


Islands Trust Council Special Meeting

July 7-8, 2021

Trust Council Wednesday, July 7		Trust Council Thursday, July 8	
 <p style="font-size: 24pt; font-weight: bold; margin-top: 10px;">Islands Trust</p>		<p>Click on the meeting link for details on how to attend or view the electronic meeting.</p> <p>https://islandstrust.bc.ca/event/trust-council-special-meeting-2/</p>	
<p>Click on the meeting link for details on how to attend or view the electronic meeting and how to address Trust Council.</p> <p>https://islandstrust.bc.ca/event/trust-council-special-meeting-1/</p>		<p>9:00 AM</p> <p>LAND ACKNOWLEDGMENT CALL TO ORDER / INTRODUCTIONS ROLL CALL</p> <p style="margin-left: 20px;">*</p> <p style="margin-left: 20px;">*</p> <p style="margin-left: 20px;">*</p> <p style="margin-left: 20px;">*</p>	<p>Approval of Agenda</p> <p>General Business Arising Adoption of Minutes</p> <p>Trustee Critchley - Motion</p> <p>Islands Trust Policy Statement Draft Bylaw No. 183 - Consideration of First Reading and Next Steps for Engagement</p>
		12:00 PM	LUNCH
		Special Meeting - continued	
6:30 PM	<p style="text-align: center;">INFORMATION SESSION</p> <p>This session will provide an overview of the current Policy Statement amendment process.</p> <p>Visit the Islands 2050 webpage for project details</p>	2:00 PM	ADJOURNMENT (approximately)
7:00 PM	<p style="text-align: center;">TOWN HALL</p> <p>Attend the Town Hall session to address Trust Council</p>	<p>* Indicates Discussion / Decision Items</p>	
9:00 PM	ADJOURN FOR THE DAY		



Trust Council Special Electronic Meeting Islands Trust Policy Statement Draft Bylaw No. 183 Consideration of First Reading

Location: Electronic Zoom Meeting - hyperlinks as shown

Date/Time: July 7th 6:30 p.m. – 9:00 p.m. INFORMATION/TOWN HALL SESSION
<https://islandstrust.bc.ca/event/trust-council-special-meeting-1/>

July 8th 9:00 a.m. – 2:00 p.m. SPECIAL BUSINESS MEETING
<https://islandstrust.bc.ca/event/trust-council-special-meeting-2/>

Project Documentation can be found at, visit <https://islandstrust.bc.ca/programs/islands-2050/>

July 7, 2021

INFORMATION SESSION	6:30 PM
TOWN HALL	7:00 PM – 9:00 PM

July 8, 2021

	Pages
1. LAND ACKNOWLEDGEMENT CALL TO ORDER / INTRODUCTIONS ROLL CALL	
2. APPROVAL OF AGENDA	
2.1. Introduction of New Items	
2.2. Approval of Agenda	
3. ADOPTION OF MINUTES	
3.1. June 8-9, 2021 draft Trust Council meeting minutes	2 - 14
4. BUSINESS ITEMS	
4.1. Trustee Critchley - Motion	15 - 15
4.2. Islands Trust Policy Statement Draft Bylaw No. 183 Consideration of First Reading and Next Steps for Engagement - RFD	16 - 108
5. NEW BUSINESS	
6. ADJOURNMENT	2:00 PM



Trust Council Minutes of Regular Meeting

Date: June 8, 2021 - June 10, 2021

Location: Electronic meeting, Public venue
Islands Trust
200-1627 Fort Street
Victoria, BC V8R 1H8

Executive Present: Peter Luckham, Chair, Thetis Island (Victoria Boardroom)
Sue Ellen Fast, Vice Chair, Bowen Island Municipality
Laura Patrick, Vice Chair, Salt Spring Island
Dan Rogers, Vice Chair, Gambier/Keats Island

Members Attending: Michael Kaile, Bowen Island Municipality
Laura Busheikin, Denman Island
David Critchley, Denman Island
Scott Colbourne, Gabriola Island
Kees Langereis, Gabriola Island
Tahirih Rockafella, Galiano Island
Jane Wolverton, Galiano Island
Kate-Louise Stamford, Gambier Island
Alex Allen, Hornby Island
Grant Scott, Hornby Island
Peter Johnston, Lasqueti Island
Timothy Peterson, Lasqueti Island
Jeanine Dodds, Mayne Island
David Maude, Mayne Island
Ben McConchie, North Pender Island
Deb Morrison, North Pender Island
Peter Grove, Salt Spring Island
Paul Brent, Saturna Island
Lee Middleton, Saturna Island
Cameron Thorn, South Pender Island
Steve Wright, South Pender Island
Doug Fenton, Thetis Island

Staff Present: Russ Hotsenpiller, Chief Administrative Officer (Victoria Boardroom)
David Marlor, Director, Local Planning Services
Clare Frater, Director, Trust Area Services
Julia Mobbs, Director, Administrative Services
Carmen Thiel, Legislative Services Manager (Victoria Boardroom)
Lisa Wilcox, Senior Intergovernmental Policy Advisor
Dilani Hippola, Senior Policy Advisor
Kate Emmings, Manager, Islands Trust Conservancy
Carla Funk, Fundraising Specialist, Islands Trust Conservancy
Lori Foster, Executive Coordinator (Victoria Boardroom)

Tuesday, June 8, 2021

There were approximately 7-9 attendees present. The meeting was live-streamed for public viewing. It was reported that on Tuesday, June 8, 2021, there were 46 live-stream views.

1. LAND ACKNOWLEDGMENT / CALL TO ORDER

Chair Luckham spoke to the recent announcement from the Tk'emlúps te Secwépemc First Nation and the discovery of the remains of 215 children at the residential school in Kamloops B.C. Trust Council members and staff stood for 215 seconds of silence before the meeting was called to order.

The meeting was called to order at 1:03 p.m. Regrets from Trustee McConchie. Trustees Langereis and Thorn were absent. 23 members of Trust Council were present.

2. APPROVAL OF AGENDA

The following late items were circulated in an addendum Monday, June 7:

- REVISED Amendments to Trust Council Policy 2.3.1 Council Committee Systems,
- Correspondence items 15.38 – 15.45 (8 pieces) as listed.

By general consent, the agenda was adopted as amended.

3. GENERAL BUSINESS ARISING

3.1 Consent Agenda Items

By general consent, Trust Council adopted the recommendations as presented in items 3.1.1 and 3.1.2.

- 3.1.1 March Trust Council Meeting Draft Minutes
Adopt the minutes as presented.
- 3.1.2 Resolutions Without Meeting
For information.

3.2 Discussion / Decision Items

- 3.2.1 Trustee Round Table

Trustees gave verbal updates on their local trust committee work.

Trustee Kaile left the meeting at 2:03 p.m.

The meeting recessed for a break at 2:20 p.m. and reconvened at 2:35 p.m.

4. EXECUTIVE

4.1 Consent Agenda Items

By general consent, Trust Council adopt the recommendations as presented in items 4.1.1 to 4.1.4.

- 4.1.1 Trust Council Follow Up Action List
Receive for information.
- 4.1.2 Strategic Plan Update
Receive for information.
- 4.1.3 Continuous Learning Plan
Receive for information.
- 4.1.4 Executive Committee Work Program Report
Approve the work program report as presented.

Trustee Langereis joined the meeting at 2:50 p.m.

4.2 Discussion / Decision Items

4.2.1 Chief Administrative Officer's (CAO) Report

CAO Hotsenpiller presented his report and responded to questions.

The topic of Islands Trust desire to attain tree protection authority was discussed.

4.2.2 Provision of electronic meetings for Trust Council bodies on an ongoing basis – RFD

CAO Hotsenpiller reviewed the three options as presented in the request for decision and answered questions. Discussion ensued.

TC-2021-046

It was Moved by Trustee Fast and Seconded by Trustee Busheikin,
That Trust Council recommend that Option 3, which provides for the development of a hybrid meeting capability for Local Trust Committee meetings consisting of a fully interactive electronic capacity and an 'in person' capacity, be approved.

TIED/DEFEATED

Item 4.4.2 was addressed further on June 9th, see pages 6-7 of these minutes.

4.2.3 Amendments to Trust Council Policy 2.3.1 Council Committee System – RFD

Legislative Services Manager (LSM) Thiel presented the request for decision and answered questions.

TC-2021-047

It was Moved by Trustee Stamford and Seconded by Trustee Fenton,
That Trust Council adopt amended Trust Council Policy 2.3.1 Council Committee System (Attachment 1).

CARRIED

4.2.4 Amended Policy 7.4.1 Incoming Local Trust Committee Correspondence - RFD

LSM Thiel spoke to the request for decision (RFD). Discussion followed.

TC-2021-048

It was Moved by Trustee Fast and Seconded by Trustee Fenton,

That Trust Council amend draft policy 7.4.1 to include the word “addressed” in the definition of correspondence, and in the definition of webmail to change the word “mail” to “email”.

CARRIED

TC-2021-049

It was Moved by Trustee Fast and Seconded by Trustee Patrick,

That Trust Council adopt amended Policy 7.4.1 Incoming Local Trust Committee Correspondence (Attachment 1), and as amended by TC-2021-048.

CARRIED

At 4:30 p.m., it was noted that Trustees Allan, Brent, Dodds and Morrison had left the meeting.

At 4:45 p.m., Trustee Scott left the meeting.

TC-2021-050

It was Moved by Trustee Rogers and Seconded by Trustee Wolverton,

That the meeting recess at 4:51 p.m. and reconvene at 7:00 p.m.

CARRIED

At 7:00 p.m., Chair Luckham reconvened the meeting addressing the scheduled Delegations and Town Hall session.

Chair Luckham humbly stated gratitude to live and work on Coast Salish First Nations treaty and traditional territory and welcomed the 14 members of public in attendance and those watching the live stream.

Trustees Allan, Brent and Thorn were absent.

6. ENGAGEMENT

6.1 Delegations

6.1.1 Michael Sketch

Michael Sketch addressed Trust Council reading his submission titled, “Constructive criticism for the structure of Council’s trust policy statement draft bylaw 183 and remedy in a different policy statement draft” which included a draft rewrite of the Trust Policy Statement.

6.1.2 Galiano Conservancy Association

Michelle Thompson presented a PowerPoint on behalf of the Galiano Conservancy Association and a project called “One Island, One Earth Project” which is working towards documenting ecological footprint, bio-capacity and ecological fingerprint.

6.1.3 Raincoast Conservation

Shauna Doll presented a PowerPoint which spoke to the public feedback heard regarding the Trust Policy Statement revision process, strengthening environmental policy in the Trust Area, and working together to restore land and culture.

6.2 Town Hall

Jennifer Margison, Galiano Island, addressed Trust Council twice in the town hall session asking for stronger policy statement directives to prioritize protection of the natural environment and reviewed planner job descriptions in terms of their role to protect the natural environment.

Maxine Leichter, Salt Spring Island, requested meetings be available in an audio format for review, spoke in support of Raincoast Conservation recommendations, and asked for stronger policy statement directives to protect the environment.

Deborah Ferens, Gabriola Island, spoke on behalf of the Gulf Islands Alliance giving feedback and review on the current draft of the trust policy statement. She submitted these comments in writing for Trust Council’s consideration.

Jacinte Eastick, Gabriola Island, addressed Trust Council three times commenting on support for reconsideration of council decisions made in March, holding in-person local trust committee meetings, reducing staff travel by using a speaker phone to attend meetings, and enforcement of bylaw infractions. She also commented on the role of a chair at local trust committee meetings.

Tobi Elliott, Gabriola Island, thanked Trust Council for the work they are doing balancing the environment with communities and work on reconciliation.

Michael Sketch, North Pender Island, commented on planner job descriptions following Jennifer Margison’s comments earlier.

TC-2021-051

It was Moved by Trustee Langereis and Seconded by Trustee Stamford,

That the meeting be recessed at 8:15 p.m.

CARRIED

Wednesday, June 9, 2021

At 9:00 a.m., Chair Luckham reconvened the meeting and shared a photo he took last night of the B.C. Legislature steps showing a memorial to the 215 lost children of the Kamloops residential school.

Chair Luckham welcomed the 6 attendees present and those watching the live-stream. It was noted that there were 47 live-stream views on this day.

All trustees were present when the meeting was called to order.

Chair Luckham began with unfinished business from Tuesday's session starting at item 4.2.5.

4.2.5 Legal Services Policies – RFD

Legal Services Manager Theil spoke to the request for decision (RFD).

TC-2021-052

It was Moved by Trustee Rogers and Seconded by Trustee Fast,
That Trust Council adopt amended Policy 2.1.6 – Legal Advice (Attachment 1).

CARRIED

TC-2021-053

It was Moved by Trustee Rogers and Seconded by Trustee Fast,
That Trust Council adopt amended Policy 6.9.2 – Legal Services Access and Management (Attachment 3).

CARRIED

TC-2021-054

It was Moved by Trustee Fast and Seconded by Trustee Wolverton,
That Trust Council repeal Policy 6.9.1 – Legal Services Management.

CARRIED

By general consent, Trust Council considered further business under item 4.2.2.

4.2.2 Provision of electronic meetings for Trust Council bodies on an ongoing basis – RFD

TC-2021-055

It was Moved by Trustee Rogers and Seconded by Trustee Wolverton,
That Trust Council refer the matter of electronic meetings back to Executive Committee for further consideration including cost/benefits and all comments at Trust Council.

CARRIED

TC-2021-056

It was Moved by Trustee Johnston and Seconded by Trustee Busheikin,
That staff be directed to draft amendments to the Trust Council Meeting Procedures Bylaw 101 regarding electronic regular meetings once anticipated legislative changes are approved.

CARRIED

5. SELECT COMMITTEE GOVERNANCE AND MANAGEMENT REVIEW

5.1 Discussion / Decision Item

5.1.1 Select Committee Chair's Update

Chair of the Select Committee, Trustee Middleton, gave a verbal update on the status of the Governance and Management Review project and answered trustee questions.

The meeting recessed for a break at 10:35 p.m. and reconvened at 10:50 p.m., Trustee Brent was absent.

7. LOCAL PLANNING SERVICES

7.1 Consent Agenda Items

By general consent, that Trust Council adopted the recommendation as presented in item 7.1.1.

7.1.1 Regional Planning Committee Work Program Report
Approve the work program report as presented.

Items 7.1.2 and 7.1.3 were pulled from the consent agenda for discussion.

7.1.2 Director of Local Planning Services (DLPS) Report

In response to a question, DLPS Marlor reported that the number of planners allocated to regional planning is currently 3. Discussion about freshwater strategy and groundwater mapping ensued.

Received for information.

7.1.3 Update on Regional Planning Team Work Program - Briefing

Discussion on the timeline for completion of various projects ensued.

Received for information.

7.2 Discussion / Decision Items

7.2.1 Application Processing Services Policy and Model Fees Bylaw - RFD

Director of Local Planning Services (DLPS) Marlor gave an overview of the policy and bylaw as containing in the request for decision and answered trustee questions.

TC-2021-057

Moved by Trustee Busheikin, Seconded by Trustee Peterson,

That Trust Council repeal Policy 5.6.1 "Application Process Services", Policy 5.6.2 "Cost Recovery Agreements", and Policy 5.6.3 "Extraordinary Processing Services Guidelines" and replace them with Policy 5.6.1 "Application Processing Services".

CARRIED

TC-2021-058

It was Moved by Trustee Busheikin and Seconded by Trustee Langereis,

That Trust Council request all local trust committees to consider adoption of a new application processing fees bylaw based on the model fees bylaw attached to Policy 5.6.1 "Application Processing Services".

CARRIED

By general consent, Trust Council agreed to address item 9. next then, following the lunch break, hear the Islands Trust Conservancy presentation.

9. ADMINISTRATIVE SERVICES / FINANCE

9.1 Consent Agenda Items

By general consent, that Trust Council adopt the recommendations as presented in items 9.1.2 and 9.1.3.

9.1.2 March 31, 2021, Financial Report (unaudited) - Briefing
Receive for information.

9.1.3 Director of Administrative Services Report
Receive for information.

Item 9.1.1 was pulled from the consent agenda for discussion.

9.1.1 Financial Planning Committee Work Program Report – DRAFT

Discussion on moving the item of trustee remuneration from the projects list to a top priority item was heard.

By general consent, Trust Council approved the work program report as presented.

The meeting recessed for lunch at 11:58 a.m. and reconvened at 1:00 p.m.

8. ISLANDS TRUST CONSERVANCY

8.1 Encouraging Donations and Gifts for Nature - Session Outline

Chair of the Islands Trust Conservancy (ITC), Trustee Stamford, introduced the presentation.

ITC Manager Emmings and Fund Raising Specialist Funk gave a PowerPoint presentation titled "Building a Culture of Philanthropy". A question period ensued. Staff were thanked for their work with the Conservancy.

Trustee Thorn left the meeting at 2:00 p.m.

10. NEW BUSINESS – None

11. TRUST AREA SERVICES

11.1 Consent Agenda Items

By general consent, Trust Council adopted the recommendations as presented in items 11.1.1, 11.1.2 and 11.1.4.

11.1.1 Trust Programs Committee Work Program Report
Approve the work program report as presented.

11.1.2 Director of Trust Area Services Report
Receive for information.

11.1.4 Islands Trust Conservancy Quarterly Report
Receive for information.

Items 11.1.3 and 11.1.5, were pulled from the consent agenda for discussion.

11.1.3 Legislative Monitoring Briefing

Trustee Allen noted on page 256 of the agenda package, regarding the Blue Economy Strategy engagement, would be open for comment until June and encouraged trustees to contact their constituents regarding this item.

By general consent, the briefing was received for information.

Trustee Wright left the meeting at 2:17 p.m.

11.1.5 Policy Statement Amendment Project Update – Briefing

Director of Trust Area Services (DTAS) Frater answered questions on the process for first reading of the Policy Statement bylaw.

By general consent, the briefing was received for information.

11.2 Discussion / Decision Items

11.2.1 Pare-Baile Property NAPTEP Certificate, North Pender Island – RFD

DTAS Frater spoke to the request for decision.

TC-2021-059

Moved by Trustee Morrison, Seconded by Trustee Stamford,

That the Islands Trust Council request the Secretary issue a Natural Area Protection Tax Exemption Certificate (NAPTEP) for the covenanted portion of the property on North Pender Island described as “3209 Armadale Road, Parcel Identifier 029-414- 890, and 3210 Clam Bay Road, Parcel Identifier 000-543-527” subject to registration of a conservation covenant and completion of a baseline inventory report consistent with the standards developed for NAPTEP.

CARRIED

11.2.2 Annual Report – RFD

DTAS Frater spoke to the request for decision and noted that Financial Planning Committee still needs to endorse its section of the report.

TC-2021-060

Moved by Trustee Fast, Seconded by Trustee Fenton,

That the Islands Trust Council approve the 2020/21 Draft Annual Report for submission to the Minister of Municipal Affairs.

CARRIED

The meeting recessed for a break at 2:30 p.m. and reconvened at 2:45 p.m.

Chair Luckham addressed Trust Council to consider moving forward with the agenda and the possibility of wrapping up the meeting ahead of schedule.

TC-2021-061

Moved by Trustee Dodds and Seconded by Trustee Brent,

That Trust Council continue the agenda until 5:00 p.m. today.

CARRIED

Trustees opposed Critchley, Peterson and Langereis

12. CLOSED MEETING

By general consent, this item was deferred to the next meeting.

13. RISE AND REPORT - NONE

14. SUMMARY / UPDATES

14.1 Trustee Updates

14.1.1 First Nations

14.1.1.1 Xwe'etay/Lasqueti Archaeology Project - Trustee Johnston

The report was received for information.

14.1.2 Salt Spring Island Watershed Protection Alliance (SSIWPA) – Update

The report was received for information.

14.1.3 Átl'ka7tsem / Howe Sound Community Forum – Update

The report was received for information.

14.1.4 Gulf Islands National Park Reserve Advisory Committee

Trustee Middleton noted the committee does not currently meet and had no report.

14.1.5 Southern Gulf Islands Community Forum

Trustee Wolverton gave a verbal update noting an upcoming forum.

14.1.6 Baynes Sound Forum

Trustee Critchley gave a verbal update noting an upcoming forum.

14.1.7 Freighter Roundtable Update

Trustees gave verbal updates.

14.1.8 BC Ferries (Ferry Advisory Committee Chairs)

Trustee Maude gave a verbal update.

14.2 Priorities Chart

By general consent, the Priorities Chart was received for information.

14.3 Proposed September Trust Council Agenda Program

Executive Committee will consider all feedback for the next meeting.

14.4 Disposition of Delegations and Town Hall Requests

Trust Council discussed a proposed notice of motion as presented by Trustees Critchley and Rogers which may be brought back for consideration.

Trustee Thorn joined the meeting at 4.00 p.m.

15. CORRESPONDENCE

By general consent, unless noted otherwise, the following correspondence was received for information and forwarded to Trust Programs Committee regarding the Policy Statement review.

- 15.1 F. Atorp re: for inclusion in Trust Council June agenda email dated May 8, 2021
- 15.2 L. Salter re: please reconsider the rejected motion email dated May 11, 2021
- 15.3 T. Beaver re: protecting the natural environment email dated May 12, 2021
- 15.4 M. Gross re: Policy Statement email dated May 12, 2021
- 15.5 E. Wttewaall re: natural environment protection email dated May 12, 2021
- 15.6 B. Young, Transition Salt Spring re: Policy Statement, letter dated May 12, 2021
- 15.7 T. Pickett re: attention Council Members, planners etc. email dated May 13, 2021
- 15.8 N. Wigen re: Protection of the natural environment email dated May 13, 2021
- 15.9 H. Holm re: Policy Statement dated May 16, 2021
- 15.10 C. de Menyhart re: Trust Policy Statement email dated May 17, 2021
- 15.11 D. Kennedy re: Policy Statement email dated May 17, 2021
- 15.12 M. Leichter re: a motion to prioritize protecting the natural environment letter dated May 17, 2021
- 15.13 M. Leichter re: revisions to the first draft of the Trust Policy Statement letter dated May 17, 2021
- 15.14 J. Henshall re: Islands Trust Policy review email dated May 18, 2021
- 15.15 M. MacMillen & G. Macdonald re: Revising the Islands Trust Policy Statement email dated May 18, 2021
- 15.16 J. Margison re: Policy Statement review letter dated May 18, 2021
- 15.17 G. Dusting re: Islands Trust Policy Review email dated May 19, 2021
- 15.18 M. Mikkelsen letter to reconsider motion received May 19, 2021
- 15.19 K. Maser re: grave concerns email dated May 19, 2021
- 15.20 D. McCreedy re: Changes in Trust Mandate email dated May 19, 2021
- 15.21 H. Shilladay re: Trust Policy Statement and Gabriola Island email received May 23, 2021
- 15.22 J. Power FWD: IT letter for your consideration email received May 23, 2021
- 15.23 L. McKnight re: Please Consider email received May 23, 2021
- 15.24 S. Yeend re: preservation please email received May 23, 2021
- 15.25 A. Steele re: The role of the Islands Trust email received May 24, 2021
- 15.26 C. Bowers re: TPS review process email received May 24, 2021
- 15.27 D. Mace Re: change in IT mandate email received May 24, 2021
- 15.28 J. Ellison re: Islands Trust mandate email received May 24, 2021
- 15.29 M. Wilde re: please protect our islands! email received May 24, 2021
- 15.30 N. Ballash & G. MacDonald re: Review of Islands Trust Policy Statement email received May 24, 2021
- 15.31 S. Brooks re: Islands Trust mandate email received May 24, 2021
- 15.32 Dave Secord Input re: Islands Trust Policy Statement email received May 25, 2021
- 15.33 J. Kalvaitis FWD: Islands Trust letter email received May 25, 2021
- 15.34 J & S Lewis re: Trust Policy Statement concerns email received May 25, 2021
- 15.35 S. Hutchen Lay re: in support of email received May 25, 2021
- 15.36 Salt Spring Solutions re: Letters to Trust Council for upcoming meeting letter received May 25, 2021
- 15.37 H. Schofield re: Trust Policy Statement Review action needed email received May 26, 2021
- 15.38 MP Manly re: support letter to Minister Alghabra freighter anchorages email received June 1, 2021

Discussion was heard on responding to the request for support.

15.39 M. Green re: Presentation of Findings of the Vessel Drift and Response Analysis email dated June 2, 2021

By general consent, staff will draft a letter inviting San Juan to make a presentation to September Trust Council.

15.40 Minister Conroy re: Modernizing Forest Policy letter dated June 2, 2021

15.41 A. Yardly re: Policy Statement email received May 28, 2021

15.42 J. Laing re: Trust Policy for 2050 letter received May 31, 2021

15.43 J. Margison re: Islands Trust Policy Statement Review email received May 31, 2021

15.44 J. Henshaw re: Trust Policy Statement review email received May 31, 2021

16. STRATEGIC PLAN (Amendments) - None

17. NEXT MEETING

A Special Trust Council meeting is scheduled for July 7-8, 2021. The next Islands Trust Council quarterly meeting is scheduled September 21 - 23, 2021.

18. ADJOURNMENT

By general consent, the meeting adjourned at 4:50 p.m.

Staff will update the website and send out a subscriber notice that the meeting adjourned early.

Peter Luckham, Chair

Certified Correct

Lori Foster, Executive Coordinator/Recorder

From: David Critchley
Sent: Friday, June 25, 2021 8:25 AM
To: Peter Luckham
Cc: Lori Foster; Dan Rogers

Subject: Motion

Dear Chair Luckham,

Please accept this as confirmation of my wish to have the motion that was informally introduced by me and Trustee Rogers at the last Trust Council meeting placed on the agenda for consideration as a proposed motion at the special meeting of Council in July.

My recollection is that it was stated at the June meeting that the informal introduction could be treated as a notice of motion for the next meeting. It also appeared that a number of trustees wished to have the matter considered at the July meeting rather than waiting for September.

Here is the motion for consideration:

“Trust Council affirms its understanding that preservation and protection of the natural environment is central to the mandate of the Islands Trust and that this responsibility must be given special and profound consideration in all our decisions and in all we do.”

Best regards,

David

David A. Critchley
Denman Island Local Trustee, Islands Trust

Staff is working towards a public engagement on the new draft Policy Statement. This multi-month engagement will likely attract many new voices now that there are concrete policy proposals to comment on. In a parallel process, staff will continue to engage with First Nations. This is an exciting time for Islands Trust and an opportunity for community members and First Nations to participate in refining a vision for the Islands Trust Area and the islands they care about. Following third reading, the proposed Policy Statement bylaw will be provided to the Minister of Municipal Affairs for approval along with the engagement undertaken with First Nations and referral responses. The current project timeline, approved by the Executive Committee, allows six months for the Minister to consider the proposed bylaw and consult with First Nations.

1 PURPOSE: To present Trust Council with DRAFT Islands Trust Council Bylaw No. 183, cited as “Islands Trust Policy Statement Bylaw, 2021”, for consideration of first reading and to begin the next phase of public engagement.

2 BACKGROUND:

Following more than 18 months of Islands 2050 engagement with First Nations and the public, and substantive policy analysis and discussion within Trust Council and its committees, a draft of a new Islands Trust Policy Statement Bylaw No. 183 is being presented to Trust Council for consideration of first reading and further public engagement and referrals. As per Trust Council’s direction, amendments have focused on the priority areas of reconciliation, climate change, and affordable housing, with some additional updates for clarity, brevity, and accuracy. After receiving early feedback in May 2021 on Draft 1.0 of the new Policy Statement bylaw from Trust Programs Committee (TPC), Executive Committee (EC), Regional Planning Committee (RPC), and the Islands Trust Conservancy (ITC) Board, revisions were incorporated into Draft 2.0 of the new Policy Statement bylaw. On June 15, 2021, TPC reviewed Draft 2.0 and passed two resolutions (TPC-2021-035 and TPC-2021-036) requesting EC to make specific amendments to Draft 2.0.

On June 23, 2021, EC reviewed Draft 2.0, approved TPC’s requested amendments, and passed resolutions of its own requesting the following amendments to Draft 2.0:

- **EC-2021-098:** *That Executive Committee request staff amend the New Draft Policy Statement at 4.2.7., by moving the first (1st) and fourth (4th) bullet to follow the words “and shall strive to ensure”.*
- **EC-2021-099:** *That Executive Committee request staff amend the New Draft Policy Statement at 4.2.8., that the words “strive to” be inserted after the word “shall”.*
- **EC-2021-100:** *That Executive Committee request staff amend the New Draft Policy Statement, that the word “new” be added in front of “private docks” to 4.6.7 and 4.6.14.*
- **EC-2021-101:** *That Executive Committee request staff to provide alternative language to “prohibiting private docks” language for Trust Council to consider consistent with our reconciliation commitment as options in the request for decision (RFD).*
- **EC-2021-102:** *That Executive Committee forward the draft new Policy Statement Bylaw, No. 183, with amendments as recommended by the Trust Programs Committee resolutions TPC-2021-035 and TPC-2021-036, and Executive Committee resolutions EC-2021-098, EC-2021-099, and EC-2021-100 to Trust Council for consideration of First Reading.*

Staff has now incorporated TPC’s June 15 amendments and EC’s June 23 amendments into the updated Draft Policy Statement Bylaw No. 183 (see Attachment 3). Comments in the margins of the most recent draft indicate the amendments that have been made since the draft was first presented to Council’s committees and the ITC Board as Draft 1.0. As per EC’s resolution EC2021-101, alternative language to “prohibiting private docks” is provided in Attachment 5.

POLICY STATEMENT AMENDMENT PROJECT SCOPE

In 2017, Trust Council assigned the Executive Committee, with involvement from Trust Programs Committee as appropriate, the task of updating the Islands Trust Policy Statement. In 2019, Trust Council adopted a new Strategic Plan that included the following direction for the Policy Statement Amendment Project:

- General update: Introduction, Part 1, Part 2 and *Schedule 1 – Definitions*;
- Update of the whole document through the lens of Reconciliation;
- Update of the whole document through the lens of Climate Change;
- Update regarding Affordable Housing to ensure that the document:
 - gives affordable housing a greater profile for its role in sustainable communities;
 - includes a reference to affordable housing in its policy direction to Local Trust Committees and Island Municipalities;
 - includes a clear and well thought-out definition of ‘affordability’;
 - *includes a clearly articulated vision, goals, and objectives for affordable housing.*

At the March 2021 Trust Council meeting, following consideration of a discussion paper on [“The Islands Trust Object: Past, Present, and Future”](#) and Trust Council discussion about the Policy Statement Amendment Project, Trust Council passed three additional resolutions relating to the project:

- Trust Council defined the words “unique amenities” to be inclusive of the cultural heritage of Indigenous Peoples within the Islands Trust Area and that this aspect is prioritized.
- Trust Council affirmed its understanding that the “object” of the Trust includes the concept of and protection of healthy and inclusive communities including housing and transportation.
- Trust Council requested that Executive and Trust Programs Committees continue their work on revising the Trust Policy Statement and include policy related to sustainable communities and affordable housing.

These objectives have largely been achieved in the proposed draft, with some exceptions:

- The draft fulfills Trust Council’s direction to give affordable housing a greater profile for its role in sustainable communities. It includes related directive policies to local trust committees and island municipalities and an established definition of ‘affordable housing’. However, the draft does not include “a clearly articulated vision, goals, and objectives for affordable housing”. Through analysis and discussion over the course of the project, it has been revealed that the role of the Policy Statement is to provide overarching general policy guidance, while theme-specific visions, goals, and objectives can be elaborated through separate, more detailed strategies. For example, the Policy Statement gives broad general guidance about freshwater sustainability, whereas specific visions, goals, and objectives are being addressed in more detail through a Trust-wide freshwater sustainability strategy.
- The draft also reflects a new approach to ‘Schedule 1 – Definitions’. In the current (2003 consolidated version) of the Policy Statement, definitions of terms are spread through selective footnotes and a definitions section at the end. First Nations engagement feedback, rooted in a consideration of how the *Declaration on the Rights of Indigenous Peoples Act* will be implemented into the future, has suggested a move away from fixed academic (mostly colonial) ‘definitions’ in favour of more context-specific ‘interpretations’. This helps to give space for multiple ways of knowing to inform decision-making, including from the best available science, social science, local knowledge, and Indigenous ways of knowing. Thus, the draft does not include a separate definitions section. Rather, where it was deemed necessary to provide Trust Council’s interpretations of certain terms for clarity, these have been listed in the preamble sections of the document.

AMENDMENTS – GUIDING PRINCIPLES & PARADIGMS

After carefully considering the various streams of external and internal input and analysis since the Policy Statement Amendment Project’s inception, a number of guiding principles and paradigms have emerged to guide Trust Program Committee’s and Executive Committee’s amendments to the Policy Statement:

Reconciliation Principles

As reflected in its 2019 Reconciliation Declaration, Trust Council has committed to seek meaningful engagement with First Nations in the Trust Area, recognizing First Nations’ treaty and territorial lands and waters, and to be guided by the specific reconciliation principles and recommendations of the Truth and Reconciliation Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples, the *Declaration on the Rights of Indigenous Peoples Act*, and the Missing and Murdered Indigenous Women and Girls Calls for Justice, that fall within Trust Council’s jurisdiction. Key language changes throughout the document have been guided by the principles and foundational documents noted above and help to refute problematic concepts of terra nullius and the doctrine of discovery.

Precautionary Approaches

In the face of widespread risks, vulnerabilities, and uncertainties around the rate and scale of climate change, and the ongoing cumulative effects of human activity, the need for more precautionary approaches to stewardship of the Trust Area has become apparent. The Precautionary Principle states that the lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental damage to habitats or species when there is a threat of serious or irreversible environmental degradation. The new Part 3 of the draft Policy Statement articulates an overarching commitment to be guided by the Precautionary Principle. This precautionary approach is integrated throughout the document. The International Union for the Conservation of Nature (IUCN) has published helpful *Guidelines For Applying The Precautionary Principle To Biodiversity Conservation And Natural Resource Management*.

Area-Based Understandings

In the context of small rural islands in the Trust Area, each site-specific decision has impacts on the broader landscape and seascape. Engagement feedback and analysis revealed that, when assessing the appropriateness of site specific applications, it is important to start with a broad, area-based understanding of the full array of interactions at play and the ripple effects of any one single change. This area-based approach is favoured over a professional reliance model that considers only limited site specific information and places the financial burden for evidence-based assessments on applicants. The approach is most clearly articulated in Part 4 but is also woven throughout the document. It underpins many of the interpretive context sections and is reflected in specific policies such as the establishment of a network of protected areas that can serve to better protect species migration corridors, ecosystem connectivity, and environmental integrity in each planning area.

Multiple Ways of Knowing

In order to develop informed, area-based understandings, Trust Council will benefit from being guided by multiple ways of knowing that each hold unique value and wise counsel to support more informed decision making in the Trust Area. The current draft of the new Policy Statement articulates the need for decision-making to be guided by the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. This requires not only an investment in research partnerships and engagement processes, but also a paradigm shift to hold space and be open to guidance from all of these multiple ways of knowing at the same time, rather than forcing them to mesh together or prioritizing one too heavily over the others.

Adaptive Management

Engagement feedback and internal analysis both underscored that the specific impacts of the climate and biodiversity crises and their policy implications may be difficult to predict in exact detail, timing, and scope and that it will, therefore, be prudent to institute more adaptive management approaches in the Trust Area. Adaptive management approaches are structured, iterative processes of decision-making intended to reduce uncertainty over time through periodic monitoring and evaluation, and evidence-based policy adjustments. Adaptive approaches have been woven in throughout the document, particularly in Parts 4 and 6, and are supported by more specific commitments to nature-based solutions and climate vulnerability assessments.

Relational Stewardship

The review process also highlighted the need to move towards more relational approaches to stewardship, reframing language around the sustainable use of “resources” towards more reciprocal relationships of stewardship that acknowledge the interconnectedness of people and place. This relational approach expresses a widely held aspiration to responsibly and respectfully care for the lands, waters, air, and other species in the Trust Area, acknowledging their intrinsic value as well as the important supports they provide to human well-being. This reframing also helps to acknowledge and be guided by Indigenous ways of knowing that reflect First Nations’ relationships as stewards and caretakers of these lands and waters since time immemorial. Within the Policy Statement, this led to a merging of the former Parts 3 and 4 and some reframing of preamble language and policies throughout the document.

Restoration, Regeneration, and Resilience

The new draft Policy Statement also adds in some new terms related to restoration. Engagement feedback and analysis suggested that there is an imperative to restore fragile ecosystems and assist in their recovery due to the cumulative impacts of development and human use of natural areas, as well as the impacts of a changing climate. The recently launched [UN Decade on Ecosystem Restoration \(2021-2030\)](#) aims to prevent, halt, and reverse the degradation of ecosystems on every continent and in every ocean, acknowledging that this “can help to end poverty, combat climate change, and prevent a mass extinction if everyone plays a part”. Ecosystem restoration is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed. Restoration can happen in many ways, such as active reforestation or wetland remediation, or by simply removing pressures so that nature can recover and adapt on its own. Regenerative approaches follow similar aims by instituting sustainable cultivation and harvesting practices that help to improve the overall health of natural systems, rather than destroying or depleting them. Resilience refers to the capacity of ecosystems and communities to continue to function in the face of external stressors such as climate change, while also learning to adapt and evolve.

Equitable

Another key principle that emerged from engagement feedback and Trust Council discussion was an acknowledgment that sustainability and resilience in the Trust Area are strengthened by healthy, equitable, diverse, and inclusive communities. The impacts of climate change and other social, economic, and environmental dynamics in the Trust Area are likely to be experienced disproportionately by those who are already most socially or economically vulnerable. Adaptive management processes (noted above) will help to monitor the impacts of policies on those most vulnerable and inform adjustments as needed. Coordination and advocacy policies provide further opportunities to support those in need. The addition of new policies in Part 6 related to affordable housing and low-impact housing profiles also serve to support principles of equitable and sustainable land use.

Integrated

Amendments to the Policy Statement have also been crafted with an overarching goal of strong policy coherence, such that various policies are aligned to strengthen each other or, at the very least, not counteract each other. Not unlike ecosystems in the Trust Area, the Policy Statement is a highly interconnected system. A change in one area has ripple effects throughout the whole document. Thus, the Policy Statement should always be read as a whole to discern the overarching principles and paradigms that manifest into an array of interconnected and integrated policies and approaches.

Upholding the Islands Trust Object

In response to engagement feedback, as well as detailed policy analysis and research, the new draft Policy Statement underscores and centres the primacy of the Islands Trust Object. While the Policy Statement is often looked to as a regional planning or growth strategy, its singular purpose (as defined in the *Islands Trust Act*) is to establish a general statement of policies of Trust Council to carry out the Islands Trust Object to preserve and protect the unique amenities and environment of the Trust Area. Amendments have been made to the introductory sections of the document to clarify this purpose and to offer more detailed interpretations of the Islands Trust Object, in accordance with historical documents, analysis of the *Islands Trust Act*, publicly available legal advice, and feedback from elected officials and engagement partners. The March 2021 discussion paper on [“The Islands Trust Object: Past, Present, and Future”](#) provides further context for these refinements.

OVERVIEW OF KEY AMENDMENTS

While the new draft Policy Statement must always be read as a whole and in its entirety, the following most notable amendments are highlighted here for easy reference. Key exclusions from the original Policy Statement have been noted in the annotated 2003 version of the Policy Statement. (See Attachment 4).

Key Structural Changes:

- **Introduction** now included as part of the bylaw
- **Section 1.1:** ‘Acknowledgment’ added to Introduction
- **Section 1.4:** ‘The Islands Trust Object and its Meaning’ section moved from previous Part 2
- **New Part 3:** Regional Governance
- **Consolidated Part 4:** Combines previous Parts 3 (Ecosystem Preservation & Protection) + 4 (Stewardship of Resources)
- **New Part 5:** Heritage Preservation and Protection
- **Part 6:** Consolidated and reframed as Sustainable AND RESILIENT Communities
- **New Section 6.2:** On Housing Policies

Section 1.3 (Present Context)

- Updated to provide present context for each of Trust Council’s amendment priority areas (reconciliation, climate change, affordable housing) as well as an update on the current state of the islands

Section 1.4 (The Islands Trust Object and its Meaning)

- Updated in accordance with historical documents, analysis of the *Islands Trust Act*, publicly available legal advice, and feedback from elected officials and engagement partners (See March 2021 discussion paper on [“The Islands Trust Object: Past, Present, and Future”](#))

Coordination & Advocacy Policies

- Policies that were previously referred to as “recommendations” were strengthened into “coordination and advocacy policies” throughout the document
- Additional context was provided in Section 2.2 regarding the jurisdictional powers of Trust Council vis-à-vis interagency coordination and advocacy, and in making recommendations to the Province, as per Sections 8 and 9 of the *Islands Trust Act*

New Part 3 on Regional Governance

- Builds on previous “Guiding Principles for Trust Council” and articulates bold and integrated commitments of Trust Council centred on upholding the Islands Trust Object
- Identifies general regional governance approaches centred in the Islands Trust Object while leaving flexibility for localized implementation in accordance with the unique needs of each island

Part 4 Ecosystem Preservation and Protection

- Establishes area-based understandings through multiple ways of knowing, detailed ecosystem-based mapping, the establishment of protected area networks in each planning area, and collaboration with the Islands Trust Conservancy
- Calls for adaptive management approaches aided by cumulative effects studies, climate vulnerability assessments, and nature-based solutions
- Commits to take precautionary approaches to the sustainable stewardship of Trust Area ecosystems in cooperation with First Nations, Indigenous Knowledge Holders, other government

agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing

- Fosters a general approach to sustainable harvesting (forest, agriculture, and marine) in the Trust Area that is in alignment with the Islands Trust Object and the natural limitations of Trust Area ecosystems: “limited, small-scale, sustainable, regenerative, supportive of climate action and food security, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area.”

Freshwater

- Strengthens language around protecting freshwater sustainability (4.2.7)
- Encourages rainwater harvesting as a supplemental (not primary) water source (4.2.12)
- Prohibits new desalination plants due to their high energy usage and adverse impacts to the marine environment (4.2.5, 4.2.9)

Forests

- Supports forestry that is limited, small-scale, sustainable, regenerative, supportive of climate action, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area (4.3.3)
- States a policy that clear-cutting of forests and logging of old-growth trees is inappropriate anywhere in the Trust Area, acknowledging the multiple adverse impacts these activities incur on the fragile ecosystems, environmental integrity, and carbon capture and storage potential of the Trust Area (4.3.5)
- Articulates coordination and advocacy policies to the Province requesting jurisdictional authority to prohibit clear-cutting and logging of old growth in the Trust Area and to regulate tree cutting (4.3.9)

Agriculture

- Acknowledges the role of agriculture in promoting local food security and climate action (4.4.2)
- Supports small-scale, sustainable, regenerative agriculture that is respectful of downstream impacts, wildlife habitat, and adjacent properties (4.4.3)
- Supports local farmers to play a leadership role in the protecting the integrity of the environment and cultural heritage in the Trust Area (4.4.6)

Soils

- Prohibits the removal or excavation of soil or fill from middens or foreshore areas that have been identified as culturally significant areas (4.5.6)

Marine

- Prioritizes the preservation and protection of eelgrass meadows, kelp forests, tidal salt marshes, mud flats, and coastal wetlands, acknowledging their multifaceted roles in supporting carbon capture and storage, soft shoreline protection, and the provision of habitats and spawning areas for coastal and marine aquatic species. (4.6.9)
- Prohibits new private docks, except where properties are boat access only, in order to minimize the cumulative impacts of docks on sensitive marine ecosystems and aquatic species at risk, eelgrass and kelp beds, forage fish spawning areas, as well as First Nations’ cultural, archaeological, and traditional harvesting sites. (4.6.14)
- NOTE: As per Executive Committee’s June 23 resolution EC2021-101, should Trust Council wish to amend the policies pertaining to the prohibition of new private docks, alternative language options have been provided in Attachment 5.

- Contains directive to consider the current and anticipated impacts of sea level rise and determine shoreline buffers and setbacks accordingly (4.6.15)
- Contains directive to prohibit the use of seawalls and other hard shoreline armoring in the Trust Area and include policies that foster soft shoreline protection (4.6.16)
- Fosters stronger coordination and advocacy policies related to the removal of abandoned and derelict vessels and marine debris, the use of commercial freighter anchorage sites in the Trust Area, the prohibition of oil tankers from transiting through the waters in the Trust Area, and the need for oil spill preparedness and response plans. (4.6.18)

New Part 5 on Heritage Preservation and Protection

- Acknowledges that the relationship of First Nations to these lands, waters, and place is intrinsically linked to the preservation and protection of the Trust Area.
- Recognizes Indigenous cultural heritage as a ‘unique amenity’ in the Trust Area.
- Institutes measures for the preservation and protection of Indigenous cultural heritage, community heritage, and natural heritage. (5.1.3 – 5.1.5)

Part 6 Sustainable and Resilient Communities

- Fosters rural island planning approaches that are in alignment with the Islands Trust Object and the unique attributes and vulnerabilities of islands
- Fosters a general approach across all policies for development that is compact, energy-efficient, sustainable, and appropriately situated in order to minimize greenhouse gas emissions, reduce ecological footprints, and safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area.
- Calls for adaptive management approaches aided by cumulative effects studies, climate vulnerability assessments, and nature-based solutions

New Section 6.2 on Housing

- Fosters low-impact housing profile for all housing types (6.2.1)
- Acknowledges the role of affordable housing in supporting sustainable communities and commits to foster a strategic, multijurisdictional, equitable, and integrated approach to address the diverse housing needs of Trust Area communities (6.2.2-6.2.3)
- Directs local trust committees and islands municipalities to identify appropriate locations that could safely accommodate density increases to support safe, secure, and affordable housing without jeopardizing protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage (6.2.4)
- Calls for assessments of the impacts of short-term rentals of dwellings in each planning area and, where necessary, regulations to limit the number of short-term rentals (6.2.5)
- Calls for each planning area to define appropriate floor area and lot coverage limits for residential development to minimize greenhouse gas emissions, cumulative effects, biodiversity loss, climate vulnerability, and destruction of Indigenous cultural heritage (6.2.6)
- Advocates to other government and non-governmental agencies to foster safe, secure, and affordable housing in the Trust Area, in alignment with the Islands Trust Object. (6.2.7)
- Advocates for safe, secure, and affordable housing for Indigenous Peoples in the Trust Area. (6.2.8)

Transportation

- Acknowledges that community sustainability and resilience are supported by appropriately situated public and active transportation networks that serve to reduce greenhouse gas emissions, support electric vehicles and electric bicycles, and promote health and well-being (6.3.1)
- Advocates for electrification of ferries in the Trust Area (6.3.10)

ISLANDS 2050 ENGAGEMENT

First Nations Engagement Update:

It is important to note that this is the first time, in the history of Islands Trust, that First Nations have been engaged in a review of the Policy Statement and involved in all stages of the review process. All previous versions of the Islands Trust Policy Statement contained offensive, ahistorical, colonial language that supported further oppression and barriers to trust and respectful relationships. First Nations leaders, representatives and residential school survivors expressed their disappointment in Islands Trust, and how maintaining these policies for so many years led to further harm, destruction of cultural heritage, along with alienation from and irreparable desecration of their sacred sites, ancestral loved ones' resting places, and the cultural landscape from which they have been forcibly removed.

A First Nations Engagement Update Report is included as Attachment 2.

Public Engagement Update:

The Islands 2050 public engagement process was designed to inform the current term's Policy Statement Amendment Project and to help understand and plan for the challenges and opportunities that the Islands Trust Area will face over the next 30 years, particularly as it adapts to the realities of climate change. Note: There is no legislated requirement for public engagement on changes to the Policy Statement.

Public Engagement Phase 1:

In Fall 2019, staff conducted the first phase of the Islands 2050 public engagement process to solicit feedback on priority values and concerns for the Trust Area over the next 30 years. After consulting with local trust committees and Bowen Island Municipality on the engagement methods best suited to their communities, staff hosted 24 events across the Trust Area. They included open house evenings, information booths and collection of feedback in key community locations, information displays and feedback opportunities on ferries, and an online comment and discussion forum using the 'Thought Exchange' platform. Through online and in-person engagement, the following questions were asked:

1. What do you value about the Area?
2. In the context of a changing climate, what concerns do you have about the future of the Area?
3. What opportunities do you feel will help us preserve and protect the Area?

During the Fall 2019 public engagement process, 557 people attended open houses and information booths, 132 people spoke with staff on ferries, and 149 people browsed displays and materials. 789 people participated on the Thought Exchange online platform providing 1,269 comments and 24,257 ratings of the comments provided.

Following the first phase of public engagement in 2019, staff consolidated the online and in-person feedback into a final report [What We Heard - Islands 2050: The Future of the Trust Area](#). In July 2020, the "What We Heard" report was posted to the Islands Trust website and shared with email subscribers, advisory group members and First Nations.

Public Engagement Phase 2:

In January 2021, in response to requests for more inclusive public engagement, staff added a second phase of the Islands 2050 public engagement process, launching a mid-project [Policy Directions Report](#) and online survey that sought ideas and opinions from the public on the themes of climate change and affordable housing (noting that the other defined priority of reconciliation was the subject of a separate process of engagement with First Nations). The public survey was open from January 18 to February 7 and was completed by 406 members of the public who took, on average, 21 minutes to complete with a 97% estimated completion rate. Staff also received 10 e-mail submissions in response to the survey questions. Trust Council received the consolidated [survey results](#) in March 2021 and the results were posted to the Islands Trust website on the surveys and polls page.

On March 3, 2021 Islands Trust hosted a [Virtual Open House](#) via zoom webinar from 7:00-9:00pm. The event was attended by 108 people, and commenced with an acknowledgment and welcome by Hereditary Chief Bill Williams (Squamish). The webinar was co-hosted by a panel of staff and trustees representing the three Trust Programs Committee working groups on reconciliation, climate change, and affordable housing. Following a short presentation outlining the Policy Directions Report, the panel answered questions from participants.

Public Engagement Phase 3 (coming soon):

The third phase of public engagement will occur after the draft bylaw has been presented to Trust Council for consideration of first reading. Preparing and advertising for this next phase of Trust-wide public engagement requires a minimum lead time of six to eight weeks. Staff will recommend to Executive Committee that the third phase of public engagement include welcoming e-mails and letters, an online survey platform, three virtual open houses at different times of day and weekdays/weekends, and an online Islands 2050 webpage with key informational resources, engagement reports, correspondence, etc. A draft project charter for this third phase of public engagement will be provided to Executive Committee for approval. Local trust committees and Bowen Island Municipality may also wish to host local engagement events to inform their referral responses.

Promotion of Public Engagement Opportunities:

Staff has promoted engagement opportunities through paid advertising in local newspapers, subscriber e-mail messages, social media posts, mail-outs, and the following news releases:

- [January 18, 2021: Public Survey about Updating Islands Trust Policy Statement](#)
- [July 20, 2020: Islands Trust Releases Islands 2050 What We Heard Report](#)
- [September 6, 2019: Islands 2050: The Future of the Trust Area](#)

A dedicated e-mail inbox (islands2050@islandstrust.bc.ca) has been made available for all Islands 2050 related e-mails. Staff also produced an animated [video](#) about the Policy Statement Amendment Project in 2019 that has been widely shared. Additionally, trustees have promoted engagement opportunities through their own e-mail lists and networks.

To promote engagement opportunities during Public Engagement Phase 2, staff sent out subscriber messages, purchased ads in newspapers (Bowen Island Undercurrent, Gulf Islands Driftwood, Gabriola Sounder, Coast Reporter, Hornby Tribune, and Denman-Hornby Grapevine) and monthly publications (Active Page, Saturna Scribbler, Our Isle and Times, Mayneliner, Pender Post, The Flagstone), and feature online ads on the Salt Spring Exchange and the Bowen Island Undercurrent websites. In addition, staff directly e-mailed non-profit and other island organizations to encourage them to advise their members of the survey opportunity and supported trustees in their efforts to raise awareness. At the request of local trustees, and with their support, staff also arranged for Canada Post to deliver promotional flyers about the engagement opportunities to PO Box addresses on Saturna and Galiano Islands. Social media campaigns on both Facebook and Twitter complemented the print advertising. Through reaching out to organizations on the islands with Facebook and to island-based Facebook discussion groups, the survey posts were shared throughout the Trust Area. Islands Trust Facebook posts generated a total of 7274 “Reached,” 764 “Post Clicks,” 338 “Reactions, Comments and Shares”.

Ongoing Public Correspondence:

At the time of writing, staff has received and posted 115 pieces of public correspondence to the [Islands2050 webpage](#) for Trust Council consideration, and Trust Council has received 16 delegations related to the Policy Statement Amendment Project.

All public engagement feedback, reports, correspondence, and other relevant project info have been posted to the Islands 2050 webpage at: <https://islandstrust.bc.ca/programs/islands-2050/>

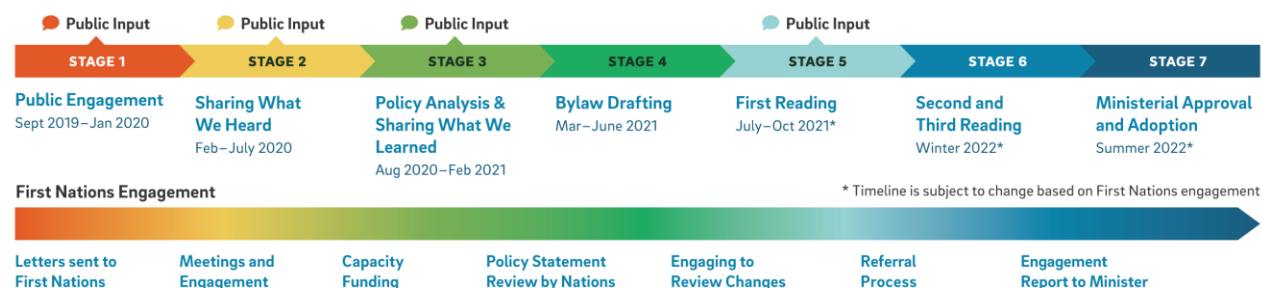
POLICY STATEMENT AMENDMENT PROJECT TIMELINE

The project is now completing Stage Four of its timeline, which has been dedicated to analyzing, synthesizing, and integrating 18 months of First Nations and public engagement feedback, as well as policy analysis and discussion by Trust Programs Committee, Executive Committee, Trust Council, and staff, into a new draft Policy Statement bylaw for Trust Council’s consideration. Once Trust Council has passed first reading and/or endorsed the draft Policy Statement bylaw for further engagement, it will be formally sent out to over 100 referral agencies and partners, including First Nations, for feedback. The list of referral agencies includes, but is not limited to, all local trust committees, Bowen Island Municipality, provincial ministries and agencies including the Province of British Columbia’s Climate Action Secretariat and Housing Policy Branch, regional districts, improvement districts, school districts, treaty alliances and organizations, and the First Nations Leadership Council. Note: The *Islands Trust Act* requires that “Between first and second readings of [the Policy Statement bylaw], the trust council must refer the proposed trust policy statement to the board of each regional district, all or part of which is in the trust area, for review and comment by the board.”

Staff received early positive feedback from some First Nations on Draft 1.0 of the new Policy Statement bylaw and will be continuing First Nations engagement over the coming months. It is important to note that First Nations have been working within the timelines outlined below and have an expectation that a new Policy Statement bylaw will be considered for adoption. It is the expectation of First Nations that Islands Trust will not continue with policies that do not reflect reconciliation.

In accordance with the Policy Statement Amendment Project Charter v5 (see Attachment 1), the third phase of public engagement is expected to occur after first reading, and staff plan to recommend that a survey be launched in late September 2021.

After receiving the next round of referral and public engagement feedback, Trust Programs Committee and Executive Committee will make further recommendations for revisions to the proposed Policy Statement bylaw for consideration by Trust Council at second reading, which is roughly anticipated to take place in December 2021 according to the current project timeline. The second reading version could be substantially different than the first reading version.



3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: The organizational implications of completing first reading, initiating a referral process and undertaking public engagement and associated communities, include:

- Continued reduced capacity in Trust Area Services for advocacy, program and communications initiatives.
- All local trust committees and Bowen Island Municipality will need to consider referrals of the proposed Policy Statement bylaw and may wish to consider how to receive public input (e.g. town halls) as well as how to encourage the public to participate in the Trust-wide Policy Statement engagement opportunities.

FINANCIAL: There will be costs associated with public engagement on the proposed Policy Statement after first reading, which are provided for in the Policy Statement Amendment Project budget for 2021/22. The expenditure details will be confirmed by the Executive Committee through approval of a public engagement project charter.

POLICY: No policy implications associated with first reading.

IMPLEMENTATION/COMMUNICATIONS:

Immediately after first reading, staff will consolidate any amendments and send the proposed new Policy Statement bylaw to referral agencies and First Nations. Staff will also develop a public engagement project charter for Executive Committee consideration and will develop a communications plan to promote the engagement opportunities and support understanding of the Policy Statement's purpose and role. Staff will compile all input received for consideration by Trust Programs Committee and Executive Committee so the committees can consider the input as they consider recommending changes to the Policy Statement bylaw for second reading.

FIRST NATIONS: First Nations engagement on the Policy Statement Amendment Project has been extensive and meaningful. This is the first time in the history of Islands Trust that the Islands Trust has engaged meaningfully to ensure a policy document is reflective of reconciliation, the Truth and Reconciliation Commission Calls to Action, and the Declaration on the Rights of Indigenous Peoples Act. Over the past two years of engagement, the opportunities for meaningful dialogue and relationship-building have created a model of how to work cooperatively and collaboratively develop policies to preserve and protect cultural heritage, the environment, and First Nations access and rights. First Nations have been following the timelines noted in the Project Charter and have an expectation that the bylaw will be adopted. The process has been built on mutually respectful engagement that recognizes the historic wrongs that have taken place in the Trust Area, and that the current Trust Council commitment to reconciliation will reflect a new cooperative and collaborative approach.

OTHER: N/A

4 RELEVANT POLICY(S):

1. [Policy Statement Amendment Policy \(1.2.1\)](#)
2. [Policy Statement Implementation Policy \(1.3.1\)](#)

5 ATTACHMENT(S):

1. Policy Statement Amendment Project Charter v5
2. First Nations Engagement Update Report
3. DRAFT Islands Trust Policy Statement Bylaw, 2021 (Bylaw No. 183)
4. Annotated Policy Statement Bylaw, 2003 (Bylaw No. 17) – shows exclusions
5. Optional Policy Statement Amendment Alternatives: Docks

RESPONSE OPTIONS

- 1. That Islands Trust Council Bylaw No. 183, cited as “Islands Trust Policy Statement Bylaw, 2021”, be read a first time.**
- 2. That Trust Council request that the proposed Policy Statement Bylaw No. 183 be referred to First Nations, Bowen Island Municipality, local trust committees, the Islands Trust Conservancy Board, regional districts, improvement districts, school districts, and provincial and federal government agencies or departments having jurisdiction in the Trust Area.**
- 3. That Islands Trust Council request staff to develop a Project Charter for the third phase of “Islands 2050” public engagement for approval and implementation by the Islands Trust Executive Committee.**

Alternatives:

1. Alternative 1: First Reading and specified additional referral/engagement:
 - a. That Islands Trust Council Bylaw No. 183, cited as “Islands Trust Policy Statement Bylaw, 2021”, as amended, be read a first time.
 - b. That Trust Council request that the proposed Policy Statement Bylaw No. 183 be referred to First Nations, Bowen Island Municipality, local trust committees, the Islands Trust Conservancy Board, regional districts, improvement districts, school districts, and provincial and federal government agencies or departments having jurisdiction in the Trust Area, as well as XXXXXX (as specified by Trust Council).
 - c. That Islands Trust Council request Staff to develop a Project Charter for the third phase of “Islands 2050” public engagement for approval and implementation by the Islands Trust Executive Committee.
2. Alternative 2: Endorsement of the draft bylaw and referral/engagement:
 - a. That Trust Council endorse proposed Policy Statement Bylaw No. 183 and request that the draft bylaw be referred to First Nations, Bowen Island Municipality, local trust committees, the Islands Trust Conservancy Board, regional districts, improvement districts, school districts, and provincial and federal government agencies or departments having jurisdiction in the Trust Area for comment prior to first reading.

Note that because there is a legislated requirement to refer Policy Statement amendments to regional district boards between 1st and 2nd reading, this option could result in delays to the project, and potential referral twice to the regional district. This could result in adoption of the Policy Statement bylaw being considered in the 2022-2026 term of office.

3. Alternative 3: Cancellation of the project
 - a. This option could result in lasting damage to relationships with First Nations and may be perceived as Trust Council failing to meaningfully enact its Reconciliation Declaration and Climate Emergency Declaration. It would also hamper the Islands Trust’s ability to fulfil its preserve and protect mandate given the inadequate, dated policies and language in the current Policy Statement.

Prepared By: Dilani Hippola, Senior Policy Advisor, Trust Area Services (Updated June 24)
Clare Frater, Director, Trust Area Services / June 25, 2021

Reviewed By/Date: Lisa Wilcox, Senior Intergovernmental Policy Advisor / June 18 (previous draft)
David Marlor, Director, Local Planning Services / June 25, 2021
Russ Hotsenpiller, Chief Administrative Officer / June 25, 2021

Policy Statement Amendment Project - Project Charter v5

Purpose To support a Policy Statement Amendment process that encompasses First Nations and public engagement and that leads to a bylaw approved by Trust Council and the Minister.

Background Trust Council has assigned Executive Committee, with involvement from Trust Programs Committee as appropriate, to coordinate a review of the Policy Statement, specifically the Introduction, Part I, Part II and Schedule 1 - Definitions sections, and climate and housing policies, and to undertake meaningful engagement with First Nations in the process. With the project in progress, the 2020/21 budget will be used for engagement with First Nations, public engagement, referrals to agencies/First Nations, and legal review.

Objectives

- Updated preamble and definitions
- Acknowledgement of First Nations treaty and traditional territory; and UNDRIP/ DRIPA / TRC / MMIWG
- Addition of climate and housing policies and other topics raised by First Nations
- Engagement with First Nations on policy amendments
- Re-familiarization of all parties and public with amendment processes

In Scope

- FN / community engagement / intergovernmental advisory group
- Policy analysis
- Drafting
- Legal review
- Referral process and public input
- First, Second, Third & Fourth Readings by Trust Council
- Refer to Minister
- Implementation plan

Out of Scope

- Treaty or territorial negotiations or accommodation
- Consequential amendments to OCPs and LUBs

Workplan Overview

Major Deliverable/Milestone	Date
-FN Engagement; Public Engagement 1: Islands 2050 In-Person & Online Engagement -FN Engagement; What We Heard Report; Policy Analysis; TPC Working Group Review; -FN Engagement; Public Engagement 2: Policy Directions Report, Online Survey & Virtual Open House -Staff Draft Amendments to Policy Statement Bylaw; TPC/RPC/EC Review; Inter-Agency Review; Legal Review	June 2019 – January 2020 January – December 2020 January – March 2021 March – June 2021
- First Reading (Special Trust Council Meeting) -First Nations & Agency Referrals; Public Engagement 3 (Online Survey & Virtual Open House); Advertising -Staff Revises Bylaw As Needed; Committee Review; Second Legal Review	July 2021 July – October 2021 October – November 2021
- Second Reading - Third Reading (Scenario 1) —minor changes made and passed to Third Reading at same meeting) - Third Reading (Scenario 2) —substantive changes needed before Third Reading) -Refer Proposed Bylaw to Minister with Final FN Engagement Report. Allow Six Months for Review.	December 2021 1) December 2021 or 2) March 2022 1) Jan 2022 or 2) April 2022
- Fourth Reading ; Post Policy Statement to Website; Draft Implementation Plan	1) June 2022 or 2) Sept 2022

Project Team

TPC/EC	Project Champions
Clare Frater	Project Manager
Dilani Hippola	Policy Analysis
Lisa Wilcox	FN Engagement/Reconciliation Policy
Vicki Swan/Program Coordinator	Communications/engagement

Approved by:

Clare Frater, Director, TAS

Endorsement:

Date: EC, May 26, 2021

Budget 2019-2022 (20/21 est. \$26K, 21/22 \$29K)

Item	Cost
FN Engagement	\$30,000
Public Engagement	\$36,500
Graphic Design	\$9,000
Legal Review	\$14,500
Advertising	\$10,000
Total Activity Costs:	\$100,000

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BRIEFING

To: Trust Council **For the Meeting of:** July 7, 2021

From: Lisa Wilcox, Senior Intergovernmental Policy Advisor **Date Prepared:** June 9, 2021

SUBJECT: First Nations Engagement Status Report

PURPOSE: To provide Trust Council with an update on First Nations Engagement on the draft Islands Trust Policy Statement Bylaw.

BACKGROUND:

On November 20, 2017, Islands Trust attempted to begin engagement on the Islands Trust Policy Statement with a letter to First Nations, with little to no response. On June 7, 2019, Islands Trust CAO Russ Hotsenpiller wrote a [letter to First Nations](#) within the Islands Trust Area to begin re-engagement on the Islands Trust Policy Statement Amendment Bylaw. First Nations receiving the letter included:

BOĶĒĈEN (Pauquachin) First Nation	Snuneymuxw First Nation
Cowichan Tribes	Sĵwxwú7mesh (Squamish) Nation
Halalt First Nation	Snaw-naw-as (Nanoose) First Nation
Homalco First Nation	SĶÁUTW (Tsawout) First Nation
Klahoose First Nation	Stz’uminus First Nation
K’ómoks First Nation	SXIMEĒĒĒ (Esquimalt) Nation
Lake Cowichan First Nation	Tla’amin (Sliammon) Nation
Lekwungen (Songhees) Nation	Tsawwassen First Nation
Lyackson First Nation	Tsleil-Waututh Nation
MÁLEXEĒĒ (Malahat) Nation	T’Sou-ke Nation
Penelakut Tribe	Wei Wai Kum (Campbell River) First Nation
Qualicum First Nation	We Wai Kai (Cape Mudge) First Nation
Scia’new (Beecher Bay) First Nation	WĴOĒĒĒP (Tsartlip) First Nation
SEMYOME (Semiahmoo) First Nation	WĴSIĶEM (Tseycum) First Nation
shíshálh First Nation	x ^w məθk ^w əyəm (Musqueam)

As a public engagement timeline was set, a parallel First Nation engagement process was undertaken.



Over 2019 and 2020, Islands Trust staff began rebuilding meaningful relationships with First Nations in the Islands Trust Area to discuss past wrongs, to rebuild trust, and dialogue on the work that Islands Trust Council was undertaking on the implementation of the Truth and Reconciliation Commission (TRC) Calls to Action, and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). These meaningful engagements were necessary to develop the government-to-government relationship and to collaboratively work together as Islands Trust and First Nations governments began to review how to undertake the amendments the Policy Statement.

Islands Trust in parallel undertook to build trust by passing the Islands Trust Reconciliation Declaration in March 2019, and committed in June 2019 to the Truth and Reconciliation Commission Calls to Action by putting in place a Reconciliation Action Plan. Local Trust Committees (with the exclusion of Saturna and Bowen Island Municipality) passed Standing Resolutions on Reconciliation throughout 2019 and 2020 committing to the implementation of the United Nations Declaration on the Rights of Indigenous Peoples. The Province of BC then implemented the Declaration on the Rights of Indigenous Peoples Act in December 2020.

Engagement:

Islands Trust staff outlined various ways to engage as an initial undertaking to cooperatively define the engagement process with First Nations governments:

Engagement	Description	Objectives
Leadership government-to government meetings	Leadership from Trust Council and leadership from a First Nation(s) meet to discuss core concerns. Each meeting takes place at a location convenient for the First Nation.	To build relationship and discuss core concerns. To identify if there are other preferred options/methods for engagement with your membership.
Community meetings with membership and leadership	A small to large-scale event where Islands Trust, in partnership with the Nation, provides opportunities for community members to share their core concerns, and their vision for the future.	For Islands Trust to build relationships with staff, leadership, and members of the community, create opportunity to discuss visions for the future and, if appropriate, contribute to the Islands 2050 process.
Face-to-face with staff	Meetings with staff, and/or committees to work on various topics: educational materials, visioning work as part of the Islands 2050 process as well as other core concerns and/or items of interest.	To communicate and engage with Nations in an accessible manner that is appropriate to the situation.
Survey engagement	Use social media to reach community members across the Salish Sea. Invitation to view our background materials and fill in a special survey. May also include printed material distributed through newsletters and on reserve.	To engage a range of First Nations members through online survey.

Meetings with alliances and First Nation associations	Islands Trust co-host an event with First Nation associations/alliances such as First Nations Summit, BC Treaty Commission, and/or Tribal Councils.	If appropriate, engage with them on issues of Islands 2050 and how they imagine the future.
Collaborate with Schools/ Youth Organizations	We connect with schools in community along with organizations that support youth to offer some opportunities for them to be heard and to be able to take action through various means (e.g. art work, writing, etc.).	To connect with youth, to be able to provide them with opportunities to engage in the issues that Islands 2050.

First Nations who responded chose to engage with face-to-face meetings with elected Trustees and staff, and at leadership government-to-government meetings. Islands Trust staff held many meetings with First Nations in 2019 through to 2021 with over 160 engagements that included:

- Meetings with Chiefs and Councils and Elders Councils;
- Meeting with Naut’sa mawt Tribal Council (NmTC) a council of 11 member Nations;
- Meetings with W̱SÁNEĆ Leadership Council a council of 3 member Nations;
- Meetings with staff and First Nations representatives;
- Phone calls and emails to share information and dialogue on engagement.

With the onset of COVID-19, Islands Trust staff adjusted the engagement format and process to consider the impacts to community and capacity to engage during a provincial state of emergency. Islands Trust staff transitioned to zoom meetings as an engagement format from 2020 to 2021.

Capacity Funding:

Islands Trust staff worked closely with senior staff at the Ministry of Indigenous Relations and Reconciliation to collaborate on engagement processes and the Policy Statement amendment process. In order to assist First Nations with the extensive review of the 2003 version of the Policy Statement, Islands Trust staff recommended providing capacity funding to assist First Nations. Capacity funding ensured that First Nations did not have to fund, from own source revenue, a review of a policy document that contained offensive and colonial language and did not recognize their treaty and territorial areas or their inherent rights. Cost to First Nations communities may have included presenting to advisory councils, community members, policy analysts and legal counsel review.

Four First Nations and one council comprised of three member Nations accepted the capacity funding of \$2000 to review the 2003 version of the Policy Statement and provide extensive comments on the content.

Content Review:

Islands Trust staff compiled all comments and dialogue received in meetings, correspondence, and from submissions from First Nations and councils receiving through the capacity funding engagement. The following principles and recommendations were made:

Overarching Principles	
1	Acknowledgement of First Nations treaty and territorial areas within the Islands Trust Area;
2	Respect and acknowledgement of Indigenous rights and title as it relates to inherent rights, access, and stewardship of resources;
3	Respect for the government-to-government relationship that exists between First Nations governments and the Islands Trust;
4	Acknowledge of First Nations vital, long-standing and future-looking interest in the environment of their territories and treaty lands;
5	Working together to collaboratively build relationships based on mutual respect and interagency cooperation;
6	Share information and align policies and processes to the foundation documents;
7	That the Policy Statement operates within the inherent jurisdiction and governance structures of First Nations within the Islands Trust Area;
8	Land and water use decisions that impact First Nations interests cannot be the sole jurisdiction of local trust committees, and should be reviewed within the broader scope of the Islands Trust governance structure;
Environmental Principles	
9	Ensure that climate change is recognized as a threat to environment, amenities, and the fragile ecosystem;
10	That Islands Trust move away from language such as “maintain” due to concerns related to how that is interpreted in regard to preserve and protect;
11	That terms such as stewardship be reflective of the role Indigenous Peoples have to actively steward their territorial areas;
12	Recognition that limitations must be determined since incremental growth, even green incremental growth, erodes the functionality of fragile and limited ecosystems and resources;
13	Islands Trust prioritize Indigenous land management regimes over Western-based management ideas;
14	Recognize that regulatory frameworks do not recognize impacts to sensitive species or culturally significant species, their cultural use, and cumulative impacts due to pollution, emissions, and development;
15	Agricultural land areas must not impact culturally significant species, areas, wetlands, or habitat, including impacts to cultural heritage and/or spiritual use;
16	Forest areas require archaeological impact assessments to ensure preservation and protection of cultural values, culturally significant species, and use;
17	Culturally significant species of vegetation, flora, and fauna must be conserved and protected, understanding the interrelationship between protected and healthy ecosystems and inherent rights to gather for well-being;
18	Foreshore areas must be preserved and protected to maintain access for shellfish harvesting, access and foraging;
19	Freshwater must be preserved and protected to ensure aquifers can support streams and wetland ecosystems;
20	Ecosystems that have been heavily impacted by development or industry must be restored and protected;
21	Study the impacts and create policies to address pollution and sewage impacts;
22	Official community plans must address the cumulative impacts to marine habitat from docks, anchorages, and seawalls;

Social Principles	
23	Promote the well-being of Indigenous Peoples and their interests within the Islands Trust Area;
24	Recognize that community includes Indigenous Peoples;
25	That the islands and waters of the Islands Trust Area are integral to the health and well-being of First Nations with treaty and territorial areas within the Salish Sea;
26	Indigenous Peoples have an inherent right to gather, utilize, and manage their treaty and territorial lands and waters;
27	Indigenous Peoples have a right to express their culture, language, and spirituality within the Islands Trust Area;
28	Indigenous Peoples have a right to access cultural areas, culturally significant species/flora and fauna, and to care for and access ancestral loved ones resting places;
29	Islands Trust should advocate for policies and initiatives that eliminate the socio-economic gap between islanders, British Columbians in general and Indigenous Peoples;
30	Share information and collaborative work with First Nations governments to ensure land and water use decisions are reflective of their concerns;
31	Educate islanders and British Columbians about the history and legacy of the Islands Trust Area as it relates to First Peoples;
32	Islands Trust create appropriate land use planning tools to address First Nations economic development interests;
33	Ensuring consistency between planning bylaws and policies and First Nations land use plans, treaty agreements, and land use agreements with the Islands Trust Area;
Heritage and Cultural Principles	
34	Recognize that “unique amenities” includes cultural heritage and protected heritage sites;
35	Re-establish pre-1995 heritage and cultural heritage/archaeological principles from past Policy Statements;
36	Include Indigenous place names and historical understanding in local trust committee areas signage and wayfinding, ecology and habitat areas;
37	Educate islanders and the general public on the illegality of damaging, looting, and possessing Indigenous cultural heritage and artefacts;
38	Ensure all agencies and ministries conform to heritage protection and conservation policies and principles as outlined by the Islands Trust and First Nations governments;
39	Develop Trust wide heritage preservation overlays to ensure the preservation and protection of cultural heritage, heritage buildings, and cultural sites.
Implementation Principles Related to Overarching Legislation	
1	Enter into protocol agreements and management plans that address matters of mutual interest and concern;
2	Ensure that First Nations projects related to First Nations economic reconciliation are prioritized within the Islands Trust Area;
3	Develop a First Nations Advisory Committee on environmental and heritage preservation;

4	Ensure companies and business conducting ground work, archaeological assessments and monitoring within the Islands Trust Area are approved by First Nations governments and communities and uphold the foundation document principles in their operations;
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Islands Trust Senior Intergovernmental Policy Advisor and Senior Policy Advisor also reviewed all language within the Policy Statement to align that wording with the Truth and Reconciliation (TRC) Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), the Declaration on the Rights of Indigenous Peoples Act (DRIPA), and the Missing and Murdered Indigenous Women and Girls (MMIWG) Calls for Justice (hereafter called the “foundation documents”). Staff removed offensive language and aligned the document with the provincial Declaration on the Rights of Indigenous Peoples Act.

Continued Engagement:

Staff also wish to highlight that First Nations have been working within the timelines outlined within the Islands Trust 2050 process over the last two years and have an expectation that the bylaw will be adopted during this term of office. First Nations outlined that the historic wrongs that have occurred within the Islands Trust Area and the continued destruction of cultural heritage and desecration of ancestral loved ones resting places must be addressed with changes to current policies to align those policies with DRIPA.

As engagement continues, staff will be working directly with First Nations that received capacity funding to review the new draft Policy Statement bylaw and will after First Reading refer the new Policy Statement amendment to all First Nations listed above to continue building meaningful relationships and build trust.

REFERENCE:

1. [Islands Trust Reconciliation Declaration](#)
2. [Islands Trust Reconciliation Action Plan](#)
3. **Local Trust Committees Standing Resolutions on Reconciliation**
4. [Discussion Paper - The Islands Trust Object: Past, Present, and Future](#)
5. [Reconciliation Report 2019-2021](#)

FOLLOW-UP: Staff will follow up as per requests by Trust Council.

Prepared By: Lisa Wilcox, Senior Intergovernmental Policy Advisor / June 9, 2021

Reviewed By/Date: Dilani Hippola, Senior Policy Advisor, Trust Area Services / June 9, 2021
 Clare Frater, Director, Trust Area Services / June 9, 2021
 David Marlor, Director, Local Planning Services / June 9, 2021



Islands Trust

Islands Trust Council DRAFT Bylaw No. 183
ISLANDS TRUST POLICY STATEMENT BYLAW, 2021

Commented [DH1]: Updated June 25, 2021 – for July 7-8 Special Trust Council Meeting - incorporates TPC amendment motions (June 15) and EC amendment motions (June 23) to previous Draft 2.0.

ISLANDS TRUST POLICY STATEMENT

Updated – June 25, 2021

Commented [DH2]: Comments in margins indicate all changes that have been made to the draft by Council's committees in May-June 2021.

- Sections highlighted in blue: primarily reconciliation related amendments
- Sections highlighted in green: primarily climate change related amendments
- Sections highlighted in pink: primarily housing related amendments
- Sections highlighted in yellow: general edits for clarity, accuracy, or brevity

References highlighted in (blue parentheses) at the end of each policy refer to the corresponding policy in the 2003 consolidated version of the Policy Statement or indicate (new) policies.

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Commented [DH3]: Explanatory Note: Significant changes to the structure of the Policy Statement:

- **Introduction** now included as part of the bylaw
- **Section 1.1:** 'Acknowledgment' added to Introduction
- **Section 1.4:** 'The Islands Trust Object and its Meaning' section moved to Introduction (from previous Part 2)
- **New Part 3:** Regional Governance (transformation of former 'Guiding Principles for Trust Council' into policies)
- **New Part 4:** Combines previous Parts 3 (Ecosystem Preservation & Protection) + 4 (Stewardship of Resources)
- **New Part 5:** Heritage Preservation and Protection
- **New Section 6.2:** on Housing Policies

PART 1 - INTRODUCTION

1.1 ACKNOWLEDGMENT (new)

Islands Trust Council acknowledges that the Islands Trust Area is located within the treaty and territorial lands and waters of the BOKÉCEN, K'ómoks, Lək'əŋən, Lyackson, MÁLEXEŁ, Qualicum, Quw'utsun Tribes, scəwáθən məsteyəx^w, Scia'new, səlilwətaʔt, SEMYOME, shíshálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, S7ÁUTW, Stz'uminus, ʔaʔəmen, toq qaymıx^w, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOŁŁŁP, WSIKEM, Xeláltxw, Xwémalhkwu/ʔop qaymıx^w, and x^wməθk^wəyəm (collectively referred to hereinafter as 'First Nations').

Islands Trust Council acknowledges that the lands and waters encompassing the Trust Area are subject to the treaty and territorial rights of First Nations. The Trust Area has been home to Indigenous Peoples since time immemorial and their relationship to these lands and waters continues to this day. Islands Trust Council honours the rich history and cultural heritage within the region and has stated its commitment to reconciliation and meaningful engagement with First Nations in the Trust Area.

1.2 ESTABLISHMENT OF THE ISLANDS TRUST

To understand the Islands Trust governance model, it is helpful to understand its origins. In the 1960s, as the urban centres of Vancouver, Nanaimo, and Victoria were experiencing rapid population growth, the Gulf Islands in British Columbia began facing unprecedented pressure for residential development.

Gulf Island residents, whose islands were under the jurisdiction of regional districts at the time, began expressing widespread concern that the area's highly-valued and fragile environment could be irreversibly damaged by unrestrained development. In 1969, the provincial government responded by instituting a temporary 10-acre minimum lot size freeze on the subdivision of land until island communities could adopt plans and regulations to control growth.

In 1972, an all-party provincial Select Standing Committee on Municipal Affairs was established to investigate the unique problems facing the Trust Area. In its 1973 report¹ to the Legislative Assembly of British Columbia, the Committee concluded that development pressures arising from the area's proximity to major urban centres were damaging the very features that made the region so attractive to residents and visitors. The Committee recommended the formation of an 'Islands Trust' to assume the primary responsibility for coordinated governance of the region.

In response to the Committee's recommendations, the Government of British Columbia enacted the *Islands Trust Act*² in 1974. The Act established Islands Trust as a trust with a conservation-oriented responsibility to preserve and protect the Islands Trust Area for the benefit of residents of the Trust Area and of British Columbia more broadly.

In the years following the establishment of Islands Trust, pressure for development of the Trust Area islands continued. Between 1974 and 1987, the Area's resident population increased by sixty per cent, far exceeding the growth rate of adjacent areas. Several amendments were made to the *Islands Trust Act* during this period, giving Islands Trust community planning and land use authority comparable to that of a regional district under the *Local Government Act*. From 1974 to 1977, local trust committees vetted regional district bylaws for compliance with the Islands Trust Object. In 1977, in response to concerns about administrative inefficiencies, the *Islands Trust Act* was amended to transfer land use regulation from regional districts to local trust committees. Aware of the urgent need for plans to guide decisions on growth management and land use, Trust Area communities developed official community plans. Nonetheless, pressure for residential development continued, as did public concern for the future of the Trust Area.

In 1987, the provincial government initiated a second review related to the Islands Trust Area, this time focusing on public opinion of Islands Trust and its role. The results showed overwhelming public support for both Islands Trust and the Islands Trust Object, and suggested ways in which the Trust and its legislation could be strengthened. In response, an amended *Islands Trust Act* was put into effect in 1990, reaffirming the Province's commitment to careful planning and development in the Trust Area. In the amended Act, Islands Trust retained its original authority and its dual responsibility to residents of both the Trust Area and British Columbians more broadly. The new legislation also amended the structure of Islands Trust and greatly broadened its functions and responsibilities. One of the most notable changes was the assignment of a regional-level planning function to Islands Trust Council.

Commented [DH4]: Between Drafts 1.0 and 2.0: addition of footnote references

Commented [DH5]: TPC June 15 amendment: slightly revised historical context

Commented [DH6]: TPC June 15 amendment: slightly revised historical context

Commented [DH7]: TPC June 15 amendment: slightly revised historical context

¹ British Columbia, [Official Report of Debates of the Legislative Assembly \(Hansard\)](#), 30th Parl, 3rd Sess, p 255 (25 September 1973).

² British Columbia, [Islands Trust Act](#), RSBC 1996, c 239.

1.3 PRESENT CONTEXT

Many of the challenges that the Islands Trust Area was facing in 1974 remain pressing today, and are further complicated by new social, economic, and environmental dynamics.

In 2019, Trust Council adopted a Reconciliation Declaration acknowledging that First Nations have resided in the lands and waters that encompass the Trust Area since time immemorial and honouring the rich history and cultural heritage of this special region. Trust Council acknowledges that it has a duty to seek meaningful engagement with First Nations in the Trust Area and strives to be guided by the specific reconciliation principles and recommendations of the Truth and Reconciliation Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples, the *Declaration on the Rights of Indigenous Peoples Act*, and the Missing and Murdered Indigenous Women and Girls Calls for Justice, that fall within Trust Council's jurisdiction.

Trust Council also adopted a Climate Emergency Declaration in 2019, committing to urgent and equitable climate action across the region. The health and integrity of ecosystems, communities, and the built environment are increasingly compromised by the adverse impacts of climate change such as rising sea levels, ocean acidification, storm surge flooding, windstorms, droughts, wildfires, and invasive species. Biodiversity - the diversity within species, between species, and of ecosystems - is declining at an alarming rate, leading to species extinctions locally and across the globe. In order to effectively preserve and protect the unique amenities and environment of the Trust Area in this context, it will be critical to identify, monitor, mitigate, and adapt to the ripple effects of climate change on both ecosystems and communities. In this context, Trust Council will benefit from being guided by the best available science, social science, local knowledge, and Indigenous ways of knowing. In the face of uncertainties around the rate and scale of climate impacts, it will also be important to foster more precautionary and adaptive approaches to decision-making, safeguarding future generations as best as possible.

Research by the Islands Trust Conservancy on the conversion of natural areas for human use highlights that some islands in the Trust Area are reaching or surpassing accepted thresholds for ecosystem health³. A widely accepted threshold for the region is approximately 30-40% of converted area for any given habitat. As land conversion begins to go above this threshold, the number of species in a given habitat can be expected to decline far more rapidly. A 2021 report on *The State of the Salish Sea*⁴ describes the Salish Sea bioregion as being under relentless pressure from an accelerating convergence of global and local environmental stressors and the cumulative impacts of 150 years of development. It chronicles how ecosystem decline has outpaced protection and restoration efforts, and how population growth and urbanization have led to detrimental changes to the landscape and seascape, including habitat fragmentation, shoreline armouring, conversion of vegetated areas to impervious surfaces, and profound changes in watershed and wetland hydrology. The report calls for strategic, multijurisdictional policy approaches, informed by multiple ways of knowing and grounded in an understanding of the complex relationships between people and place:

"...Now is the time to shift thought and policy paradigms from treating the environment as a resource to instead build systems of relationships and responsiveness that are based in science and incorporate the interconnected system of humans and environments."

³ Islands Trust (2019). [State of the Islands Indicator Project: Final Report](#)

⁴ Sobocinski, K.L. (2021). [State of the Salish Sea](#). G. Broadhurst and N.J.K. Baloy (Contributing Eds.). Salish Sea Institute, Western Washington University.

Commented [DH8]: Between Drafts 1.0 and 2.0: The Present Context section was updated substantially with descriptive context for each of the three TC priorities for PSAP (reconciliation, climate change, and affordable housing).

Many islands in the Trust Area are also facing a lack of safe, secure, and affordable housing that is threatening the long-term sustainability and resilience of Trust Area communities. The gap between those who can, and those who cannot, afford a home is growing rapidly amidst a backdrop of skyrocketing real estate values, loss of rental stock, prevalence of not-permitted, unsafe, and unhealthy housing with no permanency or security for families, and growing rates of homelessness. Without affordable, safe, secure, and diverse housing options, seniors are finding it difficult to age in place and an increasing percentage of island workers must commute from off-island locations. First Nations community members continue to be alienated from their homelands and opportunities to live on the islands due to the forced removal and genocide they experienced and continue to experience to this day. As Trust Council endeavours to support community needs for affordable housing within the confines of its jurisdictional mandate, it acknowledges the need for place-based, multigenerational, and integrated solutions to sustainability that address equity, diversity, and inclusion in meaningful ways, while respecting the natural limitations and adaptive capacities of island ecosystems.

In this complex policy landscape, the Policy Statement plays a vital role in articulating Trust Council's strategic policy priorities, principles, and approaches, centred firmly in the Islands Trust Object to preserve and protect the unique amenities and environment of the Trust Area, not only for this generation, but also for many generations to come, including First Nations who wish to come home or have access to traditional uses.

Commented [DH9]: TPC June 15 amendment: replaced term "illegal"

Commented [DH10]: Between Drafts 1.0 and 2.0: language on "place-based, multigenerational, and integrated solutions to sustainability" and "equity, diversity, and inclusion" added here

Commented [DH11]: TPC June 15 amendment: addition of language around First Nations who wish to come home or have access to traditional uses

1.4 THE ISLANDS TRUST OBJECT AND ITS MEANING

The *Islands Trust Act* sets out the special-purpose mandate for Islands Trust, referenced in the legislation as its “object”:

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

The following sections provide a fuller explanation of key phrases in the Islands Trust Object.

“... to preserve and protect the Trust Area...”

The Islands Trust Area is a scenic archipelago of 13 major islands, over 450 smaller islands and islets, and surrounding waters in the Salish Sea. The area of jurisdiction is established by Schedule A of the *Islands Trust Act*. The region is home to more than 26,000 residents and is the homeland of more than 28,000 Coast Salish Peoples.

The mandate to ‘preserve and protect’ aims to ensure the continued existence, either at current or enhanced levels, of the unique amenities and environment of the Trust Area. This involves first identifying the unique amenities and environment in each local planning area and then instituting measures for their preservation and protection. Appropriate developments can thus be guided to areas which are most suitable, with minimal impact to the unique amenities and environment of the area. Official community plan and bylaw provisions such as setbacks and parcel size can be used as site specific protection measures where development is permitted.

“...and its unique amenities and environment...”

The Trust Area is valued and unique, not because of any one quality or feature, but rather because of its particular combination of characteristics and location.

Located within the Coastal Douglas-fir and Coastal Western Hemlock biogeoclimatic zones, the Trust Area is home to an exceptionally high biodiversity of rare and culturally significant species, including over 100 federally-listed and over 300 provincially-listed species at risk. These ecosystems are classified as ‘sensitive’ because of their rarity and vulnerability to disturbances such as human impacts and climate change. The Trust Area also plays an important role in provincial and national efforts to reduce greenhouse gas emissions by capturing and storing carbon in natural areas such as forests, soils, mycelium networks, wetlands, and eelgrass meadows.

Islands are places of last refuge and first (local) extinction. Existing at the interface of land and sea, they provide transition habitats that support high terrestrial and marine biodiversity. At the same time, islands need extra care due to a number of unique vulnerabilities they hold as small, closed systems, surrounded by water. Unlike larger islands or the mainland, islands in the Trust Area have significant water supply constraints, due to small watersheds, shallow soils, a heavy reliance on groundwater, and a high vulnerability to the impacts of a changing climate, such as drought and saltwater intrusion. Species habitat and migration corridors on these islands are also constrained by the natural boundaries of shorelines and are impacted by the proportion and configuration of land converted for human use. In addition, coastal and marine ecosystems, resident communities, and First Nations’ archaeological sites and shoreline harvesting are all highly vulnerable to the climate change impacts associated with sea level rise and ocean acidification.

Commented [DH12]: Between Drafts 1.0 and 2.0: More detail included from provincial position paper entitled *The Object of the Islands Trust: Renewing the Consensus* (Islands Trust, 1986), and from engagement/review feedback

Commented [DH13]: Between Drafts 1.0 and 2.0: Updated descriptive details

Commented [DH14]: EC June 23 amendment: changed “Gulf Islands” to “major islands”

Commented [DH15]: Between Drafts 1.0 and 2.0: From 1986 position paper

Commented [DH16]: Between Drafts 1.0 and 2.0: New context added about uniqueness of islands

The Trust Area is also valued and unique because it is located within the treaty and territorial lands and waters of the Coast Salish Peoples. First Nations have called these lands and waters home since time immemorial and their relationship with this place continues to this day as stewards and caretakers for seven generations to come. First Nations in the Trust Area have creation stories that describe the spiritual and geophysical formation of the islands in the Salish Sea. Their history, stewardship, and knowledge of the region is reflected through oral history, language, place names, cultivated features of the landscape, Indigenous law, and protocols. Indigenous descriptions of the interrelationships between the landscape and all beings provide important context to the understanding of this special place. In this context, Indigenous cultural heritage is recognized as a unique amenity in the Trust Area and includes, but is not limited to: cultural and spiritual sites; ancestral loved ones' burial cairns and resting places; artifacts; petroglyphs; pictographs; place names; culturally significant species; medicinal plants; and traditional harvesting areas.

Commented [DH17]: Between Drafts 1.0 and 2.0: New, in context of reconciliation and need to better define Indigenous cultural heritage as unique amenity under Islands Trust Object

Trust Area islands are also home to vibrant communities that aspire to live sustainably and in respectful relationship with these lands and waters. Trust Council understands its preserve and protect mandate is strengthened by healthy and inclusive communities that are dependent on sustainable, energy efficient, and appropriately located housing, transportation, and infrastructure. Trust Area communities strongly value the rich natural beauty and biodiversity of the islands, the silence, quietude and tranquility of rural island landscapes and dark night skies, and the abundant opportunities for nature connection that the islands afford. These opportunities are not only to be enjoyed by residents, but also by British Columbians and visitors to the region, who all play important roles in helping to preserve and protect the Trust Area. Effective stewardship of the Trust Area relies on a collective community commitment to foster lower ecological footprints by reducing greenhouse gas emissions, striving to find new paths to conserve finite natural resources, and seeking nature-based solutions to climate change.

Commented [DH18]: Between Drafts 1.0 and 2.0: New descriptive content reflecting public engagement feedback and TC motion regarding healthy and inclusive communities

Commented [DH19]: TPC June 15 amendment: refined to note that mandate is "strengthened by..."

Commented [DH20]: TPC June 15 amendment: added "silence"

Commented [DH21]: TPC June 15 amendment: changed "carbon footprints" to "ecological footprints"

"...for the benefit of the residents of the Trust Area and of British Columbia generally ..."

Islands Trust is responsible to the present and future resident communities of the Trust Area and British Columbia, as well as to First Nations who have resided in the area since time immemorial. Resident communities include a diverse mix of year-round residents, part-time residents, absentee land owners, and First Nations who were forcibly removed from their homelands through colonization. The benefits to British Columbians include the preservation and protection of one of the most ecologically sensitive and biodiverse regions in the country, the safeguarding of natural carbon sinks to sequester greenhouse gas emissions, and opportunities for nature connection in close proximity to major urban centres.

Commented [DH22]: Between Drafts 1.0 and 2.0: New, less settler-centric framing of 'resident communities'

"... in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of British Columbia ..."

First Nations, and a number of municipalities, regional districts, improvement districts, other persons and organizations, and provincial agencies have responsibilities and interests related to the preservation and protection of the Trust Area. Trust Council recognizes that it does not have the jurisdictional powers to fulfill its mandate independently and must obtain the assistance of other jurisdictions. To achieve its object, Islands Trust must be an educator, coordinator, collaborator, and initiator, guiding individuals, communities, organizations, and other government agencies to uphold and support the Islands Trust Object. While Trust Council can provide the necessary leadership, responsibility for the preservation and protection of the Trust Area rests with many, including Trust Area residents, communities, other government agencies, organizations, and the Province. Trust Council further recognizes that meaningful engagement and cooperation with First Nations is critical to the preservation and protection of the region, to Trust Council's reconciliation commitments, and to the implementation of the provincial Declaration on the Rights of Indigenous Peoples Act.

Commented [DH23]: Between Drafts 1.0 and 2.0: From 1986 position paper + new reconciliation related text

1.5 LOCATION OF THE ISLANDS TRUST AREA

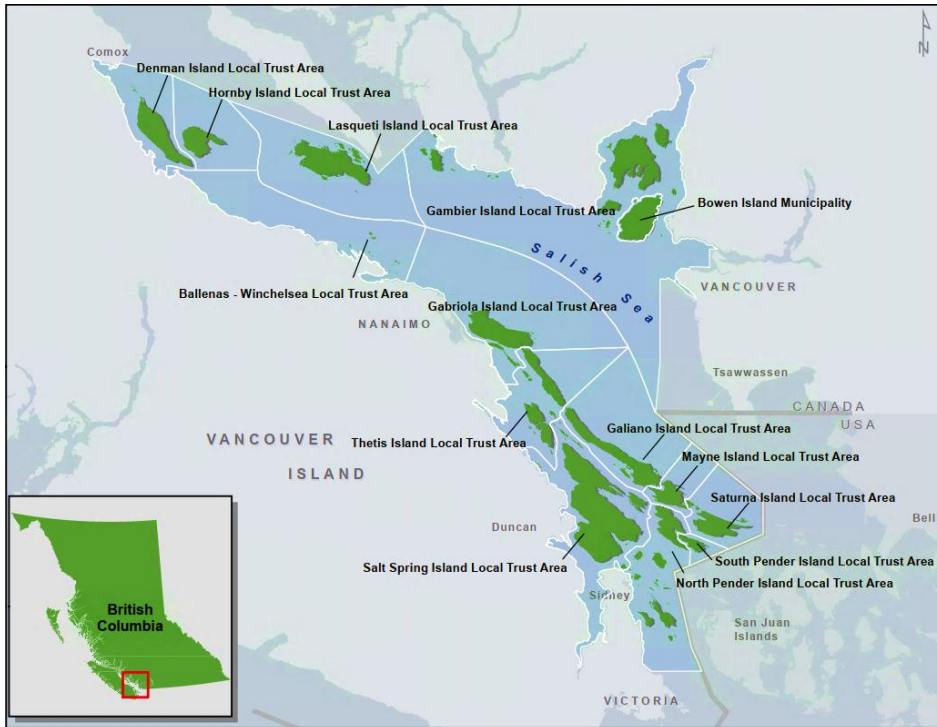
The Islands Trust Area is an archipelago of 13 major islands and more than 450 smaller islands and surrounding waters in the Salish Sea, situated between the mainland of British Columbia and southern Vancouver Island. The specific boundaries of the Trust Area are noted in Schedule A of the *Islands Trust Act*.

The 13 major islands include:

- Bowen Island
- Denman Island
- Gabriola Island
- Galiano Island
- Gambier Island
- Hornby Island
- Lasqueti Island
- Mayne Island
- North Pender Island
- Salt Spring Island
- Saturna Island
- South Pender Island
- Thetis Island

Commented [DH24]: Between Drafts 1.0 and 2.0: Added listing of islands...and moved description of Trust Area to Section 1.4

(new map)



PART 2: PURPOSE AND IMPLEMENTATION OF THE POLICY STATEMENT

2.1 PURPOSE OF THE ISLANDS TRUST POLICY STATEMENT

Section 15 of the *Islands Trust Act* stipulates that Trust Council must, by bylaw, adopt a Trust Policy Statement that applies to the Trust Area. The purpose of the Policy Statement is to establish a general statement of policies of Trust Council to carry out the Islands Trust Object to preserve and protect the unique amenities and environment of the Trust Area.

The Policy Statement aims to establish a vision for the future of the Trust Area that reflects the values and interests of the environment, residents, First Nations, and British Columbians, for this generation and for generations to come. It provides a framework for Trust Council to assume a leadership role in place protection planning in the Trust Area, which entails preserving and protecting the unique amenities and environment of the Trust Area through a combination of:

- conservation-oriented land use planning and regulation;
- engagement with First Nations;
- inter-agency coordination and advocacy;
- public / community engagement; and
- stewardship education.

As the Trust's overarching policy document, the Policy Statement guides the formulation of Trust-wide strategic plans, official community plans and regulatory bylaws, protocol agreements and other cooperative arrangements with First Nations, inter-agency coordination and advocacy, thematic action plans and strategies, as well as public engagement and education initiatives.

The Policy Statement bylaw becomes effective upon the date of adoption. It is not retroactive and has no effect on any local trust committee or municipal bylaw in effect before its adoption.

2.2 ROLES AND RESPONSIBILITIES

Islands Trust Council cannot effectively implement the Policy Statement without the support of First Nations and a wide range of partners. The original 1974 vision was that the Trust would be a "fully representative co-coordinating body", whose task it was to bring together each group, agency, or government partner to act in the best interests of the islands and residents, with due regard for the broader and Province-wide interest. Assistance, cooperation, and collaboration are required from local trust committees, island municipalities, the Islands Trust Conservancy Board, First Nations and their associations and organizations, the provincial government, other government agencies, non-governmental organizations, communities, property owners, residents and visitors. In the spirit of the *Islands Trust Act*, it is expected that all corporate entities of the Trust will coordinate and advocate to other agencies on matters involving potential conflict between the legislated Islands Trust Object and the legislated mandates of other agencies.

Role of the Minister of Municipal Affairs

The Minister of Municipal Affairs of the Government of British Columbia (or the designated provincial minister responsible for municipal affairs) approves the Policy Statement bylaw and provides an avenue of appeal for municipalities if neither the Executive Committee nor Trust Council approves a bylaw that has been submitted to them. The Minister and Ministry staff can also facilitate communication between the Islands Trust and other government agencies on policy matters.

Commented [DH25]: Between Drafts 1.0 and 2.0: Slightly refined and reformatted description of place protection planning

Role of Islands Trust Council

The *Islands Trust Act* assigns to Islands Trust Council the responsibility for development, adoption, amendment, and implementation of the Policy Statement. Recognizing the varying roles and responsibilities of other parties to help fulfill the Islands Trust Object, Trust Council has included three types of policies in the Policy Statement:

- a) **Commitments of Trust Council**
These policies reflect Trust Council's high-level regional commitments, positions, priorities, and approaches related to the Islands Trust Object and its implementation. They help clarify Trust Council's regional governance approach and offer interpretive context to guide decision-making.
- b) **Directive Policies for Local Trust Committees and Island Municipalities**
These policies direct local trust committees and island municipalities to include certain types of policies and approaches in their official community plans and bylaws, unless explicit reasons are given to justify not doing so. Directive policies generally commence with the phrase "Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws..." These policies generally strive for a harmonized regional approach while also leaving flexibility for more detailed, locally-appropriate implementation tools and strategies.
- c) **Coordination Policies for Trust Council**
These policies reflect Trust Council's role in coordinating, advocating, and engaging with a host of other parties (including government agencies, non-governmental organizations, property owners, residents and visitors) regarding decisions or actions they can undertake in support of the Policy Statement and the Islands Trust Object. In some cases, these can form the basis of protocol agreements between the Trust and other agencies. Sections 8 and 9 of the *Islands Trust Act* stipulate that Trust Council may enter into coordination agreements and make recommendations to other parties for the purpose of carrying out the Islands Trust Object. Section 8 also stipulates that Trust Council may make recommendations to the Lieutenant Governor in Council respecting the determination, implementation, and carrying out of policies for the preservation and protection of the Trust Area and its unique amenities and environment.

Trust Council may review the Policy Statement annually to prioritize actions, assess progress, and consider possible amendments. Trust Council also serves as an avenue of appeal for local trust committees and island municipalities if a bylaw submitted to the Executive Committee is not approved.

Role of Executive Committee

Part 3 of the *Islands Trust Act* stipulates that the Executive Committee of Trust Council is required to review all bylaws of local trust committees and those bylaws of island municipalities that deal with the adoption of an official community plan. Such bylaws have no effect unless approved by Executive Committee, and the Committee cannot approve such a bylaw if it is "contrary to or at variance with" the Policy Statement. If there is no official community plan in place for an island municipality, Executive Committee is required to review all bylaws of the municipality and no bylaw that is contrary to the Policy Statement can be approved. Executive Committee also monitors the progress of Trust Council in achieving the goals defined in the Policy Statement, and makes recommendations to Trust Council in this regard.

Role of Local Trust Committees

As set out in the *Islands Trust Act*, bylaws of local trust committees cannot be "contrary to or at variance with" the Policy Statement. The Policy Statement contains policies that direct local trust committees to address certain matters in their official community plans and regulatory bylaws, but generally does not stipulate the specific policies, planning tools, or regulations to be used because the social and environmental characteristics of islands vary. Official community plans must contain policies relating to

Commented [DH26]: Between Drafts 1.0 and 2.0: new info added on TC powers to make recommendations to Province

Trust Council's directives or must explicitly state the reasons and justifications for not doing so. Each local trust committee works with its island community to develop policies and regulations to fulfill the Islands Trust Object and Policy Statement in ways that are suitable to local needs and conditions.

Role of Island Municipalities

Municipalities in the Trust Area, like local trust committees, are directed to address certain matters in their official community plans. Where a particular policy requires an island municipality to address a particular matter, the official community plan must contain policies that implement Trust Council's directive unless the island municipality or must explicitly state the reasons and justifications for not doing so.

Role of the Islands Trust Conservancy Board

The *Islands Trust Act* assigns the Islands Trust Object to the Islands Trust Conservancy Board, as well as to Trust Council, local trust committees and island municipalities. Although the Islands Trust Conservancy Board does not take direction from Trust Council, it plays an essential role in helping to support the Policy Statement objectives and the fulfillment of place protection planning in the Trust Area through science-based conservation planning, engagement with First Nations, identification and protection of core conservation areas, as well as education and communication initiatives. To support the Islands Trust Object, the Islands Trust Conservancy Board also plays a key role in accepting voluntary donations of property and covenants and purchasing lands. Close collaboration and policy alignment between Islands Trust and Islands Trust Conservancy is critical to carrying out the Islands Trust Object.

Commented [DH27]: Between Drafts 1.0 and 2.0: defined collaborative relationship with ITC

Role of First Nations

First Nations play an integral role in governance and cooperative decision-making in the Trust Area. Trust Council acknowledges the treaty and territorial rights and title of First Nations in the Trust Area and is committed to aligning Islands Trust policies and processes with the *Declaration on the Rights of Indigenous Peoples Act*. Trust Council is further committed to ensuring that it seeks meaningful engagement with First Nations now and into the future. Cooperative mechanisms such as protocol agreements and mutually supportive strategies and action plans provide frameworks for effective communication, information sharing, and cooperative decision-making.

Role of Other Government and Non-Governmental Organizations

Other government agencies and non-governmental organizations play an important role in contributing to the preservation and protection of the unique amenities and environment of the Trust Area through cooperative actions based on the Policy Statement and the Islands Trust Object. Cooperative mechanisms such as protocol agreements and mutually supportive strategies and action plans support the sustainability of the Trust Area and fulfillment of the Islands Trust Object.

Role of Property Owners, Residents, Visitors and Communities

The assistance and cooperation of property owners, residents, visitors, and communities is vital to the preservation and protection of the unique amenities and environment of the Trust Area and to the implementation of the Policy Statement in each local planning area. Individuals have many opportunities to participate in local planning decisions and to work with other members of their communities to support the Islands Trust Object. The Trust can also equip communities and individuals with education and tools to help support the preserve and protect mandate and specific policies contained in the Policy Statement.

2.3 IMPLEMENTATION AND AMENDMENT POLICIES

Trust Council's Policies 1.2.1 (Policy Statement Amendment Policy) and 1.3.1 (Policy Statement Implementation Policy) guide the implementation and amendments of the Policy Statement. These are separate policies approved by Trust Council and do not require a legislative approval process.

The Policy Statement bylaw may be amended by Trust Council with the approval of the minister responsible for municipal affairs. Regardless of the source, all proposals for amendments to the Policy Statement are compiled by Executive Committee and brought forward for the consideration of Trust Council. Trust Council may, from time to time, initiate a review of the entire Policy Statement.

Trust Council's Policy Statement Implementation Policy establishes policies and procedures for statutory bylaw referrals and other implementation strategies and decision support tools that assist Executive Committee, local trust committees, island municipalities, Islands Trust planning staff, and other relevant parties to ensure that bylaws are consistent with the Islands Trust Policy Statement.

Commented [DH28]: Between Drafts 1.0 and 2.0: Added description of Policy Statement Implementation Policy

PART 3: REGIONAL GOVERNANCE (new)

GOAL: To establish regional governance approaches that uphold the Islands Trust Object

CONTEXT:

The Governance Challenge: The Islands Trust Area today faces converging challenges and compounding vulnerabilities. Trust Council must contend with intense development pressures, increasing climate change impacts, one of the highest densities of species at risk in Canada, freshwater scarcity, changing demographics, and a widespread lack of affordable housing. While populations, numbers of visitors, and the demand for intensified use and residential development of the Trust Area can be expected to continue to grow, capacities of the Trust Area's natural systems remain limited and are increasingly compromised by climate change and the cumulative effects of human activity. Potential for conflict exists: conflict between the unending pressures for development and intensified use, and the duty to preserve and protect the unique amenities and environment of this special place. To keep everything in the Trust Area exactly as it is today would be impossible. Changes will occur. Nonetheless, if the Trust Area's unique amenities and environment are to be preserved and protected for current and future generations, priorities must be defined and management strategies established.

Establishing Priorities and Limitations: Advancing the Islands Trust Object is the preeminent duty of Trust Council, its committees, and all locally elected trustees in the Trust Area. This unique statutory mandate prioritizes the preservation and protection of the unique amenities and environment of the Trust Area. Acknowledging the need to shift towards less human-centric and less settler-centric planning paradigms, Trust Council commits to place priority on preserving and protecting the integrity of the environment and Indigenous cultural heritage in the Trust Area. This entails, first and foremost, the identification and safeguarding of protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage. To these ends, Trust Council should be guided by detailed, area-based understandings of the Trust Area and its unique amenities and environment, that are informed by multiple ways of knowing, including the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. Furthermore, the uncertainties around the rate and scale of climate change are mandating more precautionary approaches to stewardship of the Trust Area. The Precautionary Principle states that the lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental damage to habitats or species when there is a threat of serious or irreversible environmental degradation. Having established these clear understandings, priorities, and approaches, community needs can then be addressed sustainably, equitably, and within the natural limitations of these special islands, for the benefit of current and future generations.

Regional and Localized Approaches: Underpinning the Islands Trust regional governance approach is a strong acknowledgment that a degree of local autonomy supports effective governance in the Trust Area. Each island within the Trust Area has unique characteristics and has developed in its own unique way over the years. While the preeminent duty of all locally elected officials is to uphold the Islands Trust Object and regional mandate in all aspects of local planning and decision-making, they are to do so in a way that is sensitive and suitable to local circumstances, and guided by open, consultative public participation.

Commented [DH29]: Between Drafts 1.0 and 2.0: Preamble page updated (reconciliation & climate action sections moved to 1.3 Present Context)

Commented [DH30]: Between Drafts 1.0 and 2.0: Updated this para based on language from the introductory section of the former Policy Statement entitled 'The Challenge'

Commented [DH31]: Between Drafts 1.0 and 2.0: This section attempts to define how Trust Council establishes its priorities and limitations in line with the Trust Object. This description replaces the notion of 'carrying capacity' contained in the previous draft 1.0

Commented [DH32]: Between Drafts 1.0 and 2.0: 'A healthy marine environment' added to the "no compromise" list throughout the document

Commented [DH33]: Between Drafts 1.0 and 2.0: [IUCN definition of precautionary principle](#) added

Commented [DH34]: Between Drafts 1.0 and 2.0: Moved from Part 6

3.1 Regional Governance Policies

Commitments of Trust Council

- 3.1.1 The primary responsibility of Trust Council is to provide leadership for the preservation and protection of the **unique amenities and environment** of the Trust Area. (Guiding Principle #1)
- 3.1.2 Trust Council commits to place priority on preserving and protecting the integrity of the environment **and Indigenous cultural heritage** in all decision-making. (Guiding Principle #2)
- 3.1.3 It is Trust Council's policy that, to achieve the Islands Trust Object, the rate and scale of growth and development in the Trust Area must be carefully managed and requires limitation. (Guiding Principle #4)
- 3.1.4 It is Trust Council's policy that **decision-making should be guided by the Precautionary Principle, and the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing.** (Guiding Principle #3)
- 3.1.5 **Trust Council commits to seek close collaboration and policy alignment with the Islands Trust Conservancy Board, acknowledging the interconnected roles each entity plays in regional conservation planning and in carrying out the Islands Trust Object.** (new)
- 3.1.6 **Trust Council commits to seek meaningful engagement with First Nations in the Trust Area, recognizing First Nations' treaty and territorial lands and waters, and will be guided by the specific reconciliation principles and recommendations of the Truth and Reconciliation Calls to Action, the United Nations Declaration on the Rights of Indigenous Peoples, the Declaration on the Rights of Indigenous Peoples Act, and the Missing and Murdered Indigenous Women and Girls Calls for Justice, that fall within Trust Council's jurisdiction.** (new)
- 3.1.7 Trust Council commits to take a leadership role in coordinating with, and advocating to, other government agencies and non-governmental organizations, and making recommendations to the provincial government, for the purpose of carrying out the Islands Trust Object. (new)
- 3.1.8 Trust Council commits to seek open, consultative public participation, acknowledging its importance to effective decision-making in the Trust Area. (Guiding Principle #5)
- 3.1.9 It is Trust Council's policy that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs within the Islands Trust Object. (5.8.3)
- 3.1.10 It is Trust Council's policy that island municipalities shall, in all of their actions, have regard for the Islands Trust Policy Statement and the Islands Trust Object. (5.8.4)
- 3.1.11 Trust Council commits to implement a plan for the advancement of the Policy Statement as part of its annual budget process, and to direct Executive Committee to report on progress achieved in fulfilling the goals defined in the Policy Statement. (Guiding Principle #6)

Commented [DH35]: Between Drafts 1.0 and 2.0: 'Trust Council holds' changed to 'It is Trust Council's policy that...' throughout the document

Commented [DH36]: Between Drafts 1.0 and 2.0: Changed from 'may require' to 'requires'

Commented [DH37]: Between Drafts 1.0 and 2.0: Added the precautionary principle here

Commented [DH38]: Between Drafts 1.0 and 2.0: social science and local knowledge added

Commented [DH39]: Between Drafts 1.0 and 2.0: collaboration with ITC added

Commented [DH40]: Between Drafts 1.0 and 2.0: changed wording to 'coordination WITH, and advocacy to', throughout document

Commented [DH41]: Between Drafts 1.0 and 2.0: added leadership role and recommendations to Province

Commented [DH42]: Between Drafts 1.0 and 2.0: Moved from Part 6 ...these policies were in the previous Policy Statement under Part V.

Directive Policies for Local Trust Committees and Island Municipalities

- 3.1.12 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, place priority on the integrity of the environment and Indigenous cultural heritage in all decision-making and limit the rate and scale of growth and development in their planning area. (new, based on Guiding Principles #1 and #4)
- 3.1.13 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ground decision-making in the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new, based on Guiding Principle #3)
- 3.1.14 Local trust committees and island municipalities shall, in the development and implementation of official community plans and regulatory bylaws, provide opportunities for public engagement and collaboration. (5.8.2)
- 3.1.15 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, seek meaningful engagement with First Nations and strive to align decision-making with the principles of the *Declaration on the Rights of Indigenous Peoples Act* that fall within their jurisdiction. (new)

Commented [DH43]: Between Drafts 1.0 and 2.0: Moved from Part 6

PART 4: ECOSYSTEM PRESERVATION AND PROTECTION

Commented [DH44]: Between Drafts 1.0 and 2.0: Preamble updated

GOAL: To Preserve, Protect, Restore, and Sustainably Steward Trust Area Ecosystems

CONTEXT:

Environmental Integrity: The Islands Trust Area contains the most biodiverse and endangered ecosystems in British Columbia and a number of species that are of high cultural significance to First Nations. These ecosystems are treasured for their intrinsic value and also for the many supports they provide to human well-being. An **ecosystem** is understood as a dynamic system of living species interacting with their non-living environment. Some ecosystems rely on a delicate mix of species and conditions that are easily affected by human activities and environmental disturbances. These ecosystems are termed 'sensitive' and are prevalent in the Trust Area. An ecosystem has '**environmental integrity**' when its dominant characteristics, natural composition, structure, function, and processes occur within their natural ranges of variation and can withstand and recover from most disruptions imposed by human activity or environmental dynamics such as climate change. In the Trust Area, the establishment of networks of protected areas and unfragmented forest reserves that are large enough to contain and sustain native Trust Area species is essential to environmental integrity.

Restoration: In the face of the global climate and biodiversity crises, it has never been more critical to preserve and protect ecosystems in the Trust Area. In addition, there is now an imperative to restore these fragile ecosystems and assist in their recovery due to the cumulative impacts of development and human use of natural areas, as well as the impacts of a changing climate. **Ecosystem restoration** is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed. Restoration can happen in many ways, such as active reforestation or wetland remediation, or by simply removing pressures so that nature can recover and adapt on its own.

Adaptive Management: The specific impacts of the climate and biodiversity crises and their policy implications may be difficult to predict in exact detail, timing, and scope. Adaptive management approaches offer pathways to minimize uncertainty and maximize policy effectiveness. These are structured, iterative processes of decision-making intended to reduce uncertainty over time through periodic monitoring and evaluation, and evidence-based policy adjustments.

Nature-Based Solutions: In seeking integrated solutions that address the impacts of climate change on both ecosystems and communities, nature-based solutions offer opportunities for multiple co-benefits. Nature-based solutions are actions to protect, sustainably manage, and restore ecosystems that address societal challenges effectively and adaptively, simultaneously providing human well-being and biodiversity benefits.

Sustainable Stewardship: As humans modify the Trust Area, ecosystems are subject to various pressures. With sustainable, regenerative use, ecosystems will be more healthy and resilient and better able to support human well-being in a variety of ways. **Sustainability**, in this context, is defined as the ability to meet the needs of the present without compromising the ability of future generations to meet their own needs. **Stewardship**, in this context, refers to the responsible use and protection of natural systems, through conservation and sustainable use.

4.1 Environmental Integrity Policies

Commitments of Trust Council

- 4.1.1 It is Trust Council’s policy that proactive land use planning is essential to the preservation and protection of Trust Area ecosystems. (3.1.1 first bullet)
- 4.1.2 It is Trust Council’s policy that protection must be given to the natural processes, habitats, and species of the Trust Area, including those of old forests, Coastal Douglas-fir forests, Coastal Western Hemlock forests, Garry Oak/Arbutus forests, wetlands, open coastal grasslands, the vegetation of dry rocky areas, lakes, streams, estuaries, tidal flats, salt water marshes, drift sectors, lagoons, kelp forests, eelgrass meadows, and spawning areas. (3.1.1 second bullet)
- 4.1.3 Trust Council commits to establish and sustain a network of protected areas throughout the Trust Area, in collaboration with the Islands Trust Conservancy Board, acknowledging that unfragmented connectivity is necessary to preserve ecosystems in sufficient size and distribution to sustain their environmental integrity. (3.1.2)
- 4.1.4 Trust Council shall strive to account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies, and Trust Area species and their habitats, informed by the best available best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (3.1.1 third bullet)
- 4.1.5 Trust Council shall strive to identify and monitor the impacts of climate change on ecosystems through climate vulnerability assessments and shall utilize adaptive management processes and nature-based solutions that are informed by the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)

Commented [DH45]: Between Drafts 1.0 and 2.0: Addition of “in collaboration with the Islands Trust Conservancy Board”

Commented [DH46]: Between Drafts 1.0 and 2.0: Added “nature-based solutions”

Directive Policies for Local Trust Committees and Island Municipalities

- 4.1.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, establish, and maintain a network of protected areas of sufficient size and distribution to preserve the environmental integrity of ecosystems in their planning area. (3.1.4)
- 4.1.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, and in collaboration with the Islands Trust Conservancy Board, identify, preserve, protect, and support the restoration of the following elements in their planning area, utilizing the best available quantitative and qualitative data, inclusive of Indigenous ways of knowing and community input: (3.1.3)
- sensitive ecosystems (cliff, freshwater, herbaceous, old and mature forest, riparian, wetland, and woodland ecosystems)
 - contiguous, unfragmented forests and associated ecosystems
 - freshwater networks and groundwater recharge areas
 - eelgrass meadows, kelp forests, and forage fish spawning areas
 - species and ecosystems at risk
 - Indigenous cultivation and harvesting areas such as clam gardens, camas meadows, and other areas as identified by First Nations

Commented [DH47]: Between Drafts 1.0 and 2.0: Addition of “in collaboration with the Islands Trust Conservancy Board”

Commented [DH48]: Between Drafts 1.0 and 2.0: List slightly refined and more detail added – listing sensitive ecosystems found in the Trust Area, as noted in the ITC Regional Conservation Plan

4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, regulate land use and development to reduce emissions to air, land, and water. (3.1.5)

4.1.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to reduce climate vulnerability and support climate adaptation measures for ecosystems within their planning area. (new)

Coordination Policies for Trust Council

4.1.10 Trust Council shall, in collaboration with the Islands Trust Conservancy Board, seek the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing regarding ecosystem preservation, protection, restoration, and sustainable stewardship in the Trust Area through respectful, culturally-sensitive and collaborative approaches with First Nations, Indigenous Knowledge Holders, the Province, other government agencies, non-governmental organizations, and communities. (new)

Commented [DH49]: Between Drafts 1.0 and 2.0: Addition of "in collaboration with the Islands Trust Conservancy Board"

4.1.11 Trust Council shall coordinate with, and advocate to, other government agencies to foster actions, programs, and incentives that: (3.1.9)

- place priority on the integrity of the environment in the Trust Area
- protect the diversity of native species and habitats in the Trust Area; and
- prevent pollution of the air, land, freshwater networks, and marine waters of the Trust Area

4.1.12 Trust Council shall coordinate with, and advocate to, other government agencies to:

- regulate and monitor the harvesting of fish, wildlife, and vegetation in the Trust Area so as to protect terrestrial and aquatic species populations and habitats (4.3.1)
- consult with First Nations, local trust committees, island municipalities, and Trust Area communities prior to decisions regarding regulation of hunting or harvesting of wildlife or vegetation in the Trust Area (4.3.1)
- consult with First Nations to preserve First Nations' traditional harvesting areas; and (new)
- to protect, for public use, areas supporting naturally occurring shellfish populations and other marine life, and to establish public shellfish reserves in the Trust Area. (4.3.2)

4.1.13 Trust Council shall advocate to the provincial government to enforce standards for the control of emissions polluting the air, lands, and waters of the Trust Area. (3.1.10)

4.1.14 Trust Council shall, in cooperation with First Nations and the Islands Trust Conservancy Board, advocate to other government agencies, non-governmental organizations, Crown corporations, municipalities, regional districts, non-governmental organizations, property owners, residents, and visitors to protect natural areas in the Trust Area through education, stewardship tools, acquisitions, conservation covenants and careful management. (3.1.11)

Commented [DH50]: Between Drafts 1.0 and 2.0: Addition of "and the Islands Trust Conservancy Board"

4.2 Freshwater Stewardship Policies

Commitments of Trust Council

4.2.1 Trust Council commits to take a precautionary approach to the sustainable stewardship of watershed ecosystems, freshwater networks, and groundwater recharge areas in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)

Commented [DH51]: Between Drafts 1.0 and 2.0: took out 'strategic' and added in additional knowledge sources – repeated throughout the stewardship sections

4.2.2 It is Trust Council's policy that: (3.3.1)

- the watershed ecosystems, freshwater networks, and groundwater recharge areas of the Trust Area should be identified, protected, and where possible, restored or rehabilitated; and
- the wetlands of the Trust Area, including those in the Agricultural Land Reserve that have not been altered in the past for agriculture, should not be drained, filled, or degraded.

4.2.3 It is Trust Council's policy that freshwater use in the Trust Area should not impede the inherent rights of First Nations to access freshwater streams for cultural and spiritual purposes.

Commented [DH52]: Between Drafts 1.0 and 2.0: New commitment

4.2.4 It is Trust Council's policy that islands in the Trust Area should be self-sufficient in their supply of freshwater.⁵ (4.4.1)

4.2.5 It is Trust Council's policy that new desalination plants should not be permitted in the Trust Area due to their high energy demands and adverse impacts to coastal and marine ecosystems. (new)

Commented [DH53]: June 24: added "new" for clarity

Directive Policies for Local Trust Committees and Island Municipalities

4.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to prevent further loss or degradation of watershed ecosystems, freshwater networks, groundwater recharge areas, and freshwater aquatic species in their planning area. (3.3.2)

4.2.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure: (4.4.2)

- that neither the density nor intensity of land use is increased in groundwater regions⁶ where the quality or quantity of the supply of freshwater is likely to be inadequate or unsustainable;
- that existing, anticipated, and seasonal water demand and supply projections are considered and allowed for;

and shall strive to ensure: (4.4.2, 4.4.1)

Commented [DH54]: Between Drafts 1.0 and 2.0: Explanatory footnote added since draft 1.0 – see below

- that freshwater quality is maintained; and
- that islands are self-sufficient in their supply of freshwater.^{Error! Bookmark not defined.}

Commented [DH55]: EC June 23 amendment: "and shall STRIVE to ensure" modified for freshwater quality and self-sufficiency directives

4.2.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, strive to ensure that freshwater use is not to the detriment of in-stream uses such as: fish and fish habitat uses; Indigenous cultural and spiritual use; aesthetic and recreational uses; and, the maintenance of water quality in lakes, streams, and wetlands. (4.4.3)

Commented [DH56]: EC June 23 amendment: changed from "shall ensure" to "shall strive to ensure"

4.2.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit new desalination plants in the Trust Area. (new)

Commented [DH57]: June 23: added "new" for clarity

⁵ ...with the sole exception of Piers Island which is supplied by the Capital Regional District water system.

⁶ Groundwater regions are delineated water management areas that provide a useful basis for assessing area-specific water quality and quantity characteristics for planning purposes.

Coordination Policies for Trust Council

- 4.2.10 Trust Council shall coordinate with, and advocate to, the provincial government, regional districts, improvement districts, and other agencies to enact legislation protecting freshwater sustainability, watershed ecosystems, freshwater networks, groundwater recharge areas, and freshwater aquatic species at risk in the Trust Area, in accordance with the Islands Trust Object. (4.4.6)
- 4.2.11 Trust Council shall coordinate with, and advocate to, the provincial government to implement property tax incentives for the retention of groundwater and watershed recharge areas and freshwater wetlands in the Trust Area. (4.4.5)
- 4.2.12 Trust Council shall encourage, educate, and advocate to government agencies and non-governmental organizations, property owners, residents, and visitors to adopt water conservation practices in the Trust Area, including through the use of innovative technologies such as rainwater harvesting, above-ground water cisterns, alternative sewage disposal systems, reuse of water, the treatment and use of grey water, and the use of water saving devices. (4.4.4, 4.4.7)
- 4.2.13 Trust Council shall, in collaboration with Islands Trust Conservancy, encourage government agencies, non-governmental organizations, property owners, residents, and visitors to protect watershed ecosystems through voluntary donations, acquisitions, conservation covenants, and careful management. (3.3.3)

Commented [DH58]: Explanatory Note: rainwater harvesting is encouraged as a supplemental water source, but not as a primary water supply

Commented [DH59]: Between Drafts 1.0 and 2.0: added collaboration with ITC

4.3 Forest Stewardship Policies

Commitments of Trust Council

- 4.3.1 Trust Council commits to take a precautionary approach to the stewardship of forest ecosystems in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)
- 4.3.2 It is Trust Council's policy that:
- forest ecosystems in the Trust Area should be protected; (3.2.1)
 - the remaining stands of relatively undisturbed Coastal Douglas-fir and Coastal Western Hemlock zones, and their associated ecosystems, should be preserved and protected; (3.2.1)
 - forest cover is a representative characteristic of the Trust Area and should be maintained; and (4.2.4)
 - the aesthetic value of forest land should be protected. (4.2.5)
- 4.3.3 It is Trust Council's policy that forest harvesting in the Trust Area should be limited, small-scale, sustainable, regenerative, supportive of climate action, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new, replacing 4.2.1 - 4.2.2)
- 4.3.4 It is Trust Council's policy that management plans related to sustainable forest harvesting in the Trust Area should include appropriate monitoring and evaluation mechanisms to uphold the long-term environmental integrity of forest ecosystems, and should preserve and protect the inherent rights of First Nations to harvest forest resources for cultural purposes. (4.2.3 + new)
- 4.3.5 It is Trust Council's policy that the clear-cutting of forests and logging of old-growth trees is inappropriate anywhere in the Trust Area, acknowledging the multiple adverse impacts these activities incur on the fragile ecosystems, environmental integrity, and carbon capture and storage potential of the Trust Area. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 4.3.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prioritize the environmental integrity of the Trust Area by protecting unfragmented forest ecosystems, on a scale of forest stands and landscapes, from the potentially adverse impacts of growth, development and land use. (3.2.2, 4.2.6)
- 4.3.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, retain large land holdings and parcel sizes to enable sustainable forest harvesting practices and direct the location of roads and utility corridors to minimize the fragmentation of forests. (4.2.7)
- 4.3.8 Local Trust Committees and Island Municipalities shall, in their Official Community Plans and regulatory bylaws, designate protected forest ecosystem reserves where the preservation of native biodiversity and corridors is especially critical and where there should be no extraction. (4.2.8)

Coordination Policies for Trust Council

4.3.9 Trust Council shall coordinate with, and advocate to, the provincial government to grant Islands Trust the necessary jurisdictional authority to preserve and protect forest ecosystems, including:

- legislation to prohibit clear-cutting and logging of old-growth in the Trust Area; and
- authority to regulate tree cutting in the Trust Area. (new)

4.3.10 Trust Council shall coordinate with, and advocate to, the provincial government to adopt legislation establishing sustainable forest harvesting practices that protect environmental integrity on a scale of forest stands and landscapes by preserving, protection, and restoring: (4.2.11)

- the diversity of forest structure and composition;
- the physical, chemical, and biotic diversity of soils;
- natural aquatic and wetland ecosystems;
- the full range of natural habitats in the forest landscape, including old-growth; and
- connectivity of forest habitats sufficient for different life stages and dispersal needs of native species.

4.3.11 Trust Council shall coordinate with, and advocate to, the provincial government to:

- implement engagement mechanisms that ensure the full and meaningful participation of First Nations and Trust Area communities in decisions concerning the use of forest lands; (4.2.9)
- provide education and extension programs to promote sustainable forest harvesting and the protection of forest ecosystems; (4.2.10)
- adopt statutes and guidelines to reduce invasive non-native species in forest ecosystems; (4.2.12)
- designate forest ecosystem reserves where no extraction shall take place in order to promote the preservation of native biodiversity; (4.2.13)
- require that applicants identify the protective actions needed to maintain sustainable forest land use and environmental integrity, prior to approval of tree cutting plans; and (4.2.14)
- implement property tax incentives for the practice of sustainable forest harvesting. (4.2.15)

4.3.12 Trust Council shall coordinate with, and advocate to, the Province, when developing specific forest tenures, to assign to Trust Council or to the Islands Trust Conservancy Board, the holding of areas not to be harvested. (4.2.16)

4.3.13 Trust Council shall, in collaboration with the Islands Trust Conservancy Board, encourage government agencies, non-governmental organizations, property owners, residents, and visitors to protect forest ecosystems through voluntary donations, acquisitions, conservation covenants, and careful management. (3.2.3)

Commented [DH60]: Between Drafts 1.0 and 2.0: added collaboration with ITC

4.4. Agricultural Land Stewardship Policies

Commitments of Trust Council

- 4.4.1 Trust Council commits to take a precautionary approach to the stewardship of agricultural lands in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)
- 4.4.2 It is Trust Council's policy that agricultural activity in the Trust Area should be small-scale, sustainable, regenerative, supportive of local climate action and food security, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new, 4.1.2, 4.1.3)

Commented [DH61]: Between Drafts 1.0 and 2.0: Added food security

Directive Policies for Local Trust Committees and Island Municipalities

- 4.4.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify and preserve appropriate areas for agricultural land to support small-scale, sustainable, regenerative agriculture, while carefully considering downstream impacts, wildlife habitat, and adjacent properties. (4.1.3, 4.1.4, 4.1.6)
- 4.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location and construction of roads and utility corridors to minimize fragmentation of agricultural lands. (4.1.7 simplified)
- 4.4.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, encourage sustainable farming and consider land uses and activities that support the economic viability of farms without compromising the agricultural capability of agricultural land. (4.1.5, 4.1.8)

Coordination Policies for Trust Council

- 4.4.6 Trust Council shall coordinate with, and advocate to, the provincial government to ensure:
- that where a road must sever agricultural land to provide access to lands beyond, the road is built to the minimum standard necessary to service that land; (4.1.10)
 - that farming in the Agricultural Land Reserve in the Trust Area does not adversely impact Indigenous food security and traditional harvesting practices, cultural heritage, or the environmental integrity of protected area networks in the Trust Area; (new)
 - that legislation, guidelines, and incentives are established to support local farmers in adopting the highest standards of environmental protection of ecosystems, wildlife habitats, and native species diversity, in accordance with the Islands Trust Object; (new)
 - that support is given to small-scale sustainable farmers to reduce greenhouse gas emissions emanating from agriculture and adapt to climate variability in the Trust Area; (new)
 - that a separate farm class to provide property tax incentives be retained; (4.1.12)
 - that the threshold for farm income necessary for farm class status is appropriate to the small scale of sustainable agriculture within the Trust Area; and (4.1.12)
 - that the total land area subject to the farm class may include land that is left uncultivated to protect environmental integrity. (4.1.12)

4.5 Soil and Mineral Stewardship Policies

Commitments of Trust Council

- 4.5.1 It is Trust Council's policy that the preservation and protection of healthy and productive soils is integral to the environmental integrity, food security, and carbon capture and storage capacity of the Trust Area. (new)
- 4.5.2 It is Trust Council's policy that there should be no extraction of peat, metals, minerals, or petroleum resources in the Trust Area. (4.6.1)
- 4.5.3 It is Trust Council's policy that there should be no extraction of aggregate from the foreshore or the sea floor of the Trust Area. (4.6.2)
- 4.5.4 It is Trust Council's policy that there should be no removal or excavation of soil or fill from middens or foreshore areas that have been identified as culturally significant areas. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 4.5.5 Local trust committees and island municipalities shall, in their regulatory bylaws related to soil removal and deposit, include policies that foster the preservation, protection, and restoration of productive soils in the Trust Area. (4.6.3)
- 4.5.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit the removal or excavation of soil or fill from middens or foreshore areas that have been identified as culturally significant areas. (new)

Commented [DH62]: Between Drafts 1.0 and 2.0: turned 4.5.4 into directive

4.6 Coastal and Marine Stewardship Policies

Commitments of Trust Council

4.6.1 Trust Council commits to take a precautionary approach to the stewardship of coastal and marine ecosystems in the Trust Area, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)

4.6.2 It is Trust Council's policy that coastal and marine food harvesting and aquaculture in the Trust Area should be small-scale, sustainable, regenerative, supportive of local climate action and food security, respectful of Indigenous harvesting areas, and protective of the environmental integrity of the Trust Area. (new/4.5.1)

Commented [DH63]: Between Drafts 1.0 and 2.0: Added food security

4.6.3 It is Trust Council's policy that development, activity, buildings, or structures should not result in a loss of marine or coastal habitat, restrict public access to, from or along the marine shoreline, or interfere with natural coastal processes. (4.5.3, 4.5.4)

4.6.4 It is Trust Council's policy that development should be directed to sites away from: (4.5.5)

- areas of environmental sensitivity, including eelgrass meadows, kelp forests, forage fish spawning areas, tidal salt marshes, mud flats, and coastal wetlands;
- areas of naturally occurring stocks of clams or oysters; and
- First Nations' traditional harvesting areas, middens, and other archaeologically significant resources.

Commented [DH64]: Between Drafts 1.0 and 2.0: List expanded since draft 1.0

4.6.5 It is Trust Council's policy that aquaculture should be directed to sites away from: (4.5.6)

- areas of recreational significance;
- areas where an aquaculture operation would conflict with established or designated upland land uses; and
- areas where an aquaculture operation would conflict with marine or freshwater protection
- areas where an aquaculture operation would conflict with established or designated anchorage or moorage.

4.6.6 It is Trust Council's policy that aquaculture related development, activity, buildings, or structures should not result in site alteration including, but not limited to, substrate modification or the use of metal pipes or plates. (4.5.7)

4.6.7 It is Trust Council's policy that the following restrictions are necessary in order to preserve and protect the sensitive coastal and marine waters of the Trust Area:

- finfish farms should not be permitted; (4.5.2)
- artificial reefs should not be developed, except where they provide significant environmental benefit;⁷ (3.4.3)
- ocean dumping should not be permitted; (new)
- seawalls and other hard shoreline armouring should not be developed; (new)
- moorage and anchorage sites in eelgrass meadows should not be permitted; (new)
- new private docks should be limited to boat access only properties; (new)
- freighter anchorage sites in the Trust Area should be eliminated; and (new)
- oil tankers should not be permitted to transit through Trust Area waters. (new)

Commented [DH65]: Between Drafts 1.0 and 2.0: "except where they provide significant environmental benefit" added

Commented [DH66]: Between Drafts 1.0 and 2.0: Addition of ocean dumping

Commented [DH67]: June 23 EC amendment: added "new" for clarity

⁷ Interpretive Note: Small scale habitat enhancement structures known as 'reef balls', which are placed in marine areas with the approval of Fisheries and Oceans Canada, are not considered to be artificial reefs for the purposes of this policy.

Directive Policies for Local Trust Committees and Island Municipalities

- 4.6.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate locations for marine dependent land uses and means to prevent further loss or degradation of coastal and marine ecosystems in their planning area. (3.4.4, 4.5.8)
- 4.6.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies that preserve, protect, and support the restoration of eelgrass meadows, kelp forests, forage fish spawning areas, tidal salt marshes, mud flats, and coastal wetlands, acknowledging their multifaceted roles in supporting carbon capture and storage, soft shoreline protection, and the provision of habitats and spawning areas for coastal and marine aquatic species. (new)
- 4.6.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location of buildings and structures such that they do not: (4.5.5, 4.5.10)
- adversely impact sensitive coastal and marine ecosystems, naturally occurring stocks of shellfish, eelgrass meadows, kelp forests, forage fish spawning areas, tidal salt marshes, mud flats, coastal wetlands, middens, or archaeological sites;
 - interfere with natural coastal processes;
 - restrict First Nations' access to traditional coastal and marine harvesting sites;
 - restrict public access to, from, or along the marine shoreline
- 4.6.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location and operation of commercial aquaculture tenures away from:
- areas of cultural, spiritual, archaeological, or recreational significance;
 - areas where an aquaculture operation would conflict with established or designated upland land uses, anchorages or moorages. (new, based on 4.5.6)
- 4.6.12 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, direct the location, size, and nature of marinas such that they do not compromise the environmental integrity of the coastal and marine environment, Indigenous cultural heritage, or community character in their planning area. (4.5.9)
- 4.6.13 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boathouses, boardwalks, and causeways. (4.5.11)
- 4.6.14 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit new private docks except where properties are boat-access only. (new)
- 4.6.15 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, consider the current and anticipated impacts of sea level rise and determine shoreline buffers and setbacks accordingly. (new)
- 4.6.16 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit the use of seawalls and other hard shoreline armoring in the Trust Area and include policies that foster soft shoreline protection. (new)

Commented [DH68]: Between Drafts 1.0 and 2.0: List expanded since draft 1.0

Commented [DH69]: June 23 EC amendment: added "new" for clarity

Coordination Policies for Trust Council

4.6.17 Trust Council shall coordinate with, and advocate to, federal and provincial government agencies to:

- establish a network of protected coastal and marine areas and implement statutes and guidelines for sustainable coastal zone management (3.4.2)
- adopt legislation establishing sustainable aquaculture practices that protect environmental integrity and First Nations rights to traditional shellfish harvesting in the Salish Sea; (new)
- develop existing and new programs such as “harvest refugia”, which protect and enhance the populations of native marine species of the Trust Area; (3.4.6)
- research the impacts of the introduction of new marine species into the coastal and marine waters of the Trust Area before such species are introduced; (3.4.7)
- prohibit finfish farms in the marine waters of the Trust Area; (4.5.2)
- prohibit the development of artificial reefs in the Trust Area^{Error! Bookmark not defined.} (3.4.3)

4.6.18 Trust Council shall coordinate with, and advocate to, federal and provincial government agencies to:

- develop legislation to regulate sewage discharge from shoreline areas and boats; and (3.4.8)
- support the removal of abandoned and derelict vessels, plastics, ghost fishing gear, and other marine debris from the coastal and marine waters of the Trust Area; (new)
- eliminate and prohibit the use of commercial freighter anchorage sites in the Trust Area, acknowledging the multiple adverse impacts this practice incurs on the sensitive coastal and marine ecosystems, environmental integrity, and carbon capture and storage potential in the Trust Area; and (new)
- prohibit oil tankers from transiting through the coastal and marine waters of the Trust Area. (new)
- develop effective oil spill prevention, preparedness, and geographic response plans for the Trust Area, acknowledging the unique risks and vulnerabilities of the Salish Sea. (new)

Commented [DH70]: Between Drafts 1.0 and 2.0: New addition of oil spill response plans etc. since draft 1.0

PART 5: HERITAGE PRESERVATION AND PROTECTION (new)

Commented [DH71]: Between Drafts 1.0 and 2.0: No changes to Part 5 preamble since draft 1.0

GOAL: To Preserve and Protect Natural, Cultural, and Community Heritage in the Trust Area

CONTEXT:

The Islands Trust Area is a place of exceptional cultural heritage and has been home to the BOKÉĆEN, K'ómoks, Lək ʷəŋən, Lyackson, MÁLEXEL, Qualicum, Quw'utsun Tribes, scəwəθən məsteyəxʷ, Scia'new, səliiwətaʔt, SEMYOME, shishálh, Skwxwú7mesh, Snaw-naw-as, Snuneymuxw, Spune'luxutth, SʔÁUTW, Stz'uminus, ʔaʔəmen, toq qaymıxʷ, Ts'uubaa-asatx, Wei Wai Kum, We Wai Kai, WJOLÉLP, WSIKEM, Xeláitxw, Xwémalhkwu/ʔop qaymıxʷ, and xʷməθkʷəyəm Peoples since time immemorial. The relationship of First Nations to these lands, waters, and place is intrinsically linked to the preservation and protection of the Trust Area.

Heritage Preservation: Trust Council recognizes heritage as a 'unique amenity' of the Trust Area that is to be preserved and protected under the Islands Trust Object. In this context, heritage includes places, objects, knowledge, artistic expressions, or events that are of historical, cultural, aesthetic, educational, or scientific significance. In the Trust Area, heritage preservation includes the Indigenous cultural heritage of First Nations who have called these lands and waters home since time immemorial, in addition to the extraordinary natural landscapes and community heritage buildings on each island.

Indigenous Cultural Heritage: Indigenous cultural heritage in the Trust Area includes, but is not limited to, areas utilized and occupied by Indigenous Peoples such as village sites, cultural and spiritual areas, known and unknown archaeological areas, objects and artifacts, culturally modified trees, cultivation areas, harvesting areas on land and marine foreshores, fish weirs and clam gardens, medicinal plants and culturally significant species and landmarks. Indigenous cultural heritage also includes ancestral loved ones' resting places, trees used for burial boxes, cairns, caves used for cultural purposes, petroglyphs and pictographs, and place names. First Nations have an inherent right to identify their own cultural heritage, interpret its meaning, and safeguard its value. This inherent right exists outside of the colonial frameworks that have traditionally regulated and defined heritage.

Community Heritage:

Community heritage in the Trust Area can include buildings, settlement areas, places, objects, artistic expressions, or events identified by the community as having heritage character or heritage value to the community, to be protected for future generations.

Natural Heritage:

Natural heritage in the Trust Area is understood to include natural features, geological and physiographical formations, and delineated natural areas which are of outstanding universal value from an aesthetic, conservation, or scientific perspective.

5.1 Heritage Preservation and Protection Policies

Commitments of Trust Council

- 5.1.1 It is Trust Council's policy that the preservation, protection, and restoration of natural, cultural, and community heritage in the Trust Area is essential to the Islands Trust Object and must be guided by meaningful, respectful, and culturally sensitive engagement with First Nations. (5.6.1)
- 5.1.2 It is Trust Council's policy that local and regional planning decisions should not incur adverse impacts to the natural heritage, Indigenous cultural heritage, or community heritage in the Trust Area. (new)

Directive Policies for Local Trust Committees and Island Municipalities

- 5.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, preserve, protect, and support the restoration of natural heritage sites in their planning area. (new)
- 5.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify, preserve, protect, and support the restoration of Indigenous cultural heritage in their planning area in cooperation with First Nations and other government agencies. (5.6.3)
- 5.1.5 Local trust committees and island municipalities shall, in their Official Community Plans and regulatory bylaws, identify, preserve, protect, and support the restoration of local community heritage in their planning area. (5.6.2)

Coordination Policies for Trust Council

- 5.1.6 Trust Council shall engage with First Nations, First Nation organizations and societies, Indigenous Knowledge Holders, other government agencies, non-governmental organizations, and Trust Area communities to seek the best available archaeological inventory data, Indigenous Knowledge, and cultural knowledge regarding natural heritage, Indigenous cultural heritage, and local community heritage in the Trust Area. (new)
- 5.1.7 Trust Council shall engage with, and advocate to, other government agencies, non-governmental organizations, property owners, residents, and visitors with educational materials and tools to help preserve and protect natural heritage, Indigenous cultural heritage, and local community heritage in the Trust Area. (new)
- 5.1.8 Trust Council shall encourage other government agencies, non-governmental organizations, property owners and residents to protect natural, cultural, and community heritage in the Trust Area through tax incentive programs, voluntary donations, acquisitions, conservation covenants and careful management. (new)

Commented [DH72]: Between Drafts 1.0 and 2.0: "local" changed to "cultural"

PART 6: SUSTAINABLE AND RESILIENT COMMUNITIES

Commented [DH73]: Between Drafts 1.0 and 2.0: Updated preamble section

GOAL: To Foster Sustainable and Resilient Communities in the Trust Area

CONTEXT:

Sustainability and Resilience: Sustainable and resilient communities can be understood to be communities that are able to meet their own needs and adapt to new environmental, social, and economic pressures without compromising the integrity of the environment or the ability of future generations to meet their own needs. Resilience, in this context, refers to the capacity of communities to continue to function in the face of external stressors such as climate change, while also learning to adapt, reorganize and evolve into new modes of sustainability. With responsible stewardship and sustainable, regenerative use, ecosystems will be better able to support Trust Area communities in a myriad of ways, including through the provision of clean drinking water, natural processes of carbon capture and storage, nature-based mitigation of climate impacts to the built environment, the safeguarding of local and Indigenous food security and harvesting, as well as the many health benefits of nature connection.

Rural Island Planning: Islands within the Trust Area are rural and contrast markedly with surrounding urban areas, as do their respective resident communities. Traditional land use planning approaches are often ill-suited or insufficient in addressing the unique strengths, vulnerabilities, and water supply constraints of island ecosystems, or the higher standards of preservation and protection mandated by the Islands Trust Object. In the face of accelerating climate and biodiversity crises, business as usual is no longer viable. Trust Area communities play a critical role in the stewardship of the islands and must collectively and equitably work towards place-based, multigenerational, and integrated solutions to sustainability. This involves collective commitments to reduce greenhouse gas emissions, foster new low-carbon ways of living, reduce individual and community ecological footprints, and support those most vulnerable to adapt to the impacts of climate change. Trust Council also recognizes that new development models must be established to transition to more compact, energy efficient, and appropriately situated development that is carefully planned and managed to safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage, now and into the future.

Affordable Housing: The Trust Area is facing an acute shortage of diverse and affordable housing options needed to support the long-term sustainability and resilience of Trust Area communities. The Canada Housing and Mortgage Corporation considers housing to be 'affordable' when it costs less than 30% of before-tax household income. Housing is not affordable when it costs so much that individuals and families have trouble paying for other necessities such as food, health and transportation. For renters, shelter costs include rent and any payments for electricity, fuel, water and other municipal services. For owners, shelter costs include mortgage payments (principal and interest), property taxes, and any condominium fees, along with payments for electricity, fuel, water and other municipal services. In the Trust Area, factors such as rising real estate prices and building costs, an increase in short-term rentals paired with a growing lack of long-term rentals, changing demographics, and increasing numbers of people wanting to move to the islands, are all significantly affecting the availability, affordability, and suitability of housing options across the Trust Area. An increasing percentage of island workers are thus forced to commute from off-island locations. Seniors are finding it challenging to age in place. Socio-economic disparities are widening. In this context, Trust Council acknowledges the need for multijurisdictional and integrated approaches to address these community housing needs in a manner that is appropriate to the Trust Area and its unique amenities and environment.

Commented [DH74]: Between Drafts 1.0 and 2.0: CMHC definition of affordable housing added here

6.1 Rural Island Planning Policies

Commitments of Trust Council

- 6.1.1 It is Trust Council's policy that the rural characteristics of islands in the Trust Area, including the scenic value of rural landscapes, opportunities for nature connection, and low levels of noise and light pollution, are unique amenities that are to be preserved and protected in accordance with the Islands Trust Object. (5.1.1-5.1.3)
- 6.1.2 It is Trust Council's policy that all development in the Trust Area, of any scale or for any purpose, should be compact, energy-efficient, sustainable, and appropriately situated in order to minimize greenhouse gas emissions and safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (new)
- 6.1.3 It is Trust Council's policy that growth, development, and economic opportunities in the Trust Area should be small scale, sustainable, climate resilient, compatible with community character, and in alignment with the Islands Trust Object. (5.2.1, 5.7.1)
- 6.1.4 Trust Council shall strive to identify, monitor, and address the impacts of climate change on Trust Area communities through climate vulnerability assessments, adaptive management approaches, and nature-based solutions that are informed by the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing. (new)
- 6.1.5 It is Trust Council's policy that recreational activities, trails, and active transportation networks in the Trust Area should be small scale, appropriately located, and sustainable, and should safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (5.5.1)
- 6.1.6 It is Trust Council's policy that destination gaming facilities such as casinos and commercial bingo halls are not appropriate to, and should not be located in, the Trust Area. (5.5.2)
- 6.1.7 It is Trust Council's policy that there should be public access, on each major island in the Trust Area, to beaches and areas of recreational significance, while not compromising Indigenous cultural heritage or First Nations access to coastal and marine harvesting areas, or the environmental integrity of terrestrial and aquatic ecosystems. (5.5.5)

Directive Policies for Local Trust Committees and Island Municipalities

- 6.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure that growth and development, of any scale or for any purpose, is compact, energy-efficient, sustainable, and appropriately situated in order to minimize greenhouse gas emissions and safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (new)
- 6.1.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prioritize the protection of tree cover, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area. (5.1.3, 5.2.2)
- 6.1.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies related to the aesthetic, environmental, and social impacts of development. (5.2.3)

Commented [DH75]: Between Drafts 1.0 and 2.0: ...copied from housing section and broadened to all development

Commented [DH76]: Between Drafts 1.0 and 2.0: Refined and added back "compatible with community character" (from original Policy Statement)

Commented [DH77]: Between Drafts 1.0 and 2.0: Added nature-based solutions

Commented [DH78]: Between Drafts 1.0 and 2.0: Added "appropriately located"

Commented [DH79]: Between Drafts 1.0 and 2.0: Refined/moved here from 6.2 as it is broader than housing

Commented [DH80]: Between Drafts 1.0 and 2.0: Removed 'views' from this list as this often entails tree-cutting on private lots

- 6.1.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources, and community character. (5.2.4)
- 6.1.12 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, establish appropriate density limits for efficient and sustainable use of the land base that help to safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (5.2.5)
- 6.1.13 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards. (5.2.6)
- 6.1.14 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate locations, types, and safe public access to:
- recreational facilities;
 - bicycle, pedestrian, and equestrian trail systems; and
 - community marinas, boat launches, docks, and anchorages that are small scale, sustainable, and that do not compromise the integrity of protected areas, terrestrial and aquatic ecosystems, Indigenous cultural heritage, or Indigenous access to coastal and marine harvesting areas. (5.5.4-5.5.7)
- 6.1.15 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit destination gaming facilities such as casinos and commercial bingo halls. (5.5.3)
- 6.1.16 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies addressing economic opportunities that are compatible with sustainability and protection of community character. (5.7.2)
- 6.1.17 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, include policies addressing their community’s long-term needs for educational, institutional, community, and health-related facilities and services, as well as cultural and recreational facilities and services. (5.8.6)

Commented [DH81]: Between Drafts 1.0 and 2.0: Changed from “shall...strive for efficient and sustainable use of the land base without exceeding density limits defined in their official community plans”

- 6.1.18 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify means to reduce the climate vulnerability of communities, including nature-based solutions and actions that prioritize:
- protection of the carbon capture and storage capacity of natural areas;
 - low-carbon housing, buildings, transportation, and agriculture;
 - preservation, protection, and restoration of biodiversity;
 - freshwater sustainability;
 - soft shoreline and foreshore protections; and
 - wildfire risk mitigation (new)

Commented [DH82]: Between Drafts 1.0 and 2.0: Added nature-based solutions

Commented [DH83]: Between Drafts 1.0 and 2.0: Added “soft”

Coordination Policies for Trust Council

- 6.1.19 Trust Council shall coordinate with, and advocate to, regional districts, improvement districts, and provincial and federal government agencies to adapt their policies and support systems to safeguard the rural island character, sustainability, and resilience of Trust Area communities, in accordance with the Islands Trust Object. (new)
- 6.1.20 Trust Council shall coordinate with, and advocate to, government agencies, non-governmental organizations, communities, property owners, residents, and visitors to help develop and adopt climate mitigation and adaptation strategies, action plans, and measures that are appropriate to the unique strengths and vulnerabilities of rural islands in the Trust Area. (new)
- 6.1.21 Trust Council shall advocate to provincial government agencies to work with local communities through public consultation processes to evaluate and modify road construction and road system proposals to encompass the environmental, economic, and social values of the community. (5.3.9)
- 6.1.22 Trust Council shall advocate to property owners, residents, and visitors to reduce the burning of wood and fossil fuels by adopting sustainable alternative technologies. (5.1.4)
- 6.1.23 Trust Council shall advocate to government agencies, non-governmental agencies, property owners, residents, and visitors to use renewable sources of energy within the Trust Area. (5.8.8)

Commented [DH84]: Between Drafts 1.0 and 2.0: Added "communities"

6.2 Housing Policies

Commented [DH85]: Between Drafts 1.0 and 2.0: Section updated

Commitments of Trust Council

- 6.2.1 It is Trust Council's policy that all housing in the Trust Area should be compact, energy-efficient, sustainable, and appropriately situated in order to minimize greenhouse gas emissions and safeguard protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area.
- 6.2.2 It is Trust Council's policy that community sustainability and resilience are supported by the availability of diverse and affordable housing that cater to a range of age groups and income levels. (5.8.6)
- 6.2.3 Trust Council commits to foster a strategic, multijurisdictional, equitable, and integrated approach to addressing the diverse housing needs of Trust Area communities, in cooperation with First Nations, Indigenous Knowledge Holders, other government agencies, and the public, and on the basis of the best available area-based mapping, science, social science, local knowledge, and Indigenous ways of knowing.

Commented [DH86]: Between Drafts 1.0 and 2.0: New commitment added

Directive Policies for Local Trust Committees and Island Municipalities

- 6.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, strive to address housing needs in their planning area by identifying appropriate locations where density increases could support safe, secure, and affordable housing, while safeguarding protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage. (new)
- 6.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify and assess the impacts of short-term rentals of dwellings on the availability of safe, secure, and affordable housing in their planning area and, where necessary, regulate and limit the number of short-term rentals accordingly. (new)
- 6.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate floor area and lot coverage limits for residential development in their planning area, in order to effectively minimize greenhouse gas emissions, cumulative effects, biodiversity loss, climate vulnerability, and destruction of Indigenous cultural heritage. (new)

Commented [DH87]: Between Drafts 1.0 and 2.0: Refinements: added "in their planning area" and replaced "affordable housing developments" with just "affordable housing"

Commented [DH88]: Between Drafts 1.0 and 2.0: Replaced "residential dwellings" with just "dwellings"

Commented [DH89]: Between Drafts 1.0 and 2.0: Replaced "new residential development" with just "residential development"

Coordination Policies for Trust Council

- 6.2.7 Trust Council shall coordinate with, and advocate to, other government agencies, non-governmental organizations, and Trust Area communities, to foster safe, secure, and affordable housing in the Trust Area, in alignment within the Islands Trust Object, and respectful of the integrity of the environment and Indigenous cultural heritage in the Trust Area. (new)
- 6.2.8 Trust Council shall advocate to other government agencies, non-governmental organizations, and property owners to foster safe, secure, and affordable housing for Indigenous Peoples in the Trust Area, in alignment with the Islands Trust Object and respectful of protected area networks, freshwater sustainability, a healthy marine environment, and Indigenous cultural heritage in the Trust Area. (new)

Commented [DH90]: Between Drafts 1.0 and 2.0: Changed "property owners" to "Trust Area communities"

6.3 Transportation Policies

Commitments of Trust Council

- 6.3.1 It is Trust Council's policy that community sustainability and resilience are supported by appropriately situated public and active transportation networks that serve to reduce greenhouse gas emissions, support electric vehicles and electric bicycles, and promote health and well-being. (new)
- 6.3.2 It is Trust Council's policy that no island in the Trust Area should be connected to Vancouver Island, the mainland or another island by a bridge or tunnel⁸. (5.3.2)
- 6.3.3 It is Trust Council's policy that local trust committees and island municipalities should be consulted and involved in decision-making related to the provision of transportation and ferry services, utilities, or facilities that may affect the sustainability and resilience of communities in their planning areas. (5.3.1)

Commented [DH91]: Between Drafts 1.0 and 2.0: Added "support electric vehicles and electric bicycles"

Directive Policies for Local Trust Committees and Island Municipalities

- 6.3.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, foster the establishment of appropriately situated public and active transportation networks, including but not limited to bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use and support a transition to electric vehicle and electric bicycles. (5.3.7)
- 6.3.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, strive to ensure that road location, design, construction, and systems do not adversely impact the integrity of protected area networks, contiguous forests, watershed ecosystems, freshwater networks, groundwater recharge areas, agricultural lands, coastal and marine areas, or Indigenous cultural heritage in the Trust Area. (5.3.5)
- 6.3.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, develop a classification system of rural roadways, including scenic or heritage road designations, in recognition of the Islands Trust Object. (5.3.4)
- 6.3.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify appropriate areas for the landing of emergency helicopters. (5.3.6)

Commented [DH92]: Between Drafts 1.0 and 2.0: Added "support a transition to electric vehicles and electric bicycles"

Coordination Policies for Trust Council

- 6.3.8 Trust Council shall advocate to provincial and federal agencies to ensure safe shipment of materials that are hazardous to the environment. (5.3.8)
- 6.3.9 Trust Council shall advocate to provincial government agencies to work together with local communities through public consultation processes to evaluate and modify road construction, road system proposals, and active transportation networks to address the environmental, economic, and social values of communities in the Trust Area. (5.3.9)
- 6.3.10 Trust Council shall advocate to provincial government agencies in support of the electrification of ferries in the Trust Area. (new)

⁸ ...with the sole exception of the existing bridge between North and South Pender Islands

6.4 Waste Disposal Policies

Commitments of Trust Council

- 6.4.1 It is Trust Council's policy that it is acceptable for waste originating in the Trust Area to be safely disposed of within the Trust Area. (5.4.1)
- 6.4.2 It is Trust Council's policy that:
- neither hazardous nor industrial waste should be disposed of in the Trust Area;
 - local recycling operations should be established; and
 - local programs for chipping of wood waste and disposal of hazardous wastes should be established. (5.4.2)
- 6.4.3 It is Trust Council's policy that there should be minimal burning of solid waste in the Trust Area. (5.4.3)

Directive Policies for Local Trust Committees and Island Municipalities

- 6.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, identify acceptable locations for the disposal of solid waste. (5.4.4)

Coordination Policies for Trust Council

- 6.4.5 Trust Council shall coordinate with, and advocate to, government agencies, corporations, property owners, and residents to contribute to the reduction of greenhouse gas emissions by reducing waste, and to use innovative technologies and safe alternatives for disposal of sewage effluent. (5.4.5)



Islands Trust

ISLANDS TRUST

POLICY STATEMENT

CONSOLIDATED - APRIL, 2003

Commented [DH1]: This annotated version of the 2003 Policy Statement highlights policies that have been significantly moved or excluded in the new draft Policy Statement. Policies or sections that have been removed/excluded have been highlighted in yellow in the comments below. Other amendments/updates to the transferred text and new additions are highlighted in the new document.

ISLANDS TRUST COUNCIL

BYLAW NO. 17

**AS AMENDED BY ISLANDS TRUST COUNCIL
BYLAW NOS. 42, 48, 53 AND 87**

**THIS BYLAW IS CONSOLIDATED FOR CONVENIENCE ONLY AND IS NOT
TO BE CONSTRUED AS A LEGAL DOCUMENT**

Commented [DH2]: Due to the number of amendments required, the new Policy Statement will be an entirely new Bylaw No. 183 (not a series of amendments to the former Policy Statement)

This copy is consolidated for convenience only and is amended by the following:

<u>Bylaw No.</u>	<u>Amendment No.</u>	<u>Adoption Date</u>
Bylaw No. 42	Amendment No. 1/96	November 4, 1996
Bylaw No. 48	Amendment No. 1/97	March 6, 1998
Bylaw No. 53	Amendment No. 1/98	December 4, 1998
Bylaw No. 87	Amendment No. 1/02	December 6, 2002

Commented [DH3]: The new Policy Statement will be a new Bylaw No. 183

ISLANDS TRUST COUNCIL

BYLAW NO. 17

A BYLAW TO ADOPT A POLICY STATEMENT FOR THE TRUST AREA

The Islands Trust Council, having jurisdiction in respect of the Trust Area in the Province of British Columbia pursuant to the *Islands Trust Act* S.B.C. 1989 c.68, enacts as follows:

TITLE

- 1. This Bylaw may be cited for all purposes as "The Islands Trust Policy Statement Bylaw, 1993".

APPLICATION

- 2. This Bylaw applies to the Trust Area, as defined in Schedule A of the *Islands Trust Act* S.B.C. 1989 c.68.

ORGANIZATION

- 3. Parts I, II, III, IV, and V and Schedule 1 of the "Islands Trust Policy Statement" attached to and forming part of the bylaw are hereby adopted as the trust policy statement pursuant to S.13(1) of the *Islands Trust Act*.

READINGS

READ A FIRST TIME THIS 31ST DAY OF OCTOBER , 1993

READ A SECOND TIME THIS 31ST DAY OF OCTOBER , 1993

READ A THIRD TIME THIS 31ST DAY OF OCTOBER , 1993

APPROVED BY THE MINISTER OF MUNICIPAL AFFAIRS PURSUANT TO SECTION 13(2)(c) OF THE *ISLANDS TRUST ACT* THIS 9TH DAY OF JUNE , 1994

RECONSIDERED AND FINALLY ADOPTED THIS 11TH DAY OF JUNE , 1994

Gordon McIntosh
Secretary

Graeme Dinsdale
Chairperson

Commented [DH4]: The new Policy Statement will be a new Bylaw No. 183

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Commented [DH5]:

A new Table of Contents and slightly amended organizational structure to the new Policy Statement document strives for a more streamlined and efficiently categorized approach, with new sections devoted to Heritage and Housing. Significant changes include:

- Introduction sections now included as Part 1 of the bylaw
- Moved 'The Islands Trust Object and its Meaning' to Part 1 'Introduction'
- New Part 3 on 'Regional Governance' including former 'Guiding Principles for Trust Council'
- Consolidated Part 4 combining former Parts 3 'Ecosystem Preservation and Protection' and 4 'Stewardship of Resources'
- New Part 5 on 'Heritage Preservation and Protection'
- New Section 6.2 on Housing Policies

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INTRODUCTION

HISTORY AND CONTEXT

History of the Trust Area

The “Trust Area” encompasses, generally, the islands and waters between the Mainland and British Columbia and Southern Vancouver Island, with the exception of lands and waters within adjacent municipal boundaries and boundaries of Indian Reserves.

The Trust Area is a unique and special place -- a scenic archipelago of 13 major islands and more than 450 smaller islands. The Area is drier and warmer than most surrounding areas, and is rich in resources and cultural history. The Trust Area provides habitats for an exceptional variety of species: more than 200 types of migratory and resident birds, numerous species of fish and diverse marine and intertidal life, terrestrial wildlife and vegetation. Outstanding scenery and recreational resources include panoramic viewpoints, sheltered bays with warm sand or pebble beaches and protected marine waterways and anchorages that contribute to the Trust Areas beauty and appeal.

This unique combination of resources and amenities has attracted people to the Trust Area since the end of the Ice Age. Aboriginal peoples used the Area extensively for summer encampments and for fishing, hunting and berry-picking. Sunny valleys and suitable soils later supported homesteading and agriculture-related settlement. Eventually, the traditional activities of fishing and shellfish harvesting were supplemented by more extensive farming, logging, recreation-related activities and, most recently, increased residential settlement.

Surrounding areas have also attracted growing populations. By 1960s, 50 per cent of the total population of British Columbia resided in areas adjacent to the Trust Area. Pressure for residential development of islands in the Trust Area escalated. In 1969, when it became apparent that the Trust Area’s highly-valued environment could be irreversibly damaged by unrestrained residential development, the provincial government imposed a temporary freeze on subdivision of land until the island communities could adopt plans and regulations to control growth.

Establishment of the Islands Trust

The significance and sensitivity of the Trust Area, and the need for protective measures was internationally recognized more than 20 years ago. In 1973, an International Joint Commission proposed that the islands and waters adjacent to the British Columbia-Washington State border be protected as an international park in order to maintain water quality and to preserve and protect marine and land-based wildlife habitats and archaeological and historical sites.

At the same time, concerns were being raised at the provincial level. In 1972 an all-party special committee of the legislature was established to investigate the unique problems facing the Trust Area. The committee concluded that pressures arising from the Area’s proximity to major urban centres were damaging the very features that made the Trust Area so attractive to residents and visitors.

In response to these findings, the provincial government enacted the *Islands Trust Act* in 1974. The Act established the Islands Trust as a unique land-use planning agency, acting for residents of both the Trust Area and the province generally, and having a special conservation-oriented responsibility - to preserve and protect the Trust Area and its unique amenities and environment.

Commented [DH6]: Moved to 1.4 The Islands Trust Object and its Meaning and updated

Commented [DH7]: Removed inaccurate and offensive language related to the history of First Nations in the area.

Commented [DH8]: Moved to 1.2 Establishment of the Islands Trust

Increasing Pressure and Amendments to the *Islands Trust Act*

Pressure for development of the Trust Area islands continued. Between 1974 and 1987, the Area's resident population increased by 60 per cent, far exceeding the growth rate of adjacent areas. Several amendments were made to the Act during this period, giving the Islands Trust community planning and land-use authority comparable to that of a regional district under the *Municipal Act*. Aware of the urgent need for plans to guide decisions on growth management and land-use, the Trust Area's island communities developed Official Community Plans. Pressure for residential development continued, however, as did public concern for the future of the Trust Area.

In 1987, the provincial government initiated a second review related to the Trust Area. That review focused on public opinion of the Islands Trust and its role. The results showed overwhelming public support for both the Islands Trust and its object, and suggested ways in which the Trust and its legislation could be strengthened. In response, a redrafted *Islands Trust Act* was put into effect in 1990, reaffirming the Province's commitment to careful planning and development in the Trust Area. In the redrafted Act, the Islands Trust retained its original authority and its dual responsibility to both Trust Area residents and other British Columbians. The new legislation also amended the structure of the Islands Trust and greatly broadened its functions and responsibilities.¹ One of the most notable changes was the assignment of a regional-level planning function to the Islands Trust Council.

Commented [DH9]: Simplified and combined with 1.2 Establishment of the Islands Trust

Present Context

The Trust Area is situated in the heart of the Georgia Basin-Puget Sound bioregion. Sustainability of the region's physical environment, native species and quality of life are threatened by low-density urban sprawl and rapid population growth.² Approximately five million people presently live in the areas surrounding the Trust Area. Populations on the Lower Mainland, on Southern Vancouver Island and around Puget Sound are growing much more rapidly than in other regions of the United States and Canada.³ Projections indicate that if trends continue, the total population of the region will double in 25 years to over 10 million.

The Trust Area continues to experience extreme pressure from population growth and tourism. With a population increase of 26 per cent between 1986 and 1991, it is one of the fastest-growing areas in the Province and Canada. Increasing numbers of tourists are also travelling to and through the Trust Area. The number of passengers on the main ferry routes through the Area increased by 44 percent between 1986 and 1992, and by 37 per cent on routes to Trust Area islands. Most visitors come to islands during the summer months when demand for fresh water is highest and water supplies are lowest, placing pressure on limited water supplies.

Public and private concern continues for the long-term well-being of the Trust Area. Increasing numbers of people from the rapidly growing surrounding urban areas can be expected to be attracted to the Trust Area as a place of residence and recreation. Accelerating negative impacts accompanying development in the surrounding urban regions - pollution of air and marine waters, discharge of pulp mill effluent, disposal of waste, ocean dumping and spills associated with marine shipping - threaten the Trust Area's environment, amenities and fragile ecosystems.

Commented [DH10]: Updated and removed time sensitive statistics

Commented [DH11]: GENERAL AMENDMENTS: REMOVED ALL FOOTNOTES except where there was an exception to a policy to be noted. DEFINITIONS were moved to the preamble sections of each chapter for ease of reference and fuller interpretive context (and to comply with new directions around definitions in accordance with the *Declaration on the Rights of Indigenous Peoples Act*). TIME SPECIFIC REFERENCES were removed throughout the document.

¹ The present structure of the Islands Trust and the functions of its corporate bodies are described in a brochure available from the offices of the Islands Trust.

² 1993 report of the BC Round Table on the Environment and the Economy.

³ BC Round Table on the Environment and the Economy, Sustainability in the Georgia Basin/Puget Sound Region, 1992.

The Challenge

The Islands Trust today faces a major challenge. While populations, numbers of visitors and the demand for intensified use and residential development of the Trust Area can be expected to continue to grow, capacities of the Area's resources and systems are limited. Potential for conflict exists: conflict between short and long-term interests and between unlimited use of the Trust Area and ongoing stewardship.

To keep everything in the Trust Area exactly as it is today is impossible. Changes will occur. If the Area's environment and unique character are to be preserved and protected, priorities must be defined and management strategies established. The *Islands Trust Act* identifies the need for leadership in addressing this task and assigns this role to the Islands Trust. The policies of the Islands Trust established today and in the years ahead will be of fundamental importance to the well-being of this highly valued area.

Commented [DH12]: Updated and moved to Part 3 Regional Governance preamble sections

The Islands Trust Policy Statement

The Islands Trust Policy Statement has been developed in response to the need for preservation and protection of the Trust Area and its unique amenities and environment, to the need for leadership in achieving this objective, and to the legislated requirements of the *Islands Trust Act*. Goals and policies contained in the Policy Statement reflect values and concerns for the future of the Trust Area expressed by the public and Trust Council's belief that not only this generation, but also future generations, should have the continued opportunity to enjoy the environment and amenities of this very special place.

Commented [DH13]: Simplified and moved to 1.3 Present Context

ORGANIZATION OF THE ISLANDS TRUST POLICY STATEMENT

The Islands Trust Policy Statement is comprised of Islands Trust Council Bylaw No. 17, and Parts I to V and Schedule 1 of that Bylaw. The introduction is not part of the Islands Trust Policy Statement Bylaw, and is intended simply to provide some background related to the Trust Area, the Islands Trust and the context for development of the Policy Statement.

Part I of the document outlines the purpose of the Policy Statement and the means by which it will be implemented. The important roles of individuals, Trust Council, its Executive Committee, Trust Area communities and municipalities, the Islands Trust Fund Board, other government and non-government agencies, First Nations, property owners, residents and visitors, in implementation of the Policy Statement also clarified in Part I.

Part II of the document defines the Islands Trust's legislated object, provides an interpretation of that object, and identifies principles by which the Islands Trust will be guided in fulfillment of its object.

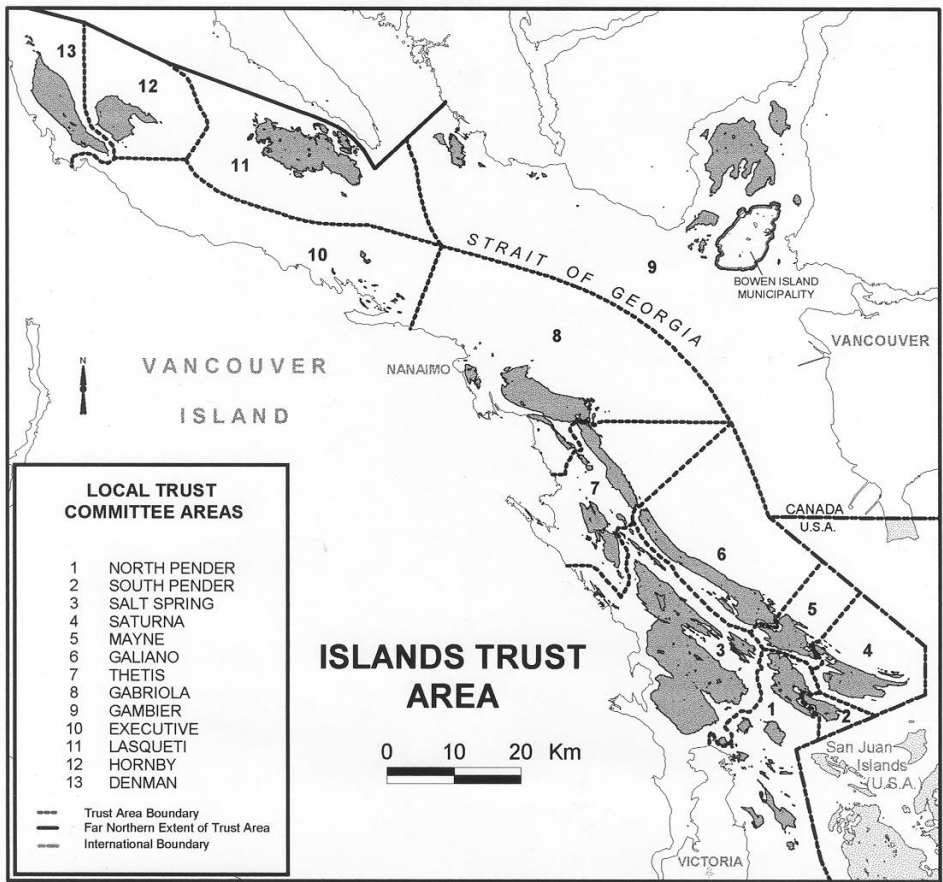
Parts III, IV, and V discuss Trust Council's vision for the future of the Trust Area in terms of goal and policies. Part III focuses on ecosystem preservation and protection, Part IV on stewardship of resources, and Part V on sustainable communities.

Schedule 1 provides definitions for some of the terms used in the document.

Commented [DH14]: REMOVED – extraneous; table of contents provides overview

LOCATION OF THE TRUST AREA

Commented [DH15]: Updated map to reflect 'Salish Sea' and clearer identification of local trust areas and island municipalities



PART I: PURPOSE AND IMPLEMENTATION OF THE TRUST POLICY STATEMENT

Commented [DH16]: See Part 2 of new draft Policy Statement

The purpose of the Policy Statement is to establish a vision for the future of the Islands Trust Area that reflects the values of residents of the Trust Area and of the Province generally. Achieving this vision depends on the actions of many stakeholders. The Policy Statement provides a general strategy for land use planning which translates the broad goals of the Province and the Islands Trust into specific actions to preserve¹ and protect² the Trust Area.

The Policy Statement clarifies the positions and policies of the Islands Trust and provides guidance for the formulation of bylaws, plans and policies. It is a document to be utilized by local trust committees and island municipalities when they are formulating local bylaws, by the Executive Committee of Trust Council when it is reviewing plans and bylaws of local trust committees and island municipalities, and by the Province and other agencies when they are reviewing their own plans and policies for compatibility with those of the Islands Trust.

The Policy Statement bylaw becomes effective upon the date of adoption. It is not retroactive and has no effect on any local trust committee or municipal bylaw in effect before its adoption.

ROLES AND RESPONSIBILITIES

The Islands Trust Council cannot effectively implement the Policy Statement without the support of all stakeholders. Assistance, cooperation and collaboration are required from local trust committees, island municipalities, the Trust Fund Board, the Provincial Government, other government agencies, non-government organizations, communities, First Nations, property owners, residents and visitors. In the spirit of the legislated object of the Islands Trust, it is expected that all corporate entities of the Islands Trust will consult with other agencies on matters involving potential conflict between the legislated object of the Trust and the legislated mandate of other agencies.

Role of the Minister of Community Services

The Minister approves the bylaw and provides an avenue of appeal for municipalities if neither the Executive Committee nor Trust approves a bylaw that has been submitted to them. And the Minister and Ministry staff can facilitate communication between the Islands Trust and other government agencies on policy matters.

¹ Preserve - to maintain in a given condition. Preservation often requires maintaining the processes that generate the desired condition.

² Protect - to maintain over the long-term by managing, or if necessary limiting, the type and intensity of development or activity to ensure that valued attributes are not compromised or destroyed.

Role of the Islands Trust Council

The *Islands Trust Act* assigns to the Islands Trust Council the responsibility for development and adoption of the Trust Policy Statement. Recognizing the varying roles and responsibilities of the many stakeholders and its own jurisdiction, Trust Council has included three types of policies in the Policy Statement bylaw:

a) Commitments of Trust Council

These policies state the position or philosophy of Trust Council on various matters. For this category of policy, several introductory phrases are used, for example, "Trust Council holds that", "It is the position of Trust Council that", and "It is Trust Council's policy that"

b) Policies that Direct Local Trust Committees and Island Municipalities

These policies direct local trust committees and island municipalities to address³ certain matters in their official community plans and regulatory bylaws. Where a policy requires a local trust committee or island municipality to address a particular matter, the official community plans must contain policies that implement the policy stated by Trust Council, unless the plan sets out explicitly the reasons and justifications for local policies that do not implement that policy. Directive policies commence with the phrase "Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address"

Commented [DH17]: REMOVED: The term "address" was removed/edited throughout the document such that the specific intent of each policy and directive verbs could be more clearly expressed (without changing the intent or prescriptiveness of the policy). Note definition of 'address' in footnote below.

c) Recommendations to Other Government Agencies, Non-Government Organizations, Property Owners, Residents and Visitors

These policies serve as recommendations from Trust Council to government agencies, non-government organizations, property owners, residents and visitors regarding decisions or actions that they might undertake in support of the Policy Statement and the Islands Trust object, and specify principles of guidance for protocol agreements between the Trust and other agencies. These policies begin with the phrase "Trust Council encourages"

Commented [DH18]: Updated to "Coordination Policies for Trust Council" to reflect Trust Council's jurisdictional powers (as noted in Sections 8 and 9 of the *Islands Trust Act*) related to coordination, advocacy, and making recommendations to the Province. More directive verbs used for emphasis.

Trust Council may review the Policy Statement annually to prioritize actions, assess progress, and consider possible amendments. **Council also serves as an avenue of appeal for local trust committees and island municipalities if a bylaw submitted to the Executive Committee is not approved.**

³ Address - direct attention to matters in a way that implements the policy of Trust Council.

Role of the Executive Committee

The Executive Committee of Trust Council is required to review all bylaws of local trust committees and those bylaws of island municipalities that deal with the adoption of an official community plan. Such bylaws have no effect unless approved by the Executive Committee, and the Committee cannot approve such a bylaw if it is "contrary to or at variance with" a directive policy. If there is no official community plan in place for an island municipality, then the Executive Committee is required to review all bylaws of the municipality, and no bylaw that is contrary to a directive policy in the Policy Statement can be approved.

The Executive Committee also monitors the progress of Trust Council in achieving the goals defined in the Policy Statement, and makes recommendations to Council in this regard.

Role of Local Trust Committees

As set out in the *Islands Trust Act*, bylaws of local trust committees cannot be "contrary to or at variance with" the Trust Policy Statement. The Policy Statement contains policies that direct local trust committees to address certain matters in their official community plans and regulatory bylaws. While directive policies identify matters that must be addressed in official community plans and regulatory bylaws, such policies do not stipulate the specific policies and regulations to be included because the social and environmental characteristics of the islands vary. However, where a certain policy requires a local trust committee to address a particular matter, the official community plan must contain policies that implement the policy stated by Trust Council or the plan must set out explicitly the reasons and justifications for local policies that do not do so. Each local trust committee works with its island community to develop policies and regulations to suit local needs, while still supporting the Islands Trust object and the Policy Statement. Local trust committees are not required to comply with any policy in the Policy Statement not stated as a directive policy.

Role of Island Municipalities

Municipalities in the Trust Area, like local trust committees, are directed to address certain matters in their official community plans. Where a particular policy requires a municipality to address a particular matter, the official community plan must contain policies that implement the policy stated by Trust Council unless the municipality sets out explicitly in the plan the reasons and justifications for local policies that do not do so.

Role of the Islands Trust Fund Board

The *Islands Trust Act* assigns the Islands Trust object to the Trust Fund Board, as well as to Trust Council and the local trust committees. Although the Board does not take direction from Trust Council, it can support the policies of the Policy Statement through, for example, the acceptance of voluntary donations of property and covenants, the purchase of lands and through education and communication initiatives.

Role of Other Government and Non-Government Organizations

Government agencies and non-government organizations can contribute greatly to the preservation and protection of the environment and amenities of the Trust Area through cooperative actions based on the Policy Statement. Cooperative actions such as protocols and mutually supportive strategies and action plans are necessary for the sustainability of the Trust Area.

Role of First Nations

First Nations consider the Trust Area to be within their traditional territory. As such, they may have rights to and interests in the Trust Area. Proposed regulations that may affect aboriginal rights will be preceded by meaningful consultation and negotiation of conflicts with known claims.

Role of Property Owners, Residents and Visitors

The assistance and cooperation of property owners, residents and visitors is vital to the preservation and protection of the environment and amenities of the Trust Area and the implementation of the Policy Statement. Individuals have the opportunity to participate in local planning and to work with other members of the community and the trustees to develop official community plans and bylaws that address local needs and support the object of the Islands Trust.

AMENDMENTS AND REVIEW

The Policy Statement bylaw may be amended by the Islands Trust Council with the approval of the Minister of Community Services. Regardless of the source, all proposals for amendments to the Policy Statement are compiled by the Executive Committee and brought forward for the consideration of Trust Council.

The Islands Trust Council may, from time to time, initiate a public review of the entire Policy Statement.

PART II: THE ISLANDS TRUST'S OBJECT AND GUIDING PRINCIPLES

THE ISLANDS TRUST OBJECT AND ITS MEANING

The *Islands Trust Act* provides the following definition of the purpose of the Islands Trust, which is referred to in the legislation as its "object":

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"The object of the Trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia."

The Islands Trust has responsibility for conservation⁴ through land use planning and regulation and for leadership in stewardship — that is, voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities of the Trust Area. It is in this context that the word "stewardship" is used within this document. The Islands Trust seeks to integrate ecosystem preservation and protection, sustainable communities and stewardship of resources.

The *Islands Trust Act* provides special legislation for preservation and protection of the Georgia Strait-Howe Sound geographic area and creates a conservation-oriented agency to work towards this objective. The object establishes the value of the Trust Area by identifying the need for preservation and protection of the Area. The following sections provide a fuller explanation of the key phrases in the legislated object of the Trust.

"... to preserve and protect the Trust Area and its unique amenities and environment..."

The area of jurisdiction of the Islands Trust is established by Schedule A of the *Islands Trust Act*. The Trust Area is valued and is unique, not because of any one quality or feature, but rather because of its particular combination of characteristics and location.

"... for the benefit of the residents of the Trust Area and of British Columbia generally ..."

The Islands Trust is responsible to the present and future residents of both the Trust Area and the Province of British Columbia. Their needs can only be met and sustained within the limitations of the natural environment and the island communities of the Trust Area. A balance must be established between the needs of all stakeholders.

"... in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of the Province ..."

To achieve its object, the Islands Trust must be an educator, coordinator, and initiator, guiding individuals, organizations and other agencies in support of the object. While the Islands Trust can provide the necessary leadership, responsibility for stewardship of the Trust Area rests with many. Individuals, other government agencies, organizations, and the Province itself all have important roles to play. Cooperative actions are required of other agencies, organizations and individuals to

⁴ Conservation - actions, legislation or institutional arrangements that lead to the protection or preservation of a given species, group of species, habitat, natural area, or property or area of human heritage value or character.

ensure that activities are carried out in a manner that is sensitive to the needs of Trust Area ecosystems⁵ and island communities.

Commented [DH19]: Moved section on "The Islands Trust Object and its Meaning" to 1.4 and updated

GUIDING PRINCIPLES

The following principles, derived from the Islands Trust object and from input received from the public during public forums, will guide Trust Council in its day-to-day planning and decision-making.

- * The primary responsibility of the Islands Trust Council is to provide leadership for the preservation, protection and stewardship of the amenities, environment and resources of the Trust Area.
- * When making decisions and exercising judgment, Trust Council will place priority on preserving and protecting the integrity of the environment and amenities in the Trust Area.
- * Trust Council will seek information from a broad range of sources in its decision-making processes, recognizing the importance of local knowledge in this regard.
- * Trust Council believes that to achieve the Islands Trust object, the rate and scale of growth and development in the Trust Area must be carefully managed and may require limitation.
- * Trust Council believes that open, consultative public participation is vital to effective decision making for the Trust Area.
- * Trust Council will implement a plan for the advancement of the Policy Statement as part of its annual budget process, and the Executive Committee of Trust Council will report to Council on progress in achieving the goals of the Policy Statement.

Commented [DH20]: Moved to new Part 3: Regional Governance and turned into Regional Governance Policies – i.e. Commitments of Trust Council and some Directive Policies for local trust committees and island municipalities – to give prominence to these regional governance approaches that are critical to the Islands Trust Object.

⁵ Ecosystem - complexes of living organisms interacting with the non-living environment that sustains them. All ecosystems have three fundamentals: composition, structure and function. The composition of ecosystems is defined as an inventory of the living components including humans. The structure of an ecosystem is the physical arrangement of its living and non-living components. Function refers to the exchanges and flows of energy, material or information within and among the living and non-living components of an ecosystem.

PART III: ECOSYSTEM PRESERVATION AND PROTECTION

Commented [DH21]: COMBINED PARTS III and IV; Feedback from engagement processes and TPC working groups to reframe notion of "natural resources" to more integrated ecosystem stewardship.

GOAL: TO FOSTER PRESERVATION AND PROTECTION OF THE TRUST AREA'S ECOSYSTEMS

As humans occupy and modify the Trust Area, ecosystems are subject to various pressures. Protection of these ecosystems is essential if they are to remain healthy and productive for the benefit of future generations.

The principle of sustainability⁶ must be upheld. Protective measures are varied and can include actions ranging from preservation of natural areas⁷ in the form of parks and ecological reserves, to increasing public awareness and understanding of the need for sustainable use⁸ and stewardship⁹ by all landowners.

The task of protecting the Trust Area is particularly challenging because ecosystems do not stop at political boundaries. Cooperative management programs are required to coordinate the actions of all stakeholders. Government, property owners, residents and visitors share responsibility for the preservation and protection of the Trust Area ecosystems.

POLICIES FOR ECOSYSTEM PRESERVATION AND PROTECTION

3.1 Ecosystems

Commitments of Trust Council

3.1.1 Trust Council holds that:

- proactive land use planning is essential for the protection of Trust Area ecosystems,
- protection must be given to the natural processes, habitats¹⁰ and species¹¹ of the Trust Area, including those of the old forests, Coastal Douglas-fir forests, Coastal Western Hemlock, Garry Oak/Arbutus forests, wetlands¹², open coastal grasslands, the vegetation of dry rocky areas, lakes, streams, estuaries, tidal flats, salt water marshes, drift sectors¹³, lagoons, and kelp and eel grass beds, and

⁶ Sustainable - capable of being maintained indefinitely; capable of meeting the environmental, economic and social needs of current generations without compromising the ability of future generations to meet their needs.

⁷ Natural Areas - areas that have experienced minimal modification by humans.

⁸ Sustainable Use - use of renewable resources which is within the capability of those resources for renewal and which conserves the ecological processes that support the use.

⁹ Stewardship - voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities of the Trust Area.

¹⁰ Habitat - the place or situation in which a human, animal or plant lives.

¹¹ Trust Area Species - species native to the Trust Area, dependent on the Trust Area for all or part of their life cycle, or using the Trust Area seasonally or for migratory purposes.

¹² Wetland - land that has the water table at, near, or above the land's surface or which is saturated for a long enough period to promote aquatic processes.

¹³ Drift Sector - an integrated and independently operating beach system or erosion-transportation-accretion operating along the coastline.

- planning must account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies and Trust Area species and habitats.

3.1.2 It is Trust Council's policy to work towards the establishment of a network of protected areas that preserves representative ecosystems in their natural state and in sufficient size and distribution to sustain their ecological¹⁴ integrity.

Directive Policies

3.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and protection of the environmentally sensitive areas and significant natural sites, features and landforms in their planning area.

3.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning, establishment, and maintenance of a network of protected areas that preserve the representative ecosystems of their planning area and maintain their ecological integrity.

3.1.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the regulation of land use and development to restrict emissions to land, air and water to levels not harmful to humans or other species.

Recommendations

3.1.6 Trust Council encourages all government agencies and non-government organizations to consider both monetary and non-monetary costs when making resource management and land use decisions.

3.1.7 Trust Council encourages the Provincial government and the government of Washington State to proceed with their proposal for a joint environmental monitoring system for the Georgia Basin Region.

3.1.8 Trust Council encourages the Provincial government to establish property tax incentives for conservation or habitat protection.

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

- place priority on the side of protection for Trust Area ecosystems when judgment must be exercised,
- protect the diversity of native species and habitats in the Trust Area, and
- prevent pollution of the air, land and fresh and marine waters of the Trust Area.

3.1.10 Trust Council encourages the Provincial government to enforce standards for control of emissions polluting the air of the Trust Area.

¹⁴ Ecological - related to the interrelations among plants, animals (including humans) and their environment.

Commented [DH22]: REMOVED as per direction from TPC working group on climate change and engagement feedback – general desire to move away from commodification and/or monetization of nature

Commented [DH23]: REMOVED – time sensitive project, inappropriate for general nature of Policy Statement

Commented [DH24]: REMOVED – accomplished through Natural Area Protection Tax Exemption Program (NAPTEP) regulation

- 3.1.11 Trust Council encourages agents of the government of British Columbia or the government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers to protect environmentally sensitive areas and significant natural sites, features and landforms through voluntary stewardship, acquisitions, conservation covenants and careful management.

Amend
Nov 4/96
BL 42

3.2 Forest Ecosystems

Commitment of Trust Council

- 3.2.1 It is Trust Council's policy that:

- forest ecosystems in the Trust Area should be protected, and
- the remaining stands relatively undisturbed Coastal Douglas fir, Coastal Western Hemlock, Garry Oak and Arbutus should be preserved.

Directive Policy

- 3.2.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of unfragmented forest ecosystems¹⁵ within their local planning areas from potentially adverse impacts of growth, development and land-use.

Recommendation

- 3.2.3 Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect forested areas through voluntary donation, acquisition, conservation covenants and careful management.

3.3 Freshwater and Wetland Ecosystems and Riparian Zones¹⁶

Commitment of Trust Council

- 3.3.1 Trust Council holds that:

- the freshwater wetlands, bodies of surface water, natural drainage patterns, water courses, fish-bearing streams, watershed and groundwater recharge areas of the Trust Area should be identified, protected and, where possible, restored or rehabilitated, and
- the natural wetlands of the Trust Area, including those in the Agricultural Land Reserve that have not been altered in the past for agriculture, should not be drained, filled or degraded.

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Directive Policy

- 3.3.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means to prevent further loss or degradation of freshwater bodies or watercourses, wetlands and riparian zones and to protect aquatic wildlife.

¹⁵ Unfragmented Forest Ecosystem - areas of forested land that are large enough to contain and sustain the forests' characteristic species.

¹⁶ Riparian Zone - relating to the bank of a river, lake, stream or watercourse.

Recommendation

3.3.3 Trust Council encourages government agencies, non-government organizations, property owners and occupiers to protect freshwater bodies, watercourses, wetlands, riparian zones and aquatic wildlife habitats through voluntary donation, acquisition, conservation covenants and careful management.

3.4. Coastal and Marine Ecosystems

Commitments of Trust Council

3.4.1 It is the position of Trust Council that development should not be allowed within a line drawn 300 metres offshore or mid-channel (whichever is less) of any island or islet in the Trust Area owned entirely by the Crown or affected by Order in Council 467¹⁷.

3.4.2 It is Trust Council's policy that marine areas be protected and coastal zone management principles be defined in consultation with agents of the government of British Columbia, the government of Canada, Crown corporations, municipalities, regional districts, non-government organizations, property owners and occupiers.

Amend
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3.4.3 Trust Council holds that artificial reefs should not be developed in the Trust Area.

Interpretation Note: Small scale habitat enhancement structures known as 'reef balls', which are placed in marine areas with the approval of Fisheries and Oceans Canada, are not considered to be artificial reefs for the purposes of this policy.

Interp. Memo
Mar 7/03

Directive Policies

3.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of sensitive coastal areas.

3.4.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning for and regulation of development in coastal regions to protect natural coastal processes.

Recommendations

3.4.6 Trust Council encourages the Provincial and Federal governments to develop existing and new programs such as "harvest refugia", which protect and enhance the populations of native marine species of the Trust Area.

3.4.7 Trust Council encourages the Provincial and Federal governments to research the impacts of the introduction of new marine species into the marine water of the Trust Area before such species are introduced.

3.4.8 Trust Council encourages the Federal and Provincial governments to develop and adopt legislation that regulates sewage discharge from shores and boats and addresses its detrimental impact on marine or coastal ecosystems.

¹⁷ Order in Council 467 - Provincially established legislation that reserves certain Crown lands, including lesser islands and islets in the Trust Area from disposition under the *Land Act*.

Commented [DH25]: REMOVED: concerns relating to First Nations rights

PART IV: STEWARDSHIP OF RESOURCES

GOAL: TO ENSURE THAT HUMAN ACTIVITY AND THE SCALE, RATE AND TYPE OF DEVELOPMENT IN THE TRUST AREA ARE COMPATIBLE WITH MAINTENANCE OF THE INTEGRITY OF TRUST AREA ECOSYSTEMS.

With responsible management, the natural resources of the Trust Area can be used long into the future. In the long term, it is less costly to use resources sustainably than to have to replace or rehabilitate them once they are depleted. Indiscriminate use or development of natural resources can threaten the island lifestyles and environments that are valued by the people who live in and visit the Trust Area.

Commented [DH26]: COMBINED PARTS III and IV; Feedback from engagement processes and TPC working groups to reframe notion of "natural resources" to more integrated ecosystem stewardship.

POLICIES FOR STEWARDSHIP OF RESOURCES

4.1 Agricultural Land

Amend
Nov 4/96
BL 42

Commitments of Trust Council

- 4.1.1 Trust Council recognizes that agriculture is a traditional and valuable activity in the Trust Area.
- 4.1.2 Trust Council shall consult with the Ministry of Agriculture, Fisheries and Food and the British Columbia Land Reserve Commission to request that agriculture policies applied to the Trust Area are appropriate to the nature of agriculture within the Trust Area, including, but not limited to, the smaller island scale of agricultural activities.
- 4.1.3 It is Trust Council's policy to encourage agricultural management practices that are compatible with sustaining wildlife habitat.

Commented [DH27]: REMOVED: A statement of concern for some First Nations; Feedback that agriculture is not a "traditional" activity for First Nations and has had adverse impacts on First Nations interests (environmental impacts compromising Indigenous food harvesting in coastal and marine areas, impacts to traditional hunting grounds, etc.). Other general concerns expressed by Islands Trust Conservancy staff about impacts of agricultural activity and livestock on sensitive ecosystems, noting downstream effects, invasive species, impacts to natural areas, etc.

Directive Policies

- 4.1.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and preservation of agricultural land for current and future use.
- 4.1.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the preservation, protection and encouragement of farming, the sustainability of farming, and the relationship of farming to other land uses.
- 4.1.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the use of adjacent properties to minimize any adverse affects on agricultural land.
- 4.1.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the design of road systems and servicing corridors to avoid agricultural lands unless the need for roads outweighs agricultural considerations, in which case appropriate mitigation measures shall be required to derive a net benefit to agriculture.
- 4.1.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address land uses and activities that support the economic viability of farms without compromising the agriculture capability of agricultural land.

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BL 48

4.1.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the use of Crown lands for agricultural leases.

Commented [DH28]: REMOVED: Obscure policy that has not been applied; intent unclear

Recommendations

4.1.10 Trust Council encourages the Ministry of Transportation to ensure that, where a road must sever agricultural land to provide access to lands beyond, the road is built to the minimum standard necessary to service that land.

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

Commented [DH29]: REMOVED: due to First Nations concerns and feedback from Islands Trust Conservancy staff regarding ALR lands sometimes compromising First Nations interests, protected area networks and conservation-oriented land securement strategies.

4.1.12 Trust Council encourages the Provincial government and the British Columbia Assessment Authority to:

- retain a separate farm class to provide significant property tax incentives;
- ensure that the threshold for farm income necessary for farm class status is appropriate to agriculture within the Trust Area; and
- acknowledge that the total land area subject to the farm class may include land left uncultivated.

Amend
Dec
4/98
BL 53

4.2 Forests

Commitments of Trust Council

4.2.1 Trust Council recognizes that forestry is a traditional land use in the Trust Area, and supports sustainable forestry as an appropriate form of land use.

Commented [DH30]: REMOVED: similar concerns as in agriculture section to framing as "traditional" or "appropriate"; generally reframing forestry references to "sustainable forest harvesting".

4.2.2 It is the position of Trust Council that sustainable forestry depends on maintaining and, where necessary, restoring the ecological integrity of forests.

4.2.3 It is the position of Trust Council that to achieve sustainable forestry, forest owners should undertake planning to address the integrity of forest ecosystems, including monitoring and evaluation to modify forestry plans and activities as needed.

4.2.4 It is the position of Trust Council that forest cover is a representative characteristic of the Trust Islands and should be maintained.

4.2.5 It is the position of Trust Council that the aesthetic value of forest land should be protected.

Directive Policies

4.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the need to protect the ecological integrity on a scale of forest stands and landscapes.

4.2.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address:

- the retention of large land holdings and parcel sizes for sustainable forestry use, and
- the location and construction of roads, and utility and communication corridors to minimize the fragmentation of forests.

- 4.2.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the designation of forest ecosystem reserves where no extraction will take place to ensure the preservation of native biological diversity.

Recommendations

- 4.2.9 Trust Council encourages the Provincial government to adopt mechanisms that will ensure full and meaningful participation of communities in decisions concerning the use of forest land.
- 4.2.10 Trust Council encourages the Provincial government to implement education and extension programs to promote sustainable forestry and the protection of forest ecosystems.
- 4.2.11 Trust Council encourages the Provincial government to adopt Provincial statutes and guidelines that establish forestry practices to protect the ecological integrity on a scale of forest stands and landscapes by maintaining and, where necessary, restoring:
- the diversity of forest structure and composition;
 - the physical, chemical, and biotic diversity of soils;
 - natural aquatic and wetland ecosystems;
 - the full range of natural habitats in the forest landscape, including old growth; and
 - connectivity of forest habitats sufficient for the dispersal needs of native species.
- 4.2.12 Trust Council encourages the Provincial government to adopt Provincial statutes and guidelines that will reduce invasive non-native plant species in the forests.
- 4.2.13 Trust Council encourages the Provincial government to designate forest ecosystem reserves, where no extraction will take place, to promote the preservation of native biological diversity.
- 4.2.14 Trust Council encourages the Provincial government, prior to giving approval to cutting plans, to require that the applicant identify those elements of the forest needed to maintain sustainable forest land use.
- 4.2.15 Trust Council encourages the Provincial government to implement property tax incentives for the practice of sustainable forestry.
- 4.2.16 Trust Council encourages the Provincial Ministry of Forests, when developing specific forest tenures, to assign to Trust Council or Trust Fund Board the holding of areas not to be harvested.

4.3 Wildlife and Vegetation

Recommendations

4.3.1 Trust Council encourages Provincial and Federal government agencies to:

- regulate and monitor the harvesting of the fish, wildlife and vegetation of the Trust Area so as to protect populations and habitats, and
- consult with local trust committees, island municipalities, the communities of the Trust Area and First Nations prior to decisions regarding regulation of hunting or harvesting of Area wildlife or vegetation.

4.3.2 Trust Council encourages Provincial and Federal government agencies to protect, for public use, areas supporting naturally occurring shellfish populations and other marine life and to establish public shellfish reserves in the Trust Area.

4.4 Freshwater Resources

Commitment of Trust Council

4.4.1 It is Trust Council's policy that islands in the Trust Area should be self-sufficient in regard to their supply of freshwater.

Directive Policies

4.4.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure:

- neither the density nor intensity of land use is increased in areas which are known to have a problem with the quality or quantity of the supply of freshwater,
- water quality is maintained, and
- existing, anticipated and seasonal demands for water are considered and allowed for.

4.4.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address measures that ensure water use is not to the detriment of in-stream uses¹⁸.

Recommendations

4.4.4 Trust Council encourages island property owners, residents and visitors to adopt conservation practices in their use of freshwater.

4.4.5 Trust Council encourages the Provincial government to implement property tax incentives for the retention of groundwater and watershed recharge areas and freshwater wetlands.

4.4.6 Trust Council encourages the Provincial government to adopt legislation that protects the sustainability and quality of the groundwater of the Trust Area.

4.4.7 Trust Council encourages government agencies, corporations, property owners and residents to use innovative technologies that promote efficient use of freshwater resources, including cisterns, alternative sewage disposal systems, reuse of water, the treatment and use of grey water, and the use of water saving devices.

¹⁸ Instream Uses - include water uses such as fish and habitat uses, aesthetic uses, recreational opportunities and the maintenance of water quality in lakes and streams and wetlands.

Commented [DH31]: Moved Recommendations from this section to Coordination Policies of 4.1.1 – Environmental Integrity Policies

4.5 Coastal Areas and Marine Shorelands¹⁹

Commitments of Trust Council

- 4.5.1 It is Trust Council's policy that aquaculture²⁰ is a valuable activity in the Trust Area if compatible with maintenance of ecosystems and community character.
- 4.5.2 Trust Council holds that finfish farms should not be located in the marine waters of the Trust Area.
- 4.5.3 It is the position of Trust Council that development, activity, buildings or structures should not result in a loss of significant marine or coastal habitat, or interfere with natural coastal processes.
- 4.5.4 It is the position of Trust Council that development, activity, buildings or structures should not restrict public access to, from or along the marine shoreline.
- 4.5.5 It is Trust Council's policy that development should be directed to sites away from:
- areas of environmental sensitivity, and
 - areas of naturally occurring stocks of clams or oysters.
- 4.5.6 It is Trust Council's policy that aquaculture should be directed to sites away from:
- areas of recreational significance,
 - areas where an aquaculture operation would conflict with established or designated upland land uses, and
 - areas where an aquaculture operation would conflict with established or designated anchorage or moorage.
- 4.5.7 It is the position of Trust Council that aquaculture related development, activity, buildings or structures should not result in site alteration²¹.

Directive Policies

- 4.5.8 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the needs and locations for marine dependent land uses.
- 4.5.9 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the compatibility of the location, size and nature of marinas with the ecosystems and character of their local planning areas.
- 4.5.10 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the location of buildings and structures so as to protect public access to, from and along the marine shoreline and minimize impacts on sensitive coastal environments.

¹⁹ Marine Shorelands - lands immediately adjacent to the marine shorelands.

²⁰ Aquaculture - the growing and cultivation of aquatic plants or shellfish, for commercial purposes on or under the foreshore or in the sea.

²¹ Site Alteration - includes, but is not limited to substrate modification or the use of metal plates or pipes.

- 4.5.11 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address opportunities for the sharing of facilities such as docks, wharves, floats, jetties, boat houses, board walks and causeways.

4.6 Soils²² and Other Resources

Commitments of Trust Council

- 4.6.1 Trust Council holds that there should be no extraction of peat, metals, minerals, coal or petroleum resources in the Trust Area.
- 4.6.2 Trust Council holds that there should be no extraction of aggregate from the foreshore or the sea floor of the Trust Area.

Directive Policy

- 4.6.3 Local trust committees and island municipalities shall, in local bylaws relating to soil removal and deposit, address the protection of productive soils.

²² Soils - the entire layer of unconsolidated material above bedrock other than minerals as defined in the *Mineral Tenure Act* or the *Mining Placer Act*.

PART V: SUSTAINABLE COMMUNITIES²³**Commented [DH32]:** See Part 6 of new draft Policy Statement**GOAL: TO SUSTAIN ISLAND CHARACTER AND HEALTHY COMMUNITIES**

Communities within the Trust Area are predominantly rural in character and contrast markedly with surrounding urban areas. Each island community has developed somewhat independently of other communities. Residents of all island communities value the safe and supportive nature of their island and their quality of life. Most feel strongly that people of differing age groups and income levels should continue to have the opportunity to reside in island communities.

The health of a community is influenced by numerous factors such as economic security, education, social support systems, the cleanliness and safety of the environment, and the availability of such necessities as educational and social services, transportation, affordable food and housing. Public involvement in decisions that affect a community is also critical to the health of that community. Participation in the decision-making process influences whether an individual or group is able to realize aspirations, satisfy needs or cope with change.

POLICIES FOR SUSTAINABLE COMMUNITIES**5.1 Aesthetic Qualities****Commented [DH33]:** Moved policies to 6.1 Rural Island Planning Policies**Commitments of Trust Council**

- 5.1.1 Trust Council holds that the overall visual quality of the Trust Area and its scenic values should be protected from disturbance, particularly those areas that have distinctive features or are highly visible.
- 5.1.2 It is Trust Council's policy that the intensity of noise and lighting in and through the Trust Area should be compatible with community character.

Directive Policy

- 5.1.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the protection of views, scenic areas and distinctive features contributing to the overall visual quality and scenic value of the Trust Area.

Recommendation

- 5.1.4 Trust Council encourages property owners, residents and visitors to reduce the burning of wood and fossil fuels by adopting alternative or innovative technologies.

5.2 Growth and Development**Commented [DH34]:** Moved policies to 6.1 Rural Island Planning Policies**Commitments of Trust Council**

- 5.2.1 Trust Council holds that growth and development in the Trust Area should be compatible with preservation and protection of the environment, natural amenities, resources and community character.
- 5.2.2 Trust Council holds that tree cover on the islands is of great importance and should be preserved.

Amend
Mar 6/98
BL 48

²³ Sustainable Communities - human communities that have achieved a balance between environmental, economic and social systems and which respect the carrying capacity of the supporting environment.

Directive Policies

- 5.2.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address policies related to the aesthetic, environmental and social impacts of development.
- 5.2.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address any potential growth rate and strategies for growth management that ensure that land use is compatible with preservation and protection of the environment, natural amenities, resources and community character.
- 5.2.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address means for achieving efficient use of the land base without exceeding any density limits defined in their official community plans.
- 5.2.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification of areas hazardous to development, including areas subject to flooding, erosion or slope instability, and strategies to direct development away from such hazards.

5.3 Transportation and Utilities

Commitments of Trust Council

- 5.3.1 Trust Council holds that local trust committees and island municipalities should be consulted and involved in the decision-making process regarding provision of utilities, transportation services or facilities that might affect land use in their local planning areas.
- 5.3.2 It is Trust Council's policy that no island in the Trust Area should be connected to Vancouver Island, the mainland or another island by a bridge or tunnel, notwithstanding the existing bridge between North and South Pender Islands.

Directive Policies

- 5.3.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws address the development of a classification system of rural roadways, including scenic or heritage road designations, in recognition of the object of the Islands Trust.
- 5.3.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the impacts of road location, design, construction and systems.
- 5.3.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the designation of areas for the landing of emergency helicopters.
- 5.3.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the development of land use patterns that encourage establishment of bicycle paths and other local and inter-community transportation systems that reduce dependency on private automobile use.

Recommendations

Amend
Nov 4/96
BL 42

Amend
Nov 4/96
BL 42

Commented [DH35]: REMOVED "and Utilities" as all of the policies pertain to Transportation

5.3.8 Trust Council encourages Provincial and Federal agencies to ensure safe shipment of materials hazardous to the environment.

Amend
Nov 4/96
BL 42

5.3.9 Trust Council encourages the Ministry of Transportation and local communities to work together through a public consultation process to evaluate and modify road construction and road system proposals to encompass the environmental, economic and social values of the community.

5.4 Disposal of Waste

Commitments of Trust Council

5.4.1 It is Trust Council's policy that the safe disposal in the Trust Area of waste originating in the Trust Area is acceptable.

5.4.2 It is Trust Council's policy that:

- neither hazardous nor industrial waste should be disposed of in the Trust Area,
- local recycling operations should be established, and
- local programs for chipping of wood waste and disposal of hazardous wastes should be established.

5.4.3 It is Trust Council's policy that there should be a reduction in the burning of solid waste in the Trust Area.

Directive Policy

5.4.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification of acceptable locations for the disposal of solid waste.

Recommendation

5.4.5 Trust Council encourages government agencies, corporations, property owners and residents to use innovative technologies and safe alternatives for disposal of sewage effluent.

5.5 Recreation

Commitments of Trust Council

5.5.1 It is Trust Council's policy that recreational activities in the Trust Area should be compatible with preservation and protection of the environment, natural amenities, resources and community character.

Amend
Mar 6/98
BL 48

5.5.2 Trust Council holds that destination gaming facilities such as casinos and commercial bingo halls are not appropriate to and should not be located in the Trust Area.

Commented [DH36]: Moved policies to 6.1 Rural Island Planning Policies

Directive Policies

Amend
Mar 6/98
BL 48

- 5.5.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the prohibition of destination gaming facilities such as casinos and commercial bingo halls.
- 5.5.4 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address:
 - the location and type of recreational facilities so as not to degrade environmentally sensitive areas, and
 - the designation of locations for marinas, boat launches, docks and anchorages so as not to degrade sensitive marine or coastal areas.
- 5.5.5 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address:
 - the identification of sites providing safe public access to beaches,
 - the identification and designation of areas of recreational significance, and
 - the designation of locations for community and public boat launches, docks and anchorages.
- 5.5.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification and designation of areas for low impact recreational activities and discourage facilities and opportunities for high impact recreational activities.
- 5.5.7 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the planning for bicycle, pedestrian and equestrian trail systems.

5.6 Cultural and Natural Heritage²⁴

Commitment of Trust Council

- 5.6.1 Trust Council holds that the natural and human heritage of the Trust Area — that is the areas and property of natural, historic, cultural, aesthetic, educational or scientific heritage value²⁵ or character²⁶ — should be identified, preserved, protected and enhanced.

Directive Policies

- 5.6.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the identification, protection, preservation and enhancement of local heritage.
- 5.6.3 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address the preservation and protection of the heritage value and character of historic coastal settlement patterns and remains.

²⁴ Heritage - a place, feature or event of cultural, biological, archaeological, paleontological or geological significance.

²⁵ Heritage Value - historical, cultural, aesthetic, educational or scientific worth or usefulness of property or an area.

²⁶ Heritage Character - the overall effect produced by traits or features which give property or an area a distinctive quality or appearance.

Commented [DH37]: Moved policies to NEW PART 5: Heritage Preservation and Protection

5.7 Economic Opportunities

Commented [DH38]: Moved policies to 6.1 Rural Island Planning Policies

Commitment of Trust Council

5.7.1 Trust Council holds that economic opportunities should be compatible with the conservation of resources and protection of community character.

Directive Policy

5.7.2 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address economic opportunities that are compatible with conservation of resources and protection of community character.

5.8 Health and Well-being

Commented [DH39]: Moved policies to 6.1 Rural Island Planning Policies

Commitments of Trust Council

5.8.1 Trust Council holds that public participation should be part of the decision-making processes of all levels of government.

5.8.2 It is the position of Trust Council that local trust committees and island municipalities should, in establishing their official community plans and regulatory bylaws, provide opportunities for public input.

5.8.3 Trust Council holds that island communities within the Trust Area are themselves best able to determine the most effective local government structure to support their local autonomy and specific community needs within the object of the Islands Trust.

5.8.4 Trust Council holds that island municipalities shall, in all of their actions have regard for the Trust Policy Statement and the object of the Islands Trust.

5.8.5 It is the position of Trust Council that the development and maintenance of healthy communities in the Trust Area through the process described in the Provincial Ministry of Health's "Healthy Communities Program" should be encouraged.

Commented [DH40]: REMOVED: time-sensitive project, inappropriate to general nature of the Policy Statement

Directive Policies

5.8.6 Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, address their community's current and projected housing requirements and the long-term needs for educational, institutional, community and health-related facilities and services, as well as the cultural and recreational facilities and services.

Commented [DH41]: Moved to new section 6.2 devoted to Housing Policies

Recommendations

Amend
Nov 4/96
BL 42

5.8.7 Trust Council encourages Provincial, Federal and local governments to provide information and databases to local trust committees and communities to assist them in land use planning.

Commented [DH42]: REMOVED: unclear what the intent of this policy is

5.8.8 Trust Council encourages government agencies, corporations, property owners, residents and visitors to use renewable sources of energy within the Trust Area.

SCHEDULE I

DEFINITIONS

Address - direct attention to matters in a way that implements the policy of Trust Council.

Aquaculture - the growing and cultivation of aquatic plants or shellfish, for commercial purposes on or under the foreshore or in sea.

Conservation - actions, legislation or institutional arrangements that lead to the protection or preservation of a given species, group of species, habitat, natural area, or property or areas of human heritage value or character.

Drift Sector - an integrated and independently operating beach system of erosion-transportation-accretion operating along the coastline.

Ecological - related to the interrelations among plants, animals (including humans) and their environment.

Ecosystem - complexes of living organisms interacting with the non-living environment that sustains them. All ecosystems have three fundamentals: composition, structure and function. The composition of ecosystems is defined as an inventory of the living components including humans. The structure of an ecosystem is the physical arrangement of its living and non-living components. Function refers to the exchanges and flows of energy, material or information within and among the living and non-living components of an ecosystem.

Habitat - the place or situation in which a human, animal or plant lives.

Heritage - a place, feature or event of historical, cultural, aesthetic, educational or scientific significance.

Heritage Character - the overall effect produced by traits or features which give property or an area a distinctive quality or appearance.

Heritage Property - property or areas that have historical, cultural, aesthetic, educational or scientific value or character.

Heritage Value - historical, cultural, aesthetic, educational or scientific worth or usefulness of property or an area.

Instream Uses - include water uses such as fish and habitat uses, aesthetic uses, recreational opportunities and maintenance of water quality in lakes and streams and wetlands.

Marine Shorelands - lands immediately adjacent to the marine shoreline.

Natural Areas - areas that have experienced minimal modification by the human species.

Order in Council 467 - Provincially established legislation that reserves certain Crown lands, including lesser islands and islets in the Trust Area, from disposition under the *Land Act*.

Preserve - to maintain in a given condition. Preservation often requires maintaining the processes that generate the desired condition.

Protect - to maintain over the long term by managing, or if necessary limiting, the type and intensity of development or activity to ensure that valued attributes are not compromised or destroyed.

Renewable Resources - resources that are capable of being replaced by natural ecological cycles within reasonable human time frames.

Riparian Zone - relating to the bank of a river, lake, stream or watercourse.

Site Alteration - includes, but is not limited to substrate modification or the use of metal plates or pipes.

Soil - the entire layer of unconsolidated material above bedrock other than minerals as defined in the *Mineral Tenure Act* or the *Mining Placer Act*.

Stewardship - voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities of the Trust Area.

Sustainable - capable of being maintained indefinitely; capable of meeting the environmental, economic and social needs of current generations without compromising the ability of future generations to meet their needs.

Sustainable Communities - human communities that have achieved a balance between environmental, economic and social systems and that respect the carrying capacity of the supporting environment.

Sustainable Use - use of renewable resources which is within the capacity of those resources for renewal and which conserves the ecological processes that support the use.

Trust Area Species - species native to the Trust Area, dependent on the Trust Area for all or part of their life cycle, or using the Trust Area seasonally or for migratory purposes.

Unfragmented Forest Ecosystems - areas of forested land that are large enough to contain and sustain the forests' characteristic species.

Wetland - land that has the water table at, near, or above the land's surface or which is saturated for a long enough period to promote aquatic processes.

Commented [DH43]: REMOVED SCHEDULE 1 – DEFINITIONS. Key interpretations of terms were moved to the preamble sections of each chapter for ease of reference and fuller interpretive context (and to comply with new directions around definitions in accordance with the *Declaration on the Rights of Indigenous Peoples Act*).

OPTIONAL POLICY STATEMENT AMENDMENT ALTERNATIVES: DOCKS

On June 23, 2021, Executive Committee passed Resolution **EC-2021-101**:

That Executive Committee request staff to provide alternative language to “prohibiting private docks” language for Trust Council to consider consistent with our reconciliation commitment as options in the request for decision (RFD).

Staff has prepared the following amendment options should Trust Council wish to amend Policies 4.6.7 and 4.6.14 in the Draft Policy Statement Bylaw No. 183.

Optional amendments to bullets in Trust Council Commitment 4.6.7:

(It is Trust Council’s policy that the following restrictions are necessary in order to preserve and protect the sensitive coastal and marine waters of the Trust Area: ...)

- 1) In bulleted list of 4.6.7,
replace: “new private docks should be limited to boat access only properties”
with: “new private docks should be limited in number and scale”

Optional amendments to Directive Policy 4.6.14:

- 2) With reference to 4.6.14,
replace: “Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit new private docks except where properties are boat-access only.”

with:

a) “Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit new private docks, except where properties are boat-access only, **in order to minimize the cumulative impacts on sensitive marine ecosystems and aquatic species at risk, eelgrass, kelp, and clam beds, forage fish spawning areas, as well as First Nations’ cultural, archaeological, and traditional harvesting sites.**”

OR

b) “Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, prohibit new private docks, except where properties are boat-access only, **in locations that provide critical habitat as defined in the *Species at Risk Act*¹ or that have cultural heritage or archaeological value.**”

OR

c) “Local trust committees and island municipalities shall, in their official community plans and regulatory bylaws, **include policies and regulations to limit the location and scale of new private docks, in order to minimize the cumulative impacts on sensitive marine ecosystems and aquatic species at risk, eelgrass, kelp, and clam beds, forage fish spawning areas, as well as First Nations’ cultural, archaeological, and traditional harvesting sites.**”

¹ The *Species At Risk Act* describes “critical habitat” as the habitat that is necessary for the survival or recovery of a listed wildlife species (e.g. the Southern Resident Killer Whale), and that is identified as the species’ critical habitat in a recovery strategy or in an action plan for the species.