Chart Proposed March TC Draft Agenda Program
12:00 **Executive Committee Meeting**	**12:30 Lunch**	**12:00 Lunch –**
1:00 Lunch –	1:30 **Community Presentations**	12:30 **Correspondence**
1:30 Call to Order and Approval of Agenda RWMs * Adoption of Minutes FUAL Trustee Round Table	2:00 **Delegations & Town Hall**	1:00 **Adjournment (approx.)**
2:30 Break	**3:00 Break**	**Ferries from Gabriola Island:**
3:00 **2017/18 Budget Overview and Discussion**	3:30 **Administrative Services** Director's Report * FPC Work Program Report	
4:30 **Executive** CAO's Report * EC Work Program Continuous Learning Plan	4:00 **Trust Area Services** Director's Report * TPC Work Program Trust Fund Board Report	
4:45 **Local Planning Services** Director's Report * LPC Work Program Bylaw Enforcement Briefing	5:00 **Adjourn for the day**	
5:15 **Adjourn for the day**		
6:00 Dinner with Former Trustees	**6:00 Dinner**	

* Denotes resolution/decision items

Members of the public are invited to attend all sessions except any closed meetings and meals.

From: Mike Munro [mailto:mikemunro@shaw.ca]
Sent: Tuesday, November 15, 2016 3:45 PM
To: Jas Chonk
Subject: Kinder Morgan Nanaimo consultation required

Hello.

Dear Council

I understand that the three member consulting crew on behalf of the Federal Government so that it can say it consulted the people of BC prior to approving the Kinder Morgan oil pipeline expansion never came to Nanaimo.

I believe that's relevant because the oil tank holding farm in Nanaimo was identical to the one in Burnaby.

One of those tanks exploded in the late 1970s killing one and shattering windows more than a kilometre away and sending several to hospital.

It would seem to me any discussion of expansion in Burnaby requires the discussion of the accident in Nanaimo since it's extremely relevant in this case.

I would also suggest that since the oil tankers will displace the tankers in front of Vancouver they will inevitably begin parking in front of Gabriola and Nanaimo.

Obviously Prime Minister Justin Trudeau has already approved this pipeline and the procedure of the hearings is just a formality.

However, the court avenues exist to tie the issue up in court, probably indefinitely.

I am suggesting you team with the Nanaimo First Nations and City of Nanaimo to launch court action for lack of consultation that is directly relevant to holding pens in Burnaby.
The more issues that are presented to the Supreme Court of Canada the more likely it is that one of those issues will topple the approval process.

If you start court action and get the whole thing undone by forcing them to go to Nanaimo to consult with the public – you give everyone an opportunity to stop it.

The obvious solution is of course a change of government.
But the court avenue exists to make sure nothing is done without proper rule of law.

The more issues you stack on the table the better.

And, as I said to your wonderful administrator Clare, it wouldn't hurt for one brave politician to start floating the idea of BC Association with Canada rather than a full member.
I'm not saying proceed with separation, but I am saying just one politician beginning the discussion would end any possibility of pipeline expansion here in B.C.

The reason the pipeline through Quebec was stopped is obvious – they have a Separation Party.

But it would take someone with monumental courage to step forward to being the discussion.
In the meantime, Gabriola and Nanaimo deserve full consultation prior to any approval.

Thank you for your time.

Michael Munro
Nanaimo
250-591-2583