



Islands Trust Council Quarterly Meeting

Part 2. Starts at item 11.1.4

Date: Tuesday, September 26, 2023
Time: 1:00 pm - 12:00 pm
Location: Pender Islands Community Hall
4418 Bedwell Harbour Road, North Pender Island, BC

Pages

Tuesday, September 26, 2023

1. **LAND ACKNOWLEDGEMENT** 1:00 PM - 1:00 PM
2. **CALL TO ORDER / APPROVAL OF AGENDA**
3. **GENERAL BUSINESS ARISING**
 - 3.1 **Consent Agenda Items**

By general consent, that Islands Trust Council adopt the recommendations as presented in items 3.1.1 to 3.1.3.

 - 3.1.1 **June Trust Council draft meeting minutes** 8 - 20
That Islands Trust Council adopt the minutes as presented.
 - 3.1.2 **Trust Council Follow-Up Action List** 21 - 30
Receive for information.
 - 3.1.3 **Resolution without Meeting (RWM) Report** 31 - 31
Receive for information.
4. **CLOSED WORKING SESSION - Separate Cover** 1:15 PM - 3:00 PM
That Islands Trust Council close the meeting to the public subject to Section 90 (1)(i) of the Community Charter in order to consider receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and that staff attend the meeting.

BREAK
3:00 PM - 3:15 PM

The meeting is scheduled to reopen to the public; however actual time may vary.
5. **EXECUTIVE** 3:15 PM - 4:30 PM
 - 5.1 **Consent Agenda Items**

By general consent, that Islands Trust Council adopt the recommendations as presented in items 5.1.1 to 5.1.2.

5.1.1	Chief Administrative Officer's Report	32 - 33
	Receive for information.	
5.1.2	Executive Committee Work Program Report	34 - 36
	That Islands Trust Council approve the work program report as presented.	
5.2	<u>Discussion/Decision Items</u>	
5.2.1	Bylaw Compliance and Enforcement - Office of the Ombudsperson Report - RFD	37 - 54
	That Trust Council direct that the recommendations from the Office of Ombudsperson Report titled: "Voluntary Consultation on Bylaw Enforcement Policies and Practices within the Islands Trust", dated August 2023, be implemented, and that staff develop and initiate an associated work plan and project charter.	
5.2.2	Review of Trust Council Policies - RFD	55 - 61
	A. THAT Trust Council rescind:	
	<ol style="list-style-type: none"> 1. Policy 2.1.5 Islands Trust Legislative Structure; 2. Policy 2.1.8 Development Approvals Information Bylaws; 3. Policy 2.2.4 Meeting Procedures Bylaw 101; 4. Policy 4.1.6 Local Trust Committee Guidelines for Authorizing Decisions; 5. Policy 4.1.10 Use of Islands Trust Flag; 6. Policy 4.1.12 Associated Islands Project Prioritization Criteria; 7. Policy 4.3.1 Local/Island Advisory Transportation Committees Policy; 8. Policy 6.11.1 Trustee Staff Responsibility Guide; 9. Policy 7.1.3 Use of Local Trustee Letterhead; and 10. Policy 8.1.1 Staff Organization Chart. 	
	B. THAT Trust Council request staff to review, update and report back to Trust Council with recommendations for amendments to Islands Trust Council policies, and where possible, combine similar policy documents to reduce redundancies.	
5.2.3	Request for a Provincial Review - Briefing	62 - 68
6.	GOVERNANCE COMMITTEE	4:30 PM - 5:30 PM
6.1	<u>Committee Update and Work Program/Matrix - Briefing</u>	69 - 71

6.2 Corporate Planning Framework for the Islands Trust - RFD 72 - 86

1. That Trust Council approve the attached Draft Corporate Planning Framework, and
2. THAT Trust Council request that Governance Committee continue work on Corporate Plan development.

**RECESS FOR THE DAY
5:30 PM (Approximate)**

Wednesday, September 28, 2023

7. DEVELOPMENT OF A VISION 8:30 AM - 12:00 PM

7.1 Development of a Vision for Islands Trust - Briefing and Session Outline 87 - 94

**BREAK
10:30 AM - 10:45 AM**

8. ENGAGEMENT / COLLABORATION

8.1 Lunch Hour - Field Trip 12:00 PM - 1:15 PM

CHOOSE ONE: of the organized field trips offered during lunch for Wednesday, September 27 12:00 PM to 1:15 PM.

Logistics will be updated verbally at the meeting.

8.1.1 Guided Visit to KELA_EKE Kingfisher Forest 95 - 96

8.1.2 Tour of Magic Lake Estates 97 - 97

TRUST COUNCIL RECONVENES

8.2 Delegations 1:30 PM - 2:15 PM

8.2.1 Dave Manning re: Bald Eagles and Trees 98 - 99

8.2.2 Jennifer Margison re: Proactively address recommendations in Governance Committee Report 100 - 106

8.2.3 Peter Pare re: Gulf Islands Sue Big Oil group 107 - 112

8.2.4 Andy Nowak/Pender Forest Stewards re: Freshwater Security for the Islands Trust Area 113 - 114

8.3 Public Comments 2:15 PM - 2:45 PM

9. PLANNING SERVICES 2:45 PM - 3:00 PM

9.1 Consent Agenda Items

By general consent, that Islands Trust Council adopt the recommendations as presented in items 10.1.1 to 10.1.3.

- 9.1.1 **Director of Planning Services Report** 115 - 119
Receive for information.
- 9.1.2 **Regional Planning Committee Work Program Report** 120 - 124
That Islands Trust Council approve the work program report as presented.
- 9.1.3 **Bylaw Enforcement Statistical Reports - Briefing** 125 - 130
Receive for information.

9.2 **Discussion / Decision Items**

None

BREAK
3:00 PM - 3:15 PM

10. **ADMINISTRATIVE SERVICES / FINANCE** 3:15 PM - 4:15 PM

10.1 **Consent Agenda Items**

By general consent, that Islands Trust Council adopt the recommendations as presented in items 11.1.1 to 11.1.3.

- 10.1.1 **Director of Administrative Services Report** 131 - 134
Receive for information.
- 10.1.2 **Financial Planning Committee Work Program Report** 135 - 138
That Islands Trust Council approve the work program report as presented.
- 10.1.3 **June 30, 2023 Financial Report - RFD** 139 - 146
That Trust Council approve the June 30, 2023 financial report.

10.2 **Discussion / Decision Items**

- 10.2.1 **March 31, 2023 Islands Trust Audited Financial Statements and Audit Report - RFD** 147 - 169
That Trust Council approve the Islands Trust audited financial statements for the year ended March 31, 2023.
- 10.2.2 **March 31, 2023 Allocated Financial Statements - BRF** 170 - 173
Receive for information.
- 10.2.3 **2022-23 Statement of Financial Information (SOFI) - RFD** 174 - 184
That Trust Council approve the 2022/23 Statement of Financial Information.
- 10.2.4 **Draft 2024/25 Budget Assumptions, Principles and Guidelines - RFD** 185 - 194
That Trust Council approve the 2024/25 Budget Assumptions, Principles (BAP), and Guidelines.

11. **TRUST AREA SERVICES** 4:15 PM - 5:30 PM

11.1 Consent Agenda Items

By general consent, that Islands Trust Council adopt the recommendations as presented in items 11.1.1 to 11.1.5.

- | | | |
|---------------|--|------------------|
| 11.1.1 | Director of Trust Area Services Report
Receive for information. | 195 - 200 |
| 11.1.2 | Trust Area Services Work Program Report
That Islands Trust Council approve the work program report as presented. | 201 - 202 |
| 11.1.3 | Islands Trust Conservancy Report
Receive for information. | 203 - 204 |
| 11.1.4 | March 31, 2023 Audited Financial Statements of the Islands Trust Conservancy - Briefing
Receive for information. | 205 - 243 |
| 11.1.5 | Legislative Monitoring Report, August 2023 - Briefing
Receive for information. | 244 - 296 |

11.2 Discussion / Decision Items

- | | | |
|---------------|--|-----------|
| 11.2.1 | Introducing Islands Trust Conservancy Chair - Risa Smith | |
| 11.2.2 | Larmour NAPTEP Application (Salt Spring) - RFD
That the Islands Trust Council requests the Secretary to issue a NAPTEP Certificate for the covenanted portion of the property described as PID 000-138-452, Lot 1, Section 87, South Salt Spring Island, Cowichan District, Plan VIP 27894, subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP. | 297 - 301 |
| 11.2.3 | Koontz NAPTEP Certificate Gabriola Island - RFD
That the Islands Trust Council requests the Secretary to issue a NAPTEP Certificate for the covenanted portion of the property described as PID 05-788-447, That Part of Lot 3, Section 5, Gabriola Island, Nanaimo District, Plan 6986, Lying to the North West of a Road Dedication by Plan 17829, Except those parts in Plans 21783 and 26145, subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP. | 302 - 305 |
| 11.2.4 | Snaw-naw-as First Nation Islands Trust Working Group - RFD
That the Islands Trust Council appoint the following trustees to a Snaw-naw-as First Nation/Islands Trust Joint Working Group as established under the Snaw-naw-as First Nation/Islands Trust Protocol Agreement: Peter Luckham, Tobi Elliott, Mikaila Lironi, and Tim Peterson. | 306 - 317 |

11.2.5 Draft Revised Policy Statement Amendment Project Charter V6 - RFD

318 - 324

That Trust Council approve Policy Statement Amendment Project Charter v7.

11.2.6 Islands Trust 50th Anniversary Activities - Briefing

**RECESS FOR THE DAY
5:30 PM (Approximate)**

Thursday, September 28, 2023

12. CLOSED MEETING - Separate Cover

8:30 AM - 9:00 AM

That Islands Trust Council close the meeting to the public subject to Sections 90 (1) (c)(g) and (i) of the Community Charter in order to consider matters related to employee relations, litigation affecting the Islands Trust, receipt of advice that is subject to solicitor-client privilege, and that staff attend the meeting.

The meeting is scheduled to reopen to the public; however, actual time may vary.

13. RISE AND REPORT

9:00 AM - 9:00 AM

14. NEW BUSINESS

9:05 AM - 10:30 AM

14.1 Notice of Motion for September Trust Council re: Gabriola LTC request

325 - 325

14.2 Trustee Peterson re: Disposition of Delegations - Discussion

326 - 329

14.3 Trustee Boland re: Trust Council Meeting Schedule and Agenda - Discussion

330 - 332

15. TRUSTEE SUMMARY UPDATES

15.1 TRUSTEE ROUNDTABLE

10:45 AM - 11:30 AM

Trustees are offered two minutes to give a verbal update about their local trust area committee meetings, advocacy work, and emerging issues in this roundtable forum.

15.2 Trustee Borthwick - Baynes Sound Lambert Channel Ecoforum Report

333 - 334

15.3 Trustee Maude - BC Ferries Ferry Advisory Committee

335 - 336

15.4 Freighter Anchorages / Oceans Protection Plan Update

None

15.5 Shellfish Aquaculture Management Advisory Committee (SF AMAC)

None

15.6 Southern Gulf Islands Forum

None

15.7 Atl'ka7tsem/Howe Sound Community Forum

None

16. DISPOSITION OF DELEGATIONS

17. CORRESPONDENCE

None

18. TRUST COUNCIL PRIORITIES CHART

337 - 338

19. NEXT MEETING

19.1 Proposed Upcoming Trust Council Program

339 - 339

The next Trust Council meeting is scheduled to be held in person, December 5-7, 2023, at the Coast Hotel in Victoria, 146 Kingston Street, Victoria BC.

19.1.1 Supporting materials for discussion on climate change action - Briefing

340 - 377

For Trust Council's consideration as an item on December's meeting agenda.

20. ADJOURNMENT

12:00 PM (Approximate)

Clare Frater, Trust Area Services

Reviewed By/Date: Clare Frater, Director, Trust Area Services / September 8, 2023
Stefan Cermak, Director, Local Planning Services / September 7, 2023
David Marlor, Legislative Services Manager/September 8, 2023
Executive Committee / September 13, 2023



LEGISLATIVE MONITORING REPORT

August 2023

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 made in the last six months and is organized according to the following categories:

- **PLANNED LEGISLATION** – the intention to draft and pass new legislation is being developed and may be in a consultation or draft stage. No bill has been introduced to legislature/parliament yet.
- **LEGISLATION IN PROCESS** – a bill has been introduced to legislature/parliament and is awaiting Royal Assent, or Royal Assent has been issued but the new law or regulation has not come into force yet.
- **NEW LEGISLATION IN EFFECT** – legislation has received Royal Assent and any specified timeline for it to come in effect has occurred.
- **COURT DECISIONS** – a ruling from any level of court that affects the Islands Trust.
- **NEW RESOURCES** – publically available reports or websites that provide information relevant to Islands Trust work.
- **DISCUSSION, PLANNING, CONSERVANCY, and ADVOCACY TOPICS** – information related to topics of interest to Islands Trust.

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Provincial Planned Legislation				
<u>Modernized emergency management legislation</u>	Due Fall 2023	The Ministry of Emergency Management and Climate Readiness (EMCR) has released <u>a paper outlining legislation proposed to replace the Emergency Program Act</u> . The statute is a key component of B.C.'s commitment to modernize emergency management legislation in alignment with the UN Sendai Framework for Disaster Risk Reduction and aligns with the UN Declaration on the Rights of Indigenous Peoples and the Declaration on the Rights of Indigenous Peoples Act. EMCR is partnering with the BC Association of Emergency Managers to deliver webinars to help emergency management practitioners prepare for the incoming legislation. The sessions ran from July 5 to Aug 28.	No engagement with the proposed legislative change. In September 2021 Trust Council requested staff provide a report outlining potential options for how the Trust and local trust committees can engage and assist with the Coast Guard Oil Spill response planning process – this work has not happened due to Senior Policy Advisor focus on the Policy Statement Amendment Project with no backfill.	Staff will continue to monitor.
<u>Legislation to regulate the use of drugs in certain public spaces</u>	Due Fall 2023	<p>The BC government sought and received an exemption from the federal government to decriminalize personal possession of small amounts of certain controlled substances including opioids (such as heroin, morphine, and fentanyl), crack and powder cocaine, methamphetamines (meth), and MDMA (ecstasy). Decriminalization is a key part of BC's response to the drug poisoning crisis and is intended to save and improve the lives of people who use drugs.</p> <p>The Province currently regulates where people can smoke tobacco, drink alcohol, and use cannabis, but does not yet have rules about public use of other controlled substances.</p>		No action planned.

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Short-term rental regulations	Due Fall 2023	<p>The government says that while municipalities have the tools to regulate STRs, it's clear that they need additional tools that only the Province can provide. In its statement, the Housing Ministry said the government was looking at the regulations surrounding B.C.'s ride-hailing industry as it studied the regulation of STR platforms.</p>	<p>In 2012, the Supreme Court of British Columbia did not support an attempt launched by the Salt Spring Island Local Trust Committee to more effectively enforce community zoning related to short term vacation rentals (STVRs) on Salt Spring Island. The local trust committee had instructed Islands Trust legal counsel to seek an injunction that would restrain Westcoast Vacations Inc. from using or facilitating the use of residential homes for STVRs on Salt Spring Island.</p> <p>In his Reasons for Judgment released on October 29, 2012, Mr. Justice Leask, noted that “Commercial guest accommodation use is not a permitted primary or accessory use of any land in the Residential Zones.” However, he found that the activities of Westcoast</p>	<p>Staff will provide briefings on any new legislation.</p>

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
			Vacations do not, on their own, constitute a breach of the bylaw, in that Westcoast Vacations could not prevent or prohibit the use of a property for an STVR.	
<u>North Island-Coast Development Initiative Trust Act amendments</u>	Announced March 29, 2023	As part of government’s work to support rural economic development, the Province will introduce legislative amendments in fall 2023 that will allow a total of \$30 million to be delivered to the Island Coastal Economic Trust (ICET), Northern Development Initiative Trust (NDIT), and the Economic Trust of the Southern Interior (ETSI) in 2023-34. Each trust would receive \$10 million to invest in their regions.	Islands Trust has advocated in the past for Islands Trust Area communities to be eligible for funding.	No action planned.
<u>Heritage Conservation Act Transformation Project</u>	Active	The purpose of the <u>Heritage Conservation Act (HCA)</u> is to encourage and facilitate the protection and conservation of B.C.’s unique cultural heritage. The Provincial Heritage Register lists nearly 60,000 protected heritage sites, of which, over 90% are of First Nations origin. The Province recognizes the need to transform the HCA to better meet the needs of all British Columbians. Transforming the HCA will provide for alignment with the UN Declaration and will support the provincial mandate of lasting and meaningful reconciliation. It will also aim to increase certainty and stability for First Nations, landowners, proponents, developers, and government, while supporting sound decision making. Drafting of legislative, policy and program reforms are targeted for Spring 2024.	None. Local trust committees and Bowen Island Municipality can designate Heritage Conservation Areas in their OCPs. To date, no Trust bodies have done so. Heritage conservation areas may require a heritage alteration permit for: alteration of land, feature, building, or structure, subdivision (Bowen), additions, or new construction.	Staff will continue to monitor. CRD staff are also monitoring.

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Federal Planned Legislation				
Order Amending Schedule 1 to the Species at Risk Act	Consultation period closed June 12, 2023	<p>Species proposed for addition to Schedule 1 of SARA:</p> <ul style="list-style-type: none"> • Western Bumble Bee occidentalis subspecies (threatened). Range: BC, AB, SK • Western Bumble Bee mckayi subspecies (special concern). Range: YK, NWT, BC • <p>A Western Bumble Bee population has been identified in the Trust Area</p> <p>Species proposed for reclassification to Schedule 1 of SARA:</p> <ul style="list-style-type: none"> • Monarch (endangered). Range: BC, AB, SK, MB, ON, QC, NB, NS, PEI 		No actions planned.
Update to the Canada Water Act	Budget 2023 included provision for the creation of the Canada Water Agency	By the end of 2023, the government will introduce the legislation that will fully establish the Canada Water Agency as a standalone entity. This has long been a priority for water champions and leaders across the country and signals a deeper cross-government and collaborative approach to water.		No actions planned.

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
<p>Proposed Aquaculture Act and Regulations (Federal)</p>	<p>Fisheries and Oceans Canada led two initial rounds of engagement in 2017-18 and in 2019. An online consultation also took place from June - December 2019 along with in-person engagement in some regions. See "What We Heard Report".</p> <p>The next phase of public engagement was open until February 12, 2021</p>	<p>The proposed <i>Aquaculture Act</i> is expected to:</p> <ul style="list-style-type: none"> • define the term aquaculture in legislation • recognize the need for clarity and stability for responsible economic growth of the aquaculture sector • ensure environmental protections enshrined in the <i>Fisheries Act</i> are included and specific to aquaculture • develop enforcement mechanisms specific to aquaculture • respect provincial and territorial jurisdictions • respect roles and responsibilities articulated in treaties and other rights reconciliation arrangements <p>On Aug 17, 2020, the Minister of Fisheries, Oceans, and the Canadian Coast Guard launched the next phase of the Government’s public engagement on the first-ever Aquaculture Act. A discussion paper providing background on aquaculture in Canada, rationale for the proposed legislation and an overview of the elements proposed for the new Act, is now available online with key questions to guide feedback to the Government on this important initiative. The public is invited to visit https://dfo-mpo.gc.ca/aquaculture/act-loi/consultations-eng.html, and had until February 12, 2021 to participate in this round of consultation.</p> <p>UPDATE January 31, 2023: No further progress since last report. Fisheries and Oceans Canada is continuing in taking time to review and carefully consider the input.</p> <p>August 24, 2023: No further updates</p>	<p>Jan 2018 Chair letter to Minister of DFO requesting ecosystem-based study of potential impacts of the Integrated Geoduck Management Framework 2017 on the health of the Salish Sea.</p> <p>2018 UBCM resolution calling for DFO to conduct an ecosystem-based study of potential and cumulative impacts of increased geoduck clam aquaculture and consider increased monitoring and enforcement.</p> <p>Dec 2019 Chair letters to Ministers of DFO and FLNRORD requesting more resources for enforcement of shellfish regulations and tenure licenses.</p> <p>Trust Programs Committee co-sponsored a virtual Baynes Sound/Lambert Channel Ecosystems Forum in May 2020, together with the World Wildlife Fund.</p>	<p>The Province has responsibility for issuing tenures for aquaculture. Local trust committees and Bowen Island Municipality have zoning authority. This generally does not include regulating anything covered through aquaculture licenses from DFO.</p> <p>Once the amendments are complete, a review should be undertaken to determine any necessary zoning amendments.</p> <p>Applications should include foreshore and underwater archaeological reviews to protect historical clam beds, fish weirs, and cultural heritage. Section 35 rights for access should be considered.</p>

PLANNED LEGISLATION	STATUS	BACKGROUND / KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
			<p>On January 14, 2021 the Island Trust Chair sent a submission comments pertinent to the federal Aquaculture Act Consultation</p>	

LEGISLATION IN PROCESS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Provincial Legislation in Progress				
Bill 29 - Environmental Management Amendment Act, 2023	First Reading May 08, 2023	The Province is amending legislation to ensure owners of high-risk industrial projects are responsible for the full cost of environmental cleanup if their projects are abandoned. Changes under the proposed legislation will enable future provincial regulations to give government the authority to collect, use and enforce financial assurance requirements under the Environmental Management Act. It means companies will be obligated to plan for decommissioning and closure of their operations, and may be required to provide financial security for this cleanup in advance.		No actions planned
Federal Legislation in Progress				
<u>Bill C-226 – An Act respecting the development of a national strategy to assess, prevent and address environmental racism and to advance environmental justice</u> (MP Elizabeth May Private Members Bill)	At second reading in the Senate	This enactment would require the Minister of the Environment, in consultation or cooperation with any interested persons, bodies, organizations or communities, to develop a national strategy to promote efforts across Canada to address the harm caused by environmental racism. It also provides for reporting requirements in relation to the strategy.		No actions planned.

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Provincial Legislation in Effect				
<u>Ministerial Order No M244: Prohibition on the acceptance of new private moorage (PM) applications within the Southern Gulf Islands and southeast shoreline of Vancouver Island</u>	Extended to August 23, 2025	<p>Under the Land Act the Minister of Forests has extended the prohibition on the acceptance of new private moorage (PM) applications within the Southern Gulf Islands and southeast shoreline of Vancouver Island by another two years to August 23, 2025. The proliferation of private moorages in the Southern Gulf Islands area, Quw’utsun Nation’s (QN) core territory, has resulted in cumulative effects and impacts in the foreshore and marine environments.</p> <p>The extension of the prohibition will provide additional time to advance the cooperative planning process between the Province and QN towards an improved strategic PM management approach that will account for cumulative impacts while at the same time providing increased predictability, certainty, and reduced wait times for PM applicants.</p>	Islands Trust Executive Committee requested a meeting with the Parliamentary Secretary for Ministry of Forests at the Union of BC Municipalities Convention in Sept 2023 to discuss.	Staff will continue to monitor and meet with provincial staff as required.
<u>Ecological Reserve Regulation – Order in Council 477</u>	Approved and Ordered July 18, 2023	<p>The new Ecological Reserve Regulation will enable compliance and enforcement measures in ecological reserves so individuals conducting illegal activities can be prosecuted or fined. Under the previous regulation, BC Parks lacked the ability to impose penalties on individuals and companies that disobey the law in these sensitive ecosystems. B.C. has approximately 158 ecological reserves. While scientific research and education are the primary purposes, most are also open to the public for viewing or photographing wildlife. There are 7 Ecological Reserves within the Islands Trust Area, protecting a total of 1424.8 ha. Several of these are small islets in Thetis, Galiano, and Gabriola LTAs, and there are also large reserves on Salt Spring Island (781.78 ha total) and Bowen Island (Bowen Island Ecological Reserve is 396.84 ha).</p>		No actions planned.

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
Order in Council - Hazardous Waste Regulation Updates	In effect July 07, 2023	<p>The regulation was updated to:</p> <ul style="list-style-type: none"> • Facilitate the collection, diversion and recycling of moderate risk waste and Extended Producer Responsibility • Make it more practical and financially viable for northern and remote communities, including Indigenous communities to collect, transport and dispose of moderate risk waste • Protect the environment by reducing illegal dumping or unlawful disposal and by supporting access to return collection facilities • Protect human health by reducing risks of fire and chemical exposures for workers in rural and remote communities 		No actions planned.
Agricultural Land Reserve Use Regulation - Additional Residence Total Floor Area (“TFA”) Amendment	In effect June 30, 2023	The ALC has amended the TFA definition for a permitted additional residence. The amended definition now allows measurement of the TFA for an additional residence to be measured to the inner surface of the exterior wall. The change in the TFA definition for an additional residence permitted under the ALR Use Regulation has been made in recognition of the way CSZ240 prefabricated residences are measured and marketed. The new TFA definition will apply to all permitted additional residences (prefabricated or stick built).		No actions planned.
Forest and Range Practices Act (FRPA)	New actions announced June 26, 2023	<p>Regulations amended to strengthen forest management, including new requirements for forest licence holders to publish forest operations maps, new legal protection for rare habitats called "ecological communities" and enhanced management for designated recreation sites and trails.</p> <p>Increased protection for rare and endangered species and habitats will be supported through a new regulation under the Forest and</p>		No actions planned.

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
		Range Practices Act that establishes a new protected habitat category known as Ecological Communities.		
B.C. Wildfire Regulation Amendments	Approved on April 24, 2023	The changes clarify responsibilities related to high-risk activities and open fire use within provincial jurisdictions and help prevent human-caused wildfires. Category 1 campfires and category 4 resource management open fire have been renamed to match the existing wording in the <i>Wildfire Regulation</i> (there are no changes to the definition or size of any of these open fires). Some obligations of people using open fire have been clarified. For example, where a fuel break must be placed and where an open fire must not spread from. For category 3 open fire, which includes larger-scale pile burning, a new requirement has been added to document actions taken to confirm that these open fires are extinguished.		No actions planned.
BC Building Code 2018-Revision 5	In effect May 01, 2023	Effective May 1, 2023, the BC Building Code will require 20% better energy efficiency for most new buildings throughout the province. The Zero Carbon Step Code provides tools for local governments to encourage or require lower emissions in new buildings. Together, the changes meet commitments in the CleanBC Roadmap to 2030 to gradually lower emissions from buildings until all new buildings are zero carbon by 2030 and are net-zero energy ready by 2032.		No actions planned.
Strata Property Regulation amendment	In effect May 02, 2023	This amendment expands the list of exemptions to 55-and-over bylaws in strata buildings to include future children and spouses or partners of current residents. It will also create an exemption to permit adult children of current residents to move back home with their parents or former caregivers.		No actions planned.
National Day for Truth and Reconciliation Act	Royal Ascent March 09, 2023	This new provincial statutory day of commemoration responds to the Truth and Reconciliation Commission’s Call to Action No. 80, which called on the federal government to establish a holiday to honour survivors, their families and communities. British Columbia joined Canada, Prince Edward Island, the Northwest Territories,		Staff will support communications related to the National Day for Truth and Reconciliation.

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
		Nunavut and the Yukon as jurisdictions that have designated Sept. 30 as a statutory holiday.		
Freedom of Information and Protection of Privacy Amendment Act, 2021	Fully into force February 1, 2023	The new section 36.2 of FIPPA requires all public bodies, including local governments, to develop a privacy management program, in accordance with the provincial directive . As outlined in the provincial directive, privacy management programs must be “commensurate with the volume and sensitivity of the personal information in the public body’s custody or under its control. A Young Anderson summary of the legislation can be found here .”	Islands Trust currently follows provincial privacy rules.	Continue to ensure Staff are trained on Provincial privacy rules and protocols. Establish a Privacy Management Plan for Islands Trust.
Amended Applied Biologists Regulation - Professional Governance Act	Into force September 01, 2022	<p>In the past, Islands Trust has made use of mapping products provided by volunteers. Recent changes to the <i>Professional Governance Act</i> (BC) and related regulation require that biologists need to be registered with the College of Applied Biology to practice applied biology and in the view of ITC staff this likely includes mapping.</p> <p>Much of the guidance around use of volunteer work is still being developed by the College of Applied Biology. Further information can be found at https://www.cab-bc.org/reserved-practice-2022-faq. There are implications for development permit areas, bylaws, or other regulations that relate to, or rely on, environmental data. Update: This legislation also means that any work related to biology must be done by a registrant of the College of Applied Biology: including any reports or professional opinions that an applicant submits.</p>		<p>Islands Trust will now only make use of ecological mapping products provided by volunteers if there is sign off by a Registered Professional Biologist who is able to practice in the area of interest or if they are able to become an “Applied Biologist—Limited Licensee.”</p> <p>Update: Islands Trust Conservancy is determining how to address this issue as several of the contractors that were previously engaged are not College registrants. IT / ITC cannot accept reports that are not</p>

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
				signed off by a Registered Professional Biologist or work that has been done without RPBio oversight.
Accessible British Columbia Regulation under Part 3 of the Accessible British Columbia Act.	Comes into effect Sept. 1, 2022	<p>The regulation requires organizations listed in the regulation (including Islands Trust) to meet the requirements of Part 3 of the Accessible British Columbia Act. Government and listed organizations must establish:</p> <ol style="list-style-type: none"> 1. An accessibility committee 2. An accessibility plan 3. A tool to receive feedback on accessibility <p>Islands Trust must comply by September 1, 2023</p> <p>NEW: Announced on December 1, 2022 the Province has appointed 30 people to help develop British Columbia’s first two standards for accessibility: the employment accessibility standard and the accessible service delivery standard.</p>	<p>This is a standing item on the Occupational Health and Safety Committee agenda.</p> <p>Trust Council approved a new Administrative Coordinator position to support the Accessibility Committee, among other duties. Classification underway.</p>	<p>Islands Trust management team has developed a funding request and a related business case for an Administrative Coordinator to support the new required committee. Staff will support accessibility plan development in 2023/24. Staff will also seek grant funding, if available, to support this work.</p> <p>Committee policy established by Trust Council in June 2023. Staff currently in process of recruiting for the Committee in fall 2023.</p>
Bill 22 – 2021: Freedom of	Royal Assent November 25,	Highlights of the amendments include:		Trust Council and local trust committees will

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Information and Protection of Privacy Amendment Act, 2021	2021	<ul style="list-style-type: none"> • updating FOIPPA’s data-residency provisions so public bodies can use modern tools while continuing to protect personal information; • adopting a privacy management program (in accordance with the directions of the minister responsible for this Act), • enhancing public-sector privacy protections and increasing accountability by implementing mandatory privacy-breach reporting; • introducing a modest application fee (\$10) for non-personal freedom of information (FOI) requests; and • demonstrating the Province’s commitment to diversity, inclusion, reconciliation and equity by increasing information sharing with Indigenous Peoples, adding Indigenous cultural protections and removing non-inclusive language <p>A special committee of the Legislative Assembly is embarking on a statutory review of FOIPPA, and this process is likely to lead to even more recommendations for reform.</p> <p>As part of these changes, the B.C. government introduced a \$10 fee for general freedom of information (FOI) requests. The application fee for general requests is intended to bring B.C. in line with other Canadian jurisdictions that also have an application fee. Those making personal requests will continue to pay no fee at all.</p>		<p>amend their respective FOIPP bylaws and the Islands Trust Conservancy will amend its policy to reflect changes to fees under the amended FOIPP Act;</p> <p>The FOI Head of the above noted Islands Trust bodies will develop a privacy management program in accordance with the directions of the minister responsible for the Act; and</p> <p>Islands Trust FOI and Information Systems staff will adjust FOI practices as necessary in accordance with the amended FOIPP Act and regulations.</p>
Bill 26 Municipal Affairs Statutes Amendment Act (No. 2), 2021	BC Reg dated Jan 31, 2022 makes all provisions effective Feb 28, 2022 https://www.bcl	The Municipal Affairs Statutes Amendments Act (No. 2), 2021, among other purposes: <ul style="list-style-type: none"> • Require local governments to consider developing or updating codes of conduct (does not apply to Islands Trust bodies but does apply to Bowen Island Municipal Council) 	Islands Trust has taken an active role in advocating for several components of this legislation. Specifically: Electronic Permit And Public Hearing Notification changes	Staff will review internal procedures for giving notice of public hearings and meetings, and advise local trust committees accordingly.

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	aws.gov.bc.ca/civix/document/id/oic/oic_cur/0050_2022	<ul style="list-style-type: none"> • Streamline local government development approvals processes • Modernize local government public notice requirements • Respond to the Islands Trust request to remove administrative barriers and meet its unique mandate more effectively <p>The proposed amendments to the Islands Trust Act address specific requests made by the Islands Trust Council. The changes include:</p> <ul style="list-style-type: none"> • including a specific reference to First Nations in the trust’s objective statement to recognize its ongoing relationship and reconciliation efforts with First Nations; • enabling the Islands Trust to give financial support to community groups for activities that provide education about or preserve the environment and unique amenities of the Trust Area; and • streamlining the Islands Trust development approvals processes by enabling local trust committees to adopt and amend Development Approval Information bylaws. Moving this decision to local trust committees is consistent with other authorities in the trust and will create efficiencies in approval processes. <p>The following legislated changes apply to all local governments in British Columbia, and aspects of this legislation will affect planning at the Islands Trust. Specially:</p> <ol style="list-style-type: none"> 1. Changes to notices for public hearings – no longer need to rely on newspaper, with a default system in the new legislation. LTCs can adopt an alternative approach by bylaw. 	<p>through resolutions to AVICC and UBCM in 2021; and a request for Legislative Changes to the Islands Trust Act in 2018. A news release welcoming the changes to the legislation was sent out by Islands Trust in mid-November</p>	<p>A bylaw must be adopted in order for trust bodies to provide for alternative means of publishing a notice instead of publishing the notice in a newspaper.</p>

LEGISLATION IN EFFECT	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS-PAST	ISLANDS TRUST ACTIONS – FUTURE
		<p>2. Ability to delegate minor DVPs to staff – the legislation places limitations on the types of variances and requires that the delegating bylaw specify what is “minor”. This delegation would be via bylaw, with guidelines for staff on when to approve, as well as a definition of what is considered minor.</p> <p>The amendment to the Islands Trust Act to add First Nations came into force with Royal Assent of Bill 26. and all of the provisions above came into force by regulation in February 2022.</p>		
Federal Legislation in Effect				
Interim Order Respecting the Discharge of Sewage and the Release of Greywater by Cruise Ships in Canadian Waters	In effect June 09, 2023	<p>Transport Canada introduced voluntary sewage and greywater discharge measures for cruise ships in 2022.</p> <p>For the 2023 cruise ship season, Transport Canada worked with the cruise industry to develop new permanent measures. These measures will help restore marine habitats and further protect Canadian waters from vessel sourced pollution. The new measures have been implemented through an interim order, which has the same effect as a regulation but takes effect immediately while TC goes through the longer process of creating new regulations.</p> <p>The order states that a cruise ship and its authorized representative must not discharge sewage or greywater if the ship is three nautical miles or less from shore, and may only discharge at more than three to 12 nautical miles if certain measures are taken and outcomes achieved.</p>	The Islands Trust has advocated in the past for regulations that minimize the impacts of sewage and greywater from vessels in the Trust Area.	
Canadian Environmental Protection Act	Royal Assent: June 13, 2023	These amendments, amongst other things, update the Act to recognize the right to a healthy environment.		No actions planned.

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amendments - Bill S-5, Strengthening Environmental Protection for a Healthier Canada Act		<p>The entrenchment of this right in federal law follows the United Nations ("UN") General Assembly's passing of a resolution last summer recognizing the right to a clean, healthy and sustainable environment, which Canada voted in favour of. With these amendments, Canada now joins the 156 other UN member states who also recognize the right to a healthy environment either in their constitution or other legislation.</p>		
Interim Order for the Protection of the Killer Whale (Orcinus orca) in the Waters of Southern British Columbia, 2023	<p>In effect June 01, 2023</p>	<p>For the fifth consecutive year, Transport Canada is implementing expanded measures for vessel operators, including:</p> <ul style="list-style-type: none"> • Vessels must stay at least 400 metres away from all killer whales year-round in southern British Columbia coastal waters between Campbell River to just north of Ucluelet. • Commercial whale-watching and ecotourism companies that receive an authorization from the Minister of Transport will be able to view transient (Biggs) killer whales from 200 metres, given their expertise in identifying different types of killer whales. This provision does not apply to the Southern Resident killer whale population. • If a vessel finds itself within 400 metres of a killer whale, they are asked to turn off fish finders and echo sounders and put the engine in neutral when safe to do so to allow animals to pass. • If a vessel is within 1,000 metres of a killer whale, they are asked to reduce speed to less than 7 knots when safe to do so to lessen engine noise and vessel wake. • For the 2023 season, Transport Canada strengthened the requirements of the avoidance distance to further minimize physical and acoustic disturbance in the presence of killer whales in the Interim Order under the <i>Canada Shipping Act, 2001</i>. 		<p>Islands Trust will continue to support Transport Canada's communication efforts.</p>

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		<p>In addition there is an agreement with local whale watching and ecotourism industry partners to abstain from offering or promoting tours viewing Southern Resident killer whales.</p> <p>Two interim sanctuary zones off Pender Island and Saturna Island from June 1 to November 30, 2023. No vessel traffic will be permitted in these areas during this period, subject to certain exceptions for emergency situations and Indigenous vessels.</p> <p>On May 16, 2023. Washington State Senate Bill 5371 was signed and requires that boaters stay 1,000 yards away from Southern Residents, beginning in 2025.</p>		
Prohibition On The Purchase Of Residential Property By Non-Canadians Act	<p>Into force January 01, 2023</p>	<p>The Act was introduced for the stated purpose of addressing the problem of rapidly increasing housing prices across Canada. In conjunction with the Prohibition on the Purchase of Residential Property by Non-Canadians Regulations the new legislation sets out a strict prohibition regarding the purchase of residential property by a “non-Canadian”. It affects contracts for purchase and sale that come into effect on or after January 1, 2023. This legislation could potentially have some impact on development in the Trust Area.</p> <p>Based on interpretation of the legislation from MP Barron’s office, it appears the legislation applies to Hornby Island and Denman Island, as well as the Thetis Island Local Trust Area.</p>	<p>Staff have e-mailed Statistics Canada and Canada Mortgage and Housing Corporation staff to confirm the applicability of the legislation in the Trust Area particularly SSI and SSILTA.</p> <p>Jan 23, 2023: Statistics Canada staff replied and stated that “neither Salt Spring Island or the Salt Spring Island Local Trust Area are a census agglomeration” and therefore are not directly affected by this legislation.</p>	
Bill S-10 - An Act to give effect to the	<p>Royal Assent in Parliament</p>	<p>This legislation, both symbolically and in real terms, transforms the relationship between Canada and the shíshálh Nation. The Bill</p>	<p>In August 2023 Islands Trust sent a letter to shíshálh Nation requesting</p>	<p>None planned.</p>

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Anishinabek Nation Governance Agreement, to amend the Sechelt Indian Band Self-Government Act and the Yukon First Nations Self-Government Act and to make related and consequential amendments to other Acts	on June 23, 2022	<p>updates the 1986 Act, removing the anglicized name and transitioning to the <i>shíshálh Nation Self-Government Act</i>. Other changes include:</p> <ul style="list-style-type: none"> Aligning the Self-Government Act with the United Nation Declaration on the Rights of Indigenous Peoples, removing outdated oversight provisions that are not required under modern self-government arrangements, confirming law-making powers over social and welfare services, including child and family services for all shíshálh Nation members, and allowing for the establishment of a new land registry for the registration of interests in shíshálh lands, as an alternative to the <i>Indian Act</i> Reserve Land Register. 	a leadership to leadership meeting.	

COURT DECISIONS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Galiano Forest Lot Owners Association v. Galiano Island	Judgement August 01, 2023	Supreme Court of BC Justice Alan M. Ross dismissed a lawsuit brought by a group of property owners on its merits. The Galiano Forest Lot Owners Association, Preston Family Forest Ltd., Olaf Knezevic, Winstanley Forest Ltd. and Boscher Construction Ltd. had	A news release about this decision was issued by Island Trust on Aug 24, 2023	Court of Appeal.

COURT DECISIONS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
Local Trust Committee, 2023 BCSC 1334		<p>argued that the LTC lacked jurisdiction over parcels they owned, provincially classified as “managed forest land.” The Galiano Island Local Trust Committee passed a bylaw in 1992 prohibiting construction of dwellings on properties zoned forest land on that island, updating the regulation in 2000 to allow for a single small residential building. In the meantime, the provincial government had legislated several changes to its regulations — “forest land reserves” became “private managed forest lands,” for example — and there were court challenges to the regulatory authority of Galiano’s LTC by multiple landowners; Justice Ross noted relevant petitions against the LTC in 1992, 1996 and 2009 were unsuccessful, despite appeals. In dismissing this petition, Justice Ross wrote the 2000 bylaw was reasonable, within the jurisdiction of the LTC, and not made unenforceable by provincial regulation passed since.</p> <p><u>Update:</u> August 30, 2023 – The Galiano Forest Lot Owners Association filed an appeal to the BC Court of Appeal. Islands Trust has filed a notice of appearance in response.</p>		
Gabriola Island Local Trust Committee v. Fonseca, 2023 BCCA 302	Judgment July 26, 2023	The BC Court of Appeal judgment followed a contempt of court ruling against Joaquim Fonseca, who was ordered a \$2,500 fine and further \$7,500 penalty if the seawall structure isn’t removed by Oct. 31, 2023. The decision rendered by Court of Appeal Justice Gregory Fitch is in response to an ignored January 2021 removal order, which overturned a prior Supreme Court ruling preventing local government enforcement of its land use bylaw.	The Gabriola Island Local Trust Committee (GILTC) began enforcement action in 2012 to preserve environmental protection objectives and ensuring the scenic beauty of shoreline areas.	Final amount of awarded costs to be finalized.
Peace River (Regional District) v. Pringle, 2023 BCSC 1172	Judgement July 10, 2023	A judicial review between the Peace River Regional District and a Pouce Coupe couple operating an unpermitted campground has been settled in Supreme Court, with Justice Shelley C. Fitzpatrick ruling that the couple sought to avoid consequences from agricultural zoning and district bylaws. Several unpermitted		

COURT DECISIONS	STATUS	BACKGROUND/ KEY IMPLICATIONS TO TRUST AREA	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS – FUTURE
		<p>structures were flagged by the PRRD for removal from the property to comply with zoning bylaws, including electrical and sewer infrastructure. The couple sought two exemptions from the Agricultural Land Commission (ALC), but were rejected in April 2021 and July 2020, ceasing development in November 2019, when they learned of the ALR status.</p> <p>The ALC panel rejected the application on the basis that the campground is not an approved use under the ALC act, and was built without ALC approval or the required PRRD building permits. Fitzpatrick said the couple must pay any bylaw penalties owed to the PRRD, with the regional district also entitled to costs incurred by the judicial review.</p>		
<p>McHattie v. Central Saanich (District), 2023 BCSC 175 – 2023/02/06 - corrected Judgement</p>	<p>Corrected on February 24, 2023.</p>	<p>The District of Central Saanich must pay the legal costs of farm owners who cut down more than 100 protected trees on their property.</p> <p>Justice Veronica Jackson in February dismissed Central Saanich’s arguments and allowed a petition brought forward by Margaret Ann McHattie and Jean Christison, owners of the Keating Cross Road farm where the trees were felled. The McHattie family bought the property in 1937 before more than half of the lot was designated as Agricultural Land Reserve (ALR) land in 1973. The owners began clearing trees on their non-ALR land in 2020 to expand grain and other crops, but the district said those actions were contrary to its tree protection bylaw. Judge Jackson’s February decision found Central Saanich’s position “unreasonable because it did not take into account the effect of the tree protection bylaw on the landowners’ development to the density permitted for agriculture.” That also quashed a cease work order the district issued in November 2021. Central Saanich filed a notice of appeal into Jackson’s judgment in March.</p>		

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
2023 Conservation Data Centre Taxonomy, Classification, and Rank Updates	Released July, 2023	<p>The BC Conservation Data Centre annually releases updates to Conservation Status Ranks of selected species and ecological communities, additions of new species and ecological communities in B.C. and changes in species taxonomy and ecological community classification.</p> <p>BC CDC data were updated in July and made available through BC Species and Ecosystems Explorer (BCSEE). BCSEE reflects the Provincial Resource Inventory Standards Committee (RISC) standard for scientific names, English names, and species codes (RISC codes) for species and ecological communities in B.C.</p>		Some Islands Trust staff refer to the BC Species and Ecosystems Explorer to inform staff reports.
Report: Forest and Fire Management in BC: Toward Landscape Resilience	Released June 29, 2023	<p>BC's Forest Practices Board has published <i>Forest and Fire Management in BC: Toward Landscape Resilience</i>, a report about the changes required to forest and landscape management to reduce the risk of catastrophic wildfire in BC. The Board is calling for the provincial government to develop a province-wide vision and action plan that will align all levels of government to restore landscape resilience and reduce the risk of catastrophic wildfire. The Board has also published a technical bulletin to help land managers put landscape fire management principles into practice.</p>	The report has been provided to Conservancy staff to be considered with other resources regarding potential wildfire prevention.	Islands Trust Conservancy has on its future projects list “To determine the costs and scope of work associated with better identifying the local area impacts of climate change, in order to adapt ITC's work to best protect local species and ecosystems.”
CSA W218:23 Specifications for natural asset inventories	Published Spring 2023	<p>This National Standard of Canada defines minimum requirements for the development and reporting of a natural asset inventory. It provides definitions, guidance and helps bridge the gap for local governments looking to begin accounting for their natural assets, while also providing consultants and practitioners with expert-developed best practices to apply in their work.</p>		No actions planned.

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<u>Local Government Levers for Housing Affordability Toolkit</u>	Released July 14, 2023	The Community Social Planning Council has published this Toolkit which highlights key tools and examples of policies and practices which are intended to make a difference in housing affordability, while addressing common challenges and proposing practical solutions. It is a resource that provides a comprehensive overview of various tools and their municipal context, enabling local governments to make informed decisions.		
<u>Canada’s National Adaptation Strategy: Building Resilient Communities and a Strong Economy</u>	Released June 27, 2023	<p>The Strategy lays out an agreed-upon framework to reduce the risk of climate-related disasters, improve health outcomes, protect nature and biodiversity, build and maintain resilient infrastructure, and support a strong economy and workers. It also identifies common goals, objectives, and targets to focus the efforts of governments and communities across these key areas and to help ensure future investments are targeted and effective.</p> <p>The Strategy includes the target that by 2027, 80% of coastal communities and 60% of businesses located in coastal regions are implementing adaptation actions to increase climate resilience and reduce the economic impacts of climate change.</p>	Staff monitor for grants to support climate adaptation projects.	Staff will monitor for grants to support climate adaptation projects.
<u>Farm Use Structures in the ALR Guidelines</u>	Released June 19, 2023	<p>The guidelines were developed in response to the ALC review of plans for structures purported to be “farm buildings” but that include spaces for other accessory residential and or non-farm uses; and requests from local government staff, landowners, and builders asking for some guidance on the design of structures necessary for farm use in the ALR.</p> <p>The <i>Farm Use Structures in the ALR Guidelines</i> cover:</p> <ul style="list-style-type: none"> • Guidance on establishing what a farm structure is; 	Legacy issue in several local trust areas – “barns” are built for other accessory uses such as to house exotic car collections or health retreats	Staff will apply guidelines when reviewing building plans in the ALR

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		<ul style="list-style-type: none"> • Considerations when evaluating “necessity” for a farm structure; • General necessary farm use structure design considerations; and • Required authorizations from the ALC if permitted fill areas for a farm structure is exceeded <p>The Farm Use Structures in the ALR Guidelines are publicly available on the ALC website.</p>		
Guide for meeting Accessible BC Act requirements	Announced May 17, 2023	The provincial government and the Disability Alliance of BC have created a guidance document to assist local governments in meeting their requirements under the <i>Accessible BC Act</i> by the September 1, 2023 deadline. The guide provides information about the requirements, shares resources, offers strategies to comply, and highlights current funding opportunities	See Legislation in Effect section	See Legislation in Effect section
Implementation of Indigenous Protected and Conserved Area Agreements in Canada: A Review Of Successes, Challenges, And Realities	Released May 16, 2023	<p>A new research report from MakeWay and The Firelight Group sheds light on the experiences and perspectives of people involved in implementing Indigenous Protected and Conserved Area (IPCA) agreements in the North.</p> <p>IPCAs are lands and waters managed either exclusively by Indigenous governments and organizations or in partnership with public governments. They protect Indigenous rights and critical landscapes, while also supporting the application of Indigenous laws, governance, and knowledge systems.</p>		No planned actions.
Webinar recording: Start talking about circular economies	Available	This introductory webinar by the Green Municipal Fund provides information on exploring the benefits of a circular economy. It includes sustainability experts and peers from across Canada on how they adopted circular economies in their communities.		

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Synthesis Report (SYR) of the Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report (AR6)	Released	<p>The Intergovernmental Panel on Climate Change (IPCC) has released the <i>Summary for Policymakers</i> and <i>Longer Report</i> for its upcoming <i>Synthesis Report</i> of its <i>Sixth Assessment Report</i> (AR6). The <i>Summary for Policymakers</i> opens with a high-level summary that brings together key points from the IPCC’s three working groups, which examine: (1) the physical climate science, (2) adaptation and vulnerability, and (3) mitigation. With each successive report, the IPCC’s confidence in the attribution of observed climate change and its ensuing impacts to increasing greenhouse gas concentrations from the use of fossil fuels has grown, as has its confidence in its assessment of the need for, and benefits of, strong mitigation and adaptation measures to avoid the worst of the projected future impacts. The <i>Longer Report</i> goes into these in greater detail. It includes the Pacific Climate Impacts Consortium synopsis.</p>	All local trust committees and Bowen Island Municipality have GHG reduction targets in their Official Community Plans.	A number of climate change related activities are in the Strategic Plan and Islands Trust Conservancy Plan.
Accessibility toolkit and hub	Announced March 08, 2023	<p>The Disability Alliance of BC (DABC) has developed an Accessibility Toolkit and Hub to assist prescribed organizations to come into compliance with the <i>Accessible BC Act</i>. DABC is also seeking feedback on the Toolkit, the Hub, implementation progress, and additional tools and resources that are needed. Local government-specific tools will be developed by DABC in the coming months.</p>	See Legislation in Effect section	See Legislation in Effect section
Watershed Security Fund – New Investment	Announced March 06, 2023	<p>This \$100-million investment in the Watershed Security Fund builds on last year’s \$30-million commitment announced in Budget 2022, and will continue to improve B.C.’s watersheds and build on the success of a previous \$27-million investment in the Healthy Watersheds Initiative (HWI) under the StrongerBC economic plan. Convened in June 2022, the B.C.-First Nations Water Table (BCFNWT) is made up of representatives from the Province and delegates from First Nations in B.C. This announcement formalizes</p>	Funding from the Healthy Watersheds Initiative (HWI) was utilized for part of the 2020 Freshwater Strategy Project.	Staff will monitor for funding opportunities.

NEW RESOURCES	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		the BCFNWT’s role co-managing the Watershed Security Fund and further co-development of B.C.’s watershed security strategy.	Islands Trust has advocated in support of the creation of the Fund.	
BC Budget highlights summary	Published February 28, 2023	Budget 2023 projects a series of deficits over its three-year fiscal plan: \$4.2 billion in 2023-24; \$3.8 billion in 2024-25; and \$3.0 billion in 2025-26. The budget also provides \$5.7 billion in contingencies through the fiscal plan period for climate and emergency response; Clean BC and other spending uncertainties. Significant new spending has been earmarked for healthcare and housing. Funding commitments over the three-year fiscal plan of interest to local governments are highlighted in this summary.		No actions planned.
Natural Asset Infrastructure in British Columbia: Barriers and Opportunities	Released February 2023	This Municipal Natural Assets Initiative (MNAI) report provides better understanding of the regulatory and policy issues that interfere with planning, designing, and developing Nature Based Solutions (NBS) — specifically natural asset infrastructure — across BC, and how they can overcome them. While its focus is on BC, MNAI used a framework that is useful across Canada and the report sheds light on universal challenges and solutions that other provinces and local governments can apply.		No actions planned.
Delivering Nature Based Solutions – Webinar Series	March 08, 2023 – April 18 2023	The focus of this webinar series from the Coastal Douglas-fir Conservation Partnership will be to demonstrate what nature based solutions for climate resilience and biodiversity conservation look like delivered on the ground and how land managers and planners can take this into consideration in their strategies.		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Island Coastal Inter-Community Transportation Study	Released August 28, 2023	<p>Island Coastal Economic Trust (the Trust) and Vancouver Island Economic Alliance (VIEA) have released the results of engagement and publication of the new Island Coastal Intercommunity Transportation “What We Heard Report”</p> <p>Regional engagement took place in June 2023, focused on passenger transportation connections between communities and especially in rural and remote areas as well as the islands that are either not currently served or are underserved. The What We Heard Report was commissioned by the Trust with funding from the Ministry of Transportation and Infrastructure. The What We Heard Report highlights four key themes that emerged from participants in the in-person engagement sessions as well as the online survey. All of which are in alignment with past transportation studies that were researched as part of this study.</p> <ul style="list-style-type: none"> • Governance and Policy • Community Partnerships • Government Support • Active and Alternative Transportation 		
2023 UBCM Annual Report	Released August 18, 2023	The Annual Report highlights the work undertaken by UBCM on behalf of its members over the past year. In addition to summaries of Executive and Committee accomplishments, the Report provides information on member programs and services including Local Government Program Services and the Canada Community Building Fund program.	Staff monitor for grant opportunities	Will continue to monitor for grant opportunities.
Engagement: Bowen Island Municipality	Open until September 18, 2023	Bowen Island Municipality is engaging on its proposed Code of Conduct. A Code of Conduct defines core values, establishes standards and expectations with respect to the conduct, decorum, and behaviour of Council members, and outlines complaint		No actions planned. Trust Council has a Standards of Conduct Policy .

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Code of Conduct Policy		processes in the event of a violation. The draft Code of Conduct Policy 23-01 is based on the Union of BC Municipalities (UBCM) Model Code of Conduct developed by a Working Group on Responsible Conduct. Council will be considering adoption of this policy at its meeting on October 10, 2023. The Draft Code of Conduct Policy can be read here .		
Engagement: Temporary relocation of liquor stores	Open until September 29, 2023	The Province is conducting stakeholder engagement regarding the temporary relocation of liquor stores in B.C., and whether there is support for providing this option to liquor retailers. Interested local governments are to submit feedback in response to the Province’s engagement paper .		Zoning must be in place for liquor retail services.
Engagement: Cannabis store license limit	Closed September 15, 2023	The Province sought local government feedback to inform its review of the BC licence cap policy, which pertains to the number of private cannabis store licences that any company, person, or group of persons can have an interest in.		
Engagement: Coastal Marine Strategy	Closed April 14, 2023	The Coastal Marine Strategy will concentrate on activities, uses and values that the Province is accountable for while recognizing that the Province needs strong collaboration and cooperation with other orders of government. B.C. is responsible for managing and authorizing activities and uses that require access to structures fixed or over the seabed, such as aquaculture, docks, clean energy, marinas, and underwater utilities. The Province also has accountability for tourism operator licensing, land use planning (e.g., marine parks and protected areas), climate change mitigation and adaptation (including ocean acidification and sea level rise) and environmental assessments for large projects.	The Executive Committee met with the Minister of Land, Water, and Resource Stewardship in September seek the Minister’s support and advice in determining how Islands Trust can collaborate with the Ministry, First Nations, and other parties on the	Staff will continue to monitor this topic.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		<p>NEW: August 15, 2023 - Following extensive consultations with British Columbians, the Province has received valuable feedback that will help shape British Columbia’s first-ever Coastal Marine Strategy, co-developed with coastal First Nations. A summary of more than 900 submissions received from individuals, environmental non-governmental organizations, local and regional governments, industry associations and businesses across British Columbia is now available in the Coastal Marine Strategy’s What We Heard report. This report summarizes key themes captured during the public engagement and will help inform the Coastal Marine Strategy.</p>	<p>development of a B.C. Coastal Marine Strategy.</p> <p>Staff have attended various engagement events.</p> <p>In April 2023, the Chair wrote in response to an engagement.</p> <p>Staff arranged a special session for trustees from provincial staff regarding the strategy in March 2023.</p>	
<p>WSÁNEĆ Land Trust Society – Charity with Ecological Gift Status</p>	<p>Approved 2023</p>	<p>The WSÁNEĆ Land Trusts Society (WLTS) is a not-for-profit organization formed in 2021 as a modern vehicle to return 9.67-acre SISŪENEM (Halibut Island) to WSÁNEĆ. Recently, the WLTS has become an approved recipient of Environment and Climate Change Canada’s Ecological Gift Program (EGP), which offers significant tax benefits to landowners who donate land to the WLTS. This is one of several initiatives designed to help the Society to achieve its goal of returning land for cultural, environmental, and economic benefits to future generations of WSÁNEĆ, regardless of their band affiliation.</p>		<p>No actions planned.</p>
<p>Engagement: Eradicating Invasive</p>	<p>Closed on August 23, 2023</p>	<p>Parks Canada is undertaking a Detailed Impact Assessment to decide whether the proposed project Eradicating Invasive European Fallow Deer from Sidney Island to Facilitate Sustained Forest</p>	<p>Islands Trust Conservancy is a partner on the proposed project.</p>	

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
European Deer from Sidney Island to Facilitate Sustained Forest Recovery		Recovery, located in Gulf Islands National Park Reserve of Canada, is likely to cause significant adverse environmental or cultural effects. To help inform this decision, Parks Canada issued a notice of intent to make a determination and invited comments from the public on the project's potential effects on the environment or cultural features, as the public consultation for this proposal.		
Reponses from the Province to UBCM's 2022 Resolutions	Released February 2023	At last year's Convention, UBCM members passed several resolutions that involve the Provincial government's jurisdiction. The Province has now provided its responses to the provincially-focused resolutions. These responses will also be shared with each sponsoring local government in a letter.	The Islands Trust had three resolutions endorsed at the 2022 UBCM Convention <ul style="list-style-type: none"> • EB24 Affordable Housing Support for Rural Areas; • NR38 New Legislation to Protect and Restore Biological Diversity and Ecosystem Health; and • NR41 Climate Risk and Vulnerability Assessment Provincial responses to the resolutions are on pages 14, 106, and 110.	An Islands Trust resolution for the 2023 Convention requesting new legislation for protection of biodiversity, ecosystem health and species at risk will be considered in September 2023..
Engagement: Consultation check-in on nine aquatic species	Closed on August 10, 2023.	Fisheries and Oceans Canada conducted consultation check-ins on nine aquatic species under consideration for addition on the List of Wildlife Species at Risk pursuant to the Species at Risk Act (SARA). One of these species is found in the Trust Area. The Quillwort	Island Trust Conservancy passed the notification for consultation to conservancies and	

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
under consideration for addition to on Schedule 1 of SARA		Rockfish is an inshore rockfish species, and is one of a few rockfish species found in these waters. COSEWIC designated this species as Threatened in November 2009, and commercial and recreational fisheries have been determined to be the principal threats. Indigenous organizations, interested stakeholders and the public were asked to participate.	municipalities in the Trust Area	
Engagement: Proposed amendments to the Cannabis Control Regulation (CCR)	Closed August 11, 2023	The CCR supports the implementation and enforcement of BC's regulated cannabis activities, such as retail sales, public consumption, and protections for children and youth. The proposed amendments to the CCR would include: <ul style="list-style-type: none"> • Removing the prohibition on promoting a place to consume cannabis; • Removing the prohibition on consuming cannabis on patios. An engagement paper included background information and considerations for proposed amendments		No actions planned
Engagement: Municipal Net-Zero Action Research Partnership (N-ZAP)	Open until September 29, 2023.	The Municipal Net-Zero Action Research Partnership (N-ZAP) is undertaking an assessment of the current state of local climate action in Canada. Survey results will be made available in a public database and used to inform the development of cutting-edge and practical climate resources for municipalities.		No actions planned
Engagement: Electoral Area B Recreation (Gabriola) and Parks Master Plan	Open until September 29, 2023.	The goal of the project is to create a guiding document for recreation services on Gabriola Island and parks services throughout the whole of Electoral Area B (Gabriola, Mudge, DeCourcy Islands). The plan will be based on best practices, research and input provided by residents.		No actions planned

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Declaration on the Rights of Indigenous Peoples Act ANNUAL REPORT 2022-2023	Released June 28, 2023	B.C. is providing detailed reporting about progress to achieve the objectives of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) through the 2022-23 Declaration Act Annual Report.	Staff routinely learn about implementation of the Declaration on the Rights of Indigenous Peoples Act	Staff will continue to monitor implementation of the Act and its application to Islands Trust.
Engagement: Monetary Penalties under the Water Sustainability Act	Closed July 14, 2023	In recognition of the increasing challenges facing water resources and the need for more effective and efficient means of enforcing the Water Sustainability Act, the Province is developing a new regulatory tool: Administrative Monetary Penalties, to better protect BC's freshwater resources. Local governments were invited to provide feedback.		No actions planned
Engagement: Policy to regulate controlled substances in public spaces	Closed July 31, 2023	The BC Ministry of Public Safety and Solicitor General undertook policy work to support possible Fall 2023 legislation to regulate the use of drugs in certain public spaces.		
Wa lyim ta Skwxwú7mesh (Squamish Strong) Protocol Agreement	Signed July 17, 2023	<p>The agreement is between Skwxwú7mesh Úxwumixw (Squamish Nation) Council and the District of Squamish and commits both parties to the following Skwxwú7mesh guiding principles:</p> <ul style="list-style-type: none"> • tkwáya7n iy nexwnewítm – listen and engage • wa nexwniwnen chet ta nexwniw t'l'a Skwxwú7mesh – follow the ways of the Squamish • texwlá7m ns7eyx – genuinely care • chet wa telnexw tina t'l'a snewiyelh t'l'a Skwxwú7mesh – learn the advice of the Squamish • na wa nelhnilhtway ta úxwumixw – going through it together 	Not directly related but in August 2023 Islands Trust sent a letter to Squamish Nation requesting a leadership to leadership meeting.	No actions planned.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		<ul style="list-style-type: none"> we7us chet ta Skw̓xwú7mesh siyámin – protect the rights and title of the Squamish <p>This protocol agreement lays the foundation for the development of a Memorandum of Understanding (MOU) between the two governments.</p>		
QEN'T Marine Protected Area	Declared June 21, 2023	To restore the population of sea creatures off the North Saanich and Central Saanich waters, the Tsawout Nation has declared the QEN,T as an Indigenous Protected and Conserved Area (IPCA) for approximately 155 square kilometres of ocean off the eastern coast of the Saanich Peninsula on Vancouver Island.	Not directly related but in August 2023 Islands Trust sent a letter to Tsawout Nation requesting a leadership to leadership meeting.	No actions planned.
K'ómoks Treaty Public Engagement What We Heard Report	Released June 01, 2023	<p>From May through October 2022, K'ómoks, Canada and the Province engaged with local communities in K'ómoks First Nation territory to raise awareness about the closing of treaty negotiations. Subject to further and ongoing consultation, negotiations are expected to close in 2024.</p> <p>The report describes engagement activities and participation rates, such as feedback and questions collected during engagement, along with responses from negotiating partners.</p>	<p>Staff attended the open houses and responded to provincial staff enquiries.</p> <p>Not directly related but in August 2023 Islands Trust sent a letter to K'ómoks Nation requesting a leadership to leadership meeting.</p>	Staff will continue to monitor.
Engagement: Canada's 2030 National Biodiversity Strategy	Closed July 14, 2023	Environment and Climate Change Canada is developing a 2030 Biodiversity Strategy to establish a shared vision for halting and reversing biodiversity loss in Canada, reflect Canada's domestic priorities for biodiversity conservation and sustainable use, and guide how Canada implements the Global Biodiversity Framework domestically. There is a discussion paper available..	On May 24, 2023, EC asked staff to forward information on the engagement to trustees.	

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Climate Ready BC Seafood Program	Announced May 24, 2023	<p>A new program will focus on preventing the effects of climate change on B.C.’s oceans and watersheds, and protecting seafood and marine life.</p> <p>The Province recently completed the British Columbia Ocean Acidification and Hypoxia (BC OAH) Action Plan in response to a preliminary assessment that identified ocean acidification as a significant climate-change risk to B.C.’s seafood sector.</p> <p>The Climate Ready BC Seafood Program will target funding toward high-priority actions identified in the BC OAH Action Plan, such as:</p> <ul style="list-style-type: none"> • research and scientific understanding of acidification and hypoxia; • marine carbon removal technologies; and • development and testing of acidification and hypoxia mitigation and adaptation strategies. 		No actions planned.
Engagement: Proposed changes to the BC Building Code	Closed June 18, 2023	Changes unique to the BC Codes and updates to align with National Model Codes 2020 are proposed. This public review sought feedback on accessibility and adaptable dwellings, cooling requirements, mass timber construction, earthquake design, radon safety, and ventilation in homes.		No actions planned.
Cowichan Tribes First Nation and the Province of British Columbia Xwulqw'selu Watershed Planning Agreement	Signed May 12, 2023	<p>This will be the province’s first Water Sustainability Plan developed under the Water Sustainability Act and will address the “whole of watershed” needs – those of the flora, fauna, land, and the communities that depend on the watershed – in the development of long-term water solutions.</p> <p>Cowichan Tribes and the Province agreed to jointly lead the planning process and approach decisions as equal authorities with distinct legal traditions and responsibilities. The Agreement is informed by 11 Quw’utsun snuw'uy'ulh (teachings) and ensures</p>		No actions planned.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		<p>that local Indigenous values guide the process and provide a foundation for an enduring and respectful co-governance relationship.</p> <p>This planning agreement could act as a model for Islands Trust Watershed planning agreements.</p>		
Engagement: Engaging Canadians on the 2030 Biodiversity Strategy for Canada	Closed July 14, 2023	At the 15th Conference of the Parties to the United Nations Convention on Biological Diversity (COP15), Canada, along with 195 other countries, adopted the historic Kunming-Montréal Global Biodiversity Framework. The Framework aims to safeguard the world’s nature, halt and reverse biodiversity loss by 2030, and put nature on a path to recovery by 2050.	In March 2023 Trust Council direct the Regional Planning Committee and the Trust Programs Committee to consider how the Montreal Charter on Biodiversity impacts the work of the Islands Trust and share their thinking back with Trust Council in this calendar year.	TBA
WSÁNEĆ Leadership Council and Province letter of understanding (LOU)	Announced May 12, 2023	The LOU commits both parties to work toward resolving the priority issues identified by WSÁNEĆ communities, a key step toward building lasting reconciliation.		
Engagement: Managing anchorages in the Salish Sea	Closed May 14, 2023	Transport Canada is considering giving the Vancouver Fraser Port Authority more authority to manage commercial anchorages in the Salish Sea.	On Jan 19, 2021 the Chair wrote to the Minister of Transport calling for immediate action to	

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
			address freighter anchorages in the Southern Gulf Islands	
Engagement: Contribute to the review on homeless encampments	Closed June 20, 2023	The Federal Housing Advocate is undertaking a systemic review of homeless encampments across Canada and wants to hear from municipalities about their experiences and proposed solutions. At the conclusion of the review, the Advocate will submit her findings and recommendations to the federal Minister responsible for housing as well as to other levels of government and stakeholders.		
Engagement: Bowen Island Municipality Strategic Plan 2023-2026	Announced May 04, 2023	Bowen Island Municipality's Strategic Plan is an annual publication that outlines Council's strategic commitments for the term. They invite you to peruse their priorities for 2023-2026.		The Executive Committee and Bowen Island Municipal Council intend to meet.
Declaration Act Engagement Fund for First Nations	Announced April 27, 2023	The Declaration Act Engagement Fund will help support First Nations' involvement in efforts to implement the Declaration Act Action Plan and align provincial laws with the UN Declaration, as required under the Declaration on the Rights of Indigenous Peoples Act (Declaration Act).		No actions planned
Engagement: Canada Community-Building Fund renewal	Closed	UBCM staff were seeking feedback from local governments on the renewal of the Canada Community-Building Fund through two webinars held on May 24.		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Approval of Roberts Bank Terminal 2 (RBT2) Project	Announced April 20, 2023	<p>The project will see existing marine container port capacity at Roberts Bank, about 35 kilometres south of Vancouver, expanded. The terminals are built on an artificial peninsula jutting out from the mainland.</p> <p>RBT2 will see the artificial peninsula's footprint expand to hold the planned three-berth terminal, which will eventually increase capacity by 2.4 million twenty-foot equivalent units, or TEUs, meaning the port can handle about 2.4 million extra 20-foot shipping containers annually.</p>	<p>On April 15, 2019 the Islands Trust Chair provided comments to a Roberts Bank Terminal 2 Project Public Hearing.</p> <p>Islands Trust has also undertaken advocacy in several associated areas.</p>	No actions planned.
Engagement: Federal Cannabis Regulations	Closed May 24, 2023	Health Canada was seeking feedback on potential amendments to federal Cannabis Regulations. The focus of this process is to find ways to reduce regulatory burden, while still adequately addressing public health and safety risks.		No actions planned.
Belonging in BC homelessness plan	Released April 03, 2023	<p>The plan covers the initial phase from 2022-2025, with immediate actions in the plan supported by \$633 million from Budget 2022, and \$1.5 billion from Budget 2023.</p> <p>The plan commits to four strategic actions to be implemented over the next three years:</p> <ol style="list-style-type: none"> 1. Transform housing and health systems and programs to reduce barriers to support 2. Strengthen community partnership to build capacity and respond to local needs 3. Ensure programming and service delivery includes input from people with distinct needs and perspectives 4. Apply better data on drivers and impacts of homelessness to improve policy and program design and development. 		Islands Trust developing a housing action toolkit with various LTC housing projects underway.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
Homes for People Action Plan	Released April 03, 2023	<p>Focused on four priorities – unlocking more homes faster; delivering better, more affordable homes; helping those with the greatest housing need; and creating a housing market for people, not speculators – the actions in Homes for People include:</p> <ul style="list-style-type: none"> • delivering more middle-income small-scale, multi-unit housing that people can afford, including town homes, duplexes and triplexes through zoning changes and proactive partnerships; • offering forgivable loans for homeowners to build and rent secondary suites below market rates to increase affordable rental supply quickly; • building thousands more affordable homes for renters, Indigenous Peoples on and off reserve, women and children leaving violence, and building thousands more on-campus student housing units; • delivering thousands of new homes near public transit, and launching BC Builds to use public land to deliver affordable homes for people; • introducing a flipping tax to discourage short-term speculation; • providing an annual income-tested tax credit of up to \$400 per year for renters; • providing more homes and supports for people experiencing or at risk of homelessness; • streamlining and modernizing permitting to reduce costs and speed up approvals to get homes built faster; and strengthening enforcement of short-term rentals. 	Islands Trust received funding via UBCM to improved development application processing – the funding is being used to modernize online software which will improve application processing efficiency and transparency	Islands Trust deadline for LGDAP implementation is January 15, 2024 although are seeking an extension to February 29, 2024 due to poor timing around Christmas break and loss of Cityview project lead and Islands Trust project lead.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		An analysis of the plan by the Union of BC Municipalities can be found here .		
Implementing the United Nations Declaration on the Rights of Indigenous Peoples Act – Draft Action Plan (federal)	Released in June 2023	<p>The Draft Action Plan contains four chapters:</p> <ul style="list-style-type: none"> • Shared Priorities • First Nations Priorities • Inuit Priorities • Métis Priorities <p>The creation of a Draft Action Plan is one step in implementing the UN Declaration Act.</p>		
Engagement: Proposal for a national system for marine pollution incident preparedness, response, and recovery	Consultation closed on May 31, 2023	<p>The Government of Canada was looking for feedback on a proposal for a national system for marine pollution incident preparedness, response, and recovery. The creation of a cohesive, national system will improve Canada's ability to respond to all marine pollution incidents, regardless of the source of the pollution.</p> <p>Visit Preparing for and responding to marine pollution to read the discussion paper.</p>		
Engagement: Provincial permitting for new homes	Consultation closed on March 21, 2023	<p>The Province of B.C. is developing a strategy to streamline provincial permit applications for new housing. To support this priority, the Province engaged with UBCM and its members on the current permitting process to better understand local government experiences and to hear suggestions for improvement.</p>	Staff directly engaged with provincial staff.	Staff will monitor for new legislation.

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		A reference document describing the approach taken by the government to develop the strategy is available		
Engagement: Watershed Security Strategy and Fund	Consultation closed on April 17, 2023	The Province of British Columbia concluded engagement on an Intentions Paper for the Watershed Security Strategy and Fund on April 17, 2023. The Intentions Paper was the mid-way point in the development of the Strategy and built on what was heard during the first period of engagement in early 2022. The purpose of the Strategy is to lead the changes needed to create a future for B.C. where our watersheds are better cared for and stewarded together. Launch of the Watershed Security Strategy and Fund is slated for Winter 2023/24	The Chair wrote to offer feedback on Watershed Security Strategy and Fund Intentions Paper	Staff will continue to monitor this topic.
Engagement: Supply review for the Sunshine Coast Timber Supply Area (TSA)	Consultation closed on May 01, 2023	As part of this public review, a discussion paper has been released that provides the results of a timber supply analysis. It also describes the geography, natural resources and current forest-management practices in the Sunshine Coast TSA, all of which will be used by the chief forester in the allowable annual cut (AAC) determination.		No actions planned.
Engagement: Clean Transportation Action Plan - Request for Input	Consultation closed April 05, 2023	In Fall 2021, the Province released the CleanBC Roadmap to 2030 (Roadmap): a climate plan to reduce climate pollution and build a cleaner, stronger economy for people throughout British Columbia (BC). In the Roadmap, the Province committed to developing a comprehensive Clean Transportation Action Plan (CTAP) and releasing it in 2023. The purpose of the CTAP is to identify the next set of actions to reduce greenhouse gas emissions in the transportation sector by		

DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		<p>27-32% by 2030, and increase economic opportunities in clean transportation in BC.</p> <p>The Province is engaging with various stakeholders as part of the development of the CTAP. The CTAP Consultation Paper is available on the Provincial Clean Transportation Policies & Program webpage here.</p>		

<p><u>New measures on old growth, innovation, forest stewardship</u></p>	<p>Announced February 15, 2023</p>	<p>The B.C. government is launching new measures to protect more old growth by fast-tracking innovation and co-developing new local plans with First Nations to better care for B.C.'s forests. At the centre of the plan is \$25 million for new Forest Landscape Planning tables that will drive improved old-growth management. Additional actions to accelerate implementation of the Old Growth Strategic Review during the next year include:</p> <ul style="list-style-type: none"> • developing and implementing alternatives to clear-cutting practices, such as selective harvesting techniques, that better support forest resiliency, ecosystem health and climate adaptation, through a new \$10-million silviculture innovation program; • repealing outdated wording in the Forest and Range Practices Act regulations that prioritizes timber supply over all other forest objectives, like water quality, wildlife habitat and biodiversity; • by leveraging hundreds of millions of dollars of philanthropic donations to fund conservation measures through a new conservation financing mechanism • enabling local communities and First Nations to finance old-growth protection by selling verified carbon offsets that represent long-term emission reductions through the new Forest Carbon Offset Protocol 2.0, which will be finalized this year; and • completing the Old Growth Strategic Action Plan by the end of 2023, to be developed in collaboration with First Nations and in consultation with stakeholders. • NEW: April 19, 2023 - As the province works to implement recommendations from the Old Growth Strategic Review, UBCM continues to advocate for local government to be included in the process. On April 13, UBCM hosted a webinar with the province to provide local governments with an update on the 14 recommendations made within the review. 		<p>Staff will monitor</p>
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DISCUSSION, PLANNING, CONSERVANCY, ADVOCACY TOPICS	STATUS	SUMMARY	ISLANDS TRUST ACTIONS – PAST	ISLANDS TRUST ACTIONS - FUTURE
		<p>Webinar participants had an opportunity to learn about the implementation process, share feedback and ask questions of provincial staff about the process, funding programs and transition support. For local governments that missed the webinar, additional workshop dates have been provided by the Province.</p>		

Trust Council Requests to the Province of BC
for Changes to the Islands Trust Legislation/Regulation and Related Legislation
2007 - present

ISLANDS TRUST COUNCIL REQUEST	WHEN	ADVOCACY METHOD	RESPONSE
<p>1. Amendments to the <i>Islands Trust Act</i> that would cause four local trustees to be elected to sit on the Salt Spring Island Local Trust Committee and Trust Council.</p>	July 20, 2007	Letter to Hon. Ida Chong, Minister of Community Services	<p>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.</p> <p>Turned down by Salt Spring Island LTA referendum November 15, 2008.</p>
<p>2. Changes to the <i>Islands Trust Act</i> that would enable the Islands Trust Council to determine the size of its Executive Committee.</p>	July 20, 2007	Letter to Hon. Ida Chong, Minister of Community Services	<p>Not advanced by the Ministry. Never formally turned down.</p>
June 2008	Trust Council later requested a simpler amendment - that S. 20(3) of the <i>Islands Trust Act</i> 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		
<p>3. The necessary changes to provincial / legislation and regulations to permit Islands Trust bodies to hold meetings through electronic or other communication facilities.</p>	July 20, 2007	Letter to Hon. Ida Chong, Minister of Community Services	<p>Achieved in 2009 through provincial creation of a new Islands Trust Regulation.</p>

ISLANDS TRUST COUNCIL REQUEST	WHEN	ADVOCACY METHOD	RESPONSE
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	May 31, 2018	Name change achieved via <i>Miscellaneous Statues Bill</i>	Hurray!
	January 23, 2018	Executive Committee raised the name change request as number one Trust priority during meeting with the Hon. Selina Robinson, Minister of Municipal Affairs and Housing	Advised by Minister she would investigate further.
	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

ISLANDS TRUST COUNCIL REQUEST	WHEN	ADVOCACY METHOD	RESPONSE
			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 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.	Achieved in 2021 (see below)

TRUST COUNCIL DIRECTION	WHEN	ADVOCACY METHOD	RESPONSE
<p>THAT the Islands Trust write to the Minister requesting amendments to the Islands Trust Act, specifically¹:</p> <ol style="list-style-type: none"> 1. Allowance for entry warrants by bylaw officers; 2. Development permit area enforcement via municipal ticketing; 3. Adoption of development approval information bylaws by LTCs; 4. Amending the Act to add "First Nations" to the list of those with whom we work "in co-operation."; 5. The ability to delegate to staff the granting of development permits; 6. Seeking clarification of foreshore zoning authority; 7. Broadening of Islands Trust entities under the Local Government Act, relative to s. 294, allowing for "incidental or conducive powers."; 8. Ability to provide an affordable housing agreement with a third party and to create a Housing Service. 9. Include reference to the ecosystem in section 8.2 of the Islands Trust Act. 10. And enact the ability to charge fees for telecommunication applications. 	<p>Sept 2018</p>	<p>Letter to Hon. Selina Robinson, Minister of Municipal Affairs and Housing</p>	<p>In 2021 The Province amended the Islands Trust Act to:</p> <ul style="list-style-type: none"> • Include a specific reference to First Nations in the Trust’s Object statement to recognize its ongoing relationship and reconciliation efforts with First Nations. (#4) • Enable Islands Trust to give financial support to third parties for activities that provide education about or preserve the environment and unique amenities of the Trust Area. This is an optional new power that Trust Council can use if desired. (#9) • Streamline the Islands Trust development approvals processes by transferring from Trust Council the ability to adopt and amend development approval information bylaws to local trust committees providing greater local autonomy. (#3) <p>In 2021, the Province also amended BC Regulation 275/2021 deposited under the Islands Trust Act to enable local trust committees to delegate, by bylaw, issuance of development permits to staff with allowance for re-consideration of staff decisions by the local trust committee if warranted. (#5)</p> <p>Foreshore authority – on-going meetings between Islands Trust Staff, Ministry and CwVRD staff on foreshore jurisdiction in that RD. (none since March 2023 report).</p>

TRUST COUNCIL DIRECTION	WHEN	ADVOCACY METHOD	RESPONSE
That Trust Council request the Minister of Municipal Affairs and Housing to add the Islands Trust to the Auditor General Act, allowing for review of the Trust by the Auditor General for Local Government.	Sept. 2019	Letter to Hon. Selina Robinson, Minister of Municipal Affairs and Housing	In February 2020 the Ministry announced that the Auditor General for Local Governments would be closed down. The office was accepting no new files and finishing the ones it had.
That the Islands Trust Council request the Chair write to the Honourable Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD), and the Honourable Selina Robinson, Minister of Municipal Affairs and Housing (MAH), and the Honourable Scott Fraser, Minister of Minister of Indigenous Relations and Reconciliation, requesting amendments to the Private Managed Forest Land Act that would enable local trust committees to regulate, but not prohibit, forest activities on land within the Islands Trust Area.	June 2020	Letter to Hon. Doug Donaldson, Minister of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD), and the Hon. Selina Robinson, Minister of Municipal Affairs and Housing (MAH), and the Hon. Scott Fraser, Minister of Minister of Indigenous Relations and Reconciliation, March 4, 2021 meeting	April 2021 response from Director Doug Kelly commuting to work collaboratively with Islands Trust to continue to address issues as they evolve.
That Islands Trust request the Province enhance the Trust's jurisdiction over tree cutting bylaws to make its jurisdiction equal to that of municipalities under section 8 of the Community Charter.	September 2020	Letter to Hon. Josie Osborne Minister of Municipal Affairs In May 2022, discussed status of request for some forest authority, discussed the letters to his office re the Policy Statement process and the forest issue.	Withdrawn by Trust Council in March 2023 through resolution 2023-038: Islands Trust Council request the Chair to promptly inform the Province that it no longer wishes to proceed.... Previously the indication from Ministry was that this is a significant request, has Province implications from regional governance perspective. Explanation from Ministry that “the Trusts authority in relation to trees is longstanding and complex, a review of the request will require a consideration of policy choices made when the municipal authority was created, noting that this authority is primarily aimed at trees in urban environments.”

¹ Note: On March 14, 2018, Trust Council received a staff report that summarized the relevant strengths and weaknesses for each of 20 potential amendments, including some not listed below.

TRUST COUNCIL DIRECTION	WHEN	ADVOCACY METHOD	RESPONSE
That Trust Council request the Lieutenant Governor in Council for the Province of British Columbia to conduct a review of the Islands Trust's mandate, governance and structure.	June 2022	Letter to Hon. Nathan Cullen Minister of Municipal Affairs	The Minister replied on September 23, 2022 stating that he looks forward to learning of the measures being taken by the Trust in response to the governance and management review and in relation to the broader issues that are raised in the context of this request for a review of the Islands Trust governance, mandate and opportunities for alignment with the principles of the Declaration Act.
That the Islands Trust Chair, on behalf of Council, submit a letter to the Lieutenant Governor in Council making the review request under Section 8(2)(e) of the Islands Trust Act that outlines the potential scope of a review, including, but not limited to: <ul style="list-style-type: none"> a. An assessment of the optimum governance model to preserve and protect the Trust area pursuant to the Province's vision for the future of the Trust area. b. The object of the Islands Trust Act and clarification of the mandate of the organization. c. The governance structure of the organization. d. The alignment of decision-making processes and structures with the Declaration on the Rights of Indigenous Peoples Act. e. The geographic scope of the organization and in particular authority over marine areas. f. The funding mechanisms provided to the organization in light of a clarified mandate. 		Meeting of Executive Committee and Minister Cullen with follow-up letter in June 2022	
That Trust Council call on the Province of British Columbia, in partnership with Indigenous leadership, to develop and communicate in a timely way the process and timelines through which they will develop new legislation to protect and restore biological diversity and ecosystem health, in a manner consistent with the United Nations Declaration on the Rights of	June 2022	Letter to The Hon. Katrine Conroy Minister of Forests and The Hon. Josie Osborne Minister of Land, Water, and Resource Stewardship	In February 2023, the B.C. government launched new measures to protect more old growth by fast-tracking innovation and co-developing new local plans with First Nations to better care for B.C.'s forests.

TRUST COUNCIL DIRECTION	WHEN	ADVOCACY METHOD	RESPONSE
Indigenous Peoples, and with the involvement of local governments, civil society groups, Indigenous and scientific experts, and the concerned public.			
That Trust Council request the Chair to submit a resolution to Union of British Columbia Municipalities September 2022 convention concerning a request to the Province for new legislation to protect and restore biological diversity and ecosystem health.	June 2022	AVICC/UBCM resolution	Provincial responses to UBCM not yet published.



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 26, 2028
From: Islands Trust Conservancy **Date Prepared:** August 3, 2023
SUBJECT: Larmour NAPTEP Certificate, Salt Spring Island

RECOMMENDATION:

That the Islands Trust Council requests the Secretary to issue a NAPTEP Certificate for the covenanted portion of the property described as PID 000-138-452, Lot 1, Section 87, South Salt Spring Island, Cowichan District, Plan VIP 27894, subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

CHIEF ADMINISTRATIVE OFFICER COMMENTS: Islands Trust Conservancy currently holds 11 NAPTEP conservation covenants in the Salt Spring Island Local Trust Area (all on Salt Spring Island). Trust Council has issued twenty-eight NAPTEP tax exemptions in the Islands Trust Area to date.

1 **PURPOSE:** To seek Trust Council approval of a Natural Area Exemption Certificate.

2 **BACKGROUND:**

Islands Trust Conservancy (ITC) received a Natural Area Protection Tax Exemption Program (NAPTEP) application from Skye Larmour, to protect approximately 2.45 ha of mature forests, wetlands, and connectivity to other protected areas on Salt Spring Island. The ITC Board agreed to hold a covenant on this property at its January 25, 2022 meeting, directing staff to begin working on the file in 2023 to enable staff to complete other projects.

This proposed NAPTEP covenant will protect a 2.45 ha portion of the property. The proposed covenant area is largely forested, with young forest in the Coastal Douglas-fir subzone and several types of Mature and young forest in the Coastal Western Hemlock zone. The proposed protected area rises steeply from a small wetland to Sky Valley Ridge; the steep forested slopes provide forested habitats of different types and ages, and connectivity among them, as well as an abundance of large wildlife trees and tumbled boulders providing diverse habitat for birds, bats, amphibians, and other species. There are mapped areas of three at-risk ecosystems in both the Coastal Douglas-fir and Coastal Western Hemlock zones, and numerous at-risk species have been observed on the property. Considering the varied terrain and mature forest, it is likely that more detailed surveys will identify at-risk owls, bats, and amphibians in the proposed protected area.

This parcel is a wedge-shaped property south of Beddis Road that lies between Parcel H (to the east) and Parcel F (to the west). Both of those properties already have some form of protection: Parcel H is now owned by the Salt Spring Island Water Preservation Society (SSIWPS) and natural areas of Parcel F (to the west) have recently been subdivided and transferred to Islands Trust Conservancy as the Larmour Lands Nature Reserve.

Property Information

Address: 765 Beddis Road, Salt Spring Island, Salt Spring Island Local Trust Area

PID: 000-138-452

Legal Description: Lot 1, Section 87, South Salt Spring Island, Cowichan District, Plan VIP 27894

Property size: 8.97 ha

Proposed protected area size: 2.45 ha

The property has split zoning with the northern portion an active farm in the Agricultural Land Reserve (ALR). The southern area, outside of the ALR, is the proposed covenant area.

Figure 1. Location of property (red balloon/blue outline) on Salt Spring Island, showing landscape context of nearby Protected Areas.

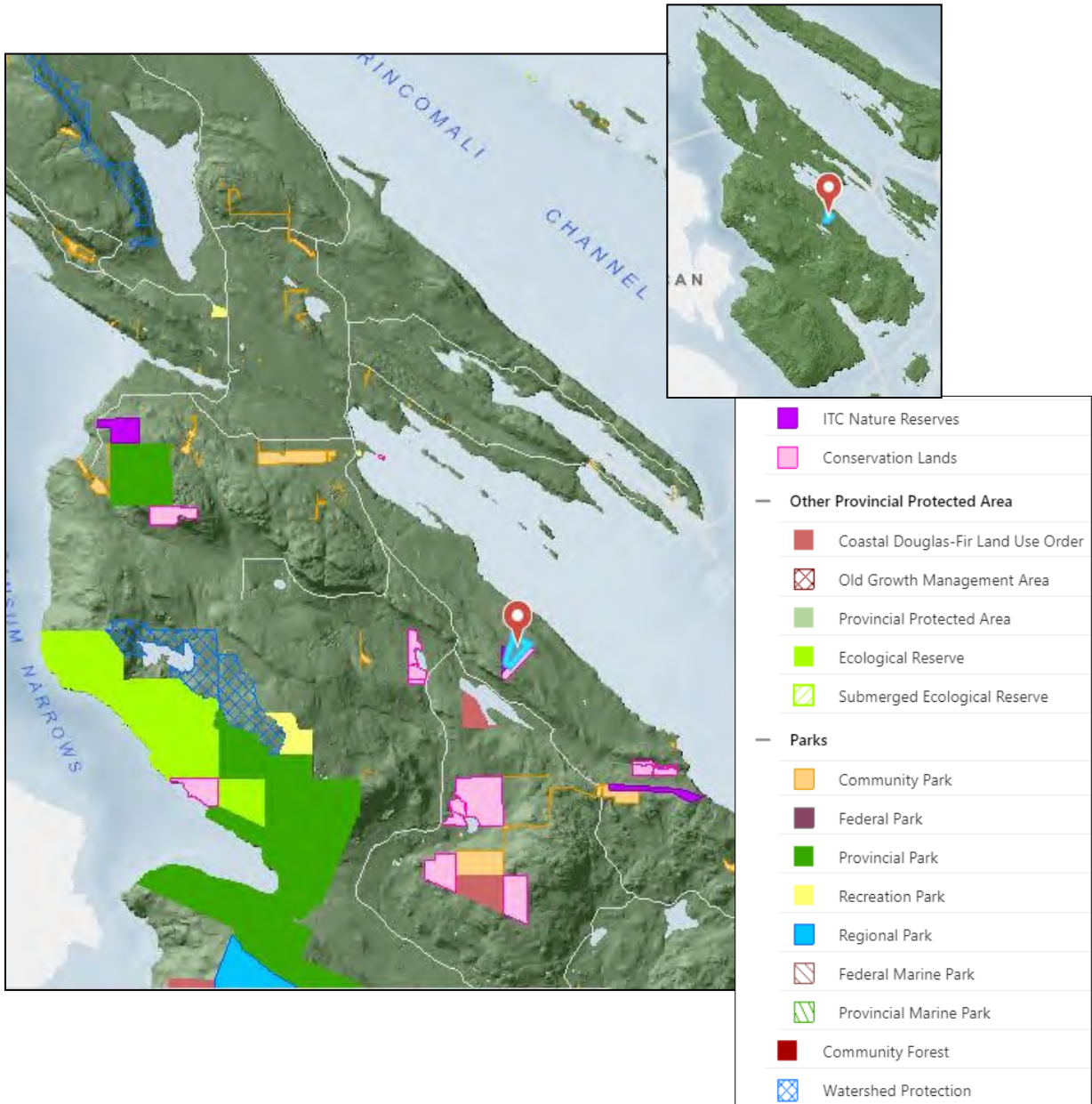
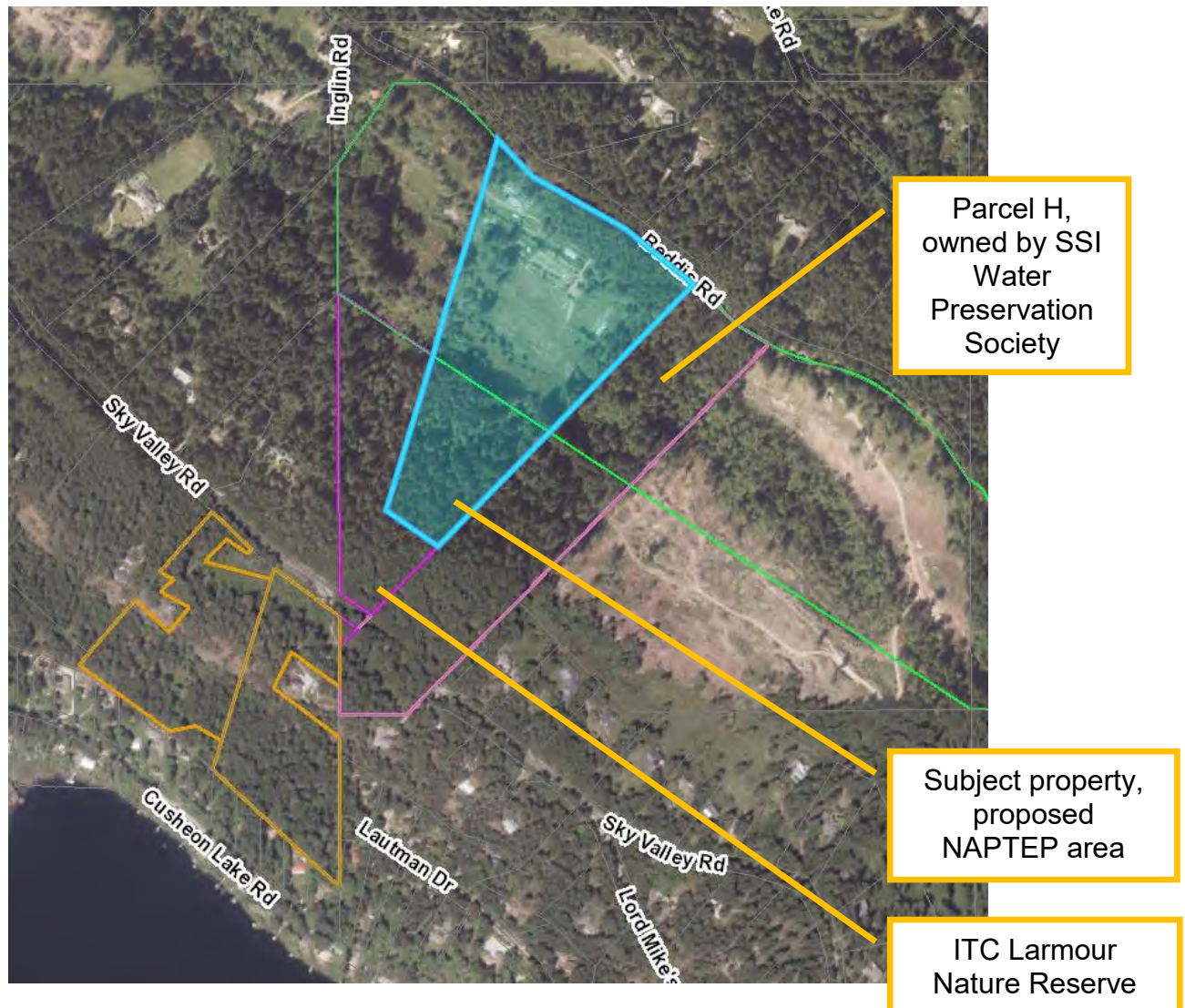


Figure 2. Aerial image of Subject Property, and Agricultural Land Reserve area. The Agricultural Land Reserve area is outlined in green; existing NAPTEP covenant areas are in orange.



NAPTEP Natural Values & Amenities

Islands Trust Conservancy staff have reviewed the proposal and confirmed that it is eligible under section 2 of the NAPTEP Regulations, due to presence of:

- 1 Areas that are relatively undisturbed by human activity¹ and are good examples of one or more of the ecosystems described in the Schedule to the regulation:**
 - Mature Forest
 - Woodland (coniferous)
- 2 Areas that are relatively undisturbed by human activity and are key habitat for rare native plant species or plant communities**
 - The property contains areas of both Coastal Douglas-fir (CDF) and Coastal Western Hemlock (CWH) biogeoclimatic ecosystem zones, and mapped areas of 3 ecological communities considered at-risk by the British Columbia Conservation Data Centre (CDC):
 - Coastal Douglas-fir zone
 - Douglas-fir / Salal (Red-listed)
 - Coastal Western Hemlock zone
 - Douglas-fir – Western Hemlock / Salal Dry maritime (Red-listed)

¹ Islands Trust Conservancy notes that the area in question has a rich history of human activity pre and post contact and that the area in question is an area of Indigenous cultural heritage, activity, and use.

- Western Hemlock – Douglas-fir / Oregon beaked moss (Red-listed)
- The property contains numerous small pockets of mossy balds, small cliffs, and rock outcroppings, supporting rare and sensitive plant communities

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Staff will negotiate the covenant with the applicant and the ITC Board will review and approve the covenant for registration. The Islands Trust Secretary will issue the Exemption Certificate upon registration of the covenant. Staff will ensure that both the covenant and the baseline inventory report meet NAPTEP standards.

FINANCIAL: The costs of administering this application will be partly recovered through the application fees. Annual monitoring will be done by the Covenant Management and Outreach Specialist and the 2024/25 ITC budget will increase according to Trust Council approved amounts for ongoing covenant management.

POLICY: None. This application is consistent with Trust Council’s policies regarding NAPTEP applications.

IMPLEMENTATION/COMMUNICATIONS:

- The applicant will be advised of Trust Council’s decision.
- The applicant will complete a baseline inventory report and will be required to register the standard NAPTEP covenant against the property title.
- The certificate will be issued by the Islands Trust Secretary when the covenant is successfully registered. Staff will register the natural area exemption certificate.
- Once the certificate is issued to the applicant, the BC Assessment Authority, the Land Titles Office, and the Regional District and any other relevant agencies will be advised.
- ITC staff will advise the public regarding the successful completion of NAPTEP applications via a news release and the website.

FIRST NATIONS: This conservation proposal has been referred to all First Nations within the BC Consultative Areas Database for this property (Cowichan, Halalt, Ts’uubaa-asatx, Lyackson, Malahat, Pauquachin, Penelakut, Semiahmoo, Stz’uminus, Tsartlip, Tsawout Tsawwassen, Tseycum). Responses were received from two First Nations, one of whom indicated that they do not have any comments to provide regarding this application; and the another who requested a copy of the baseline inventory report when it is completed. Staff will update the ITC Board with information from the First Nations referrals before covenant registration.

OTHER:

- The Salt Spring Island LTC has received the application for information at their meeting on September 14th, 2023.

4 RELEVANT POLICYS:

- Islands Trust Act [\(7.1\)](#)
- [Islands Trust Natural Area Protection Tax Exemption Regulation](#)
- Islands Trust Policy 2.1.10 [Administration of Natural Area Protection Tax Exemption Program](#)

5 ATTACHMENTS: None

RESPONSE OPTIONS

Recommendation:

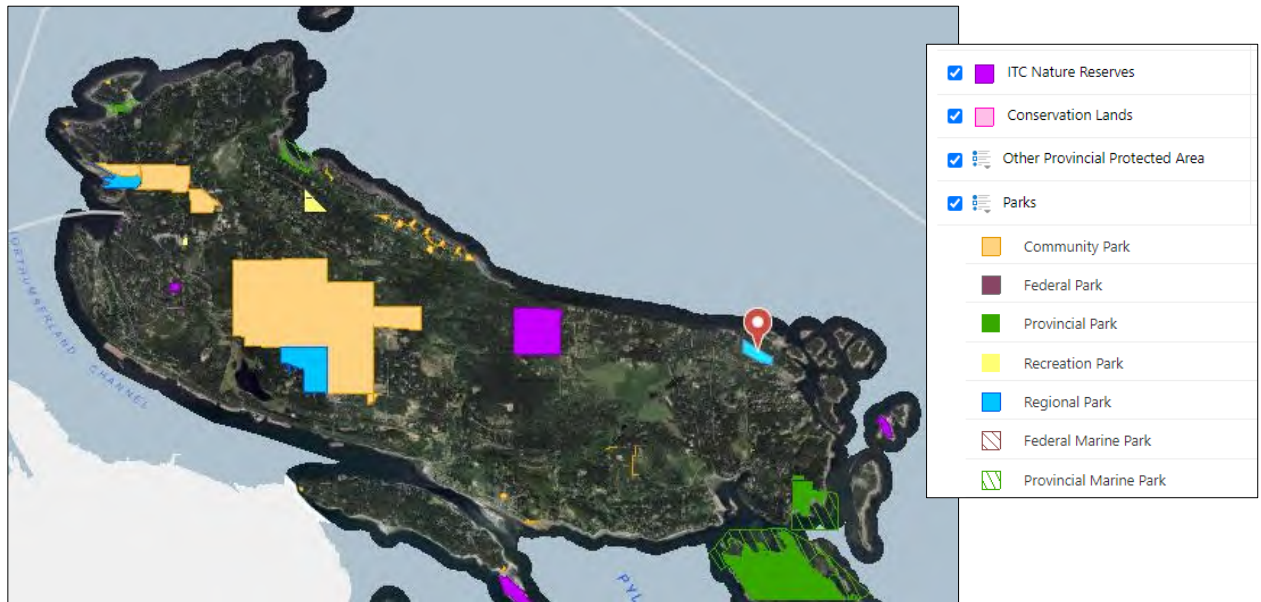
That the Islands Trust Council requests the Secretary to issue a NAPTEP Certificate for the covenanted portion of the property described as PID 000-138-452, Lot 1, Section 87, South Salt Spring Island, Cowichan District, Plan VIP 27894, subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

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

Prepared By: Kathryn Martell, Ecosystem Protection Specialist

Reviewed By/Date: Kate Emmings, Manager, Islands Trust Conservancy / September 5, 2023
Clare Frater, Director Trust Area Services / September 6, 2023
Russ Hotsenpiller, Chief Administrative Officer / September 6, 2023
Executive Committee, September 13, 2023

Figure 1. Location of property (red balloon/blue outline) on Gabriola Island, showing landscape context of nearby Protected Areas.



NAPTEP Natural Values & Amenities

Islands Trust Conservancy staff have reviewed the proposal and confirmed that it is eligible under section 2 of the NAPTEP Regulations, due to presence of:

- 1 Areas that are relatively undisturbed by human activity¹ and are good examples of one or more of the ecosystems described in the Schedule to the regulation**
 - *Wetland ecosystem*
 - *Riparian ecosystem*
- 2 Areas that are relatively undisturbed by human activity and are key habitat for rare native plant species or plant communities**
 - Almost the entire proposed covenant area is mapped as an ecological community considered at-risk (Red-listed) in British Columbia (Western Redcedar / Osoberry (*Thuja plicata / Oemleria cerasiformis*) [G1 / S1 (Critically Imperiled)])
 - Other portions of the property are mapped as Douglas-fir – Shore pine – Arbutus ecosystems. The BC Conservation Data Centre separates this site series into several ecological communities including ‘Douglas-fir / Arbutus’ and ‘Douglas-fir – Dull Oregon-grape’, all of which are considered Red-listed (S1: Critically Imperiled or S2: Imperiled)
 - The property contains numerous small pockets of mossy balds, small cliffs, and rock outcroppings, supporting rare and sensitive plant communities
- 3 Areas that are critical habitat for native animal species in relation to breeding, rearing, feeding, or staging**
 - An artificial pond (approx. 5m x 30m) provides breeding habitat for Rough-skinned Newts and Northern Red-Legged Frogs; river otters den in small cliffs near the pond
 - The wetlands and pond drain into Dick Brook, a salmon-bearing creek on the adjacent property
 - A detailed baseline survey of the property may well document additional at-risk species, especially considering the rare cliff habitats and the diverse habitat provided by the wetland and pond complex.

Figure 2. Aerial image of property showing mapped Sensitive Ecosystems and other details. Elevation (contour) lines in green, showing drainage into Dick Brook (from Provincial TRIM mapping) mapped in

¹ Islands Trust Conservancy notes that the area in question has a rich history of human activity pre and post contact and that the area in question is an area of Indigenous cultural heritage, activity, and use.

bright blue. Building footprints are shown as tan shapes. A wetland (swamp) polygon is mapped for much of the property (yellow).



4 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Staff will negotiate the covenant with the applicant and the ITC Board will review and approve the covenant for registration. The Islands Trust Secretary will issue the Exemption Certificate upon registration of the covenant. Staff will ensure that both the covenant and the baseline inventory report meet NAPTEP standards.

FINANCIAL: The costs of administering this application will be partly recovered through the application fees. Annual monitoring will be done by the Covenant Management and Outreach Specialist and the 2024/25 ITC budget will increase according to Trust Council approved amounts for ongoing covenant management.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS:

- The applicant will be advised of Trust Council's decision.
- The applicant will complete a baseline inventory report and will be required to register the standard NAPTEP covenant against the property title.
- The certificate will be issued by the Islands Trust Secretary when the covenant is successfully registered. Staff will register the natural area exemption certificate.
- Once the certificate is issued to the applicant, the BC Assessment Authority, the Land Titles Office, and the Regional District and any other relevant agencies will be advised.
- ITC staff will advise the public regarding the successful completion of NAPTEP applications via the website and a possible news release.

FIRST NATIONS: This conservation proposal has been referred to all First Nations within the BC Consultative Areas Database for this property (Penelakut Tribe, Stz'uminus First Nation, Halalt First Nation, Ts'uubaa-asatx First Nation, Cowichan Tribes, Snuneymuxw First Nation, Lyackson First Nation). Only one response has been received, indicating no comments regarding this

application. Staff will update the ITC Board with information from the First Nations referrals before proceeding with covenant registration.

OTHER:

- The Gabriola Island LTC received the application for information at their meeting on September 14th, 2023.

5 RELEVANT POLICYS:

- Islands Trust Act [\(7.1\)](#)
- [Islands Trust Natural Area Protection Tax Exemption Regulation](#)
- Islands Trust Policy 2.1.10 [Administration of Natural Area Protection Tax Exemption Program](#)

6 ATTACHMENTS: None

RESPONSE OPTIONS

Recommendation:

That the Islands Trust Council requests the Secretary to issue a NAPTEP Certificate for the covenanted portion of the property described as PID 05-788-447, That Part of Lot 3, Section 5, Gabriola Island, Nanaimo District, Plan 6986, Lying to the North West of a Road Dedication by Plan 17829, Except those parts in Plans 21783 and 26145, subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

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

Prepared By: Kathryn Martell, Ecosystem Protection Specialist

Reviewed By/Date: Kate Emmings, Manager, Islands Trust Conservancy / September 6, 2023
Clare Frater, Director Trust Area Services / September 6, 2023
Russ Hotsenpiller, Chief Administrative Officer / September 6, 2023
Executive Committee September 13, 2023

Leadership to represent each Party, including representation from the Lasqueti Island Local Trust Committee and the Islands Trust Executive Committee, provided that not all members need to attend every Joint Working Group Meeting.

The agreement states that additional individuals may participate in meetings at the discretion of the Joint Working Group or as requested by the Parties. If there are matters needing discussion from the Gabriola Island, Gambier Island, Denman Island or Ballenas-Winchelsea Islands Local Trust Areas or on matters relating to the Islands Trust Conservancy Board they can be brought to the working group, and representatives from those bodies can attend as needed. Meetings of the working group established under this agreement are not committees meetings, and therefore are not public meetings.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The four appointed trustees will attend four virtual working group meetings a year and other meetings as needed. Snaw-naw-as First Nation has requested that Islands Trust provide the administrative support to organize and take notes at the meetings. This is estimated to be up to 10 hours per meeting, and will be undertaken by the Administrative Coordinator. There will also be a need for staff time for meeting attendance; which staff attend the meetings will depend on the topics to be discussed.

FINANCIAL: None. If the working group decides to hold an in-person meeting this would be paid by through the reconciliation budget.

POLICY: None. The Islands Trust Council and Snaw-naw-as First Nation Protocol Agreement states that, following execution of the Agreement, the Parties will establish the Joint Working Group to work together towards achieving the purposes set out in the agreement.

IMPLEMENTATION/COMMUNICATIONS: Staff will advise Snaw-naw-as First Nation of the appointed trustees and organize working group meetings for 2023. Working group meetings will be booked for 2024 in December 2023 as part of the committee meeting booking process.

FIRST NATIONS: The Joint Working Group will assist the Islands Trust and Snaw-naw-as First Nation to have a positive and open relationship where issues of concern for either Party are discussed and resolved in an open and respectful manner.

OTHER: None.

4 RELEVANT POLICY(S): None.

5 ATTACHMENT(S):

Protocol Agreement between the Islands Trust Council and the Snaw-naw-as First Nation (pre-Ministerial approval)

RESPONSE OPTIONS

Recommendation:

- 1. That the Islands Trust Council appoint the following trustees to a Snaw-naw-as First Nation/Islands Trust Joint Working Group as established under the Snaw-naw-as First Nation/Islands Trust Protocol Agreement: Peter Luckham, Tobi Elliott, Mikaila Lironi, and Tim Peterson.**

Alternatives:

- 1. To appoint representation from either/or Denman /Gambier local trust committees.**
- 2. Appoint different trustees as has been recommended**
- 3. Request additional staff advice.**

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: Robyn Kefi, Senior Indigenous Relations Specialist
David Marlor, Director, Legislative Services,
Stefan Cermak, Director, Planning Services
Russ Hotsenpiller, CAO/September 6, 2023



PROTOCOL AGREEMENT

THIS Protocol Agreement dated for reference the _____ day of _____, 2023

BETWEEN:

**THE ISLANDS TRUST
COUNCIL
("Islands Trust")**

AND

**SNAW-NAW-AS NATION
209 Mallard Way
Lantzville, BC V0R 2H0
("Snaw-naw-as")**

(individually a "**Party**," collectively the "**Parties**")

WHEREAS:

- A. Snaw-naw-as and the Islands Trust have mutual respect for each Party's mandates, policies, rights, responsibilities, and areas of jurisdiction;
- B. Snaw-naw-as is an Indigenous government with territory on and around the islands that comprise the Islands Trust;
- C. Snaw-naw-as has and asserts Aboriginal rights and title and has constitutional status within the meaning of section 35 of the *Constitution Act, 1982*, as well as legal and cultural interests, including Aboriginal rights, relating to lands and resources in its territories;
- D. Snaw-naw-as, as part of the Te'mexw Treaty Association, is engaged in reconciliation by negotiating a modern Treaty with the federal and provincial governments;
- E. Islands Trust operates through its statutory authority and obligations under the *Islands Trust Act* (the "**Act**");
- F. Pursuant to section 3 of the Act, Islands Trust is responsible for upholding the object of the trust, which is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia;
- G. The Parties each have distinct governance authorities and responsibilities toward their residents and members, and acknowledge that the interests of all persons living in their communities are best served by the Parties working together in the spirit of reconciliation

and cooperation to achieve mutual benefits;

- H. Islands Trust has jurisdiction in relation to matters such as planning, land use management and heritage conservation under the Act with respect to areas within Snaw-naw-as' territory;
- I. Islands Trust recognizes that it operates in Snaw-naw-as' territory and seeks to advance reconciliation by building a strong and enduring relationship with Snaw-naw-as, based on mutual respect and respect for Snaw-naw-as' Indigenous knowledge, rights and culture;
- J. The Islands Trust is committed to reconciliation with Snaw-naw-as and working together to advance actual reconciliation in a manner that will serve the public interest;
- K. Snaw-naw-as and Islands Trust have common interests in planning, land use management, and heritage conservation in the areas within the authority of Islands Trust;
- L. The Parties recognize that building stronger government-to-government relationships will benefit their respective communities; and
- M. Snaw-naw-as and Islands Trust wish to establish a government-to-government relationship of mutual respect and cooperation, for the purpose of sharing information, improving communications, and identifying opportunities for collaboration between Snaw-naw-as and Islands Trust with respect to their common interests in planning, land use management and heritage conservation in the areas within the jurisdiction of Islands Trust and in compliance with the object of the trust set out in section 3 of the Act,

NOW THEREFORE, the Parties wish to establish a meaningful government-to-government relationship and to deepen their understanding of one another based on mutual respect and agree as follows:

DEFINITIONS AND INTERPRETATION

- 1. In this Protocol Agreement:
 - (a) **“Islands Trust”** means the Islands Trust Council acting on its own behalf and on behalf of the Lasqueti Island Local Trust Committee;
 - (b) **“Leadership”** means the elected representatives of a Party;
 - (c) **“Joint Working Group”** means the working group established under this Protocol Agreement;
 - (d) Reference to the singular includes a reference to the plural and vice versa;
 - (e) Where a word or expression is defined in this Protocol Agreement, other parts of speech and grammatical forms of the same word or expression have corresponding meanings;
 - (f) Headings are included for ease of reference only and are not to be used in interpreting this Protocol Agreement; and

(g) “Includes” means “including but not limited to.”

PURPOSE AND NATURE OF PROTOCOL AGREEMENT

2. The Parties commit to establishing a positive and open relationship where issues of concern for either Party are discussed and resolved in an open and respectful manner.
3. The Parties will establish a Joint Working Group that will meet to exchange information and facilitate open and productive dialogue between the Parties.
4. The Parties will seek to develop an understanding of each other’s public initiatives, governing structures, traditions, jurisdiction and responsibilities and will support and encourage each other in this work.
5. The Parties share the objective of developing a long-term collaborative process for working together to protect the interests of both Islands Trust and Snaw-naw-as and provide certainty for each Party with respect to addressing issues of mutual interest as they arise over time.
6. The Parties will proactively communicate about proposed development and other initiatives in each community with the intent to prevent negative impacts in the other community.
7. The Parties seek to establish an approach for considering their shared interests, including planning, marine initiatives, parks and protected areas, beachfronts and foreshore areas, harvesting, resource management and stewardship, management and heritage conservation, and other issues of interest for the communities.
8. The Parties seek to establish a relationship of mutual respect for each other, including in accordance with:
 - (a) Snaw-naw-as’ inherent right to maintain and strengthen their distinctive spiritual relationship with their traditional territories, and to uphold their responsibilities to future generation, which is affirmed by the *United Nations Declaration on the Rights of Indigenous Peoples Act*; and
 - (b) the Islands Trust’s legislative authority, objectives, purposes, and requirements as defined in the Act, including, but not limited to, the object of the Islands Trust as set out in section 3 of the Act.
9. The Parties will seek to implement this Protocol Agreement in the spirit of reconciliation and establish a collaborative process that will advance the Parties’ shared interests and aspirations, in recognition of Snaw-naw-as’ responsibility and connection to and knowledge about its territory and Islands Trust’s objectives, duties and obligations as set out in the Act.

JOINT WORKING GROUP ESTABLISHED

10. Following the execution of this Protocol Agreement, the Parties will establish the Joint Working Group to work together towards achieving the purposes set out in sections 2 through 9 .
11. The Joint Working Group will collaborate and discuss issues of shared interest and key priorities within the Island Trust's statutory authority, as well as in furtherance of the object of the Islands Trust in section 3 of the *Island Trust Act*, including:
 - (a) legislative changes and policy initiatives;
 - (b) resource management and stewardship;
 - (c) harvesting and culture;
 - (d) foreshore and beachfront areas;
 - (e) marine initiatives, and mariculture;
 - (f) land use planning and access;
 - (g) parks and conservation and protected areas;
 - (h) economic and financial opportunities;
 - (i) climate change strategies;
 - (j) matters related to Lasqueti Island, and other areas of particular significance to Snaw-naw-as in the Islands Trust Area; and
 - (k) other matters as the Parties may agree.
12. The Joint Working Group will meet on a mutually agreed-upon schedule, and will schedule four standing meetings each calendar year, provided that the Joint Working Group may cancel meetings or meet more frequently as needed.
13. Unless otherwise agreed to by the Joint Working Group, the Joint Working Group meetings will take place virtually or at a location agreed to by the Joint Working Group.
14. The Joint Working Group will make recommendations to Leadership concerning how best to collaborate on issues of shared interest, including the issues set out at section 11 of this Protocol Agreement.
15. Leadership may establish strategic goals and priorities for the Joint Working Group.
16. The Parties will provide the Joint Working Group all reasonably available information necessary to carry out its responsibilities.

17. On the request of Leadership, the Joint Working Group will review any data, reports, policies, or other information and, as appropriate, use this data or information in making any recommendations.
18. Islands Trust will make best efforts to ensure its Leadership and staff is available to attend Joint Working Group meetings upon request, including representatives from local trust committees other than the Lasqueti Island Local Trust Committee.
19. The Joint Working Group will establish its own procedures, including the development of agenda items and the process for chairing meetings.
20. In carrying out its work, the Joint Working Group may:
 - (a) invite advisors, speakers, knowledge holders, or other presenters to share information;
 - (b) share and discuss available information for emerging issues or initiatives;
 - (c) request, obtain and exchange available data on servicing needs;
 - (d) communicate with other bodies in respect of matters of mutual interest;
 - (e) share respective goals about land use planning objectives; and
 - (f) explore other matters that the Joint Working Group considers relevant.
21. The Joint Working Group will seek to operate by consensus.
22. The Joint Working Group may work with other bodies as appropriate.

COMPOSITION OF JOINT WORKING GROUP

23. The Joint Working Group shall consist of four members appointed by Leadership to represent each Party, including representation from the Lasqueti Island Local Trust Committee and the Islands Trust Executive Committee, provided that not all members need to attend every Joint Working Group Meeting.
24. Additional individuals may participate in meetings at the discretion of the Joint Working Group or as requested by the Parties.

COORDINATED VISION AND GUIDING PRINCIPLES

25. All members of the Joint Working Group commit to a positive relationship, and to follow the principles guiding how they work together:
 - (a) **Collaboration:** Commit to working together to identify interests, options, and potential solutions when members of the Joint Working Group have differing opinions.

- (b) **Openness:** Commit to keeping an open mind when contemplating solutions by focusing on the desired outcomes rather than the tools used.
- (c) **Solution Orientated:** Commit to being accountable and to upholding the provisions of this Protocol Agreement, and the spirit and aspirations of provincial and federal reconciliation commitments and the *United Nations Declaration of the Rights of Indigenous Peoples*, recognizing Islands Trust's object and statutory limitations in the Act.
- (d) **Transparency:** Commit to being transparent with each other and strive to be transparent about considerations behind decisions in the Islands Trust Area. The Joint Working Group will be provided all information it requires to carry out its objectives, including information on Islands Trust and Lasqueti Island planning, development and conservation initiatives.
- (e) **Consensus:** Commit to moving beyond agreeing to disagree and working to reach an outcome or approach that is actively supported or is not objected to by the Parties. Any disagreements between the member of the Joint Working Group should be resolved as early as possible, with, if necessary, assistance from Leadership.
- (f) **Mutual Respect:** the Parties recognize and respect each other's commitments and obligations to other matters within their respective jurisdictions, and will therefore approach timeliness with flexibility and in a spirit of understanding and reasonable compromise where necessary or desirable to accommodate each other's schedules and other commitments, including prioritizing issues of key concern when necessary.

LEADERSHIP MEETINGS

- 26. Leadership may meet as needed to build a strong relationship on a government-to-government level and to discuss key initiatives. Leadership may meet at the request of the Joint Working Group or the request of either Party.
- 27. Key staff, Elders, youth representatives, or other advisors may attend the Leadership meeting at the invitation of either Party.

TERM AND TERMINATION

- 28. This Protocol Agreement will take effect upon the adoption of authorizing Council resolutions by each Party, and approval by the Minister of Municipal Affairs.
- 29. The Parties recognize that this Protocol Agreement is a living document and may be subject to amendment from time to time by mutual agreement. The amendments must be in writing and authorized by Council resolution of each Party, and may require approval by the Minister of Municipal Affairs.
- 30. This Protocol Agreement will remain in effect until:
 - (a) superseded or replaced by another agreement;

- (b) terminated by mutual consent of the Parties; or
- (c) terminated by either Party upon ninety days' written notice.

CONFIDENTIALITY

- 31. The Parties acknowledge that the success of government-to-government relationships depends upon open and transparent communications based on trust, respect and mutual understanding.
- 32. In cases where a Party wishes to provide information to the other Party in expectation of confidentiality, it may so indicate, and the other Party will, acting reasonably, accept and hold such information in confidence to the extent permitted by law.
- 33. Each of the Parties acknowledges that information it provides to the other Party in the course of activities contemplated by this Protocol Agreement may be subject to the *Freedom of Information and Protection of Privacy Act* (British Columbia) (“FOIPPA”). The Parties acknowledge that decisions made by Islands Trust under FOIPPA are subject to review by BC’s Information and Privacy Commissioner, and further by the courts of BC.
- 34. Islands Trust shall consult with Snaw-naw-as, in advance, prior to including any information shared or discussed by the Joint Working Group, in an open meeting agenda.
- 35. Where one Party receives a request to disclose information related to this Protocol Agreement, information exchanged in connection with this Protocol Agreement, or activities carried out pursuant to this Protocol Agreement, that Party will refer the disclosure request to the other Party for consultation regarding any confidential or sensitive information.

EFFECT OF AGREEMENT

- 36. This Protocol Agreement does not in any way fetter, limit or restrict the jurisdiction of the respective Parties.
- 37. Nothing in this Protocol Agreement is construed as limiting Islands Trust’s ability to exercise its rights, powers, duties or obligations in the exercise of its functions pursuant to the Act, as amended or replaced, or as limiting or fettering Island Trust’s ability to exercise its discretion pursuant to any bylaw, agreement, or legislation.
- 38. This Protocol Agreement in no way abrogates or derogates from the rights of Snaw-naw-as under section 35 of the *Constitution Act, 1982*, the *United Nations Declaration of the Rights of Indigenous Peoples* or the inherent jurisdiction of Snaw-naw-as.
- 39. This Protocol Agreement is not a Treaty or land claim agreement and this Protocol Agreement does not limit any rights under section 35 of the *Constitution Act, 1982*, including Treaty rights.
- 40. This Protocol Agreement does not create any rights or legal obligations between the Parties and does not create or give rise to any contractual obligations between the Parties.

GENERAL

41. Nothing in this Protocol Agreement or in the Parties' dealing with each other is intended to be interpreted as creating an agency relationship, joint venture or partnership or any kind between the Parties or as imposing on any of the Parties any partnership, duty, obligation or liability to any other Party or to any other person.
42. Each of the Parties agrees to execute other documents and instruments, and to do other things as they are authorized to do and as may be necessary to implement and carry out the intent of this Protocol Agreement.
43. The Parties will make best efforts to ensure that the matters contemplated by this Protocol Agreement are carried out in a timely manner and in accordance with agreed upon timelines.
44. This Protocol Agreement is without prejudice to the existing rights, positions, powers and obligations of either Party, including under applicable legislation or other sources of law.
45. This Protocol Agreement:
 - (a) Is without prejudice to the existing rights and positions of non-parties; and
 - (b) Does not limit the positions any Party may make in future negotiations.
46. The Parties are committed to open and respectful communication with each other in order to effectively achieve shared goals and avoid disputes. Where a dispute among the Joint Working Group has not been resolved by informal communications, it may be referred to the Parties to resolve the dispute. Where the Parties are unable to resolve a dispute by special meeting of the Joint Working Group, any Party may request a dispute resolution session with the procedure mutually agreed upon and cost-shared.
47. Each of the parties warrants to the other that it has the authority to enter into this Protocol Agreement.
48. This Protocol Agreement may be executed in counterparts and if so executed such counterparts will be read and construed together as if they formed one document. A counterpart signed by a Party and delivered electronically will have the same effect as a counterpart originally signed and delivered by such Party.
49. The Parties indicate agreement with this Protocol Agreement by their signatures below.

ISLANDS TRUST

SNAW-NAW-AS NATION

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

Gordon Edwards, Chief

DRAFT



REQUEST FOR DECISION

To: Trust Council **For the Meeting of:** September 26, 2023
From: Executive Committee **Date Prepared:** September 7, 2023
SUBJECT **Draft Revised Policy Statement Amendment Project Charter v6**

RECOMMENDATION: That Trust Council approve Policy Statement Amendment Project Charter v7.

CAO COMMENTS: The recommended amendments to the project charter simply shift the project timeline to account for project delays that occurred due to staff vacancies and update the proposed budget. As a reminder to Trust Council, the currently endorsed recommended project charter allows a substantial amount of time for consideration of future drafts of the revised Policy Statement. More specifically, it provides for a six-month referral process to local trust committees and Bowen Island Municipality prior to First Reading as recommended by Trust Programs Committee. During this time, local trust committees and Bowen Island Municipality could undertake local public engagement, with some Trust Area Services staff support, at regular or special meetings, to inform their referral responses. After incorporating feedback from local trust committees and Bowen Island Municipality referral responses, Trust Council would undertake First Reading and then refer the document to other agencies/First Nations for three months.

As a reminder to Trust Council this approach of a six-month referral process to local trust committees and Bowen Island Municipality to conduct their own local public engagement prior to First Reading, does not represent typical local government bylaw review process. The extended timeframe incurred by having two referral periods increases the staff resources required for the project and increases risks to the project (e.g. staff turnover). The approach of each local trust committee/Bowen Island Municipality determining its own engagement method carries risk of inconsistent approach and inefficiency and inequity in access to the process. The recommended project charter timeline with proposed amendments has adoption of revised Policy Statement in December 2026, after the next local elections.

The recommended project charter and associated proposed budget do not provide for backfilling the Senior Policy Advisor position. As a result, Trust Area Services capacity for other work during the course of the project will be reduced (e.g. Trust Council advocacy/coordination, policy research, legislative monitoring, indicator reporting, agreement monitoring/development, organization of special Trust Council sessions, etc.)

- 1 PURPOSE:** To seek Trust Council's approval of a revised Project Charter v7 for the Policy Statement Amendment Project.

BACKGROUND

The Policy Statement guides the development of the official community plans and land use bylaws of local trust committees and Bowen Island Municipality and the development of Trust Council's Strategic Plan and advocacy/coordination activities. It is the heart of the preserve and protect mandate for this special region. Within the Islands Trust Area, regional growth strategies do not apply; instead, official

community plans and land use bylaws must be consistent with the Policy Statement. The Policy Statement is approved by the Minister of Municipal Affairs, who will consider the provincial interest and the Crown's duty to consult with First Nations.

In March 2023, Trust Council approved version 6 of the project charter. Since that time, the project has faced delays due to staff vacancies and staff have developed updated budget estimates. The recommended Version 7 of the project charter provides updated timelines and budget numbers while major deliverables are consistent between the two versions.

Current Project Status:

Staff have developed a revised draft, as per Trust Council's 32 resolutions, after engaging with internal and external staff partners and seeking legal counsel in the process. Staff are engaging with First Nations to seek their early input on the draft. Draft 2 of the new Policy Statement is expected to be first presented to Executive Committee and Trust Programs Committee in January 2024 and to Trust Council in March 2024.

At its February 6, 2023 meeting, Trust Programs Committee passed the following resolution:

that Trust Programs Committee recommend to Executive Committee that local trust committees and Bowen Island Municipality be given six months to provide their communities an opportunity to review and deliver feedback on the revised draft Policy Statement through their Advisory Planning Commissions or Regular or Special Meetings, as appropriate, prior to First Reading.

At its February 22, 2023 regular business meeting, the Executive Committee asked staff to amend the attached project charter (which incorporates Trust Program Committee's recommendation) and provide to Trust Council for approval. Trust Council approved V6 and this forms the basis of the 2024/25 business case staff will provide to the Executive Committee for approval and forwarding to Financial Planning Committee.

Communications Strategy implementation

In March 2023, Trust Council received a communications strategy developed to guide the next phases of the project. Building on lessons learned from last term, the communications strategy highlights the need for proactive, consistent, and coordinated communications when the draft revised Policy will begin to appear publicly in Trust Council/committee agenda packages. Preparation of communications and engagement materials is required to ensure broad understanding of the decision-making and engagement process, context and rationale for updating the Policy Statement, and specific amendments within the Policy Statement itself. Trust Council budgeted \$25,000 be budgeted for this work in FY 2023-24 and Tavola Strategy Group has been contracted to support the work with the intent that materials will be prepared for when the draft is provided on the Trust Programs Committee agenda.

First Nations engagement

Staff communicated the unforeseen delay to the eight First Nations who accepted capacity funding to participate in Phase 3 of First Nations engagement, and who expected engagement to begin in February 2023. The draft revised Policy Statement was provided to those First Nations in early September. Staff hope to have First Nations comments received and summarized by the end of the year; this will depend on the capacity of First Nations to respond.

2 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: No changes to project delivery.

FINANCIAL: The revised project charter includes updated budget estimates for 2024/25 and 2025/26. The project charter increases the proposed budget for 2024/25 by \$12,500 and \$2025/26 by \$5,000. This shift is due to additional planning regarding communications and also represents a more realistic costing of legal services. Staff are developing a business case for Executive Committee review for 2024/25 project activities using the adjusted timelines in the recommended project charter. The multi-year project budget and allocation of staff resources, while significant, are comparably lower than similar exercises conducted by regional districts and municipalities, many of which relate to a smaller geographical area and a smaller number of engagement partners.

POLICY: None.

IMPLEMENTATION/COMMUNICATIONS: Staff will implement the project charter. Staff will also be recruiting for a permanent Senior Policy Advisor to work on the project in the new year.

The [Islands 2050 webpage](#) has been the primary web portal for Policy Statement Amendment Project communications since 2019 and continues to be the main source of accurate project information. Project correspondence is channelled to a dedicated islands2050@islandstrust.bc.ca email account and posted to the Islands 2050 webpage at regular intervals. News updates have been and will continue to be distributed via Islands Trust news releases, social media posts, print advertisements, flyers and mail outs, and an Islands 2050 email subscriber list. Staff will implement the communication strategy with the help of a contracted communications specialist.

If First Nations engagement occurs on the anticipated timeline (depends on capacity of First Nations to adjust to amended timeline) staff intend to provide Trust Programs Committee with the following information in January 2024:

1. Briefing with suggested recommendations for additional changes to the Draft 2 of the Policy Statement that Trust Programs Committee could make to Executive Committee/Trust Council
2. Draft 2 of the Policy Statement
3. Table explaining how each of Trust Council's 32 resolutions was handled/constraints encountered
4. Concordance table showing changes from the July 2021 draft
5. Summary of feedback from First Nations who accepted capacity funding.

There will also be communications materials available to support trustee and public understanding on the amendment process and Draft 2.

FIRST NATIONS: There have been two phases of early engagement and associated capacity funding with First Nation governments on the Policy Statement Amendment Project thus far and a third phase is taking place through Fall 2024. Early engagement to date has facilitated important relationship building opportunities with First Nation government staff, and has provided Trust Council with valuable feedback on how Policy Statement amendments can assist Trust Council to better recognize and respect Indigenous rights and preserve and protect culturally significant sites, areas, and species for Indigenous Peoples, consistent with its commitments to reconciliation. Early First Nations engagement and policy amendments have also been guided by reconciliation principles set out by the Truth and Reconciliation Commission and the UN Declaration on the Rights of Indigenous Peoples that fall within Trust Council's jurisdiction.

OTHER: None.

3 RELEVANT POLICY(S): Policy Statement Amendment Policy

4 ATTACHMENT(S):

1. Draft Policy Statement Amendment Project Charter v7
2. Timeline Slide

RESPONSE OPTIONS

Recommendation: That Trust Council approve Policy Statement Amendment Project Charter v7.

Alternatives:

That Trust Council approve Policy Statement Amendment Project Charter v7, as amended.

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: Russ Hotsenpiller, CAO/September 8, 2023
Executive Committee/September 13, 2023

Policy Statement Amendment Project - Project Charter v7—Updated timelines and budget

Purpose To support Trust Council’s update of the Islands Trust Policy Statement bylaw, incorporating feedback from First Nations, the public, and referral agencies, and approval by the Minister of Municipal Affairs.

Background Trust Council has assigned Executive Committee, with involvement from Trust Programs Committee as appropriate, the task of updating the Islands Trust Policy Statement through the lenses of reconciliation, climate change, and affordable housing, and to undertake early engagement with First Nations and the public in the process.

Objectives

- To adopt an updated Policy Statement bylaw that supports Trust Council’s commitments to reconciliation, climate change, and affordable housing, and reflects feedback from the public, First Nations, and partner agencies.

In Scope

- Amendment drafting of V1 as directed by TC resolutions, communications, legal review, and implementation planning
- First Nations engagement, public engagement, and agency referrals
- Four readings/Ministerial approval

Out of Scope

- Treaty or territorial negotiations or accommodation
- Consequential amendments to official community plans and land use bylaws

Workplan Overview

Major Deliverable/Milestone	Dates
<u>Past Years (FY 2019-20, 2021-22, 2022-23)</u> -First Nations early engagement Phases 1 (2019-2021), 2 (2021-2022), and 3 (2023) -Public engagement Phases 1 (2019-2020), 2 (2021), and 3 (2022) -Policy review and analysis by Trust Council’s committees/working groups and staff (2020-22) -Amendment drafting and legal review Phase 1 (Apr-Jun 2021), Phase 2 (Dec 2022-Mar 2023)	2019-2023
<u>Present (FY 2023-24)</u> -Amendment drafting -EC/TPC and Trust Council receive revised draft Policy Statement (EC/TPC recommend changes)	To Dec 2023 Jan-March 2024
<u>Next Steps (FY 2024-25)</u> -As requested by TC, EC and TPC develop recommendations for further revisions -Trust Council considers TC/EC recommendations and passes resolutions on further revisions required -Approval in principle by Trust Council -Six month referrals period to local trust committees and Island Municipalities for local engagement	Apr.2024 June 2024 <u>Late Summer/Fall 2024</u> Fall 2024-Mar/Apr 2025
<u>Final Adoption (FY 2025-26)</u> -Trust Council receives referral responses and passes resolutions on further revisions required -Amendment drafting and amendment/ First Reading by Trust Council -Three month referral to First Nation governments, ITC Board, regional districts, other agencies as desired -Collation and consideration of feedback and preparation of document for Second / Third Reading - Second and Third readings (incorporate any desired revisions during same meeting) -Refer proposed bylaw to Minister with final FN engagement report; allow six months for review -Receive approval from Minister (estimated—no statutory timeline), and Adoption -Final graphic design and distribution, celebration event, implementation planning	June 2025 <u>Sept 2025</u> Oct– Dec 2025 Jan/Feb 2026 <u>Mar 2026</u> April 2026—Nov 2026 <u>Dec 2026</u> Post Dec 2026

Project Team

Executive Committee Trust Programs Committee Director, TAS	Project Champion Policy Content Advisors Project Director
Sr. Policy Advisor	Project Manager & Policy Writer
Program Coordinator	Public Engagement Coordinator
Communications Specialist	Communications Coordinator

Budget

Item	FY 23-24	FY 24-25	FY25-26
Communications	\$25,000	\$10,000	\$8,000
Public Engagement	\$0	\$20,000	\$0
Legal Review	\$5,000	\$5,000	\$5,000
Total Activity Costs:	\$30,000	\$35,000	\$13,000

Approved by:

Clare Frater, Director, TAS

Endorsement:

Date:

*Timeline assumes Trust Council does not schedule special meetings between regular quarterly meetings.

Policy Statement Amendment Project timeline

July -Dec 2024 - Staff refine draft document, engage with First Nations (60 day min for review), summarize First Nations feedback (with their review), and prepare communication materials

January/Feb 2024 - Trust Programs Committee and Executive Committee receive (at special meetings) revised draft Policy Statement and could make early recommendations to Trust Council for further revisions, if desired

February/March 2024 (tentative special meeting) - Trust Council receives revised draft Policy Statement (and any early committee recommendations), discusses the new draft, and passes resolutions on next steps... possibly requesting EC/TPC to undertake a more detailed review and develop further recommendations for TC's consideration

April 2024

Trust Programs Committee and Executive Committee could develop recommendations to Trust Council for further revisions

May 2024 (tentative special meeting)

Trust Council could review TPC & EC recommendations and pass resolutions requesting staff to make Trust Council's desired changes and to bring next revised draft to a future meeting

Approval in principle

June-September 2024 (tentative special meeting(s))

Trust Council could receive the next revised draft incorporating its earlier resolutions and considers approving the document in principle for referral to LTCs/BIM and Conservancy Board

LTC/IM referrals/engagement

Fall 2024 –June 2025

6 month internal referral period with locally-determined public engagement; Trust Council reviews internal referral responses, requests staff to make desired changes and bring back for First Reading

First Reading

September 2025

Trust Council and considers First Reading

External Referrals

Fall 2025

Min 90-Day Engagement & Referral Period (First Nations; Regional Districts; Islands Trust Conservancy Board; and other parties as desired)

Winter 2026

Trust Council/committees review feedback and request further changes

Second and Third Reading

Ministerial Approval

Fourth Reading & Adoption

Spring 2026

Spring/Summer 2026

Late 2026

*Timeline based on proposed V7 of project charter and assumes Trust Council schedules special meetings between regular quarterly meetings. **324**

From: Susan Yates
Sent: Friday, September 1, 2023 3:51 PM
To: Lori Foster
Cc: Renee Jamurat; Peter Luckham; Tobi Elliott
Subject: Notice of Motion for September Council

Follow Up Flag: Follow up
Flag Status: Completed

Hi Lori,

At our June 8 Gabriola LTC, we unanimously voted (GB-2023-043): that the Gabriola Island LTC send a **Request for Decision to Council for discussion in September on: a Motion to request Staff to look at options and report back to Council in December (or earlier if possible) on: Asking the Ministry of Transportation and Infrastructure, the Ministry of Forests, Lands and Natural Resources Operations and the Ministry of Mines, to: limit sand, gravel, aggregate, and related road-building materials extraction to the use of such materials on the island to which an extraction Permit applies.**

This Motion arose from an LTC discussion, arising from community concerns, about the extraction of sand, gravel, and related materials and the current *continual transport of such materials off Gabriola*, through populated neighbourhoods where residents see rural, narrow roads being damaged by heavy construction vehicles, and where they are subjected to excessive dust and noise with no abatement except late at night.

Thank you for adding this to the September Council agenda for discussion,

With best regards,
Susan

TO: Trust Council FOR THE MEETING OF: September 26-28, 2023

FROM: Trustee Peterson DATE PREPARED: May 29, 2023

SUBJECT: Disposition of Delegations, for discussion.

PURPOSE: To improve Trust Council practices regarding Disposition of Delegations

BACKGROUND:

The past practice of Trust council in regard to Disposition of Delegations has room for improvement. At times, Trustees have created resolutions “on the fly” that gave directions for actions which have not had the benefit of analysis on feasibility, benefits/outcomes/deliverables, and staff and financial resourcing which might be required. This can easily lead to delays in other work programs, over subscribing of staff time, and budgetary implications. In addition, there have been examples where such resolutions did not result in the desired outcomes.

Some points to consider:

*Do we need a policy?

*Is a response urgent? (e.g., a letter of support required by a looming deadline) Should we define some criteria?

*What resourcing would be required to implement a particular response? (e.g., staff time, financial)

*Should some responses be most appropriately referred to a committee of TC?

*If the response should come from TC, waiting until the next Trust Council meeting could be beneficial in terms of analysis, staff time, and financial considerations.

ATTACHMENT(S):

1. Practices of local governments regarding delegation thank-you letters – Briefing¹

¹ At its August 25 business meeting, Executive Committee requested this briefing be forwarded to Trust Council for information.

3. **Do you communicate at all after, or does the mayor/chair thank the delegates just in the meeting?**

- All delegations are thanked in the meeting by the chair for addressing council or its committees.

ATTACHMENT(S):

1. Table showing anecdotal responses to questions as presented in the background of this briefing

FOLLOW-UP: As directed

Prepared By: Lori Foster

Reviewed By/Date: Clare Frater, Director, Trust Area Services/August 21, 2023

Attachment 1. Table showing anecdotal responses to questions

	Send out formal thank-you letters to ALL delegates	Send out formal thank-you letters ONLY to delegates whose “ask” has been acted on by your council, keeping the delegate informed	The mayor/chair simply thanks the delegates in the meeting
Colwood	No		Thank in the meeting
Sidney	No	If there are actions, reach out after	Thank in the meeting
North Saanich	No	It’s best practice here to respond to all third parties when council approve resolutions, so a lot of letters!	
Oak Bay	No		We do not have a practice of following up with delegates after a meeting.
Central Saanich	No		We don’t send any formal letters after a delegate has addressed Council. Our Mayor will thank them for attending during the meeting, and if there is any follow up required with them afterwards as a result of a requested action by Council we would be in contact.
Highlands	No		Option 3: We generally do not send out formal “thank you” letters to delegations; our Mayor will thank them in the meeting after they have spoken.
District of Sooke	No	We only follow up with Delegations if Council provides direction (verbal or via formal resolution). The person and their organization are listed in the meeting minutes, and if they have any follow up questions or inquiries they usually speak with the Corporate Officer.	
Esquimalt	No		Delegations are heard at Committee of the Whole. Typically we don’t communicate after the meeting (unless a request for a letter of support or similar was approved). The Mayor/Chair thanks the delegates at the conclusion of their presentation and any Q&A that may occur.
District of Saanich	No	Unless Council directs otherwise, there is no after meeting contact made with delegations.	

The duration of the meeting and the volume of content can drive a need for formality, adherence to rigid rules, and can restrict free discussion.

The agenda is organized very logically, by Committees, and then Trust organizational units. As a consequence, housekeeping and more trivial items are interspersed with the items that really matter. This can present a challenge to participants.

Some ideas for discussion (these ideas came from discussions between 9 trustees)

Face to face TC (when justified) could be a single full day and 2 nights stay. Travel the previous day, meet for a full day, travel home the following day. That would allow a long day and dinner together. (Ferry schedules and distances are very different and its stressful and disruptive to travel there or back as well as attending a meeting on that day.)

Supplement quarterly meetings with monthly Zoom meetings whose purpose is to enable greater and better deliberation.

Hold short monthly meetings to address particular topics to allow free ranging discussion.

Delegations could be in a single monthly meeting with dispositions delayed till the following meeting. Quarterly reports from CAO, Trust Area Services, Planning, Administrative, – a single meeting with time for discussion would enable better active participation.

Some monthly meetings could be limited in scope like this:

- 2-hour hard limit.
- No motions permitted or decisions made.
- The purpose of the meetings would be to debate important issues. Trustees would be provided in advance with the relevant background material on one or at most two issues. With no decision required people could focus on discussing the merits more freely and without feeling pressured.

Request for Decision (RFD): Any RFD could be presented and discussed at one meeting and the decision deferred to the next. Monthly meetings would allow this. Each RFD should have a “champion” – who makes a very short (PowerPoint) presentation to highlight the key aspects of the RFD. If an RFD is proposed by the Executive Committee (EC) a member of the EC should introduce it and explain the rationale for it.

Agenda items could be classed as being introduced, for discussion, or for decision. Moving from introduction to decision in one meeting should be unusual.

Meetings focused on decision making would be more efficient – discussions and briefings having taken place at earlier meetings.

Agendas could be organized so that:

- Similar items are bundled together.
- RFDs are all up front as the first items for consideration after the minutes have been adopted.
- Routine reports and historical background being provided for the record are in an appendix.
- Agenda items should have links to their supporting materials.
- Revised documents coming back for consideration should be blacklined.

Other suggestions:

Rotating the Council chair position through the Executive Committee members, for different shorter meetings or sections of the agenda, would share the load and allow the Chair to participate in discussions.

More frequent Council meetings could allow EC meetings to alternate with Council. (Current schedule of formal EC meetings is twice monthly. TC is quarterly)

This could allow a better connection between EC meeting content and Trust Council. This would encourage better, more knowledgeable and more timely support for EC by Trust Council.

Policy and other considerations:

Trust Council meetings: Policy allows a TC meeting schedule of any frequency with a minimum of a meeting in each quarter.

MEETING PROCEDURES BYLAW NO. 101 Trust Council: March 11, 2004, Page 3.

<https://islandstrust.bc.ca/document/trust-council-meeting-procedures-bylaw-no-101/>

“Council shall establish the schedule of the date, time and place of regular Council meetings for the following calendar year, one of which shall be in each of the months of March, June, September and December”

EC schedule -advice from David Marlor: EC requires a monthly meeting as Bylaws must be approved within 30 days – or they are deemed to have been approved.

ATTACHMENT(S):

MEETING PROCEDURES BYLAW NO. 101 Trust Council: March 11, 2004, Page 3.

<https://islandstrust.bc.ca/document/trust-council-meeting-procedures-bylaw-no-101/>

FOLLOW-UP:

Prepared By: Mairead Boland drafted this content based on conversations between 9 trustees.

Reviewed By/Date: Aug 19th 2023

Baynes Sound/Lambert Channel EcoForum Report

By Sam Borthwick

After a delayed start, due in part to my own challenges in getting up to speed on the varied complexities of Trusteeship, as balanced against the rest of the necessary business required to keep life rolling, I am extremely gratified to have properly embraced my role as a member of the Steering Committee for the Baynes Sound Lambert Channel EcoForum, an initiative begun in no small part due to support from the Islands Trust Secretariat program, that has blossomed into one of the most genuine inter-agency forums I have had the pleasure to observe.

I had the pleasure to attend the November Ecoforum meeting alongside Trustee Graham, and although I was unable to make the May forum, I have enjoyed reviewing the resulting materials and conversations, which Trustee Peterson was able to contribute to in person.

What follows is excerpted from a forthcoming meeting report from the Steering Committee, which, without delving too deeply into details (I will happily forward the unabridged report to any interested parties upon its release), I believe provides an excellent summation of the aims of the EcoForum, and the invaluable cross-communication it facilitates so well.

“Four things became clear at the meeting BaynesSound/Lambert Channel EcoForum when it met on May 26, 2023 at VIU’s Marine Field Station.

- A lot of data has been (and is being collected) about Baynes Sound. However, there is no central inventory list and access can be haphazard.
- It has been two decades since there has been a comprehensive look at the kind of data/knowledge that is required to make grounded decisions about many aspects of the care and management of the marine ecosystem in Baynes Sound.
- Stakeholders, communities, industry, and even other government departments would value a jurisdictional map outlining ministry, departmental, legislative, and regulatory responsibilities.
- There are grassroots community groups that are eager to undertake local projects that could change attitudes and behaviours about human waste entering the Sound.

The Sum is Greater Than Its Parts

The Forum supports collaborative initiatives made up of participants which work on projects as directed by Forum participants. It is these groups and committees that do the work between meetings to advance a need or tackle an issue that has been identified by the participants. This has been accomplished in the past because of the commitment and energy of Forum participants representing their communities or organizations. When the Forum was established, its terms of reference made it clear that it is not an organization which pursues actions on its own nor does it have the resources to do so. Rather, it brings interested parties together in that most delightful of human endeavours – hive mind. It provides a regular opportunity (the bi-annual meeting) for individuals representing various levels of government departments and ministries, First Nations, industry, academic research, and community. Information is shared through presentations and informal discussion over lunch and coffee breaks. Participants have an opportunity to hear presentations about current challenges and successes. This provides a window out of individual’s silos and broadens perspectives. Sometimes it sparks informal

working relationships. It reinforces the idea that protecting and maintaining a healthy marine ecosystem is not the work of any one organization. It respects traditional and cultural knowledge and traditions.

How to best “catalyze” action among participant organizations is a fluid concept based on the issue and input from participants. In some cases, the role of the EcoForum can be to profile work in progress being done by an organization, ministry, agency, or community and provide an opportunity for feedback. Ongoing dialogue and collaborative action have already increased the practice of knowledge-sharing about the area with participants reporting that they value contacts made. But much work remains. A further goal is to avoid duplication of effort, identify jurisdictional gaps, and enhance any single organization’s capacity for action.

In the case of an emerging issue, one task of the EcoForum is to give voice to the participants on front lines (industry, communities, researchers) to report concerns, findings. A second role is to facilitate connections for action.

It has been the experience of the five years of the EcoForum that this somewhat unique model is an effective way to stimulate both conversation, interaction, and action. Participants come to the table with a common goal: To protect, maintain and improve the marine ecosystem in Baynes Sound and Lambert Channel.

As indicated at the outset, participants felt that their aims could be better achieved with a more comprehensive understanding of data and jurisdictional responsibilities.”

In summation, the EcoForum feels like a meaningful and toothsome embodiment of the conservation and advocacy roles of the Trust, and I eagerly look forward to my future participation in a body that so adroitly brings together so many oft-disparate bodies around the shared goal of preserving and protecting the vitality of the waters around the home of my friends and neighbours.

another part of the country and end up mortgage free or certainly in a better financial position and continue on their career path with another employer.

From a Trust perspective the need for purpose built rental housing is a significant barrier BCFS would like to see addressed. If they can build the ships and hire the crews the housing issue is the third leg that at this time is next to impossible for the corporation to resolve.

FOLLOW-UP:

Prepared By: David Maude, Mayne Island Local Trustee

Reviewed By/Date: NA

Islands Trust Council Goals	Executive Committee	Islands Trust Conservancy
<ol style="list-style-type: none"> 1. Preserve, protect and advocate for forest and terrestrial ecosystems. 2. Protect quality and quantity of fresh water resources of the Trust Area. 3. Mitigate and adapt to climate change impacts. 4. Improve community engagement and participation in Islands Trust work. 5. Strengthen housing affordability throughout the Islands Trust Area. 	<ol style="list-style-type: none"> 1. Update Islands Trust Policy Statement 2. First Nations Reconciliation 3. Provincial Funding Strategy 4. Strategic Planning 5. Communications 	<ol style="list-style-type: none"> 1. Strategic Planning/Administration 2. Covenant and Property Acquisitions 3. Property and Covenant Management 4. Communications 5. Fundraising and Conservancy Support
Financial Planning Committee	Regional Planning Committee	Trust Programs Committee
<ol style="list-style-type: none"> 1. Budget 2024/25: Draft 1 Review 2. Budget 2024/25 Public Consultation: Planning 3. Corporate Planning Process 4. Financial Policy Review 	<ol style="list-style-type: none"> 1. Protect quality and quantity of fresh water resources of the Trust Area 2. Strengthen housing affordability throughout the Islands Trust Area 3. Strengthen relations with First Nations 4. Preserve, protect and advocate for forest and terrestrial ecosystems 5. Manage Trust Council Strategic Plan Action Items 	<ol style="list-style-type: none"> 1. Policy Statement Amendment Project 2. Stewardship Education Program 3. Secretariat Role to Forums within the Trust Area




Northern Islands Ballenas-Winchelsea, Denman, Gabriola, Gambier, Hornby, Lasqueti, Thetis
<p>Denman Island</p> <ul style="list-style-type: none"> . Denman Housing Review Project - Stage 2 . Farming Regulations Review Project <p>Gabriola Island</p> <ul style="list-style-type: none"> . Develop Ecological Protection Zone . Gabriola Island Comprehensive OCP and LUB Review . Review and update Development Approval Information (DAI) bylaw <p>Gambier Island</p> <ul style="list-style-type: none"> . Gambier OCP & LUB Targeted Review . Keats Island Shoreline Protection Project - Phase 3

Southern Islands Galiano, Mayne, North Pender, South Pender, Saturna
<p>Galiano Island</p> <ul style="list-style-type: none"> . Groundwater Sustainability <p>Mayne Island</p> <ul style="list-style-type: none"> . Housing Options Project - Phase 2 . Minor LUB Review <p>North Pender Island</p> <ul style="list-style-type: none"> . Major project - Housing Access and Affordability Project . Minor project - Update of Raptors Nest DPAs . LUB Review Project <p>Saturna Island</p> <ul style="list-style-type: none"> . ALR Exclusion / Inclusion <p>South Pender Island</p> <ul style="list-style-type: none"> . Minor LUB Review Project

Northern Islands Ballenas-Winchelsea, Denman, Gabriola, Gambier, Hornby, Lasqueti, Thetis
<p>Hornby Island</p> <ul style="list-style-type: none"> . Comprehensive OCP Review <p>Lasqueti Island</p> <ul style="list-style-type: none"> . OCP/LUB Review . Amend the Meeting Procedures Bylaw <p>Thetis Island</p> <ul style="list-style-type: none"> . Un-zoned Marine Areas . Shoreline and Coastal Protection Community Consultation Project . Soil Removal Bylaw

Salt Spring
<p>Salt Spring Island</p> <ul style="list-style-type: none"> . Ganges (Shiya'hwt/Syowt) Village Planning . Water Sustainability - coordinate multiple jurisdictions in planning for water sustainability and watershed protection.

Tuesday, December 5	Wednesday, December 6	Thursday, December 7
10:00 Executive Committee Meeting	8:30 Administrative Services BUDGET Decision/Discussion Items	8:30 CLOSED MEETING 9:30 Rise and Report - Meeting Reopens to the Public New Business
12:00 Lunch	10:30 Break	
1:00 TRUST COUNCIL MEETING STARTS Land Acknowledgement Call to Order and Approval of Agenda General Business Arising Consent Agenda Item(s) Minutes, FUAL, RWM	10:45	10:30 Break
1:15 Trustee Roundtable	12:00 LUNCH HOUR	10:45 Trustee Summary Updates
3:00 Break	1:30 DELEGATIONS / PUBLIC COMMENT	Disposition of Delegations Correspondence Priorities Chart December Trust Council Draft Schedule
3:15 Executive Consent Agenda Item(s) CAO's Report EC Work Program Decision/Discussion Items	2:45 Place holder	
	3:00 Break	
	3:15 Planning Services Consent Agenda Items Director's Report RPC Work Program	12:00 Adjournment (approx.)
4:30 Governance Committee	4:15 Trust Area Services Consent Agenda Items TPC Work Program Director's Report Decision/Discussion Items *	 <p>Islands Trust</p> <p>Visit the meeting webpage: ~ to view the agenda package ~ to join the meeting electronically, view livestream or attend by phone-in</p>
5:30 Recess for the Day (approx.)	5:30 Recess for the Day (approx.)	
	* denotes decision items RFD = request for decision BRF = briefing times are provided for information and	

ATTACHMENT(S):

1. June 2019 Trust Council Briefing re Climate Change Emergency Declaration – Local Planning Tools for Mitigation and Adaptation
2. September 2019 Trust Council Briefing re Council committee/Conservancy board recommendations for climate actions
 - a. Attachment: Detailed summary of topics raised at the July 17, 2019 Trust Programs Committee meeting
 - b. Attachment: Islands Trust Conservancy memorandum regarding the Trust Council referral for recommendation on responding to climate change emergency declaration.
3. February 2020 Climate Change Speaking Notes and Backgrounder prepared by Trust Programs Committee, approved by Executive Committee (trustee developed)

Online Resources

4. [Local Government Climate Action Program Survey Submission Report, 2022](#)
5. [Climate Projections for Islands Trust Area Report, 2020](#)
6. [Final Report: Scoping Exercise to Identify Climate Change Indicators for the Islands Trust Area Report, 2020](#)

FOLLOW-UP: As directed.

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date: Stefan Cermak, Director, Planning Services/September 4, 2023
Russ Hotsenpiller/September 5, 2023
Executive Committee/September 13, 2023

• Mudge	-	50%	50%	Below per Canadian per capita for 2020/2050
• DeCourcy	-	50%	50%	Below per Canadian per capita for 2020/2050
Galiano	-	33%	-	Reduction over 2007 emissions
Gambier	-	33%	85%	Reduction over 2007 emissions
• Associated	-	20%	85%	Reduction over 2007 emissions
• Keats	-	33%	85%	Reduction over 2007 emissions
Denman	-	33%	85%	Reduction over 2007 emissions
Hornby	-	25%	80%	Reduction over 2007 emissions
Lasqueti	-	50%	50%	Below per Canadian per capita for 2020/2050
Mayne	-	33%	-	Reduction over 2007 emissions
North Pender	-	33%	-	Reduction over 2007 emissions
• Associated	-	50%	50%	Below per Canadian per capita for 2020/2050
Saturna	-	33%	-	Reduction over 2007 emissions
SSI	15%	40%	85%	Reduction over 2007 emissions
• Piers	-	-	-	Bylaw is not compliant
South Pender	-	33%	-	Reduction over 2007 emissions
Thetis	-	33%	85%	Reduction over 2007 emissions
Associated	-	-	-	Bylaw contains no targets
Valdes	-	50%	50%	Below per Canadian per capita for 2020/2050

A. Local Planning Actions Since 2010

Since 2010, planning Staff regularly include consideration of climate change mitigation and adaptation in staff reports on planning applications and projects. As a result, all planning decisions by local trust committees over the past eight years have included a climate change lens. In addition to this, local trust committees adopted specific policies in their official community plans related to climate change mitigation and adaptation. Many of these policies have been implemented through land use bylaw amendments. A list of these implemented policies is included in Appendix 1.

Appendix 2 lists the official community plan policies that have not yet been implemented in the land use bylaws.

The remainder of this briefing provides information on land use planning actions that can be undertaken in relation to climate change. Section B addresses actions related to climate change mitigation and Section C addresses actions related to climate change adaptation.

B. Climate Change Mitigation Tools

Climate change mitigation involves actions that reduce greenhouse gas emissions (GHGs). In the local trust areas the main source of GHGs is combustion from transportation and combustion from heating and cooling buildings. Therefore, any policies and regulations that reduce the need for transportation, or reduce the need for heating or cooling of buildings will help in reducing GHGs.

The Province committed to providing the Community Energy and Emissions Inventory (CEEI) for local governments. For the Islands Trust area there is very little data available. The only metric is residential heating using wood, propane or oil (and this is withheld for Lasqueti and Gambier LTAs). There are no metrics available for transportation or any other source of GHG emissions. The last year CEEI reports were undertaken was 2012. As a result we currently do not have metrics to measure progress towards targets in OCPs. Bowen Island Municipality has Community Energy and Emission Inventories (starting on page 40 of this linked document <https://bowenisland.civicweb.net/document/118760>).

Local trust committees and Bowen Island Municipality have the following tools available to them to reduce GHGs:

- **GHG Reduction Targets** - Section 473 of the *Local Government Act* – required content for official community plans, inclusion of targets and policies with respect to reducing greenhouse gas emissions.
- **Zoning Authority** – Section 479 of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** – Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote the Reduction of Greenhouse Gas Emissions** - Section 488(1)(j) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to mitigate climate change.

1. **Enact existing Official Community Plan policies** for the mitigation of climate change that are already in the official community plans but have not yet been acted on (Appendix 2 contains a list of these policies).
2. **Update official community plans** to ensure the mandatory GHG reduction targets and policies are relevant and up to date; Galiano Island, Mayne Island, North Pender Island, South Pender Island and Saturna Island local trust committees have targets for GHG reduction set for 2020 with no targets for any future dates, and as such those targets will be out of date next year. The Salt Spring Island Local Trust Committee has not adopted any targets or policies for the Piers Island OCP. The Thetis Associated Islands OCP contains objectives and policies but no targets. While the Islands Trust has very limited metrics to measure progress, the requirement to have targets and policies in official community plans is mandatory under s. 473 of the *Local Government Act*. These official community plans should be updated within the next year to ensure they remain compliant with required content for an official community plan, and to address targets and polices for GHG reduction. Other local trust committees should review their targets and policies for relevance to current conditions.
3. **Use the zoning authority under s. 479 of the *Local Government Act* to cluster development** and move away from large lots to small compact "villages". This can be accomplished through OCP policies to require this kind of development, rezoning appropriately by increasing density in appropriate locations and reducing in other locations and density transfer to move density to appropriate areas. Some local trust committees already have some form of this in their OCPs. Salt Spring and Gabriola have density transfer that has seen some significant land use changes. While these were not specifically created to address climate change mitigation, they can be

effective in changing the land use pattern to one that is more sustainable and reduces the need for transportation.

5. **Use the climate change development permit areas to reduce the heating and cooling requirements for buildings.** To improve building energy efficiency, land use planning can require landscaping and orientation of buildings in a way to maximize sun in winter and shade in summer. This would be done through a development permit area (DPA), with the justification and objectives in the Official Community Plan and the guidelines in the Land Use Bylaw. Local trust committees and Bowen Island Municipality may use DPAs to reduce GHG emissions and for energy conservation under s. 488 of the *Local Government Act*. Using these DPAs, local trust committees and Bowen Island Municipality may establish guidelines around landscaping, siting of buildings and structures, form and exterior design of buildings and structures, machinery, equipment and systems external to buildings or structures. The DPA may also place restrictions on type and placement of trees and other vegetation in proximity to buildings and structures to provide for energy conservation and reduction of GHGs.

C. Climate Change Adaptation Tools:

Climate change adaptation involves adapting communities to the anticipated effects of climate change. In the Islands Trust area, these effects include sea-level rise, longer periods of drought, more intense storm events, wildfires, warmer summers and warmer winters, and ecosystem changes which may impact plant and animal species.

Local trust committees and Bowen Island Municipality have the following tools available to them to adapt to climate change:

- **Zoning Authority** - Section 479 of the *Local Government Act*.
- **Runoff Control Bylaw** - Section 523 of the *Local Government Act*.
- **Development Permit Area to Protect Development from Hazardous Conditions** – Section 488(1)(b) of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** - Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote Water Conservation** – Section 488(1)(i) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to adapt their communities to the effects of climate change:

1. **Sea Level Rise Adaptation Tools**

The Provincial government has established an expected sea-level rise in the Victoria area of 3.1 cm/50 years.

The Provincial (Subdivision) Approving Officer is currently requiring at time of subdivision a covenant for a 15 metres setback and 1.5 metres above the current high high water mark for any buildings or structures. This approach by the Provincial Approving Officer is a broad-brush approach to adapting to climate change and does not consider site specific conditions. Before initiating adaptation measures local trust committees and Bowen Island Municipality should have an understanding of the local situation.

- a) **Undertake mapping of sea-level rise** on the islands to provide information to assist with developing policies and regulations to adapt to sea-level rise.
- b) **Enact zoning regulations under s.479 of the *Local Government Act* and flood level regulations under s. 524 of the *Local Government Act*.** Using these provisions, local trust committees and Bowen Island Municipality may enact regulations to require setbacks for

buildings and structures from the future anticipated natural boundary of the sea, as well as establish a minimum elevation for buildings and structures above the anticipated future elevation of the sea. Local trust committees and Bowen Island Municipality could make exceptions for structures that are designed to be moved (not on permanent foundation). Notwithstanding, the Provincial Approving Officer will continue to have independent authority to establish different requirements.

2. **Longer Periods of Drought Adaptation Tools**

Islands Trust Staff currently has little information on groundwater such as the effects of climate change on recharge and capacity of the aquifers to provide water. Research and mapping of aquifers would allow local trust committees to develop policies and regulations that reflect the capacity of the aquifers including anticipated climate change effects. Water storage and alternative water supplies could be considered. Means to reduce water consumption includes using development permit areas for water conservation, requiring drought tolerant planting, and requiring features to reduce water use.

- a) **Undertake research and mapping of aquifers, develop water consumption budgets, and identify salt water intrusion risks**, based on expected climate change effects. This work would then inform the land use planning for future development on the islands. This work is already underway for some islands, and staff is working with the Ministry of Forest, Lands, Natural Resource Operations and Rural Development to undertake a robust salt water intrusion risk assessment and mapping for the Islands Trust area.
- b) **Update policies and regulations to align their development potential** – through land use and density provisions – with the anticipated capacity of the aquifers.
- c) **Use the climate change development permit areas under s. 488 of the *Local Government Act* to promote water conservation.** Local trust committees and Bowen Island Municipality could establish goals, objectives and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote water conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for water conservation.

4. **More Intense Storms Adaptation Tools**

Climate change is expected to result in more intense storm events, with higher winds and heavier rain than in the past.

- a) **Develop runoff control bylaws** under s. 523 to deal with anticipated flood and runoff from storm events.
- b) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas subject to flooding and require they remain free from development except development may be permitted in accordance with the guidelines. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

5. **Wildfire Adaptation Tools**

As climate change results in hotter and longer dryer periods during the summer months, the risk of wildfires on the islands increases. Most islands have a wildfire plan prepared by the fire district or regional district.

- a) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas at risk to wildfires and include requirements respecting the character of development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures, and establish restrictions on the type and placement of trees and other vegetation in proximity to the development. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

6. **Warmer Summers and Warmer Winters Adaptation Tools**

Climate change is expected to lead to our summers and winters becoming warmer.

- a) **Establish development permit areas for energy conservation** under s. 488 of the *Local Government Act* to require that the exterior form and design of buildings, and other specific features of the development, reduce the need for energy in summer and winter. Local trust committees and Bowen Island Municipality could establish goals, objective and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote energy conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for energy conservation.

ATTACHMENTS:

1. Summary of Local Trust Committee OCP climate change policies already implemented
2. Summary of Local Trust Committee OCP climate change policies not yet implemented

FOLLOW-UP:

Further work in specified areas as indicated in the briefing, or as requested by the Trust Council, Executive Committee, Local Planning Committee or local trust committees.

Prepared By: David Marlor, Director, Local Planning Services

Reviewed By/Date: Russ Hotsenpiller, Chief Administrative Officer/

APPENDIX 1 – May 30, 2019

Summary of Official Community Plan policies, listed by local trust area, that have been implemented in the land use bylaws.

Ballenas-Winchelsea Local Trust Area

- Shoreline Development Permit Area (applicable to 30 m upland of the natural boundary of the sea).
- Regulations in the land use bylaw exempts solar collectors, wind generators and water storage tanks from height restrictions.

Denman Island Local Trust Area

- Climate change impacts are considered in staff.
- Providing the dedication of conservation area, consistent with OCP policies for density transfer.

Gabriola Island Local Trust Area

Gabriola Island

- Climate change impacts are considered in staff reports.
- Providing for rainwater collection and storage, trail/path connections and dedication of 300+ acres of parkland.
- Development Approval Information (DAI) Bylaw amended (2013) to include option to address GHG emissions, anticipated energy usage, carbon emissions and groundwater resources in conjunction with bylaw amendment or TUP applications [Criteria for assessing OCP/LUB applications developed.
- Land Use Bylaw (parking regulations and Village DPA guidelines) amended to encourage public transit, smaller vehicles, non-polluting vehicles, and permeable parking surfaces and increase walkability.
- Land Use Bylaw amended to measure the footprint of buildings and structures from the interior walls instead of the outer perimeter of the foundation of the building, so increased insulation is encouraged, and to exclude cisterns from floor area calculation.
- Official Community Plan and Land Use Bylaw amended to encourage local food production.

Mudge Island

- Climate change impacts considered in staff reports.
- Land Use Bylaw amended to exclude from the calculation of lot coverage in the RR zone: cisterns and similar structures for rainwater collection and storage; fire-fighting towers; pervious paths, driveways and parking spaces; and garden beds.

DeCourcey Island

- Climate change impacts considered in staff reports.

Galiano Island Local Trust Area

- Climate change impacts considered in staff reports, and inclusion of a policy in the Land Use Policies section of the Official Community Plan applicable to consideration of all applications.
- Amendments to shoreline development permit area to include guidelines to consider and address sea level rise impacts.
- Changes to zoning regulations to permit small-scale renewable energy, specifically height regulations amended.

Gambier Island Local Trust Area

- Climate change impacts considered in staff reports.

Hornby Island Local Trust Area

- Climate change impacts considered in staff reports.
- Official Community Plan Water Supply Protection and Water Resource Protection Development Permit Area includes guidelines to protect water resources.
- Official Community Plan Community Service Use Development Permit Area includes guidelines to provide rainwater catchment and storage; and hydrology study.
- Official Community Plan Commercial Development Permit Area includes guidelines to maintain natural vegetation and reduce light pollution.
- Water storage tanks and wind turbines exempt from Land Use Bylaw height regulations.

Lasqueti Island Local Trust Area

- Climate change impacts considered in staff reports.

Mayne Island Local Trust Area

- Climate change impacts considered in staff reports.
- Zoning amended to exclude solar collectors, wind generators and water tanks from maximum height regulations.
- Geothermal heating systems permitted.
- Amendments to Land Use Bylaw to permit mixed use (second storey residential) in commercial zones.
- Zoning for employee accommodation in commercial resorts.
- Secondary suites permitted.

North Pender Island Local Trust Area

North Pender Island

- Climate change impacts considered in staff reports.
- Secondary suites permitted.
- Temporary use permit guidelines amended to include climate change impacts.

North Pender Associated Islands

- Climate change impacts considered in staff reports.
- Shoreline DPAs include erosion provisions.

Salt Spring Island Local Trust Area

Salt Spring Island

- Climate change impacts considered in staff reports.
- Secondary suites permitted in select areas.
- Amenity Zoning includes implementation of energy efficient building design criteria that exceeds that required by the B.C. Building Code or other regulations.
- Climate change considered when evaluating suitability of density transfer.
- Rezoning application supporting local food production and storage as a community amenity
- Coordination with local and provincial agencies regarding fresh water demand and supply in relation to climate change.
- Land use regulations require 15m setbacks from natural bodies of water; 1.5 m elevation above natural body of water.
- Pathways and bikeways dedication at time of subdivision as per OCP Cycle Route map.

- DAI Bylaw including development permit checklist (both are drafted but not yet implemented).

Piers Island

- Climate change impacts considered in staff reports.
- 3.0 m elevation of buildings required if within 30m of water body.

Prevost Island

- Climate change impacts considered in staff reports.

Saturna Island Local Trust Area

- Climate change impacts considered in staff reports.
- Geothermal heating permitted.
- Secondary dwelling units (secondary suites amendment in process).
- Sustainability checklist.
- TUP guidelines amended to include consideration of climate change impacts.

South Pender Island Local Trust Area

- Climate change impacts considered in staff reports.
- Although not a Bill 27 requirement, LUB was amended to limit dwelling floor area and overall floor area on residential lots.

South Pender Island Local Trust Area

- Climate change impacts considered in staff reports.

Thetis Island Local Trust Area

Thetis Island and Valdes Island

- Climate change impacts considered in staff reports.

Thetis Associated Islands

- Climate change impacts considered in staff reports.
- Land Use Bylaw definition of floor area excludes any floor area occupied by a cistern used for the collection of rainwater for domestic use or fire protection.
- Land Use Bylaw permits the following uses in all zones: conservation; water supply facilities for the purposes of supplying potable or grey water on an individual island, including cisterns, reservoirs, pipes, treatment facilities, catchment and storage facilities and pumping and intake structures; solar collectors; wind turbines; and ocean geothermal loop exchange systems.
- Solar collectors are exempt from Land Use Bylaw height regulations.

Summary of Local Trust Committee Official Community Plan Policies that have yet to be implemented.

The following is a summary of Official Community Plan policies on climate change that have not yet been enacted in the land use bylaw regulations or through development permit areas. For actual wording of the policies, please consult that relevant official community plan bylaw.

Ballenas-Winchelsea Local Trust Area

- Identify significant un-fragmented forest and non-forest ecosystems and ensure these are noted on mapping for environmental and carbon sequestration value.

Denman Island Local Trust Area

- Review zoning to ensure provisions encourage energy efficiency and the greenhouse gas emissions reduction in new construction.
- Review development permit area guidelines and incorporate provisions to promote energy conservation, water conservation and greenhouse gas emissions reduction.
- Encourage renewable energy, limit fossil fuel consumption, encourage energy-efficient and carbon-efficient building construction.

Gabriola Island Local Trust Area

Gabriola Island

- Consider new development permit area guidelines that promote low impact land uses, alternative transportation, energy conservation, water conservation, and the reduction of GHGs.
- Identify significant un-fragmented forest ecosystems within the planning area and ensure that these areas are noted on mapping both for their environmental values as well as carbon sequestration areas.
- Amend LUB to consider setbacks from the ocean in relation to sea level rise.

Mudge Island

- Establish climate change as a fundamental factor in land use decision making.
- Encourage on-island agriculture and sharing of local food production.
- Encourage all new construction be built at the highest possible energy-efficiency standards.
- Further policies and actions to be considered as part of a future review of the OCP.

DeCoursey Island

- Encourage on-island agriculture and the sharing of local food production.
- Encourage new construction built at highest possible standards to reduce energy needs.
- Specific policies and actions to be included in a future OCP review.

Galiano Island Local Trust Area

- Amendments to parking requirements to require alternatives to parking spaces.
- Requiring new development to utilize building technology that minimizes energy use.

Gambier Island Local Trust Area

Gambier Island

- Develop new criteria for assessing OCP or zoning amendment applications from the perspective of climate change adaptation and mitigation.
- Support protection of forest resources.
- Require water storage with every dwelling unit.

Gambier Associated Islands

- Support actions to minimize GHG emissions.
- Recognize importance of forested lands in removing carbon dioxide from the atmosphere.
- Consider potential impacts on global climate change and GHG reduction targets when considering applications.
- Identify significant un-fragmented forest ecosystems within the planning area and ensure that these areas are noted on mapping for both their environmental value and as carbon sequestration areas.
- Reduce extent of infrastructure (e.g. development of common docks).
- Zoning regulations should support small scale residential solar and wind power generation on residential lots.

Keats Island

- Promote use and development of renewable energy sources.
- Develop new criteria for assessing OCP or zoning amendment applications from the perspective of climate change adaptation and mitigation.
- Support cluster development appropriate for Keats Island.
- Encourage energy efficient buildings.
- Encourage use of alternative energy.
- Encourage water storage for every dwelling unit

Hornby Island Local Trust Area

- Develop criteria for assessing OCP or LUB amendment applications from the perspective of climate change adaptation and mitigation.
- Encourage retention of forest cover except for the clearing of land for farming in the ALR.
- Limit size of buildings and opportunities for attached dwelling units and visitor accommodation units.
- Encourage green building techniques and alternative energy systems (solar, wind, geothermal, or water based) into residential housing.
- Encourage safe multi-use trails and bike lanes to facilitate non-motorized forms of travel.
- Encourage “climate wise” actions, including water conservation, storm water retention, the use of alternative energy sources for home use, and the use of alternative transportation methods.
- Support the local provision of services that residents presently travel off-island to access.
- Review LUB to provide for community gardens and community food processing and storage.
- Encourage local food production.

Lasqueti Island Local Trust Area

- Develop criteria for assessing OCP or zoning applications from the perspective of climate change adaptation and mitigation.
- Encourage energy conserving buildings.
- Encourage cycling and walking trails to permit non-automobile based forms of travel.
- Encourage water conservation and rainwater catchment.

Mayne Island Local Trust Area

- Permitting attached dwellings.
- DPA to manage lot layout.
- DPA for energy conservation.
- Amendments to amenity zoning and density transfer policies.

North Pender Island Local Trust Area

North Pender Island

- A review of overall development potential to consider amendments to zoning where changes could limit or reduce emissions.
- Permitting attached dwellings.
- Amending parking requirements.
- DPA to manage subdivision layout (conservation subdivision design project started but later abandoned by LTC).
- Second storey residential over commercial.
- Requiring cisterns or other water conservation measures in new development.
- Permitting community wood chipping or composting.
- Amend existing DPA to include energy conservation provisions.

North Pender Associated Islands

- Specific policies and actions to be included in a future review of the plan.

Salt Spring Island Local Trust Area

Salt Spring Island

- Calculation of carbon budget at time of rezoning or demonstrated conformity with LEED or similar.
- GHG or energy efficiency specific DPA.
- Amend fees bylaw to support energy efficient building design.
- Mapping and analysis to anticipate potential impacts of climate change on land use.
- Height relaxation for solar and wind power generation on residential lots.

Piers Island

- In progress of updating OCP for Climate Change.

Prevost Island

- No policies on climate change – bylaw requires updating

Saturna Island Local Trust Area

- Amending zoning to allow mixed use, including second storey residential in commercial designation.
- Amending parking requirements.
- Include energy conservation measures in DPA.
- Implement DPA for lot layout and tree removal.
- Permitting attached dwellings.
- Limit floor area of dwellings.

South Pender Island Local Trust Area

- Permit community gardens.

Thetis Island Local Trust Area

Thetis Island

- Develop new criteria for assessing OCP or LUB amendment applications from the perspective of climate change adaptation and mitigation.

- Promote land use that supports local food production to reduce food transportation costs and GHGs.
- Support new forms of housing that include clustering and zero emission housing.
- Encourage local, small-scale generation of alternative non-polluting energy sources.
- Regulate the size, siting and height of wind turbines to minimize environmental impacts and safety risks.

Thetis Associated Islands

- Consider the potential impacts on climate change GHG emissions in bylaw provisions and review of development applications.
- Identify significant un-fragmented forest and wetland ecosystems within the planning area and ensure that these areas are noted on mapping for both their environmental value and as carbon sequestration areas.
- Through bylaw provisions, support residential renewable energy (e.g. micro hydro, solar, wind, waste heat, etc.) use.
- Promote the conservation of forested lands and wetlands as a cost effective and important climate change mitigation strategy.

Valdes Island

- Establish climate change as a fundamental factor in land use decision-making.
- Policies and actions with respect to climate change mitigation will be considered as part of a future review of the Rural Land Use Bylaw.

7. consider areas for measurement of emissions to report data on impacts.

On August 7, 2019, the Islands Trust Conservancy Board held a Special Meeting to discuss Trust Council's request. The Board passed the following resolutions and requested that additional information be conveyed to Trust Council (see attached memorandum):

That the Islands Trust Conservancy Board request that Trust Council consider the following as it develops a climate emergency strategy for inclusion in the Strategic Plan:

- ***Increased budget for professional advice and mapping;***
- ***The role of the Islands Trust Conservancy in storage and sequestration of carbon within its Nature Reserves and Covenant Areas and the property management needs associated with this role;***
- ***Education about the benefits of forest cover;***
- ***Increase communications resources to promote voluntary conservation options such as NAPTEP; and,***
- ***Information regarding all current ITC climate change mitigation and adaptation activities.***

That the Islands Trust Conservancy Board ask Trust Council to request that the province amend legislation to increase the percentage of the Natural Area Protection Tax Exemption Program (NAPTEP) tax exemption in order to incentivize the protection of forest cover for climate change mitigation and adaptation in the Islands Trust Area.

The draft 2018-2022 Islands Trust Council Strategic Plan includes strategies that respond to the ideas raised. At this time, more than half of the strategies in the draft 2018-2022 Strategic Plan are related to climate change. These include:

- Map contiguous tracks of the Coastal Douglas fir zone (CDF) and associated ecosystems to aid in protection of that zone and its associated ecosystems.
- Create of a model development permit for Local Trust Committee-Bowen Island Official Community Plans bylaws to protect Coastal Douglas fir zones throughout the Trust Area.
- Amend legislation to increase the percentage of the Natural Area Protection Tax Exemption Program (NAPTEP) to act as an incentive for the protection of forest cover for climate change mitigation and adaptation in the Islands Trust Area.
- Map the extent of eelgrass and kelp beds throughout the Trust Area.
- Undertake a review of Local Trust Committee- Bowen Islands Municipality foreshore policies and regulatory bylaws and develop model policy and regulatory bylaws for the protection of the foreshore and nearshore.
- Develop a regional freshwater management strategy that addresses responsibilities under the Water Sustainability Act, identifies water resources throughout the Trust Area, integrates water resource management into land use decision-making, and accounts for the impacts of climate change on island water resources.
- Map and develop water budgets for groundwater aquifers in the Trust Area.
- Develop Official Community Plan policies and land use regulations using groundwater mapping and water budget data.
- Support and promote water conservation measures such as rainwater catchment and greywater recycling
- Amend the Islands Trust Policy Statement to add climate change mitigation, adaptation and resiliency policies.
- Amend Official Community Plans and land use bylaws to foster climate change resilience, including measures to protect Coastal Douglas fir, foreshore and nearshore environments and groundwater.

- Update and amend the Islands Trust Climate Action Plan to include corporate practises and strategic objectives.
- Develop i) a set of climate change, demographic and environmental data and ii) performance criteria in order to identify the effects of climate change in the Trust Area and to measure mitigation and adaption efforts.
- Develop the capacity to broadcast public meetings of Local Trust Committees, Council Committees and Trust Council.
- Develop and implement a stewardship education program directed towards the public, industry and stakeholders in the Trust Area.

ATTACHMENT(S):

1. Detailed summary of topics raised at the July 17, 2019 Trust Programs Committee meeting
2. Islands Trust Conservancy memorandum regarding the Trust Council referral for recommendation on responding to climate change emergency declaration.

FOLLOW-UP: Staff will implement climate actions in the adopted 2018-2022 Strategic Plan as well as continuing to undertake routine consideration of climate change in recommendations and decisions.

Prepared By: Clare Frater

Reviewed By/Date: Russ Hotsenpiller/August 30, 2019
Executive Committee/September 4, 2019

Meeting Notes from Trust Programs Committee
Developing a Climate Emergency Strategy for Inclusion in the Strategic Plan
July 17, 2019

Question 1: What is the nature of the climate change emergency within the Trust Area? What are the key local, regional and global factors that required Trust Council make its climate change emergency declaration?

- Saltwater intrusion
- Lower availability of water
- How to develop within water limitations?
- How to function with no/limited water? e.g. public tap/well
- Forest fire risk
 - Concern with Fire Smart practices not being appropriate
- Difficulty of reducing transportation options
- General emergency response issues e.g. one access only to some areas
- Tension re tourism operators using too much water
- Extreme weather
 - wind, heavy rain, drought
- Concern for global impacts
- Dieback of trees – cedar, willow, alder, salal
- Opportunity for sequestration
- Overdevelopment
 - reduction of trees
- Marine environment impacts
 - loss of carbon sinks
- Need to advocate for reduction in slash burning
- Could have a tree planting program
- Species migration corridors
 - Lack of corridors
 - Species at risk
- Private Managed Forest Lands
 - Clearcutting
 - Concerns with replanting
 - Dry conditions
- Food production
 - Lack of water
 - Difficulty for farmers
- Biodiversity
 - Evaluation of human activity on habitat
- Carrying capacity concern
- Natural asset protection
- Loss of BC Hydro power in storms
- Fibre cable
 - Supports work from home which reduces travel emissions
- Governance vacuum on climate issues

- Rainwater catchment
- Sea level rise
 - Salt water intrusion
- Septic systems
- Drying out of land due to lack of vegetation
- Ocean acidification
 - Sea star die our (virus)
- Invasive species increase
- Difficulty of responding to constituent concerns/expectations
- Constituents reluctant to make behaviour changes
- Concern that existing zoning no longer appropriate for resource availability/ecosystem stress
- Control of subdivisions
- Forestry
- Local contractors
 - Education
 - Triggers to control activities is lacking

Question 2: What specific land use planning tools and other organizational climate change tools or actions should be adopted by Islands Trust bodies and incorporated into the Trust Council strategic plan

- How can Islands Trust facilitate quick adoption of bylaws that have been successful in other areas (only 3 top priorities)
- Climate emergency justifies strong policy
 - e.g. request no more commercial forestry in Trust Area
 - Strongly regulate development and development practices
- LTC's could work regionally to expedite projects through efficiencies
- Model bylaws are useful so just local tweaking needed
- Need for data re: ferry ridership
- Need to collate and share best practices
- Use existing toolkits locally by LTC/IM
- Limit development
- Clarity of role of Trustees
- Present progress reports via matrix to promote peer pressure or review top priorities matrix at TC and community education & outreach – dedicated staff person.
- Setback from the sea
 - Trust-wide: vertical and horizontal
- Lack of planner resources/staffing hampers implementation
 - Need for efficiencies/regional approach
- Give Trust Council/EC more power via Policy Statement directive policies
- Limit future fragmentation – subdivision limits (10 acre min)
- Community resiliency (funding available)
- Workshop for Trustees
 - role of public comment in decision making
- Enable non-outraged citizens to have a voice in support of preserve and protect
 - Education kits for proposed bylaws
 - Community consultation

- Use grants to get more resources
- LTCs to consider climate and First Nations implication of applications
 - Implement via standing resolution
- Convene Trustee phone calls re learning on current issues
- Incorporate Traditional Ecological Knowledge
- Communications support for Trustees to host climate change talks (e.g. Power points, speaking notes)
- Information on a variety of engagement methods and stakeholder education (e.g. arborists, realtors, trade schools)
 - Trustee Office Hours
 - Include information on individual actions and reasons for hope
- Cooperate with local conservancies – ITC and other non-profits
- Covenant conversation (secretariat function)
 - Combine education/engagement
 - Help Trustees facilitate meetings
 - Workshops/forums
- Highlight community Innovations
- Green Shores – implement and share education materials

Question 3: Which Committee should be responsible for ensuring progress on those climate change options that are recommended for adoption?

- Trustees share information and experiences re climate actions/education strategies for talking in communities
- Measurement of emissions (e.g. PCIS), impacts
 - Water consumption
 - Waste production and type
 - Visitors and population
 - Ferries, float plane, pleasure boats
 - Water budgets
 - Sequestration
 - Transportation emissions
 - Building emissions
 - Fragmentation
 - Species at risk
 - Forestry
 - Agriculture
 - Aquaculture
 - Transitional ecological knowledge indicators
 - Local people’s sense of indicators
 - Use of solar energy and heat pumps (money saved)
- Implement CDF toolkit
- Implement RCP
- Work with regional districts for incentives e.g. wood stove
- Educate re building efficiency

Speaking Notes for Trustees

- Plain language
- Action oriented
- Include negative and positive
- Explain jurisdictions (concept map)
- Climate change will hit islands first
- We need to act first
- We don't have all the information – be humble
- Forest cover, CPF and RCP, conservancy lands
- Mapping eelgrass
 - Minimize footprint
 - Lot coverage

Frequently Asked Questions

- What does climate change emergency mean?
- How do we know the climate is changing?
- What can we do as
 - Individuals
 - Organization
 - Governmental
- What is Islands Trust changing in response to the climate emergency?
- Questions for trustees to ask?

Data

- Modelling from PCIS
 - What data do they have?
- Advocate to the Province
- Local indicators

Learning from others

- What initiatives should we join?
- If we don't join, who speaks for the islands?
- Net-zero zoning
 - Highlands
- First Nations
- Operational emissions
- Why declare an emergency?
 - Political statement on climate crisis
 - Draw attention to the seriousness and urgency of situation
 - Moral duty to act
 - Canada's contribution
 - Per capita and percentage of species
 - Local changes
 - Fire risk, sea level rise
 - Loss of shoreline and low lying aquifers

- We don't control global emissions but feel the impacts locally
- Call to action
- Local planning vs land use planning
- nature/place protection planning

Resources

- TC policies on resource allocation
- TPC or EC to review

Measuring Progress

- Next Steps
- Summary – circulate
- Strategic Plan and/or Climate Crisis Action Plan
 - CDF and RCP
 - Compile all reports
 - Costs
 - Resources
 - Measurement
 - What will the Trust do less of?
- Budget process
 - LPS review
- Policy statement – directives
- Speaking notes
 - Q&A
- Communications plan – webpage
- measurement



MEMORANDUM

File No.: 6000-20
Climate Change Emergency

DATE OF MEETING: September 17, 2019
TO: Trust Council
FROM: Islands Trust Conservancy Board
COPY: Islands Trust Executive Committee
Trust Programs Committee
SUBJECT: Climate Change Emergency, Trust Council referral to Islands Trust Conservancy

PURPOSE

To make recommendations to Trust Council regarding developing a climate emergency strategy for inclusion in the Strategic Plan.

BACKGROUND

At its June 2019 meeting, Trust Council passed the following resolution:

That the reports on the climate emergency received at Trust Council be referred to the Trust Programs Committee, Local Planning Committee, and the Islands Trust Conservancy and that they be requested to make recommendations to Trust Council with regards to developing a climate emergency strategy for inclusion in the Strategic Plan.

On August 7, 2019, the Islands Trust Conservancy Board held a Special Meeting to discuss Trust Council's request.

REFERRAL RESPONSE FOR TRUST COUNCIL

At its August 7, 2019 Special Meeting, the Islands Trust Conservancy passed the following resolutions:

ITC-2019-027

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board request that Trust Council consider the following as it develops a climate emergency strategy for inclusion in the Strategic Plan:

- Increased budget for professional advice and mapping;
- The role of the Islands Trust Conservancy in storage and sequestration of carbon within its Nature Reserves and Covenant Areas and the property management needs associated with this role;
- Education about the benefits of forest cover;
- Increase communications resources to promote voluntary conservation options such as NAPTEP; and,
- Information regarding all current ITC climate change mitigation and adaptation activities.

ITC-2019-028

It was MOVED and SECONDED,

that the Islands Trust Conservancy Board ask Trust Council to request that the province amend legislation to increase the percentage of the Natural Area Protection Tax Exemption Program (NAPTEP) tax exemption in order to incentivize the protection of forest cover for climate change mitigation and adaptation in the Islands Trust Area.

CURRENT ITC CLIMATE CHANGE ACTIVITIES

The ITC Board requested that staff outline the current activities that the ITC undertakes to address climate change adaptation and mitigation.

Regional Conservation Plan

The [Regional Conservation Plan](#) guides most of the work of the ITC Board. The Regional Conservation Plan includes goals that address the climate change emergency as follows:

Goal 1: Identify, investigate and communicate about important natural areas to generate action on conservation projects.

The ITC undertakes and shares mapping to identify areas of high biodiversity priority including:

- Terrestrial Ecosystem Mapping, including identification of forest type and age and sensitive ecosystems
- Shoreline mapping, including eelgrass mapping
- Carbon sequestration and storage mapping of forests
- Modelling of high biodiversity areas including factors of forest age, connectivity, ecosystem representation, rare and sensitive ecosystems and development risk factors

Goal 2: Strengthen relationships with First Nations to identify and collaborate on shared conservation goals.

The International Union for the Conservation of Nature (IUCN) recognizes that Indigenous Peoples are often the first to feel the effects of climate change. It also recognizes that Indigenous Peoples have evolved with a changing climate over millennia and possess Traditional Ecological Knowledge (TEK) that will be locally and globally valuable. The ITC has recognized a need to strengthen its relationships with First Nations to identify and collaborate on shared conservation goals and has begun to more fully reach out to First Nations in its mapping and research work as well as through its land management program.

Goal 3: Continue to secure and manage Islands Trust Conservancy lands and conservation covenants to maximize ecological integrity.

- The ITC uses its high biodiversity mapping to prioritize conservation projects and has introduced information into its requests for decision to identify benefits and risks associated with climate change.
- The ITC manages its lands to maintain biodiversity, including restoring degraded areas through re-establishment of vegetation and management of invasive species.

Goal 4: Continue to build internal and shared organizational strength and resilience to ensure long-term nature conservation in the Islands Trust Area.

- The ITC is building its capacity to engage in land conservation through establishment of various funds for land acquisition, management and defense.

- The ITC is beginning to incorporate climate change into communications messaging in news releases, communications materials and signage.

NEXT STEPS

The ITC Board, in addition to providing the recommendations to Trust Council noted above, has also passed the following resolution:

ITC-2019-026

It was MOVED and SECONDED,

That the Islands Trust Conservancy Board direct staff to incorporate the climate change actions as discussed at the meeting of August 7, 2019 into staff work programs and develop budgets as required.

ITC staff will work to meet this resolution for the October 1, 2019 ITC Board meeting.

Submitted By:	Kate Emmings, A/Manager, Islands Trust Conservancy	August 8, 2019
Concurrence:	Clare Frater, Director, Trust Area Services	August 16, 2019

ATTACHMENTS

None.



Climate Change and the Islands Trust

Key Messages

- Islands Trust Council joined governments around the world in declaring a Climate Emergency in March 2019, calling for an urgent response to the threats and costs posed by climate change.
- We believe that our response should prioritize those who are most vulnerable to climate impacts and those most in need of support in transitioning to renewable energy systems.
- The island ecosystems and communities of the Trust Area are particularly vulnerable to the cumulative impacts of climate change, including:
 - **Rising sea levels:** flooding of coastal homes, infrastructure and archeological sites;
 - **Warmer oceans:** disruptions to the marine food web, diseases such as sea star die-off;
 - **More acidic Salish Sea:** weakened shells of oysters, scallops and crabs;
 - **Intense rain:** flooding, loss of food crops, and damaged infrastructure;
 - **Strong windstorms:** damaged trees, increased coastal erosion and power outages;
 - **Droughts:** lower groundwater levels, increased risk of saltwater intrusion to groundwater, greater risk of forest fires; and
 - **Temperature changes:** disruptions to the seasonal timing of plant and animal life cycle events, reduced biodiversity and new invasive species.
- The protection of forests in the Trust Area also has the potential to help mitigate climate change through carbon sequestration. Islands Trust Area forests sequester more than 190,000 tonnes of carbon per year. This equates to emissions from more than 40,000 passenger vehicles per year.
- Our 2018-2022 Strategic Plan and proposed 2020/21 Budget both include a strong commitment to action in the areas of climate change mitigation, adaptation and resilience, including initiatives such as:
 - Developing climate change and environmental indicator data for islands in the Trust Area
 - Amending our Policy Statement, Official Community Plans, Land Use Bylaws to include consideration of climate change
 - Developing a regional freshwater strategy
 - Reviewing foreshore policies and bylaws
 - Mapping eelgrass throughout the Trust Area
 - Developing a climate change focused stewardship education program
 - Striving for carbon neutral operations and virtual meetings
- We know we can't do it alone. The Islands Trust is committed to working together with First Nations, local communities, partner agencies, and other levels of government, to pursue an absolute reduction in greenhouse gas emissions in the Trust Area and to ensure that those most vulnerable to the impacts of climate change have the tools and support to adapt and grow resilient.

Backgrounder

Climate Change is Happening

NASA scientists report that the Earth's average surface temperature in 2018 was the fourth highest in nearly 140 years of record-keeping. The United Nations' Intergovernmental Panel on Climate Change (IPCC - <https://www.ipcc.ch/>) has determined that prior projections on climate change were conservative and that the Earth is continuing to heat beyond known levels as a result of human caused (also known as anthropogenic) carbon dioxide emissions and the resulting biological feedbacks that increase other greenhouse gasses such as methane and water vapour.

Become more familiar with anthropogenic climate change by exploring scientifically vetted resource such as:

- Canadian Climate Atlas - <https://climateatlas.ca/climate-change-basics>.
- Callison, C. (2014). *How climate change comes to matter: The communal life of facts*. Duke University Press.
- Climate Communication - <https://www.climatecommunication.org/>

Government Action on Climate Change

The House of Commons of Canada and the Legislature of British Columbia acknowledged the growing crisis of climate breakdown by holding emergency debates following the release of the October 2018 IPCC report. Regional Districts, and the Cities of Vancouver and Victoria have engaged in climate change mitigation and adaptation efforts (See Appendix 1).

Climate Change in the Islands Trust

The Islands Trust is already a signatory to the [BC Climate Action Charter](#), committing itself to:

- Being carbon neutral in its corporate operations;
- Measuring and reporting the Trust Area's greenhouse gas emissions;
- Creating complete, compact, more energy efficient communities.

One of the biggest challenges we have around meeting our commitments to this charter is the measuring of carbon dioxide emissions within the trust (See Appendix 2).

Climate change is already visible within the Trust Area in a number of ways including:

- more extreme winter and summer temperatures;
- more extreme dry spells that increase droughts, wildfire, and water sustainability concerns;
- warmer ocean temperatures resulting in species migration changes and shellfish safety warnings;
- more extreme weather events leading to flooding, wind damage, and erosion; and
- sea level rise causing erosion and damage to archaeological sites, structures, and groundwater aquifers.

In the Islands Trust area we need to consider both how we might mitigate and adapt to the changing climate.

- **Mitigations** deal with how we can *reduce the greenhouse gases that are the root cause* of human caused climate changes
- **Adaptations** are behavioral and physical changes we can make in our use of natural resources to *deal with the results* of changing climate.

Mitigations

Mitigations in climate change can be undertaken by the Islands Trust by either reducing carbon dioxide emissions or increasing carbon sequestration (the amount of atmospheric carbon fixed into plants or other solid materials). Energy use is a key issue around reducing emissions while maintaining forest cover is important for carbon sequestration. Several resources are available to help us with mitigation efforts such as:

- Plug in BC - <https://pluginbc.ca/>

- Climate Action to Go Kits - <https://www.crd.bc.ca/education/climate-action/at-home/climate-action-to-go-kits>
- Efficiency BC - <https://betterhomesbc.ca/>
- Coastal Douglas Fir Protection Toolkit, another key report from last term. Page 11 has a chart showing the levels of carbon sequestration by island, and pages 20 and 21 make recommendations. Here's a link <http://www.islandstrust.bc.ca/media/346674/cdf-toolkit-final-web.pdf>

By becoming a carbon neutral organization, the Islands Trust committed to no net increase in greenhouse gas emissions from its *operations*. Carbon neutrality has been achieved since 2012 through three steps:

- Performing an emissions inventory of our operations;
- Implementing an action plan to reduce emissions; and
- Purchasing carbon offsets to counteract emissions that cannot be readily reduced.

Further work is being done in our operations to reduce carbon dioxide emissions by seeking low carbon catering for events and increasing virtual meetings.

Some Islands within the Trust Area have taken various mitigation efforts to date including:

- Improving transportation networks that are low carbon such as bike paths or other trail networks or installing EV stations.
- All local trust committee official community plans contain targets and policies related to GHG emission reduction (Appendix 1 contains actual targets by local trust committees and includes Bowen Island Municipality).
- All staff reports to the local trust committees address GHG emission reduction and climate impacts of new development.

Local Trust Committees have the following tools available for addressing climate change mitigation efforts:

- **GHG Reduction Targets** - Section 473 of the *Local Government Act* – required content for official community plans, inclusion of targets and policies with respect to reducing greenhouse gas emissions.
- **Zoning Authority** – Section 479 of the *Local Government Act*. Could cluster development, protect areas for conservation, limit extent of development, establish building size limits, and prohibit uses that contribute the most to GHG production.
- **Development Permit Area to Promote Energy Conservation** – Section 488(1)(h) of the *Local Government Act*. Can be used to reduce heating and cooling requirements through building siting, systems and landscaping.
- **Development Permit Area to Promote the Reduction of Greenhouse Gas Emissions** - Section 488(1)(j) of the *Local Government Act*.
- **Off-street Parking and Loading Regulations** - Section 525 of the *Local Government Act* – establish parking requirements, electric vehicle and active transportation parking, surfacing and landscaping of parking areas.
- Detailed information on these tools is contained in Appendix 3

Adaptations

In the Islands Trust Area, these impacts of climate change include sea level rise, possible salt water intrusion into groundwater aquifer, warmer winters and summers, dryer summers, more intense storm events, and wildfire potential. Adaptations to changes resulting from climate warming include a wide variety of options. Such adaptations could be behavioural (eg. Educating people to reduce food waste and drive less) or structural (eg. Requiring water storage for household and fire suppression use). The Province of B.C. has developed a Climate Change Secretariat to address climate change adaptations and has begun to produce numerous resources for communities to deal with climate change adaptations. These include:

- The overall site of climate change resources - <https://www2.gov.bc.ca/gov/content/environment/climate-change>
- The climate action toolkit - <https://www.toolkit.bc.ca/taking-action/community-wide>

Local Trust Committees are being supported in understanding potential adaptations through staff reports. In addition,

the islands of North Pender, South Pender, Galiano, Mayne and Saturna are collaboratively working on a project to assess groundwater and establish water budgets. Tools to support Local Trust Committees in understanding possible adaptations include:

- **Zoning Authority** - Section 479 of the *Local Government Act*. Require setback from the sea and water bodies, building location and size, appropriate uses and density.
- **Runoff Control Bylaw** - Section 523 of the *Local Government Act*. Regulations to address increased rain events.
- **Development Permit Area to Protect Development from Hazardous Conditions** – Section 488(1)(b) of the *Local Government Act*. Flood plain regulations along foreshore, rivers and lakes. Tree and vegetation retention in areas prone to land slip.
- **Development Permit Area to Promote Energy Conservation** - Section 488(1)(h) of the *Local Government Act*. Siting, landscaping and features for new development.
- **Development Permit Area to Promote Water Conservation** – Section 488(1)(i) of the *Local Government Act*. Water collection and storage, landscaping.
- **Flood Plain Regulations** – Section 425 of the *Local Government Act* – protect development in areas subject to flooding.
- Detailed information on these tools is contained in Attachment 4.

Issues and Opportunities

- **Limited data on changes in island-based carbon contributions.** Generally, the Islands of the Trust Area lack accurate community energy and emissions Inventory information which limits our ability to accurately measure how emissions programming is reducing carbon levels. However, in the absence of accurate data to measure change we can use logic to make decisions. The field of research has provided enough data now on effective solutions that we can feel confident that adopting some of these options leads to solid change.
- **Trust Policy versus Local Trust Committee activity.** There are discrepancies between what the whole Trust Council agrees to within the Policy Statement, what individual LTCs have said in their Official Community Plans, what is actually seen in the current Land Use Bylaws around issues of climate change, and what variances are being allowed from the OCPs. As leaders in our communities we need to understand the issues deeply so that we make consistent decisions across these scales of work. We should consider what model bylaws might be beneficial for *all* LTCs to adopt and work to do so in a timely fashion.
- **Climate action engagement strategy.** In our own communities, how might we work with organizations to enact changes and foster new ideas. Education around key aspects within the Trust’s mandate are critical to ensuring climate action is undertaken in the Trust Area. This could be guided with short briefs that could be collaboratively drafted by Trustees and staff to inform the Trustees and be passed on to community members in appropriate venues. For example, it would be good to have a brief on why not to cut mature trees or why protection of eel grass is critical. This could be work that the climate action working group could engage in.

Appendix 1: Lessons from Others in our Region

Vancouver

The city of Vancouver has done a number of things around climate change which are detailed in their report:

- Summary (<https://vancouver.ca/green-vancouver/climate-emergency-response.aspx>)
- Full report (<https://council.vancouver.ca/20190424/documents/cfsc1.pdf>)

Their 6 big moves are:

1. Walkable complete communities - By 2030, 90% of people live within an easy walk and roll of their daily needs.
2. Safe and convenient active transportation and transit - By 2030, two thirds of trips in Vancouver will be by active transportation and transit.
3. Pollution free cars, trucks and buses - By 2030, 50% of the kilometres driven on Vancouver's roads will be by zero emissions vehicles.
4. Zero emission space and water heating - By 2025, all new and replacement heating and hot water systems will be zero emissions.
5. Lower carbon construction - By 2030, the embodied emissions from new buildings and construction projects will be reduced by 40% compared to a 2018 baseline.
6. Restored forests and coast - By fall 2020, to develop "negative emission" targets that can be achieved by restoring forest and coastal ecosystems.

Examples from the 53 accelerated actions listed in the full report

(<https://council.vancouver.ca/20190424/documents/cfsc1.pdf>) which might be helpful examples for the Islands Trust context include:

- Item 5: Zero Emissions Building Standards Accelerate the implementation of the Zero Emissions Building Plan.
 - Reducing concrete in buildings and shifting to low carbon concrete
- Item 7: Active Transportation and Transit Infrastructure Accelerate the development of infrastructure to make it easier to choose walking, cycling and transit.
 - Trail networks for alternative transportation
- Item 8: Transportation Demand Management Enhanced transportation demand management to support walking, cycling and transit.
 - EV parking requirements, charging stations as part of new development
- Item 12: Solid Waste Reduce solid waste and use it to reduce fossil fuel use.
 - Composting to reduce food waste in local areas
- Item 14: City Leadership Updating the City's Green Operations Plan to reflect the urgency of the climate emergency.
 - Virtual meetings
 - Providing digital ways for public to "visit" with staff
- Item 15: Intergovernmental Relations and Community Engagement
 - Community and partner engagement

Other **key structural changes** suggested in Vancouver that might be helpful in the Islands Trust context are:

- Climate action engagement strategy – work with organizations in community to enact changes and foster new ideas, also allows for community education work
- Climate action working group – to be more flexible, and nimble with this work

Victoria

<https://www.victoria.ca/EN/main/residents/climate-change/climate-action.html>

Capital Regional District

<https://www.crd.bc.ca/project/climate-action>

Regional District of Nanaimo

<https://www.rdn.bc.ca/action-on-climate-change>

Sunshine Coast Regional District

<https://www.scrd.ca/Climate--Energy>

Cowichan Valley Regional District

<https://www.cvr.d.bc.ca/2101/Climate-Change>

Appendix 2: Greenhouse Gas Emission targets for Local Trust Committee and Bowen Island Municipality - from Climate Change Emergency Declaration Briefing provided to Trust Council in June 2019.

For its 2008-2011 term, Council adopted a Strategic Plan that includes Green House Gas reduction as a major objective. Through 2009 local trust committees and Bowen Island Municipality received advice on policy options from planners, undertook community and stakeholder consultation and engagement, and undertook formal bylaw process, including information meetings, referrals, readings, and public hearings.

Every Official Community Plan in the Islands Trust Area (except Piers Island) includes targets to reduce greenhouse gas emissions and policies and actions to achieve these targets. The targets and objectives are generally to be achieved by actions resulting from individual and community initiatives, the actions of other levels of government, technological changes, and changes to land use policies and regulations.

- Additional background information is available on the Islands Trust climate change page: <http://www.islandstrust.bc.ca/trust-council/projects/climate-change/>
- The Trust’s carbon neutral reports are posted to: <http://www.islandstrust.bc.ca/trust-council/projects/climate-change/carbon-neutral-operations/>

Local Trust Committee/ Island Municipality	Reduction By2015	Reduction By2020	Reduction By2050	Notes
Bowen Island Municipality	-	33%	80%	Reduction over 2007 emissions
Ballenas-Winchelsea	-	50%	50%	Below per Canadian per capita for 2020/2050
Gabriola	-	33%	85%	Reduction over 2007 emissions
Mudge	-	50%	50%	Below per Canadian per capita for 2020/2050
DeCourcy	-	50%	50%	Below per Canadian per capita for 2020/2050
Galiano	-	33%	-	Reduction over 2007 emissions
Gambier	-	33%	85%	Reduction over 2007 emissions
Associated	-	20%	85%	Reduction over 2007 emissions
Keats	-	33%	85%	Reduction over 2007 emissions
Denman	-	33%	85%	Reduction over 2007 emissions
Hornby	-	25%	80%	Reduction over 2007 emissions
Lasqueti	-	50%	50%	Below per Canadian per capita for 2020/2050
Mayne	-	33%	-	Reduction over 2007 emissions
North Pender	-	33%	-	Reduction over 2007 emissions
Associated	-	50%	50%	Below per Canadian per capita for 2020/2050
Saturna	-	33%	-	Reduction over 2007 emissions
SSI	15%	40%	85%	Reduction over 2007 emissions
Piers	-	-	-	Bylaw is not compliant
South Pender	-	33%	-	Reduction over 2007 emissions
Thetis	-	33%	85%	Reduction over 2007 emissions
Associated	-	-	-	Bylaw contains no targets
Valdes	-	50%	50%	Below per Canadian per capita for 2020/2050

Appendix 3: Mitigation Tools from Climate Change Emergency Declaration Briefing provided to Trust Council in June 2019.

Climate Change Mitigation Tools

Climate change mitigation involves actions that reduce greenhouse gas emissions (GHGs). In the local trust areas the main source of GHGs is combustion from transportation and combustion from heating and cooling buildings. Therefore, any policies and regulations that reduce the need for transportation, or reduce the need for heating or cooling of buildings will help in reducing GHGs.

The Province committed to providing the Community Energy and Emissions Inventory (CEEI) for local governments. For the Islands Trust area there is very little data available. The only metric is residential heating using wood, propane or oil (and this is withheld for Lasqueti and Gambier LTAs). There are no metrics available for transportation or any other source of GHG emissions. The last year CEEI reports were undertaken was 2012. As a result we currently do not have metrics to measure progress towards targets in OCPs. Bowen Island Municipality has Community Energy and Emission Inventories (starting on page 40 of this linked document <https://bowenisland.civicweb.net/document/118760>).

Local trust committees and Bowen Island Municipality have the following tools available to them to reduce GHGs:

- **GHG Reduction Targets** - Section 473 of the *Local Government Act* – required content for official community plans, inclusion of targets and policies with respect to reducing greenhouse gas emissions.
- **Zoning Authority** – Section 479 of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** – Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote the Reduction of Greenhouse Gas Emissions** - Section 488(1)(j) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to mitigate climate change.

1. **Enact existing Official Community Plan policies** for the mitigation of climate change that are already in the official community plans but have not yet been acted on (Appendix 2 contains a list of these policies).
2. **Update official community plans** to ensure the mandatory GHG reduction targets and policies are relevant and up to date; Galiano Island, Mayne Island, North Pender Island, South Pender Island and Saturna Island local trust committees have targets for GHG reduction set for 2020 with no targets for any future dates, and as such those targets will be out of date next year. The Salt Spring Island Local Trust Committee has not adopted any targets or policies for the Piers Island OCP. The Thetis Associated Islands OCP contains objectives and policies but no targets. While the Islands Trust has very limited metrics to measure progress, the requirement to have targets and policies in official community plans is mandatory under s. 473 of the *Local Government Act*. These official community plans should be updated within the next year to ensure they remain compliant with required content for an official community plan, and to address targets and policies for GHG reduction. Other local trust committees should review their targets and policies for relevance to current conditions.
3. **Use the zoning authority under s. 479 of the *Local Government Act* to cluster development** and move away from large lots to small compact "villages". This can be accomplished through OCP policies to

require this kind of development, rezoning appropriately by increasing density in appropriate locations and reducing in other locations and density transfer to move density to appropriate areas. Some local trust committees already have some form of this in their OCPs. Salt Spring and Gabriola have density transfer that has seen some significant land use changes. While these were not specifically created to address climate change mitigation, they can be effective in changing the land use pattern to one that is more sustainable and reduces the need for transportation.

4. **Use the climate change development permit areas to reduce the heating and cooling requirements for buildings.** To improve building energy efficiency, land use planning can require landscaping and orientation of buildings in a way to maximize sun in winter and shade in summer. This would be done through a development permit area (DPA), with the justification and objectives in the Official Community Plan and the guidelines in the Land Use Bylaw. Local trust committees and Bowen Island Municipality may use DPAs to reduce GHG emissions and for energy conservation under s. 488 of the *Local Government Act*. Using these DPAs, local trust committees and Bowen Island Municipality may establish guidelines around landscaping, siting of buildings and structures, form and exterior design of buildings and structures, machinery, equipment and systems external to buildings or structures. The DPA may also place restrictions on type and placement of trees and other vegetation in proximity to buildings and structures to provide for energy conservation and reduction of GHGs.

Appendix 4: Adaptation Tools from Climate Change Emergency Declaration Briefing provided to Trust Council in June 2019.

A. Climate Change Adaptation Tools:

Climate change adaptation involves adapting communities to the anticipated effects of climate change. In the Islands Trust area, these effects include sea-level rise, longer periods of drought, more intense storm events, wildfires, warmer summers and warmer winters, and ecosystem changes which may impact plant and animal species.

Local trust committees and Bowen Island Municipality have the following tools available to them to adapt to climate change:

- **Zoning Authority** - Section 479 of the *Local Government Act*.
- **Runoff Control Bylaw** - Section 523 of the *Local Government Act*.
- **Development Permit Area to Protect Development from Hazardous Conditions** – Section 488(1)(b) of the *Local Government Act*.
- **Development Permit Area to Promote Energy Conservation** - Section 488(1)(h) of the *Local Government Act*.
- **Development Permit Area to Promote Water Conservation** – Section 488(1)(i) of the *Local Government Act*.

Local trust committees and Bowen Island Municipality could undertake the following to adapt their communities to the effects of climate change:

1. Sea Level Rise Adaptation Tools

The Provincial government has established an expected sea-level rise in the Victoria area of 3.1 cm/50 years.

The Provincial (Subdivision) Approving Officer is currently requiring at time of subdivision a covenant for a 15 metres setback and 1.5 metres above the current high high water mark for any buildings or structures. This approach by the Provincial Approving Officer is a broad-brush approach to adapting to climate change and does not consider site specific conditions. Before initiating adaptation measures local trust committees and Bowen Island Municipality should have an understanding of the local situation.

- a) **Undertake mapping of sea-level rise** on the islands to provide information to assist with developing policies and regulations to adapt to sea-level rise.
- b) **Enact zoning regulations under s.479 of the *Local Government Act* and flood level regulations under s. 524 of the *Local Government Act*.** Using these provisions, local trust committees and Bowen Island Municipality may enact regulations to require setbacks for buildings and structures from the future anticipated natural boundary of the sea, as well as establish a minimum elevation for buildings and structures above the anticipated future elevation of the sea. Local trust committees and Bowen Island Municipality could make exceptions for structures that are designed to be moved (not on permanent foundation). Notwithstanding, the Provincial Approving Officer will continue to have independent authority to establish different requirements.

2. Longer Periods of Drought Adaptation Tools

Islands Trust Staff currently has little information on groundwater such as the effects of climate change on recharge and capacity of the aquifers to provide water. Research and mapping of

aquifers would allow local trust committees to develop policies and regulations that reflect the capacity of the aquifers including anticipated climate change effects. Water storage and alternative water supplies could be considered. Means to reduce water consumption includes using development permit areas for water conservation, requiring drought tolerant planting, and requiring features to reduce water use.

- a) **Undertake research and mapping of aquifers, develop water consumption budgets, and identify salt water intrusion risks**, based on expected climate change effects. This work would then inform the land use planning for future development on the islands. This work is already underway for some islands, and staff is working with the Ministry of Forest, Lands, Natural Resource Operations and Rural Development to undertake a robust salt water intrusion risk assessment and mapping for the Islands Trust area.
- b) **Update policies and regulations to align their development potential** – through land use and density provisions – with the anticipated capacity of the aquifers.
- c) **Use the climate change development permit areas under s. 488 of the *Local Government Act* to promote water conservation.** Local trust committees and Bowen Island Municipality could establish goals, objectives and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote water conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for water conservation.

4. **More Intense Storms Adaptation Tools**

Climate change is expected to result in more intense storm events, with higher winds and heavier rain than in the past.

- a) **Develop runoff control bylaws** under s. 523 to deal with anticipated flood and runoff from storm events.
- b) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas subject to flooding and require they remain free from development except development may be permitted in accordance with the guidelines. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

5. **Wildfire Adaptation Tools**

As climate change results in hotter and longer dryer periods during the summer months, the risk of wildfires on the islands increases. Most islands have a wildfire plan prepared by the fire district or regional district.

- a) **Establish development permit areas for the protection of development from hazard conditions** under s. 488 of the *Local Government Act*. Under this development permit area, local trust committees and Bowen Island Municipality could establish areas at risk to wildfires and include requirements respecting the character of development, including landscaping, and the siting,

form, exterior design and finish of buildings and other structures, and establish restrictions on the type and placement of trees and other vegetation in proximity to the development. These requirements may vary use and density but only as it relates to health, safety or protection of property from damage. The legislation also allows the local trust committee and Bowen Island Municipality to require a professional report at the applicant's expense to help with determining appropriate development permit conditions.

6. **Warmer Summers and Warmer Winters Adaptation Tools**

Climate change is expected to lead to our summers and winters becoming warmer.

- a) **Establish development permit areas for energy conservation** under s. 488 of the *Local Government Act* to require that the exterior form and design of buildings, and other specific features of the development, reduce the need for energy in summer and winter. Local trust committees and Bowen Island Municipality could establish goals, objective and guidelines related to landscaping; siting of buildings and structures; form of exterior design of buildings and structures; specific features in the development; and machinery, equipment and systems external to buildings and structures to promote energy conservation. The guidelines may restrict the type and placement of trees and other vegetation in proximity to buildings and structures in order to provide for energy conservation.