



Trust Programs Committee Revised Agenda

Date: Thursday, May 29, 2025
Time: 9:00 am - 2:00 pm
Location: Electronic Zoom Meeting

Pages

1. **CALL TO ORDER**
2. **AGENDA**
 - 2.1 **Review of the Agenda**

Late items, new items and re-ordering of the agenda
 - 2.2 **Approval of Agenda**
3. **PUBLIC COMMENT PERIOD**
4. **DELEGATIONS**

None.
5. **CORRESPONDENCE**

None.
6. **ADMINISTRATIVE COORDINATION**
 - 6.1 **Draft Minutes of Previous Meetings**
 - 6.1.1 **Trust Programs Committee Draft Minutes of May 7, 2025** 4 - 11

For review and approval
 - 6.2 **Resolutions Without Meeting**
 - 6.2.1 **TPC RWM 2025-02 - Set Special Meeting of April 29, 2025** 12 - 12

For information.
 - 6.3 **Follow up Action List** 13 - 16

For review
7. **BUSINESS - WORK PROGRAM ITEMS**
 - 7.1 **Policy Statement Amendment Project – The Islands Trust Object - Briefing** 17 - 24

- 7.2 Policy Statement Amendment Project - Moorage Policy - Request For Decision** 25 - 28
- Postponed from the May 7, 2025 meeting.
- That Trust Programs Committee add a new directive policy 3.5.19 to the Marine Shoreland section that reads:
- Vessel Moorage**
Prohibit the moorage of vessels in sensitive marine ecosystems.
- 7.3 Motion from Trustee Yates in regards to light pollution in the Islands Trust Area**
- Postponed from the May 7, 2025 meeting.
- Motion not provided.
- 7.4 Policy Statement Amendment Project – Copy Edits - Request For Decision** 29 - 55
- That Trust Programs Committee request staff to revise the draft new Policy Statement redline version in accordance with the recommended copy edits in Appendix 1 of the request for decision titled “Policy Statement Amendment Project (PSAP) – Copy Edits.”
- 7.5 Policy Statement Amendment Project – Definitions - Request For Decision** 56 - 62
- That Trust Programs Committee request staff to revise the glossary of terms in the draft new Policy Statement redline version by adding the recommended definitions in Appendix 1 of the Request For Decision titled “Policy Statement Amendment Project (PSAP) – Definitions.”
- 7.6 Policy Statement Amendment Project – Recommended Edits that respond to First Nations’ feedback - Request For Decision** 63 - 147
- That Trust Programs Committee request staff to amend the Policy Statement redline version in accordance with the recommendations in Appendix 1 of the request for decision titled “Policy Statement Amendment Project (PSAP) – Recommended Edits that respond to First Nations’ feedback.”
- That Trust Council amend the 2025-2028 Strategic Plan to include key initiative 1.1.2, colour coded to indicate that the initiation timeline is to be determined, as “Work with Indigenous Governing Bodies to co-design and implement a Policy Statement amendment review process that ensures ongoing and more regular review and amendment of the Policy Statement”.
- 7.7 Policy Statement Amendment Project – Additional Policy Revisions - Request For Decision** 148 - 152
- Expected late item.
- That Trust Programs Committee revise the draft new Policy Statement in accordance with the recommendations in Appendix 1 of the request for decision titled “Policy Statement Amendment Project (PSAP) – Additional Policy Revisions.”

7.8 Policy Statement Amendment Project – Part 4: Implementation - Request For Decision

153 - 162

That Trust Programs Committee revise Part 4: Implementation of the draft Policy Statement in accordance with Appendix 2 of the Request For Decision titled “Policy Statement Amendment Project – Part 4: Implementation” in the Trust Programs Committee agenda of May 7, 2025.

8. BUSINESS - NEW

9. WORK PROGRAM

For review, amendment as needed, and referral to Trust Council for approval before each quarterly TC meeting.

The Work Program consists of the Active Projects List and the Future Projects List.

9.1 Trust Programs Committee Work Program Update - Request For Decision

163 - 170

Postponed from the May 7, 2025 meeting.

That Trust Programs Committee (TPC) approve the proposed Work Program report as [presented/ amended], and forward it to Trust Council for approval.

10. NEXT MEETING

Wednesday, July 30, 2025, from 10:00 a.m. to 3:00 p.m.

11. CLOSED MEETING

If desired:

That the meeting be closed to the public in accordance with the Community Charter, Part 4, Division 3, s.90, (quote the pertinent section here, for example, (1)(a) personal information about...) and that the recorder and staff [attend/not attend] the meeting.

12. RISE AND REPORT

If requested

13. ADJOURNMENT

*Approximate time is provided for the convenience of the public only and is subject to change without notice.



Trust Programs Committee Minutes of a Regular Meeting

Date: May 7, 2025
Location: Electronic Meeting

Members Present: Kristina Evans, Chair/South Pender Island Local Trust Area (LTA) Trustee
Tobi Elliott, Gabriola Island LTA Trustee
Sue Ellen Fast, Bowen Island Municipal Trustee
David Graham, Denman Island LTA Trustee
David Maude, Mayne Island LTA Trustee
Tim Peterson, Lasqueti Island LTA Trustee (EC Representative)
Susan Yates, Gabriola Island LTA Trustee
Laura Patrick, Islands Trust Council Chair and Salt Spring Island LTA Trustee (Ex Officio)

Members Absent: Lisa Gauvreau, Galiano Island LTA Trustee
Jamie Harris, Salt Spring Island LTA Trustee
Deb Morrison, North Pender Island LTA Trustee

Staff Present: Rueben Bronee, Chief Administrative Officer
Clare Frater, Director, Trust Area Services
Stefan Cermak, Director, Planning Services
David Marlor, Director, Legislative and Information Services
Joe Elliott, Senior Indigenous Relations Advisor
William Shulba, Senior Freshwater Specialist
Chloë Straw, Program Coordinator
Jason Youmans, Senior Policy Advisor
Robert Barlow, Legislative Services Clerk/Recorder

1. CALL TO ORDER

Chair Evans called the meeting to order at 9:00 a.m. and acknowledged that attendees of the meeting were in locations across the territories of the Coast Salish peoples. Trustees and Staff introduced themselves.

2. AGENDA

2.1 Review of Agenda

The following additions to the agenda were presented for consideration:

- Election of a Vice-Chair as Trustee Allen resigned from the Committee on May 6, 2025 – to be agenda item 7.1.

**TPC-2025-036
It was MOVED and SECONDED,**

DRAFT

that Trust Programs Committee accept as a late item on the agenda the election of a Vice Chair of the Committee.

CARRIED

- Policy Statement Amendment Project – Agricultural Policy Briefing – to be agenda item 8.3.1.

TPC-2025-037

It was MOVED and SECONDED,

that Trust Programs Committee accept as a late item on the agenda the Agricultural Policy Briefing.

CARRIED

- Policy Statement Amendment Project Policy Advice: Indigenous Food Sovereignty, Housing, and Reconciliation Language Request For Decision – to be agenda item 8.3.2.

TPC-2025-038

It was MOVED and SECONDED,

that Trust Programs Committee accept as a late item on the agenda the Indigenous Food Sovereignty, Housing, and Reconciliation Language Request For Decision.

CARRIED

- Policy Statement Amendment Project – Moorage Policy Request For Decision – to be agenda item 8.3.3.

TPC-2025-039

It was MOVED and SECONDED,

that Trust Programs Committee accept as a late item on the agenda the Policy Statement Amendment Project – Moorage Policy Request For Decision.

CARRIED

- Notice of Motion from Trustee Yates in regards to light pollution in the Islands Trust Area – to be agenda item 8.3.4.

TPC-2025-040

It was MOVED and SECONDED,

that Trust Programs Committee accept as a late item on the agenda the notice of motion from Trustee Yates in regards to light pollution in the Islands Trust Area.

CARRIED

2.2 Approval of Agenda

By general consent the agenda was approved as amended.

3. PUBLIC COMMENT PERIOD

No member of the public was present.

4. DELEGATIONS

None.

5. CORRESPONDENCE

None.

6. ADMINISTRATIVE COORDINATION

6.1 Draft Minutes of Previous Meeting

6.1.1 Trust Programs Committee Minutes of April 16, 2025

By general consent the minutes were approved as presented.

6.1.2 Trust Programs Committee Minutes of April 29, 2025

By general consent the minutes were approved as presented.

6.2 Resolutions Without Meeting

None.

6.3 Follow Up Action List

Received for information.

Trustee Yates left the meeting at 9:26 a.m.

7. BUSINESS - OTHER

7.1 Election of Vice-Chair

It was noted that Trustee Allen, who was the Vice-Chair of the Committee, resigned from the Committee on May 6, 2025. Director Marlor described the process to elect a new Vice-Chair.

Director Marlor asked a first time for nominations. Trustee Graham nominated Trustee Peterson and Trustee Elliott seconded the nomination. Trustee Peterson accepted the nomination.

Director Marlor asked a second and a third time for any other nominations. Hearing none, he declared Trustee Peterson as Vice-Chair of Trust Programs Committee by acclamation.

Chair Evans asked Trustee Peterson if he would be the Trust Programs Committee designate to the Financial Planning Committee and Trustee Peterson accepted.

7.2 2024/25 Annual Report - Approval of Trust Programs Committee Section - Request For Decision

Director Frater introduced the Request For Decision, noting that the report is for the period of April 1, 2024, to March 31, 2025.

TPC-2025-041

It was MOVED and SECONDED,

that Trust Programs Committee approve the text attached to the 2024/25 Annual Report Approval of Trust Programs Committee Section Request For Decision for inclusion in the 2024/25 Annual Report for approval by Trust Council and submission to the Minister of Housing and Municipal Affairs.

CARRIED

7.3 Referral of Briefings for Background re Updates to Crown Land Agreements - Briefing

Director Frater noted that the Briefing is to provide other briefings from Executive Committee to Trust Programs Committee about Crown land referrals, and to provide background about a future project to update Crown land agreements. Committee discussion included:

- Trustee Peterson provided to the Committee a copy of the June 28, 1994 Letter Of Understanding (LOU) on Crown Land Administration Within The Islands Trust Area between the BC Ministry of Environment, Lands and Parks and Islands Trust with parts of it highlighted indicating a discrepancy between current practice and the LOU.
- “Update Crown land Agreement” has been on the Trust Programs Committee future projects list since 2014
- the Strategic Plan indicates that work on the project is to start in 2026/27
- there is much public interest in Crown land tenures
- current practice doesn’t match the agreement language in that tenures are not always presented to the relevant local trust committee

7.4 Trust Programs Committee 2026/27 Business Cases - Request For Decision

Director Frater presented the Request For Decision. Committee discussion included:

- a review of items in the Strategic Plan that appear to relate to Trust Programs Committee areas of responsibility as per the Committee’s Terms of Reference
- the Stewardship Education Program is not part of the current Strategic Plan.

- the possibility of requesting Trust Council to add the Stewardship Education Program to the Strategic Plan or amend Trust Council Policy 2.3.1 (Council Committees) so that Stewardship Education becomes a “standing item” or “program” rather than a “project”.

Trustee Yates rejoined the meeting at 10:05 a.m.

TPC-2025-042

It was MOVED and SECONDED,

that Trust Programs Committee recommend to Trust Council that the Trust Programs Committee Terms of Reference be amended to include an ongoing Stewardship Education Program to be administered by Trust Programs Committee.

CARRIED

- a need for Trust Council to clarify the meaning of “initiate” in the Strategic Plan
- Trust Council may need to review the Strategic Plan and Corporate Plan regularly

TPC-2025-043

It was MOVED and SECONDED,

that Trust Programs Committee request staff to draft the following fiscal year 2026/27 business case for consideration at the next regular business meeting:

- Secretariat Services (\$17,000)

CARRIED

8. BUSINESS – WORK PROGRAM ITEMS

8.1 Stewardship Education Program in 2025-26 - Request For Decision

Program Coordinator Straw introduced the Request For Decision. Committee discussion included:

- the relative merits of the potential topics, including the intended audience
- each webinar costs approximately \$3,000 and most of the cost relates to honoraria and advertising

TPC-2025-044

It was MOVED and SECONDED,

that Trust Programs Committee direct staff to develop project charters for webinars on the following topics:

- Xwe’etay/Lasqueti Archaeology Project
- Protecting the Shoreline: A Shared Responsibility
- Rain Gardens
- Working towards a Fallow Deer Strategy
- Species at Risk on Your Property & How to Become a Habitat Steward

TPC-2025-045

It was MOVED and SECONDED,

that Trust Programs Committee amend the above motion to replace “working towards a Fallow Deer Strategy” with “working towards a native black-tailed deer and Fallow deer strategy”.

DEFEATED

The question on the motion was then called,

CARRIED

The Committee recessed at 11:42 a.m. and resumed at 12:30 p.m.

8.2 Policy Statement Amendment Project – Part 4: Implementation - Request For Decision

Senior Policy Advisor Youmans introduced the Request For Decision. Committee discussion included:

- *Islands Trust Act* does not currently require local trust committees or island municipalities to produce context statements, similar to those used in Regional Growth Strategies, as a schedule to their Official Community Plan
- context statements may support the Executive Committee in assessing how an individual Official Community Plan matches the requirements of the Policy Statement
- *Islands Trust Act* does not require local trust committees to establish monitoring and reporting on their progress toward achieving the objectives and actions to assess Policy Statement Implementation
- monitoring and reporting on progress provides essential information

By general consent Committee will return to this item at the next meeting.

8.3 Islands Trust Policy Statement Draft Bylaw No. 183 - Discussion

8.3.1 Policy Statement Amendment Project – Agricultural Policy - Briefing

Committee discussion included noting that some land apparently suitable for agriculture is not within the Agricultural Land Reserve and, alternatively, some land not suitable for agriculture is actually within the Agricultural Land Reserve.

8.3.2 PSAP Policy Advice: Indigenous Food Sovereignty, Housing, and Reconciliation Language – Request For Decision

TPC-2025-046

It was MOVED and SECONDED,

that Trust Programs Committee recommend to Trust Council to add a new advisory policy 3.5.14 to the Agricultural Lands section of the draft new Policy Statement that reads:

Food Security and Food Sovereignty

Support initiatives that advance food security and Indigenous food sovereignty.

CARRIED

TPC-2025-047

It was MOVED and SECONDED,

that Trust Programs Committee recommend to Trust Council to add a new advisory policy 3.4.15 to the Housing section of the draft new Policy Statement that reads:

Housing for Indigenous People

Through engagement with Indigenous Governing Bodies, support housing opportunities for Indigenous people in the Islands Trust Area.

CARRIED

TPC-2025-048

It was MOVED and SECONDED,

that Trust Programs Committee recommend to Trust Council to revise the preamble to Part 2.3 – Reconciliation Principles of the draft new Policy Statement by removing the words “and healing” and revise the preamble to Objective 1 - Reconciliation by removing the words “healing and”.

CARRIED

8.3.3 Policy Statement Amendment Project – Moorage Policy – Request For Decision

Not addressed

8.3.4 Motion from Trustee Yates in regards to light pollution in the Islands Trust Area

Not addressed

8.4 Policy Statement Amendment Project Next Steps - Discussion

Director Frater indicated that more recommendations for edits to the Islands Trust Policy Statement Draft Bylaw No. 183 could be provided by staff at a future meeting. Director Frater also suggested that staff would bring to the Executive Committee at their May 14th meeting a revised work plan for the Policy Statement Amendment Project. The Committee of the Whole meeting scheduled for May 29, which was to review the Islands Trust Policy Statement Draft Bylaw No. 183, could be rescheduled to a later date as a result of the revised work plan. Therefore, the May 29 meeting time could instead be used for a Trust Programs Committee Special meeting.

TPC-2025-049

It was MOVED and SECONDED,

DRAFT

that Trust Programs Committee schedule a special meeting to be held on May 29, 2025, from 1:00 p.m. to 4:00 p.m.

CARRIED

9. BUSINESS - NEW

None.

10. WORK PROGRAM

10.1 Trust Programs Committee Work Program Update - Request For Decision

Not addressed

11. NEXT MEETING

Special Meeting Thursday, May 29, 2025, from 1:00 p.m. to 4:00 p.m.

12. CLOSED MEETING

The meeting was not closed.

13. RISE AND REPORT

As the meeting was not closed, there was no need to consider this.

14. ADJOURNMENT

By general consent the meeting adjourned at 2:18 p.m.

Kristina Evans, Chair

Certified Correct:

Robert Barlow, Legislative Services Clerk/Recorder

Minutes are not official until adopted at a subsequent meeting.

Trust Programs Committee

RESOLUTION WITHOUT MEETING NO. TPC-RWM-2025-02

The following matter is considered urgent and necessary in order to set a Special Meeting for the Trust Programs Committee to continue discussions in regards to the Policy Statement Amendment Project, as directed by Trust Council.

Members were notified via email of the call for a motion on April 7, 2025.
Members were notified via email of the call for the vote on April 7, 2025.

TPC RWM 2025-02

It was Moved by Trustee Maude and Seconded by Trustee Yates:
that Trust Programs Committee set a Special Meeting to be held electronically on Tuesday, April 29, 2025 from 9:00 a.m. to 2:00 p.m.

<u>TRUSTEES CONTACTED</u>	<u>DATE VOTE RECEIVED</u>	<u>VOTE</u>
1. Tobi Elliott	April 8, 2025	In Favour
2. Kristina Evans	April 7, 2025	In Favour
3. Sue Ellen Fast	April 7, 2025	In Favour
4. Lisa Gauvreau	April 7, 2025	In Favour
5. David Graham	April 8, 2025	In Favour
6. David Maude	April 7, 2025	In Favour
7. Tim Peterson	April 7, 2025	In Favour
8. Susan Yates	April 7, 2025	In Favour

TRUSTEES VOTE NOT AVAILABLE

- Alex Allen
- Jamie Harris
- Deb Morrison

FINAL VOTE COUNT (8) IN FAVOUR (0) OPPOSED **DECISION: CARRIED**

THE CHAIR DECLARED THE ABOVE RESOLUTION CARRIED PURSUANT TO SECTION 13 OF THE ISLANDS TRUST ACT ON April 8, 2025.

CHAIR'S SIGNATURE
South Pender Local Trustee Kristina Evans

RECORDER'S SIGNATURE
Legislative Services Clerk Robert Barlow

Follow Up Action Report

Trust Programs Committee

14-May-2021

Progress	Activity	Responsibility	Dates	Status
0%	<p>1 Staff to provide feedback or suggestions for criteria for future Secretariat Services applications.</p> <p>ON HOLD pending staff capacity - TPC to consider on July 30 if work still needed and will review the Secretariat Services Policy.</p>	Clare Frater	Target: 30-Jul-2025	In Progress

04-Nov-2024

Progress	Activity	Responsibility	Dates	Status
0%	<p>1 Staff to update Trust Council Policy 1.2.1 (Policy Statement Amendment) to:</p> <ul style="list-style-type: none"> - clarify that Trust Council must review the Policy Statement within the first year of a term of office to consider the need for amendments each term, - identify which audiences must be engaged, - add efficiencies regarding selections of topics, and - correct reference errors. 	Clare Frater David Marlor	Target: 30-Jul-2025	In Progress

12-Feb-2025

Progress	Activity	Responsibility	Dates	Status
0%	<p>1 Staff to bring back options to a future meeting for educational tools for Realtors across the Trust Area, in collaboration with Planning Services, for consideration as a topic for the Stewardship Education Program.</p>	Chloe Straw Clare Frater	Target: 07-May-2025	In Progress

Follow Up Action Report

Trust Programs Committee

02-Apr-2025

Progress	Activity	Responsibility	Dates	Status
100%	1 Staff to provide recommendations in regards to a new policy to identify and protect safe anchorages and to discourage anchorage in sensitive marine locations.	Clare Frater Jason Youmans	Target: 07-May-2025	Completed
100%	2 Staff to provide an analysis of protecting agriculture land that is not in the Agriculture Land Reserve to draft Policy Statement Section Directive Policies - Agriculture Land.	Clare Frater Jason Youmans	Target: 29-Apr-2025	Completed
100%	3 Staff to craft a new advisory policy under the agricultural land section that captures the following items: - Indigenous food sovereignty and food security - general island community food security - cultivating food forest practices - encouraging Indigenous-led agricultural initiatives	Clare Frater Jason Youmans	Target: 29-Apr-2025	Completed

16-Apr-2025

Progress	Activity	Responsibility	Dates	Status
100%	1 Staff to provide advice regarding policy options to support housing for Indigenous Peoples in the draft Policy Statement.	Clare Frater Jason Youmans	Target: 29-Apr-2025	Completed

Follow Up Action Report

Trust Programs Committee

29-Apr-2025

Progress	Activity	Responsibility	Dates	Status
100%	1 staff to add to the glossary of terms the following definitions: "recreational significance", "active recreation", "natural heritage sites", and "watersheds", and add "marine" sections to "sensitive ecosystems", and define all relevant terms.	Clare Frater Jason Youmans	Target: 07-May-2025	Completed
100%	2 staff to provide advice about including the text from the current Policy Statement "The Islands Trust Object and it's meaning" through to the next heading, "Guiding Principles", amended to include First Nations, in Section 1.1 of the Draft Policy Statement.	Clare Frater Jason Youmans	Target: 07-May-2025	Completed

Follow Up Action Report

Trust Programs Committee

07-May-2025

Progress	Activity	Responsibility	Dates	Status
100%	1 Trust Programs Committee approved the text attached to the 2024/25 Annual Report Approval of Trust Programs Committee Section Request For Decision for inclusion in the 2024/25 Annual Report for approval by Trust Council and submission to the Minister of Housing and Municipal Affairs.	Morgana van Niekerk	Target: 29-May-2025	Completed
0%	2 that Trust Programs Committee recommend to Trust Council that the Trust Programs Committee Terms of Reference be amended to include an ongoing Stewardship Education Program to be administered by Trust Programs Committee.	Clare Frater David Marlor	Target: 04-Jun-2025	In Progress
0%	3 staff to draft the following fiscal year 2026/27 business case for consideration at the next regular business meeting: - Secretariat Services (\$17,000)	Clare Frater	Target: 30-Jul-2025	In Progress
0%	4 staff to develop project charters for webinars on the following topics: - Xwe'etay/Lasqueti Archaeology Project - Protecting the Shoreline: A Shared Responsibility - Rain Gardens - Working towards a Fallow Deer Strategy - Species at Risk on Your Property & How to Become a Habitat Steward	Chloe Straw	Target: 30-Jul-2025	In Progress



BRIEFING

To: Trust Programs Committee **For the Meeting of:** May 29, 2025
From: Trust Area Services **Date Prepared:** May 13, 2025
SUBJECT: Policy Statement Amendment Project (PSAP) – The Islands Trust Object

PURPOSE: The purpose of this briefing is to provide advice to Trust Programs Committee (TPC) regarding the inclusion of an interpretation of the Islands Trust Object in the preamble to the draft new Policy Statement.

BACKGROUND: At its meeting of April 29, 2025, Trust Programs Committee passed the following resolution:

TPC-2025-033

that Trust Programs Committee request staff to provide advice about including the text from the current Policy Statement “The Islands Trust Object and its meaning” through to the next heading, “Guiding Principles”, amended to include First Nations, in Section 1.1 of the draft Policy Statement.

See Appendix 1 for staff response to this request for advice. Staff are providing a briefing rather than a request for decision as staff do not recommend including an interpretation of the Trust Object in the Policy Statement.

ATTACHMENT(S):

1. Islands Trust Object – Policy Advice
2. The Islands Trust Object and its Meaning – Excerpt from current Islands Trust Policy Statement
3. The Islands Trust Object and its Meaning – Excerpt from July 2021 draft new Policy Statement

FOLLOW-UP:

Staff will revise the draft new Islands Trust Policy Statement in accordance with TPC’s direction.

Prepared By: Jason Youmans, Senior Policy Advisor

Reviewed By/Date: Clare Frater, Director, Trust Area Services/May 22, 2025

Islands Trust Object – Policy Advice

BACKGROUND: At its meeting of April 29, 2025, Trust Programs Committee passed the following resolution:

TPC-2025-033

that Trust Programs Committee request staff to provide advice about including the text from the current Policy Statement “The Islands Trust Object and its meaning” through to the next heading, “Guiding Principles”, amended to include First Nations, in Section 1.1 of the draft Policy Statement.

ANALYSIS: Trust Programs Committee can include the Islands Trust Object text from the current Policy Statement (attached to this report as Appendix 2) if it chooses. However, staff offer the following cautions:

- 1) Among the 32 resolutions Trust Council made in 2022 directing amendments to the draft Policy Statement was the following:

Part 1 – Structural Revisions:		
	<u>Trust Council Resolution</u>	<u>Notes on how Resolutions were addressed</u>
1	<i>Reformat the draft Trust Policy Statement to simplify the structure and shorten the length to improve readability and understanding, for example, separate the mandatory directive policies from the remainder of the text.</i>	Completed. The structure was simplified and directive policies separated. The document is shorter than typical regional growth strategies which range in length from 65 – 150 pages in regional districts across the Trust Area.

Returning an explanation of the Islands Trust Object to the draft new Policy Statement (as had been included in the [July 2021 draft](#) attached to this report as Appendix 3) may undermine Trust Council’s previous direction to reduce the length of the document.

- 2) Given the challenges that interpreting the Islands Trust Object has posed to Trust Council over the course of this political term, staff suggest that revisiting the topic in the preamble of the Policy Statement may open up a conversation at the Trust Council table that extends the timeline of the project. Further, it could be argued that the Policy Statement in its entirety *is* Trust Council’s interpretation of the Object.
- 3) Among the 32 resolutions Trust Council made in 2022 directing amendments to the draft Policy Statement was the following:

Part 5 – Engagement, Reviews, and Next Steps:

<p>29 <i>Continue to build staff-to-staff relationships with First Nations who provided input to the Policy Statement Amendment Project in Phases 1 and 2 of early and meaningful engagement, and provide additional capacity funding to support continued First Nations engagement on this project.</i></p>	<p>Completed: Additional capacity building funding was provided to 11 First Nations. These Nations have provided comment on the current draft of the Policy Statement, or will provide comment.</p> <p>In-Progress. Building staff to staff relationships with First Nations is an ongoing process.</p>
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Given the extensive feedback from First Nations on the preamble language in the current Policy Statement and various drafts, staff do not recommend including the text from the current Policy Statement or previous drafts without addressing previous concerns and suggestions raised. Further, given Trust Council’s previous commitment to early and meaningful engagement with First Nations during the Policy Statement drafting, staff recommend that if preamble language is to be included and amended to include reference to Indigenous Governing Bodies, that it be developed cooperatively with First Nations who have previously offered feedback on that section.

Additionally, the way that the text of the current Policy Statement characterizes Islands Trust’s “leadership” role may not be received well by Indigenous Governing Bodies, thus it will likely need to be revised following review by Indigenous Governing Bodies after First Reading of the bylaw. Alternatively, it could be referred to them beforehand for review, which will further slow the project.

If TPC would like to have staff work with First Nations on new preamble language in the draft new Policy Statement, it could pass the following resolution:

That Trust Programs Committee recommend that Trust Council request staff to work with interested First Nations who have previously offered relevant comments to update and improve the language in “The Islands Trust Object and its Meaning,” section in the current Policy Statement for inclusion in the draft new Policy Statement, and that staff provide capacity funding to First Nations, to support their involvement.

Staff would seek Executive Committee direction regarding amounts and funding source for the capacity funding.

If TPC would like to see the current language in the Policy Statement included in the new draft, it could pass the following resolution:

That Trust Programs Committee recommend that Trust Council revise Part 1.1 of the draft new Policy Statement to include the section of the current Policy Statement titled “The Islands Trust Object and its Meaning,” updated with the current Object as it appears in the Islands Trust Act.

Alternatively, Trust Council could consider the language proposed in the July 2021 draft of the new Policy Statement, which better foregrounds the Islands Trust's relationship with Indigenous Governing Bodies, attached to this report as Appendix 3. If this is the case, TPC could pass the following resolution:

That Trust Programs Committee recommend that Trust Council revise Part 1.1 of the draft new Policy Statement to include the section of the July 2021 draft of the new Policy Statement titled "1.4 The Islands Trust Object and its Meaning."

First Nation feedback for reference:

Phase 1

- [Cowichan Tribes-re-IT-Policy Statement.pdf](#)
- [2021-07_First-Nations-Engagement-Update-for-Trust-Council.pdf](#)

(Staff also have written feedback from WSÁNEĆ Leadership Council, Tsleil-Waututh Nation, and Tla'amin Nation - not on website as consent was not sought to make public)

Phase 2 (comments on July 2021 draft)

- [Phase-2-First-Nations-Engagement-Update-Report.pdf](#)
- [Cowichan Tribes-Phase-2-Comments.pdf](#)
- [K'omoks First-Nation-Phase-2-Comments.pdf](#)
- [Lyackson-First-Nation-Phase-2-Comments.pdf](#)
- [Malahat-Nation-Phase-2-Comments.pdf](#)
- [Snuneymuxw Phase-2-Comments.pdf](#)
- [Tla'amin-First-Nation-Phase-2-Comments.pdf](#)
- [WSANEC Leadership Council-Phase-2-Letter.pdf](#)
- [WSANEC Leadership Council-Phase-2-Comments.pdf](#)

Phase 3 (comments on Sept 2023 draft)

- [Cowichan Tribes-Phase-3-Comments.pdf](#)
- [Komoks-Phase-3-Comments.pdf](#)
- [Lyackson First Nation-Phase-3-Comments.pdf](#)
- [Malahat Nation-Phase-3-Comments.pdf](#)
- [Squamish Nation-Phase-3-Comments.pdf](#)
- [Tsawout First Nation-Phase-3-Comments.pdf](#)

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”:

Amend Mar 6/98 BL 48

“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.

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.

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.

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.

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.

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.

“...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.

“... 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*.



REQUEST FOR DECISION

To: Trust Programs Committee **For the Meeting of:** May 7, 2025
From: Trust Area Services **Date Prepared:** May 5, 2025
SUBJECT: Policy Statement Amendment Project – Moorage Policy

RECOMMENDATION: That Trust Programs Committee add a new directive policy 3.5.19 to the Marine Shoreland section that reads:

Vessel Moorage

Prohibit the moorage of vessels in sensitive marine ecosystems.

DIRECTOR COMMENTS: This proposed policy on vessel moorage aligns with proposed Guiding Principle 2.1.2 to “Prioritize Environmental and Indigenous Cultural Heritage Protection.”

1 PURPOSE: The purpose of this request for decision is to provide Trust Programs Committee with policy advice concerning the identification of appropriate areas for moorage of vessels.

2 BACKGROUND: At its meeting of April 2, 2025, Trust Programs Committee passed the following resolution:

TPC-2025-010

That Trust Programs Committee request staff to provide recommendations in regards to a new policy to identify and protect safe anchorages and to discourage anchorage in sensitive marine locations.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None

FINANCIAL: None

POLICY: See Appendix 1 for discussion of policy implications

IMPLEMENTATION/COMMUNICATIONS: A definition of sensitive marine ecosystems will be required to communicate the types of locations to which this policy would apply.

FIRST NATIONS RELATIONS: The proposed policy is consistent with Islands Trust’s commitments to reconciliation.

OTHER: None

4 RELEVANT POLICY(S): None

5 ATTACHMENT(S):

Appendix 1: Policy Approaches to Anchorages and Mooring Buoys – Staff Analysis

RESPONSE OPTIONS

Recommendation: That Trust Programs Committee add a new directive policy 3.5.19 to the Marine Shoreland section that reads:

Vessel Moorage

Prohibit the moorage of vessels in sensitive marine ecosystems.

Alternative: Trust Programs Committee can propose alternative or no policy direction concerning the moorage and anchorage of vessels in the Policy Statement.

Prepared By: Jason Youmans, Senior Policy Advisor

Reviewed By/Date: Clare Frater, Director, Trust Area Services/May 6, 2025

Policy Approaches to Anchorages and Mooring Buoys – Staff Analysis

At its meeting of April 2, 2025, Trust Programs Committee passed the following resolution:

TPC-2025-010

That Trust Programs Committee request staff to provide recommendations in regards to a new policy to identify and protect safe anchorages and to discourage anchorage in sensitive marine locations.

Analysis: Part 14 of the *Local Government Act* enables local trust committees/island municipalities to zone for a range of uses as follows:

479 (1)A local government may, by bylaw, do one or more of the following:

- (a) divide the whole or part of the municipality or regional district into zones, name each zone and establish the boundaries of the zones;
- (b) limit the vertical extent of a zone and provide other zones above or below it;
- (c) regulate the following within a zone:
 - (i) the use of land, buildings and other structures;
 - (ii) the density of the use of land, buildings and other structures;

“Land” includes the surface of the water.

But, under Sections 91(9) and (10) of the *Constitution Act, 1867*, the federal parliament has exclusive jurisdiction over “Beacons, Buoys, Lighthouses, and Sable Island” (91(9)) and “Navigation and Shipping” (91(10)).

Over time, these respective jurisdictions¹ have been interpreted by the courts² to mean that local governments cannot impede a mariner’s ability to carry out what would conventionally be understood as “navigation,” such as by prohibiting the temporary anchorage of vessels. However, the installation of mooring buoys for permanent, or semi-permanent mooring of vessels would not be considered navigation, but rather a use subject to local government regulation through zoning.

On this basis, local governments in British Columbia can zone the marine surface within their boundaries to permit, or prohibit, the moorage or anchorage of vessels beyond a period of time that could reasonably be considered navigation.

Staff do not see that LTCs/IMs need to “protect” moorage/anchorage areas, as those areas are used wherever practical and permitted through zoning and are only subject to encroachment if LTCs/IMs were to authorize some competing use. Rather, LTCs and IMs should protect the natural environment from the potential degradation caused by vessel anchoring and mooring.

¹ About which more information can be found [here](#).

² About which more information can be found [here](#).

Staff note that TPC's resolution requesting additional advice concerned "anchorage" and not "moorage," yet staff have provided policy advice related to "moorage" and not "anchorage." This is because more research is required to understand where the courts would draw the line between the temporary anchorage protections afforded by the federal government's jurisdiction over navigation, and a local government's jurisdiction to zone use of the water surface.

Recommendation: That Trust Programs Committee add a new directive policy 3.5.19 to the Marine Shoreland section that reads:

Vessel Moorage

Prohibit the moorage of vessels in sensitive marine ecosystems.

Implications: The implications of this recommendation are that the official community plans of local trust committees and island municipalities would be expected to identify sensitive marine ecosystems (which is already required under proposed Directive Policy 3.3.6) and zone for vessel moorage outside of those areas. This will also require creating a definition of sensitive marine ecosystems in the Policy Statement, which staff have already been asked to do by previous TPC resolution. Given Directive Policy 3.3.6, those sensitive marine ecosystems will likely be defined as follows:

- Eelgrass meadows
- Kelp forests
- Forage fish spawning areas
- Clam beds
- Estuaries
- Tidal marshes
- Mud flats
- Coastal wetlands



REQUEST FOR DECISION

To: Trust Programs Committee **For the Meeting of:** May 29, 2025
From: Trust Area Services **Date Prepared:** May 23, 2025
SUBJECT: Policy Statement Amendment Project (PSAP) – Copy Edits

RECOMMENDATION: That Trust Programs Committee request staff to revise the draft new Policy Statement redline version in accordance with the recommended copy edits in Appendix 1 of the request for decision titled “Policy Statement Amendment Project (PSAP) – Copy Edits.”

DIRECTOR COMMENTS: The copy edits proposed in Appendix 1 enhance the draft new Policy Statement’s accuracy and readability.

1 PURPOSE: The purpose of this request for decision (RFD) is to recommend to Trust Programs Committee a suite of copy edits that will improve the accuracy and readability of the draft new Policy Statement.

2 BACKGROUND: This RFD is being presented at the initiative of staff to ensure that Trust Council goes into consideration of First Reading and the subsequent agency and Indigenous Governing Body referral process, as well as community engagement, with an easy-to read document with clear, implementable policies.

The recommended copy edits are the product of review by several staff members. They primarily address issues of consistency, grammar, punctuation and presentation.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Adding the copy edits to the redline version of the draft new Policy Statement will take an hour or two of staff time.

FINANCIAL: None

POLICY: None

IMPLEMENTATION/COMMUNICATIONS: Staff will make the changes prior to the document being provided to Committee of the Whole for review.

FIRST NATIONS RELATIONS: None

OTHER: None

4 RELEVANT POLICY(S): N/A

5 ATTACHMENT(S):

- 1) Policy Statement Bylaw No. 183 (redline) – Proposed Copy Edits

RESPONSE OPTIONS

Recommendation:

That Trust Programs Committee request staff to revise the draft new Policy Statement redline version in accordance with the recommended copy edits in Appendix 1 of the request for decision titled “Policy Statement Amendment Project (PSAP) – Copy Edits.”

Alternative:

- 1) That Trust Programs Committee request staff to revise the draft new Policy Statement redline version in accordance with the recommended copy edits in Appendix 1 of the request for decision titled “Policy Statement Amendment Project (PSAP) – Copy Edits.”
 - With the exception of...
 - With the addition of...
- 2) That Trust Programs Committee not request staff to amend the Policy Statement redline version in accordance with the recommended copy edits in Appendix 1 of the request for decision titled “Policy Statement Amendment Project (PSAP) – Copy Edits

Prepared By: Jason Youmans, Senior Policy Advisor

Reviewed By: Clare Frater, Director, Trust Area Services/May 22, 2025

Appendix 1



Islands Trust

DRAFT FOR TRUST PROGRAMS COMMITTEE/TRUST COUNCIL

Commented [MvN1]: Ensure that all occurrences of Islands Trust Act, Islands Trust Council, Islands Trust Area, Islands Trust Executive Committee, all include "Islands". Throughout document.

Islands Trust Policy Statement

Commented [MvN2]: Left align all content to remove the appearance of double spacing

Draft Bylaw No. 183

May 23, 2025

Proposed Revisions by Committee of the Whole/Trust Programs Committee made:

September 25, 2024	February 21, 2025
October 3, 2024	April 2, 2025 (TPC)
November 6, 2024	April 16, 2025 (TPC)
December 12, 2024	April 29, 2025 (TPC)
January 8, 2025	May 7, 2025 (TPC)
February 6, 2025	

For Trust Programs Committee meeting of May 29, 2025

Acknowledgement

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

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

- **BOKÉCEN** (Pauquachin) First Nation
- **K'ómoks** (Comox) First Nation
- **MÁLEXEL** (Malahat) First Nation
- **Qualicum** First Nation
- Quw'utsun Nation (comprised of **Cowichan Tribes**, **Xelátxw** (Halalt) First Nation, **Lyackson** First Nation, **Spune'luxutth'** (Penelakut Tribe) and **Stz'uminus** (Chemainus) First Nation
- **scəwəθən** (Tsawwassen) First Nation
- **səlilwatał** (Tsleil-Waututh) First Nation
- **SEMYOME** (Semiahmoo) First Nation
- **shíshálh** (Sechelt) Nation
- **Skw̓w̓m̓sh** (Squamish) First Nation
- **Snaw-naw-as** (Nanoose) First Nation
- **Snuneymuxw** (Nanaimo) First Nation
- **Songhees** First Nation
- **STÁUTW** (Tsawout) First Nation
- **łəʔəmen** (Tla'amin) First Nation
- **Ts'uubaa-asatx** (Lake Cowichan) First Nation
- **Wei Wai Kum** (Campbell River) First Nation
- **We Wai Kai** (Cape Mudge) First Nation
- **W̓JOŁŁP** (Tsartlip) First Nation
- **W̓SIKEM** (Tseycum) First Nation
- **Xwémalhk̓wu** (Homalco) First Nation
- **Xwsepsum** (Esquimalt) First Nation
- **x̓məθk̓əy̓əm** (Musqueam) First Nation

Commented [JY3]: on

Commented [CF4]: Add: Da'naxda'xw First Nation

Commented [CF5]: Add Lummi Nation
Add Mamalilikulla First Nation

Commented [CF6]: Add Tlowitsis Nation

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Commented [CF7]: Change Objectives to Goals here and throughout the document.

Commented [JY8]: Change all Objectives (to be Goals) to active verbs – “Advance,” “Preserve and Protect” . . .

Part 1: The Islands Trust Act

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

1.1 – The Islands Trust Object

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

1.2 – Map of the Islands Trust Area

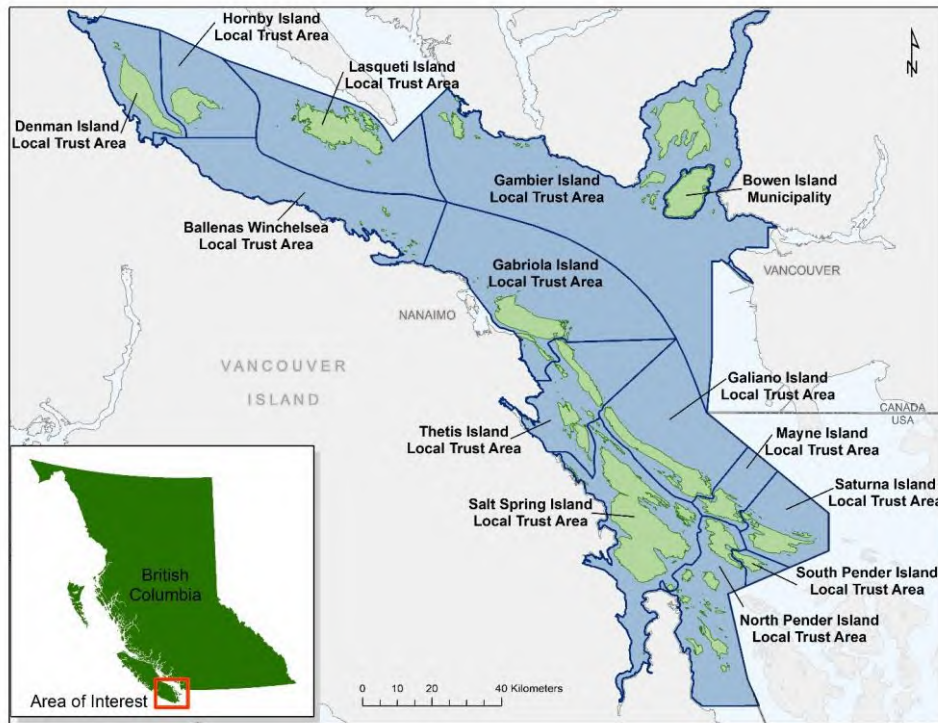


Commented [MvN9]: italicise

Commented [CF10]: Replace with: The Islands Trust is a federated body responsible for protecting the Islands Trust Area and its unique amenities and environment. The Trust Area is comprised of 13 major islands and more than 450 smaller islands and the surrounding waters in the southern Strait of Georgia and Howe Sound. Islands Trust regulates local land use, works with other levels of government, and, through the Islands Trust Conservancy, protects places of natural or cultural significance.

Commented [MvN11]: . not :

Commented [JY12]: Delete. Old placeholder map.



Commented [JY13]: Add this new map

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

Commented [JY14]: Delete this text box and text

1.3 – Indigenous Inherent Rights Acknowledgment

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

Commented [JY15]: Italicize

Given the *Declaration on the Rights of Indigenous Peoples Act* and the evolving legislative landscape in British Columbia, this [bylaw](#) serves as a starting point for improved cooperation with Indigenous Governing Bodies. Islands Trust Council commits to an ongoing effort to co-develop planning and land use management processes with Indigenous Governing Bodies within the Islands Trust Area and acknowledges that this document does not serve as an endpoint. Islands Trust Council will be informed by the United Nations Declaration on the Rights of Indigenous Peoples as a framework for its approach to reconciliation.

Commented [MvN16]: Policy Statement (replace bylaw because we don't refer to it as bylaw elsewhere)

1.4 – Purpose and Structure of the Policy Statement

Communications, Engagement, and Referrals:

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

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

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

Three Types of Policies in the Policy Statement:

1. **Guiding Principles** (as listed in Part 2 of the Policy Statement) are intended to establish general commitments of Trust Council that centre the Islands Trust Object in all daily decision-making across the Islands Trust Area by Islands Trust bodies that are bound by the Policy Statement.
2. **Directive Policies** (as listed in Part 3 of the Policy Statement) are policies that:
 - local trust committees must address in the development of official community plans and/or regulatory bylaws, and amendments to those documents where relevant; and
 - island municipalities must address in the development of an official community plan, and amendments to that document where relevant.

These are policies integral to carrying out the Islands Trust object.

3. **Advisory Policies** (as listed in Part 3 of the Policy Statement) are policies expressing select goals of Trust Council, that local trust committees and island municipalities are advised to address in the development of official community plans, bylaws, and in discretionary land use decisions. Advisory policies are not intended to constitute a basis for Executive Committee or Trust Council review of local trust committee or island municipality bylaws, or for potential rejection of such bylaws.

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

The policies in Part 3 have been included as they are considered by Trust Council to be important for preservation and protection of the Trust Area and its unique amenities and environment.

Part 2: Guiding Principles

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

2.1– General Guiding Principles

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

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Commented [JY19]: Delete

Commented [MvN20]: Delete

Commented [CF21]: Change to Indigenous Governing Bodies

Commented [MvN22]: Delete

Commented [JY23]: replace with Islands Trust Council, Islands Trust Executive Committee, local trust committees and island municipalities.

Commented [JY24]: Delete

Commented [JY25]: add: “are integral to carrying out the Islands Trust Object and that:

Commented [MvN26]: uppercase all letters at the beginning of a bullet

Commented [MvN27]: Delete

Commented [MvN28]: Delete

Commented [JY29]: Delete and replace with “themes important to”

Commented [JY30]: Delete and replace with “consider”

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

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

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Commented [CF36]: add Oxford comma per identity guide

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2.2 – Reconciliation Principles

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

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Trust Council's Reconciliation Principles	
Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area. . .	
2.2.1	<p>Guidance from Truth and Reconciliation Commission Be informed by the 10 principles established by the Truth and Reconciliation Commission of Canada (TRC).</p>
2.2.2	<p>Guidance from United Nations Declaration on the Rights of Indigenous Peoples Be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).</p>
2.2.3	<p>Guidance from Missing and Murdered Indigenous Women and Girls Calls for Justice Be informed by the principles for change used by the National Inquiry into Missing and Murdered Indigenous Women and Girls.</p>

Commented [CF39]: Add line break

2.2.3 – Cooperation Principles

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

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

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

Commented [CF40]: Delete

Commented [CF41]: Delete

Commented [CF42]: Replace "Peoples" with "Knowledge Holders"

2.3 – Reconciliation Principles

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

Trust Council's Reconciliation Principles:	
Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area,	
2.3.1	<p>Guidance from Truth and Reconciliation Commission</p> <p>Be informed by the 10 principles established by the Truth and Reconciliation Commission of Canada (TRC).</p>
2.3.2	<p>Guidance from United Nations Declaration on the Rights of Indigenous Peoples</p> <p>Be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).</p>
2.3.3	<p>Guidance from Missing and Murdered Indigenous Women and Girls Calls for Justice</p> <p>Be informed by the principles for change used by the National Inquiry into Missing and Murdered Indigenous Women and Girls.</p>

Part 3: Objectives, ~~and~~ Directives and Advisory Policies

Objective 1:

Advancing Reconciliation

Trust Council is committed to reconciliation and to long-term ~~healing and~~ relationship building with Indigenous Governing Bodies and Indigenous Peoples across the region. The policies in this section aim to acknowledge the history and legacy of Indigenous Peoples in the area since time immemorial, to recognize and respect the interests of Indigenous Governing Bodies regarding planning and land use management decisions that impact their territories, and to build foundations for collaborative governance and shared decision making.

Commented [JY43]: Delete all unnecessary colons

Commented [JY44]: Make all objective verbs active – “Advance”

Directive Policies - Reconciliation

Local trust committees and island municipalities shall, in the preparation of official community plans and amendments; and

Local trust committees shall, in the preparation of regulatory bylaws and amendments . . .

3.1.1	<p>Cooperate with Indigenous Governing Bodies Engage with Indigenous Governing Bodies and provide a record of the engagement at time of bylaw submission.</p>
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Advisory Policies - Reconciliation

Local trust committees and island municipalities should . . .

3.1.2	<p>Cooperate with Indigenous Governing Bodies Engage with Indigenous Governing Bodies on discretionary planning and land use management decisions that may have potential significant impacts on Indigenous Governing Bodies’ territories or the ecological health of the Islands Trust Area.</p>
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Commented [JY45]: delete

Objective 2:

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

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

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

Local trust committees and island municipalities shall, in the preparation of official community plans and amendments; and

Local trust committees shall, in the preparation of regulatory bylaws and amendments . . .

3.2.1	<p>Indigenous Cultural Heritage Sites Address-Minimize potential negative impacts to Indigenous cultural heritage sites including, but not limited to, known village sites, burial sites, middens, cairns, petroglyphs, culturally modified trees, fish traps, clam gardens, and pictographs, and known (registered), unregistered, or newly-discovered archaeological sites.</p>
3.2.2	<p>Indigenous Marine Harvesting Areas Address-Minimize potential negative impacts to known Indigenous marine harvesting areas used by Indigenous Peoples, on land and marine foreshores including, but not limited to, fish weirs and clam gardens.</p>
3.2.3	<p>Indigenous Harvesting and Hunting Areas Minimize potential negative impacts to land-based harvesting and hunting areas used by Indigenous Peoples.</p>

Commented [CF46]: Capitalize IGB in Objective 2 box above

Commented [JY47]: Replace all instances of “negative” with “adverse”

Commented [JY48]: Replace “known” with “identified”

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

Local trust committees and island municipalities should . . .

3.2.3	<p>Indigenous Cultural Heritage Sites Through engagement with Indigenous Governing Bodies, identify and protect Indigenous cultural heritage sites including, but not limited to, village sites, burial sites, middens, cairns, petroglyphs, culturally modified trees, fish traps, clam gardens, and pictographs, and known (registered), unregistered, or newly discovered archaeological sites.</p>
3.2.4	<p>Indigenous Harvesting Areas Through engagement with Indigenous Governing Bodies, identify and protect Indigenous harvesting areas on land and marine foreshores including, but not limited to, fish weirs, clam gardens, camas meadows, and other areas used for Indigenous hunting, fishing, trapping, and gathering of plants and medicines.</p>
3.2.5	<p>Indigenous Harvesting and Hunting Area Access Through engagement with Indigenous Governing Bodies, identify and pursue opportunities to improve access by Indigenous Peoples to marine and land-based harvesting and hunting areas.</p>

3.2.65	Other Culturally Significant Areas for Indigenous Peoples Through engagement with Indigenous Governing Bodies, identify and protect areas of importance for Indigenous cultural, spiritual, medicinal and ceremonial practices and gathering areas
3.2.76	Culturally Significant Species and Medicinal Plants Through engagement with Indigenous Governing Bodies, identify and protect and support restoration of culturally significant species and medicinal plants.

Commented [CF49]: Replace “spiritual, medicinal and ceremonial practices and gathering areas” with “and spiritual practices”. (For simplicity and plain language. Medicinal plant gathering addressed below and ceremony covered through reference to culture)

Objective 3:

Preserving and Protecting Healthy and Biodiverse Ecosystems

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

Directive Policies - Ecosystem Integrity

Local trust committees and island municipalities shall, in the preparation of official community plans and amendments; and

Local trust committees shall, in the preparation of regulatory bylaws and amendments . . .

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

3.3.8	Islets and Small Islands Identify and prioritize the preservation, protection, and restoration of relatively undisturbed islets and small islands.
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Commented [JY50]: Delete. Vague and unnecessary.

Advisory Policies - Ecosystem Integrity

Local trust committees and island municipalities should . . .	
3.3.9	Indigenous Ecosystem Management Through engagement with Indigenous Governing Bodies, support opportunities for Indigenous-led ecosystem management.

Objective 4:

Fostering Sustainable, Inclusive, and Resilient Communities

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

Directive Policies - Managing Growth and Development

Local trust committees and island municipalities shall, in the preparation of official community plans and amendments; and

Local trust committees shall, in the preparation of regulatory bylaws and amendments . . .

3.4.1	Sustainable Development Consider site capabilities, environmental and protected areas, and existing development patterns when determining the land use designation and appropriate locations and intensities of various uses of the land. Ensure development is compact, energy efficient, and appropriately situated on the island and on the site in order to: reduce dependency on private automobile use, and support increased use of trail systems, public transportation, and active transportation be compatible with preservation and protection of the Trust Area and its unique amenities and environment, and limit impacts on Indigenous cultural heritage, harvesting and hunting areas.
3.4.2	Growth Management Density Limits Establish appropriate density limits for efficient and sustainable use of the land base that help to safeguard protected area networks, and is compatible with preservation and protection of the Trust Area and its unique amenities and environment. Manage community growth and its associated impacts by directing residential, commercial and industrial development and mixed use development into appropriate suitable locations, to prevent sprawl and, relieve growth pressures in the surrounding rural areas, and to help safeguard protected area networks.
3.4.3	Impacts of Development Consider the aesthetic, environmental, and social impacts of development.
3.4.4	Community Facilities and Services Ensure that each community's current and projected long-term needs for educational, institutional, community, health, cultural, and recreational facilities and services, and outdoor recreation are considered and planned for.
3.4.5	Climate Change Mitigation and Adaptation Identify and encourage adoption of planning and land use management strategies, and consider nature-based solutions, to minimize greenhouse gas emissions, and adapt to climate change-related vulnerabilities.

Commented [CF51]: Replace "Identify and encourage adoption of" with "Implement"

3.4.6	Hazardous Areas Identify areas at elevated risk of natural and climate change-related hazards and restrict development within them including, but not limited to, areas subject to flooding, sea-level rise, erosion, slope instability and wild fire , with consideration of climate change, areas hazardous to development activities, including, but not limited to, areas subject to flooding, erosion, wildfire, or slope instability, and direct development away from such hazards.
3.4.7	Economic Activities Support sustainable economic activities that are compatible with the preservation and protection of the Trust Area and its unique amenities, environment, community health , and community character that consider transportation and infrastructure capacity.
3.4.8	Community Heritage Sites Identify, preserve, protect, and support the restoration of community heritage sites.

Commented [MvN52]: Replace "them" with "these areas"

Commented [CF53]: Wildfire is one word

Advisory Policies – Managing Growth and Development	
<u>Local trust committees and island municipalities should...</u>	
3.4.9	Existing Development Potential Identify land where existing development potential is not suitable and consider policy and/or regulatory options to reduce development potential or minimize the impacts of future development.

Directive Policies - Housing	
Local trust committees and island municipalities shall, in the preparation of official community plans and amendments; and	
Local trust committees shall, in the preparation of regulatory bylaws and amendments . . .	
3.4.9	Appropriate-Suitable Locations for Densification Identify appropriate-suitable locations where density increases that could support increased density for the development of safe, secure, diverse, and affordable attainable housing while reducing dependency on private automobile use, and increasing use of trail systems, public transportation, and active transportation, and without adversely impacting the Trust Area and its unique amenities and environment.
3.4.10	Housing Diversity Support a range of housing types and tenures to help meet the identified housing needs of the island community.
3.4.11	Clustered Small Dwelling Units Support alternatives to conventional single-detached dwellings by establishing policies to permit clusters of small dwelling units in suitable areas.
3.4.10	Short-Term Rentals Identify and assess the impacts of short-term rentals of dwellings on the availability of safe, secure, and affordable housing and, where necessary, regulate and limit the number of short-term rentals accordingly.
3.4.11 2	Floor Area and Lot Coverage Limits Determine appropriate floor area and lot coverage limits for residential development to minimize negative environmental impacts, including on land used for agricultural purposes. Determine appropriate floor area and lot coverage limits for residential development to minimize greenhouse gas emissions and cumulative impacts to the Trust Area and its unique amenities and environment, including impacts on agricultural land.

Commented [CF54]: this is the 2nd 3.4.9. Renumber all following policies

Commented [JY55]: Replace with "Additional Housing"

3.4.13	Affordable and Special Needs Housing Include a policy to prioritize the processing of rezoning applications from non-profit housing providers and public agencies, and the processing of housing agreement bylaws for affordable and special needs housing.
3.4.14	Short-Term Rentals Identify and assess the impacts of short-term rentals of dwellings on the availability of safe, secure and affordable housing and, where necessary, regulate and limit the number of short-term rentals accordingly.
3.4.12	Housing Diversity Support housing agreements for affordable housing, and special needs housing.

Commented [JY56]: Delete, capitalize "Prioritize"

Advisory Policies - Housing	
Local trust committees and island municipalities should...	
3.4.13	Housing Options Support a range of housing types and tenures, including rentals, co-operatives and other alternatives to fee simple ownership.
3.4.15	Housing for Indigenous People Through engagement with Indigenous Governing Bodies, support housing opportunities for Indigenous people in the Islands Trust Area.
3.4.15	Multi-Unit Residential Encourage land use regulations for affordable and special needs housing and other multi-unit residential development that allow for a range of potential configurations on the site to accommodate changing construction conditions, with form and character controlled through development permit areas.
3.4.16	Natural Building Materials and Techniques Encourage construction of buildings and structures using local natural building materials and techniques, and minimize barriers to their use.

Commented [CF57]: Replace "Encourage" with "Implement"

Directive Policies - Transportation	
Local trust committees and island municipalities shall, in the preparation of official community plans and amendments; and	
Local trust committees shall, in the preparation of regulatory bylaws and amendments . . .	
3.4.14	Public and Active Transportation Networks Identify and establish appropriately situated, safe, comfortable, and equitable transportation networks, both on the islands and to the islands that reduce dependency on private automobile use, encourage electric vehicles zero emission modes of transportation, and support increased use of trail systems, public transportation, and active transportation.
3.4.15	Rural Roadways Identify and protect rural roadways, including scenic and/or heritage roads.

Commented [CF58]: Add hyphen

Commented [CF59]: Delete "both on the islands and to the islands" (LTCs/IMs cannot establish transportation networks to the islands.)

Advisory Policies - Transportation

Local trust committees and island municipalities should...	
3.4.16	Road Systems Ensure that road location, design, construction, and road systems are compatible with preservation and protection of the Trust Area and its unique amenities and environment.
3.4.17	Transportation Network Vulnerabilities <u>Cooperate with relevant agencies to identify parts of the local transportation network at risk of damage or deterioration and participate in planning to address mitigation or infrastructure relocation where necessary.</u>

Directive Policies - Waste	
Local trust committees and island municipalities shall, in the preparation of official community plans and amendments; and	
Local trust committees shall, in the preparation of regulatory bylaws and amendments . . .	
3.4.17	Disposal of Waste <u>Where required, identify appropriate locations for waste transfer stations for the removal of waste from the Islands Trust Area or islands with vehicle ferry service that are compatible with the preservation and protection of the Trust Area and its unique amenities and environment.</u>
3.4.18	Septic Wastewater Disposal Systems Establish requirements for the location and siting of new <u>septic wastewater disposal</u> systems to mitigate adverse impacts on the Trust Area and its unique amenities and environment, including Indigenous Peoples' cultural heritage sites and marine harvesting areas.

Commented [CF60]: Replace "including" with "a focus on"

Directive Policies - Recreation	
Local trust committees and island municipalities shall, in the preparation of official community plans and amendments; and	
Local trust committees shall, in the preparation of regulatory bylaws and amendments . . .	
3.4.19	Preservation of Natural Heritage Identify, preserve, protect, and support the restoration of natural heritage sites.
3.4.20	Location and Types of Recreational Facilities Identify appropriate locations and types of facilities for low-impact and active recreational activities, and discourage high-impact <u>recreational facilities/activities</u> that may adversely impact the preservation and protection of the Trust Area and its unique amenities and environment.
3.4.21	Access to Recreational Facilities Identify appropriate locations, types, and safe public access to recreational <u>facilities</u> .
3.4.22	Access to Community Marinas, Boat Launches, and Docks- Identify <u>and support</u> safe public <u>access</u> to community marinas, boat launches, and <u>docks</u> .
3.4.23	Access to Anchorages Identify appropriate and safe small-craft anchorage public-access locations.
3.4.24	Trail Systems Identify appropriate <u>locations, types, and safe public access to</u> public pedestrian, equestrian and bicycle trail systems to support active recreation that is compatible with preservation and protection of the Trust Area and its unique amenities and environment.
3.4.25	Public Shoreline Access Identify <u>new, and protect existing, and support the acquisition and protection of, areas providing</u> safe public access to marine shorelines and along marine shorelines that are appropriate for low-impact, public recreational use and do not adversely impact the Trust Area and its unique amenities and environment, <u>including Indigenous Peoples' cultural heritage sites and marine harvesting areas.</u>

Commented [CF61]: Suggest deleting the whole policy. Not sure how it came to be included – redundant to 3.4.20. Perhaps a drafting error.

Commented [CF62]: Add: that are compatible with preservation and protection of the Trust Area and its unique amenities and environment

Commented [CF63]: Add "routes" after "access"

Commented [CF64]: Add: that are compatible with preservation and protection of the Trust Area and its unique amenities and environment.

Commented [CF65]: Add: that are compatible with preservation and protection of the Trust Area and its unique amenities and environment.

Commented [CF66]: Replace "locations, types, and safe public access to" with "locations for, types of, and safe public access to"

Commented [JY67]: Add "identified"

3.4.26	Public Access to Public/Crown Land Identify and support the acquisition and protection of public access to publicly-owned lands.
3.4.26 27	Destination Gaming Facilities Prohibit destination gaming facilities such as casinos and commercial bingo halls.

Commented [CF68]: Add "routes" after "access"

Objective 5:

Fostering Sustainable Stewardship of Lands and Waters

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

Directive Policies - Freshwater

Local trust committees and island municipalities shall, in the preparation of official community plans and amendments; and

Local trust committees shall, in the preparation of regulatory bylaws and amendments . . .

3.5.1	Freshwater Sustainability Ensure that neither the density, nor intensity of land use is increased in watersheds where the quality or quantity of the supply of freshwater is likely to be inadequate or unsustainable.
3.5.2	Freshwater Demand and Supply Projections Ensure that existing, anticipated, and seasonal water demand and water availability are considered.
3.5.3	Freshwater Self-Sufficiency Ensure that islands are self-sufficient in their supply of freshwater.
3.5.4	Saltwater Intrusion Identify areas at elevated risk of saltwater intrusion and restrict development serviced by groundwater within them.

Commented [MvN69]: Replace "them" with "these areas"

Advisory Policies - Freshwater

Local trust committees and island municipalities should ...

3.5.4	Freshwater Quality Ensure that freshwater quality is maintained or remediated.
3.5.5	Freshwater Uses Strive to ensure that freshwater use water quality in lakes, streams and wetlands is maintained, and that freshwater use is not to the detriment of other uses of the waterway such as fish and fish-amphibian habitat uses, Indigenous cultural and spiritual uses, and aesthetic and recreational uses, and the maintenance of water quality in lakes, streams, and wetlands.

3.5.6	Freshwater Storage Encourage freshwater storage in groundwater regions where the quality or quantity of groundwater is likely to be inadequate or unsustainable.
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Directive Policies - Forest Lands	
Local trust committees and island municipalities shall, in the preparation of official community plans and amendments; and	
Local trust committees shall, in the preparation of regulatory bylaws and amendments . . .	
3.5.6	Forest Lands for Sustainable Management Maintain large land holdings and parcel sizes to support sustainable forest management practices that are compatible with preservation and protection of the Trust Area and its unique amenities and environment.
3.5.7	Forest Lands and Road Systems Consider siting of roads and utility corridors to minimize the fragmentation of forest lands.
3.5.8	Forest Lands and Wildfire Risk Management Identify planning and land use management strategies that mitigate wildfire risk and that are appropriate to the unique biogeoclimatic zones and settlement patterns of each local planning area.

Commented [JY70]: Revise to “Fragmentation of Forest Lands”

Directive Policies - Agricultural Lands	
Local trust committees and island municipalities shall, in the preparation of official community plans and amendments; and	
Local trust committees shall, in the preparation of regulatory bylaws and amendments . . .	
3.5.9	Protection of Agricultural Lands Identify and protect agricultural lands for current and future use consistent with the Agricultural Land Commission Act and its regulations for agricultural land within the Agricultural Land Reserve while considering downstream impacts, wildlife habitat, and adjacent properties.
3.5.10	Agriculture and Adjacent Properties Minimize any adverse impacts of land uses from adjacent properties on agricultural lands.
3.5.11	Agriculture and Road Systems Consider siting of roads and utility corridors to minimize fragmentation of agricultural lands.
3.5.12	Economic Viability of Farms Consider land uses and activities that support the economic viability of farms without compromising the agricultural capability of agricultural land or adversely impacting the Trust Area and its unique amenities and environment.

Advisory Policies - Agricultural Lands	
Local trust committees and island municipalities should ...	
3.5.13	Sustainable Agriculture Preserve, protect, and encourage sustainable farming and the sustainability of farming.
3.5.14	Food Security and Food Sovereignty Support initiatives that advance food security and Indigenous food sovereignty.

Directive Policies - Soil and Fill	
Local trust committees and island municipalities shall, in the preparation of official community plans and amendments; and	
Local trust committees shall, in the preparation of regulatory bylaws and amendments . . .	
3.5.14	Soil Removal and Deposit Foster the preservation, protection, and restoration of soils in the Islands Trust Area.
3.5.15	Soil and Fill from Middens and Foreshore Areas of Cultural Significance Prohibit alteration, removal or excavation of soil or fill from middens or foreshore areas identified as culturally significant areas.

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

Commented [CF71]: For simplicity and plain language, and to avoid naming only certain amenities, and to have consistency with 3.5.21, replace “impact areas of cultural, spiritual, archaeological, medicinal or recreational significance, or established or designated upland land uses, anchorages or moorages” with “impact areas identified as culturally significant by Indigenous Governing Bodies, in areas that provide critical habitat for species at risk, and in areas of recreational significance.”

Commented [CF72]: Replace “Consider and foster soft shoreline approaches first” with “Prioritize and foster soft shoreline approaches”

Commented [MvN73]: With the

Commented [CF74]: Delete -as a directive policy, it is best if LTCs/IMs only expected to rely on land and marine use plans of IGBs, as directive policies cannot be implementable only if others participate in sharing knowledge.

Directive Policies — Emissions and Pollutants	
Local trust committees and island municipalities shall, in the preparation of official community plans and amendments; and	
Local trust committees shall, in the preparation of regulatory bylaws and amendments . . .	

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

4.1 – Policy Statement Implementation

Statutory Bylaw Approval Process:

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

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

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

Executive Committee Approval: Under Section 15(4) of the *Islands Trust Act*, bylaws submitted to the Executive Committee must not be approved by the Executive Committee, or Trust Council, if they are contrary to or at variance with the Islands Trust Policy Statement.

Organizational Policy Alignment:

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

Commented [CF75]: Replace “Islands Trust bodies” with “Islands Trust Council, Islands Trust Executive Committee, local trust committees and island municipalities.”

Commented [CF76]: Delete

Monitoring and Evaluation:

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

4.2 – Policy Statement Amendments

Policy Statement Amendment Projects:

At the beginning of each term, in conjunction with its strategic planning process, Trust Council can identify any Policy Statement amendment tasks to be undertaken that term. Newly elected Trust Councils will likely wish to engage with Indigenous Governing Bodies, and may wish to engage with other key partners and interested and affected parties across the Islands Trust Area to define priorities for Policy Statement amendments that term. Any topics that are not able to be addressed in a particular term could be noted on a “Policy Statement Amendment Topic Review Inventory” for consideration by Trust Council at a later date. Once an amendment project is initiated, Trust Council could assign the Executive Committee or a council committee the task of leading and coordinating the Policy

Statement review and amendment project, with the support of other committees as appropriate. As part of its annual budget cycle, Trust Council should consider allocating resources required for a Policy Statement amendment project, including for any related communications and engagement.

Communications, Engagement, and Referrals:

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

Commented [JY77]: delete comma

Commented [CF78]: Add paragraph break

Commented [CF79]: Add paragraph break

Legislative Process:

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

Implementation of Policy Statement Amendments:

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

Glossary of Terms

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

<p>Aboriginal (see Indigenous Peoples)</p>	<p>This is a collective name for all of the original peoples of Canada and their descendants. The Constitution Act of 1982 specifies that the Aboriginal Peoples in Canada consist of three groups – First Nations, Inuit and Métis – with unique heritages, languages, cultural practices and spiritual beliefs. The term Aboriginal peoples should not be used to describe only one or two of the groups. Because Aboriginal peoples is the term used in Canada’s constitution, it has specific importance within a Canadian legal context. Other terms include Indigenous Peoples, Native Peoples, Original Peoples, or First Peoples. For our purposes, the term “Indigenous Peoples” is currently the preferred and most respectful term to use. (Source: Assembly of First Nations)</p>
<p>Archaeological Sites</p>	<p>Archaeological sites consist of the physical remains of past human activity. All archaeological sites in British Columbia are protected under the <i>Heritage Conservation Act</i>. This applies whether sites are located on public or private land, and whether the site is known or unknown. Protected archaeological sites may not be altered or changed in any manner without a permit. There are over 60,000 archaeological sites recorded in BC’s Provincial Heritage Register including the remains of village and other habitation sites, as well as resource procurement activities such as fishing weirs and culturally modified trees. These sites may date anywhere from recent times to 14,000+ years ago, and studies continue to uncover new information. (Source: BC Archaeology Branch)</p>
<p>Biodiversity</p>	<p>Biodiversity (biological diversity) is the variety of living things, including diversity within species (genetic diversity), diversity between species, and diversity of ecosystems. When biodiversity characteristics are assessed for any location or region, three attributes are considered: 1) composition (describes the parts of each biodiversity component in that area – e.g. habitat types, species present, genetic diversity within species); 2) structure (refers to the physical characteristics supporting that composition – e.g. size of habitats, forest canopy structure, etc.); 3) function (means the ecological and evolutionary processes affective life within that structure – e.g. pollination, natural disturbances, predator-prey relationships). (Source: Biodiversity BC)</p>
<p>Colonialism</p>	<p>Colonizers are groups of people or countries that come to a new place or country and steal the land and resources from Indigenous peoples, and develop a set of laws and public processes that are designed to violate the human rights of the Indigenous peoples, violently suppress the governance, legal, social, and cultural structures of Indigenous peoples, and force Indigenous peoples to conform with the structures of the colonial state. Historical and ongoing colonialism, including the dispossession of lands, has a deep and devastating impact on Indigenous people and communities. (Source: BC Addressing Racism Working Glossary; BC Office of the Human Rights Commissioner)</p>
<p>Community Heritage Site</p>	<p>A community heritage site is real property that is considered to be heritage property. (Source: Local Government Act)</p>
<p>Conservation</p>	<p>Actions, legislation, or institutional arrangements that lead to the protection or preservation of a given species, group of species, habitat, natural area, or property or areas of human heritage value or character.</p>
<p>Critical Habitat</p>	<p>Under the federal <i>Species at Risk Act</i>, critical habitat is the habitat that is necessary for the survival or recovery of listed extirpated, endangered, or threatened species, and that is identified as critical habitat in a recovery strategy or action plan. Extirpated species means a wildlife species that no longer exists in the wild in Canada, but exists elsewhere in the wild. Endangered species means a wildlife species that is facing imminent extirpation or extinction. Threatened species means a wildlife species that is likely to become an endangered species if nothing is done to reverse the factors leading to its extirpation or extinction. (Source: <i>Species at Risk Act</i>)</p>

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Commented [CF82]: Replace “Human heritage value, or character” with “heritage value or character”

Land Use Density and Intensity	<p>Density is regulated through zoning. Density may be defined by the number of units per given area of land. Density may also be measured by dividing the built area including all floor area, by the total area of the lot, e.g., floor area ratio (FAR) is an example.</p> <p>Intensity of use refers to the impacts of different types of land uses, e.g., certain types of commercial or industrial uses could be more intense with more impacts than residential or vice versa.</p> <p>Of note, density and intensity of use can combine to increase cumulative impacts of the land use.</p>
Ecosystem	<p>An ecosystem is a collection of communities of both living and non-living things that are connected. The biotic elements in an ecosystem include living things such as plants and animals. The abiotic elements found in an ecosystem include non-living things like land forms or climate. Healthy ecosystems provide important “services,” like clean air and water, healthy forests and farms, and habitat for plants and animals. (Source: Government of BC)</p>
Ecosystem Integrity	<p>Ecosystems have integrity when their native components, such as native species, biological communities, natural landscapes and ecological functions, are intact and are likely to persist. (Source: Government of Canada)</p>
Environment	<p>The components of the Earth, including:</p> <ol style="list-style-type: none"> 1. land, water and air, including all layers of the atmosphere, 2. all organic and inorganic matter and living organisms, and 3. the interacting natural systems that include components referred to in paragraphs (a) and (b). <p>(Source: Impact Assessment Agency of Canada)</p>
Equity / Equitable	<p>Equity refers to achieving parity in policy, process and outcomes for historically and/or currently underrepresented and/or marginalized people and groups while accounting for diversity. It considers power, access, opportunities, treatment, impacts and outcomes. (Source: Equity & Inclusion Glossary, UBC)</p>
First Nations	<p>First Nations is not a legal term but came into common use in the 1970s to replace Indian, which some people found offensive. Many communities have also replaced “band” with “First Nation” in their names. Symbolically, the term elevates First Nations to the status of “first among equals” alongside the English and French founding nations of Canada. It also reflects the sovereign nature of many communities, and the ongoing quest for self-determination and self-government. First Nations people may live on or off reserve, they may or may not have legal status under the <i>Indian Act</i>, and they may or may not be registered members of a community or nation. “First Nations” should be used exclusively as a general term as community members are more likely to define themselves as members of specific nations or communities within those nations. (Source: Assembly of First Nations)</p>
Groundwater Recharge Areas	<p>Groundwater recharge areas are terrain that inherently provide geographical and ecological conditions for the infiltration of water from the land surface to the subsurface through soils, sediments, and fractured bedrock to replenish groundwater sources.</p> <p>Groundwater recharge areas can be <i>diffuse</i> where widespread precipitation on the landscape infiltrates into groundwater sources or <i>localized</i> where discrete surface water sources such as streams, lakes, septic fields, and/or irrigation fields infiltrate into groundwater sources. Groundwater recharge areas that have a significant groundwater recharging effect for drinking water sources or groundwater dependent ecosystems in the Islands Trust Area are defined as <i>Critical Aquifer Recharge Areas</i>.</p>
Heritage Site	<p>Heritage site means, whether designated or not, land, including land covered by water, that has heritage value to British Columbia, a community or an aboriginal people.</p> <p>(Source: BC Heritage Conservation Act)</p>
Housing Diversity	<p><u>Housing diversity refers to the range of housing types and tenures in a community that allow people to find appropriate housing as their needs change over time and at all stages of life.</u></p>
Inclusive / Inclusion	<p>Inclusion is an active, intentional, and continuous process to address inequities in power and privilege, and build a respectful and diverse community that ensures welcoming spaces and opportunities to flourish for all. (Source: Equity & Inclusion Glossary, UBC)</p>

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Indigenous Cultural Heritage	Indigenous Peoples understand and describe cultural heritage according to their distinct perspectives, traditions, and languages. For Indigenous Peoples, cultural heritage refers to ideas, experiences, objects, artistic expressions, practices, knowledge, and places that are valued because they are culturally meaningful, connected to shared memory, or linked to collective identity. Indigenous cultural heritage cannot be separated from either Indigenous identity or Indigenous life. Indigenous cultural heritage can be inherited from ancestors or it can be created by people today as a legacy for future generations. Indigenous Peoples have a right to identify their own cultural heritage, interpret its meaning, and safeguard its value. (Source: Indigenous Heritage Circle)
Indigenous Governing Body	Indigenous Governing Body means an entity that is authorized to act on behalf of Indigenous peoples that hold rights recognized and affirmed by section 35 of the <i>Constitution Act, 1982</i> .
Indigenous Knowledge / Knowledge Holders	There is no single definition of Indigenous Knowledge. For our purposes, we understand "Indigenous Knowledge" as a term that refers to a set of complex knowledge systems based on the worldviews of Indigenous peoples. Indigenous Knowledge reflects the unique cultures, languages, values, histories, governance and legal systems of Indigenous peoples. It is place-based, cumulative and dynamic. Indigenous Knowledge systems involve living well with, and being in relationship with, the natural world. Indigenous Knowledge systems build upon the experiences of earlier generations, inform the practice of current generations, and evolve in the context of contemporary society. Different First Nations, Inuit and Métis communities each have distinct ways of describing their knowledge. Knowledge Holders are the only people who can truly define Indigenous Knowledge for their communities. It is important to note that some Indigenous communities are struggling to maintain their Indigenous Knowledge due to ongoing impacts of colonialism. (Source: Impact Assessment Agency of Canada)
Indigenous Peoples (see Aboriginal Peoples)	Indigenous Peoples has the same meaning as aboriginal peoples in section 35 of the <i>Constitution Act, 1982</i> . The Assembly of First Nations also states: There is no official definition of Indigenous Peoples. In part, Indigenous communities, peoples and nations can be described as those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories. Other terms include Aboriginal Peoples, Native Peoples, Original Peoples, or First Peoples. (Source: Assembly of First Nations)
Indigenous Rights	The term 'Indigenous Rights' is to be interpreted in accordance with the Province of British Columbia's Distinctions-Based Approach Primer, December 2023.
Middens	Midden, or 'shell midden' archaeological sites are indicative of past First Nations settlement activity. Formed by the accumulation of stratified cultural deposits over thousands of years, shell midden sites represent some of the most complex archaeological sites in the world. Source: McLay et al (2008) <i>A'lhut tu tet Sul'hweentst Respecting the Ancestors</i> <i>Note:</i> A midden may be an archaeological indicator of village and burial sites, and may contain ancestral remains
Nature-based solutions	Nature-based solutions are actions to protect, sustainably manage, and restore natural and modified ecosystems that address societal challenges effectively and adaptively, simultaneously benefiting people and nature. Nature-based Solutions address societal challenges through the protection, sustainable management and restoration of both natural and modified ecosystems, benefiting both biodiversity and human well-being. Nature-based Solutions are underpinned by benefits that flow from healthy ecosystems. They target major challenges like climate change, disaster risk reduction, food and water security, biodiversity loss and human health, and are critical to sustainable economic development. (Source: International Union for Conservation of Nature (IUCN))

Commented [MvN85]: Replace this sentence with "For the purpose of this document "Indigenous Knowledge" refers to a set of complex knowledge systems based on the worldviews of Indigenous Peoples".

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Precautionary Principle	Principle 15 of the Rio Declaration, known as the precautionary principle, states: “In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.” Four central components of the precautionary principle include: taking preventive action in the face of uncertainty; shifting
	the burden of proof to the proponents of an activity; exploring a wide range of alternatives to possibly harmful actions; and increasing public participation in decision making. (Source: <i>The Precautionary Principle in Environmental Science</i> , Kriebel et al., 2001)
Preservation	To maintain in a given condition. Preservation often requires maintaining the processes that generate the desired condition.
Protection	To maintain over the long term by managing, or if necessary limiting, the type and intensity of development or activity to ensure that valued attributes are not compromised or destroyed.
Reconciliation	Reconciliation is about establishing and maintaining a mutually respectful relationship between Aboriginal and non-Aboriginal peoples in this country. In order for that to happen, there has to be awareness of the past, an acknowledgement of the harm that has been inflicted, atonement for the causes, and action to change behavior. (Source: Truth & Reconciliation Commission)
Restoration	Restoration is the process of assisting the recovery of an ecosystem that has been degraded, damaged, or destroyed. Ecological restoration seeks to initiate or accelerate ecosystem recovery following damage, degradation, or destruction. (Source: Society for Ecological Restoration)
Restrict	<u>To confine, bound or limit, not necessarily prohibit.</u>
Sensitive Ecosystems	Sensitive ecosystems are classified as ‘sensitive’ because of their rarity and vulnerability to disturbances such as human impacts and climate change. The BC Sensitive Ecosystems Inventory identifies sensitive ecosystem types, which have been adapted by the Islands Trust Conservancy to identify sensitive ecosystems commonly found in the Islands Trust Area, including: <u>Cliff</u> : Steep slopes, often with exposed bedrock. Very little soil accumulation, and only exceptionally hardy trees and plants. Cliffs are important vegetation refugia because they are often inaccessible to deer browsing or livestock grazing and can be important nesting habitat for birds. <u>Freshwater</u> : all freshwater networks including but not limited to streams, lakes, wetlands, groundwater sources, springs, and precipitation. <u>Herbaceous</u> : Shallow soils characteristic of herbaceous ecosystems support low-growing vegetation, such as grasses, forbs (low, broad-leaved plants), wildflowers, mosses and lichens. Few trees and shrubs survive on these sites due to the fast-drying and often shallow nature of the exposed soils. <u>Old and Mature Forest</u> : Dry to moist forests dominated by conifer or deciduous tree species with a canopy cover of over 30%. Old forests have a stand age of over 250 yrs.; Mature forests have a stand age of 80–250 yrs. <u>Riparian</u> : Located adjacent to lakes, streams and rivers and characterized by plant communities and soils dependent on increased moisture. Influenced by erosion, sedimentation, flooding and seepage. <u>Wetland</u> : Feature moisture-dependent plants that thrive in an environment where water remains at or above the surface of the soil during most of the year. <u>Can be bog, fen, marsh, swamp, shallow water, wet meadow or a mixture of these types.</u> <u>Woodland</u> : Dry and open forests dominated by a mix of broadleaf and coniferous tree species with canopy coverage of 10–30%. Generally restricted to south-facing slopes and ridges with shallow soils and bedrock outcroppings. (Source: BC Sensitive Ecosystems Inventory, as adapted in Islands Trust Conservancy Regional Conservation Plan 2018-2027)
Species At Risk	An extirpated, endangered, threatened species, or a species of special concern. Extirpated species means a wildlife species that no longer exists in the wild in Canada, but exists elsewhere in the wild. Endangered species means a wildlife species that is facing imminent extirpation or extinction. Threatened species means a wildlife species that is likely to become an endangered species if nothing is done to reverse the factors leading to its extirpation or extinction. Species of special concern means a wildlife species that may become a threatened or an endangered species because of a combination of biological characteristics and identified threats. (Source: Federal <i>Species at Risk Act</i>)
Stewardship	Voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities in the Islands Trust Area

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Commented [MvN89]: Spell out “years”

Commented [MvN90]: Spell out “years”

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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.
Treaties / Treaty Nations	Treaties are constitutionally protected, government-to-government agreements that identify, define and implement a range of rights and obligations, creating long-term, mutually binding commitments. Treaties negotiated through the BC treaty negotiations process are tripartite agreements between the governments of Canada, British Columbia, and a First Nation. The goal of treaties is reconciliation. Treaties signed with First Nations in Canada between 1701 and 1923 are commonly referred to as historic treaties. In BC, there are Douglas treaties, signed with First Nations on Vancouver Island, and Treaty 8 covering a portion of northeastern BC. Treaties signed today are called modern treaties, and cover where there are no historic treaties, and can also deal with matters not addressed in historic treaties. (Source: BC Treaty Commission)



REQUEST FOR DECISION

To: Trust Programs Committee **For the Meeting of:** May 29, 2025
From: Trust Areas Services **Date Prepared:** May 23, 2025
SUBJECT: Policy Statement Amendment Project (PSAP) – Definitions

RECOMMENDATION: That Trust Programs Committee request staff to revise the glossary of terms in the draft new Policy Statement redline version by adding the recommended definitions in Appendix 1 of the Request For Decision titled “Policy Statement Amendment Project (PSAP) – Definitions.”

DIRECTOR COMMENTS: The recommended definitions respond to requests made by Trust Programs Committee and define terms used in the draft new Policy Statement.

- 1 PURPOSE:** This request for decision addresses a previous Trust Programs Committee request for additional definitions in the draft new Policy Statement’s glossary of terms.
- 2 BACKGROUND:** At its meeting of April 29, 2025, Trust Programs Committee passed the following resolution:

TPC-2025-031

that Trust Programs Committee request staff to add to the glossary of terms the following definitions: “recreational significance”, “active recreation”, “natural heritage sites”, and “watersheds”, and add “marine” sections to “sensitive ecosystems”, and define all relevant terms.

See Appendix 2 for staff analysis. TPC will see that staff are not recommending definitions for all the requested terms for the reasons discussed in Appendix 2. TPC will also see that staff are recommending a definition of “groundwater regions,” a term that was recently introduced in the draft new Policy Statement and that should be defined.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None

FINANCIAL: None

POLICY: None

IMPLEMENTATION/COMMUNICATIONS: Staff will add the definitions to the redline version of the Policy Statement for Trust Council consideration.

FIRST NATIONS RELATIONS: None

OTHER: None

4 RELEVANT POLICY(S): None

5 ATTACHMENTS:

- 1) Glossary of Terms – New Definitions
- 2) Definitions – Staff Analysis and Advice

RESPONSE OPTIONS

Recommendation: That Trust Programs Committee request staff to revise the glossary of terms in the Policy Statement redline version by adding the recommended definitions in Appendix 1 of the Request For Decision titled “Policy Statement Amendment Project (PSAP) – Definitions.”

Alternative: See Appendices 1 and 2 for potential additional definitions per TPC’s previous resolution. Staff will include other definitions at TPC’s direction.

Prepared By: Jason Youmans, Senior Policy Advisor

Reviewed By/Date: Clare Frater, Director, Trust Area Services/May 23, 2025

Glossary of Terms – New Definitions

Active Recreation: Means recreation that is of a formal nature, often performed with specific people or teams, requires specialized equipment or prescribed places, sites or fields, but excludes recreation that primarily involves the use of a power-driven conveyance

Natural Heritage Sites: Means natural areas that:

- Furnish outstanding examples of Earth’s record of life or its geologic processes;
- Provide excellent examples of ongoing ecological and biological evolutionary processes;
- Contain natural phenomena that are rare, unique, superlative, or of outstanding beauty; or
- Furnish habitats for rare or endangered animals or plants or are sites of exceptional biodiversity.

Watersheds: Means topographically-defined areas where all precipitation — rainfall and snowmelt — flows downslope via surface or subsurface pathways to a common receiving water body such as a stream, wetland, lake, or the ocean. Due to the islands’ high shoreline-to-area ratio, many watersheds are non-basin watersheds with ephemeral flows and no defined channels or permanent receiving waterbodies.

Groundwater Region: Means a defined geographic area characterized by shared groundwater recharge, flow patterns, usage, and hydrogeological features, and that has clusters of wells that draw from common recharge zones. Analogous to surface water watersheds—which are delineated based on drainage to a common outlet—groundwater regions are mapped to support the sustainable assessment, protection, and management of subsurface freshwater resources. Unlike surface watersheds, groundwater regions may span multiple watershed boundaries due to the complex movement of groundwater. These regions serve as practical planning units to guide evidence-based decisions regarding land use, water allocation, and ecosystem protection.

Definitions – Staff Analysis and Advice

At its meeting of April 29, 2025, Trust Council passed the following resolution:

TPC-2025-031

that Trust Programs Committee request staff to add to the glossary of terms the following definitions: “recreational significance”, “active recreation”, “natural heritage sites”, and “watersheds”, and add “marine” sections to “sensitive ecosystems”, and define all relevant terms.

In response to the above resolution, staff offer the following discussion and recommendations.

Recreational significance

Staff do not recommend including a definition of “recreational significance” in the Policy Statement. Local trust committees and island municipalities may value retaining the flexibility that not defining the term provides.

Currently, the only policy in the draft new Policy Statement where “recreational significance” is mentioned is 3.5.16 – Aquaculture Tenures, which says “ . . . *direct commercial aquaculture tenures to appropriate locations that will not adversely impact areas of cultural, spiritual, archaeological, medicinal or recreational significance, or established or designated upland land uses, anchorages, or moorages.*”

Given that most LTCs/IMs are unlikely to pre-zone their water areas for aquaculture uses that are not already established, they will instead encounter this policy in the course of a Crown Lease referral for a new aquaculture tenure. In such a circumstance, the LTC/IM will respond that the subject area is not zoned for aquaculture use and requires a rezoning application. Assessment of such a rezoning application will be predicated on a review of the subject island’s OCP.

If there are areas in which an LTC/IM categorically does not want to entertain aquaculture operations, this should be reflected in the land use designations applied to its marine areas. Alternatively, if there are marine areas where LTCs/IMs would consider rezoning applications for aquaculture, those land use designations should specify the conditions under which such an application would be considered.

Undoubtedly, LTCs/IMs will hear from community members if an aquaculture operation is proposed in an area of recreational significance.

Staff are inclined to recommend removing reference to “recreational significance” from draft policy 3.5.16 altogether as it potentially establishes a tension between the economic development aspirations of Indigenous Governing Bodies looking to establish shellfish aquaculture operations in their traditional territories (activities that would be consistent with draft Advisory Policy 3.5.14 to support Indigenous food sovereignty initiatives) and the leisure use of the islands’ shorelines by residents.

If TPC is keen to see a definition of recreational significance it could consider the following:

Recreational Significance: Means of importance to island residents and others for recreation, enjoyment and leisure.

Active recreation

Staff support the inclusion of a definition for active recreation and recommend the following:

Active recreation: Means recreation that is of a formal nature, often performed with specific people or teams, requires specialized equipment or prescribed places, sites or fields, but excludes recreation that primarily involves the use of a power-driven conveyance.

This definition is already in use in some Islands Trust land use bylaws.

Natural heritage sites

Staff support the inclusion of a definition for natural heritage sites and recommend the following:

Natural heritage sites: Means natural areas that:

- Furnish outstanding examples of Earth's record of life or its geologic processes;
- Provide excellent examples of ongoing ecological and biological evolutionary processes;
- Contain natural phenomena that are rare, unique, superlative, or of outstanding beauty; or
- Furnish habitats for rare or endangered animals or plants or are sites of exceptional biodiversity.

This definition is adapted from the United Nations Educational, Scientific and Cultural Organization [Convention Concerning the Protection of the World Cultural and Natural Heritage](#).

Watershed

Staff support the inclusion of a definition for watershed and recommend the following:

Watershed: Means a topographically-defined area where all precipitation — rainfall and snowmelt — flows downslope via surface or subsurface pathways to a common receiving water body such as a stream, wetland, lake, or the ocean. Due to the islands' high shoreline-to-area ratio, many watersheds in the Islands Trust Area are non-basin watersheds with ephemeral flows and no defined channels or permanent receiving waterbodies.

This definition was developed by staff.

Add "marine" sections to "sensitive ecosystems"

Staff do not recommend adding marine sections to the current definition of sensitive ecosystems. The ecosystems listed in the glossary definition of sensitive ecosystems are derived from the BC Sensitive Ecosystems Inventory, which contains only terrestrial ecosystems. Thus, staff do not want to create a list that equates the well-defined land-based ecosystems from the BC Inventory with a list of marine features development with less rigour. Additionally, feedback from Indigenous Governing Bodies has suggested that it is problematic to identify certain marine areas as sensitive, when all areas of the marine environment are interconnected.

Staff are confident that proposed Ecosystem Integrity Policy 3.3.6 – Marine Shorelines and Nearshore Areas – adequately captures the sensitive marine ecosystems characteristic of the islands. It states:

“ . . . identify and prioritize the preservation, protection and restoration of eelgrass meadows, kelp forests, forage fish spawning areas, clam beds, estuaries, tidal salt marshes, mud flats and coastal wetlands.”

Through implementation of policy 3.3.6, LTCs and islands municipalities will be expected to both map, and prevent potentially detrimental uses in, nearshore areas hosting the marine ecosystems identified in the policy.

Additionally, if TPC takes up staff’s recommendation elsewhere in this agenda package to add a new marine moorage directive policy 3.5.19, staff recommend that the policy be revised as follows:

Vessel Moorage

Prohibit the moorage of vessels in ~~sensitive marine ecosystems~~ eelgrass meadows, kelp forests, forage fish spawning areas, clam beds, estuaries and mud flats.

Groundwater regions

Staff recommend that a definition for groundwater region be introduced, as the term now occurs in advisory policy 3.5.6. Staff recommend the following definition:

Groundwater region: *Means a defined geographic area characterized by shared groundwater recharge, flow patterns, usage, and hydrogeological features, and that has clusters of wells that draw from common recharge zones. Analogous to surface water watersheds—which are delineated based on drainage to a common outlet—groundwater regions are mapped to support the sustainable assessment, protection, and management of subsurface freshwater resources. Unlike surface watersheds, groundwater regions may span multiple watershed boundaries due to the complex movement of groundwater. These regions serve as practical planning units to guide evidence-based decisions regarding land use, water allocation, and ecosystem protection.*

This definition was developed by staff.



REQUEST FOR DECISION

To: Trust Programs Committee **For the Meeting of:** May 29, 2025
From: Trust Area Services **Date Prepared:** May 23, 2025
SUBJECT: Policy Statement Amendment Project (PSAP) – Recommended Edits that respond to First Nations’ feedback

RECOMMENDATION:

That Trust Programs Committee request staff to amend the Policy Statement redline version in accordance with the recommendations in Appendix 1 of the request for decision titled “Policy Statement Amendment Project (PSAP) – Recommended Edits that respond to First Nations’ feedback.”

That Trust Council amend the 2025-2028 Strategic Plan to include key initiative 1.1.2, colour coded to indicate that the initiation timeline is to be determined, as “Work with Indigenous Governing Bodies to co-design and implement a Policy Statement amendment review process that ensures ongoing and more regular review and amendment of the Policy Statement”.

DIRECTOR COMMENTS: The recommendations respond to First Nations’ feedback since 2020.

- 1 PURPOSE:** To provide Trust Programs Committee with recommendations for changes to the draft new Policy Statement that respond to First Nation comments that have remained unaddressed.
- 2 BACKGROUND:** Through three phases of engagement, First Nations have provided feedback to Islands Trust Council and staff on various versions of the draft new Policy Statement. Due to work volumes staff have never thoroughly collated and analyzed the feedback. Staff have now reviewed the feedback to provide Trust Programs Committee with information about comments from First Nations that remain unaddressed in the draft new Policy Statement. The analysis is attached in appendix 2. Only Phase 1 feedback from Tsleil-Waututh Nation is missing - staff will attempt to provide as a late item.

This review has resulted in 20 recommendations for new policies/amendments to policies/other language.

The feedback from First Nations is generally available through the document library on the Islands [2050 webpage](#). Where staff have also referenced notes from staff to staff meetings, or submissions where consent to publish is not known, staff have provided highlights of the comments.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Up to a day of Senior Policy Advisor time to add the recommended policies to the redline version of the Policy Statement and create an RFD for TC about the Strategic Plan recommendation. The Strategic Plan recommendation makes clear to Indigenous Governing Bodies that Trust Council intends to work cooperatively to co-design and implement a Policy Statement amendment review process that ensures ongoing and more regular review and amendment of the Policy Statement. This is aligned with staff work on Policy Statement Amendment Policy requested by Trust Programs Committee.

FINANCIAL: None.

POLICY: Will lead to changes to the draft Policy Statement.

IMPLEMENTATION/COMMUNICATIONS: Staff will make the changes before the document is provided to Committee of the Whole. Staff will prepare an RFD to Trust Council about the Strategic Plan change.

FIRST NATIONS RELATIONS: Making changes that respond to the feedback of First Nations is expected to support good relations. The compiled information will also be transferred into a form that can be shared with all staff that engage with First Nations.

OTHER: None.

4 RELEVANT POLICY(S): Policy Statement Amendment Policy; Reconciliation Declaration

5 ATTACHMENT(S):

- 1) Appendix A: Policy Statement Amendment Project (PSAP) – Recommended Edits that respond to First Nations’ feedback.
- 2) First Nation comments on July 2021 and September 2023 versions of the draft Policy Statement

RESPONSE OPTIONS

Recommendation:

That Trust Programs Committee request staff to amend the Policy Statement redline version in accordance with the recommendations in Appendix 1 of the request for decision titled “Policy Statement Amendment Project (PSAP) – Recommended Edits that respond to First Nations’ feedback.”

That Trust Council amend the 2025-2028 Strategic Plan to include key initiative 1.1.2, colour coded to indicate that the initiation timeline is to be determined, as “Work with Indigenous Governing Bodies to co-design and implement a Policy Statement amendment review process that ensures ongoing and more regular review and amendment of the Policy Statement”.

Alternative:

- 1) That Trust Programs Committee request staff to amend the Policy Statement redline version in accordance with the recommendations in Appendix 1 of the request for decision titled “Policy Statement Amendment Project (PSAP) – Recommended Edits that respond to First Nations’ feedback” except for
 - XX
 - XX

 - 2) Do not make the changes. (Not accepting many of these changes likely means more time spent engaging with Indigenous Governing Bodies during the referral phase and increases risk that the Minister of Housing and Municipal Affairs will not approve the bylaw).
-

Prepared By: Clare Frater, Director, Trust Area Services

Reviewed By/Date:

Policy Statement Amendment Project (PSAP) – Recommended Edits that respond to First Nations’ feedback

No	Proposed amendment	Resulting final policy wording
1	Amend draft policy 3.4.10 to add at the end “ <i>and local Indigenous communities.</i> ”:	<p>Housing Diversity Support a range of housing types and tenures to help meet the identified housing needs of the island community and local Indigenous communities.</p>
2	<p>Add new advisory policy under Objective 1</p> <p>Land Back Through engagement with Indigenous Governing Bodies, support opportunities to direct land to Indigenous Governing Bodies as an amenity contribution in applications seeking additional development potential.</p>	<p>Land Back Through engagement with Indigenous Governing Bodies, support opportunities to direct land to Indigenous Governing Bodies as an amenity contribution in applications seeking additional development potential.</p>
3	<p>Add new advisory policy under Objective 1</p> <p>Respect Indigenous protocols for information and data provided Respect Indigenous Government Bodies’ and Indigenous Knowledge Holders’ protocols about how their data and information should be collected, protected, used, and shared.</p>	<p>Respect Indigenous protocols for information and data provided Respect Indigenous Government Bodies’ and Indigenous Knowledge Holders’ protocols about how their data and information should be collected, protected, used, and shared.</p>
4	Amend Objective 3 introduction by removing the words (<i>excluding invasive species</i>).	Trust Council acknowledges that preserving and protecting the ecological integrity of the Islands Trust Area is essential to the Islands Trust Object and to supporting community well-being across the region. The policies in this section aim to identify and protect key ecosystem types and characteristics that safeguard biodiversity and promote resilience to climate change.
5	<p>Add new advisory policy under Objective 3</p> <p>Indigenous Protected and Conserved Areas Support Indigenous Governing Bodies in the establishment of Indigenous Protected and Conserved Areas</p>	<p>Indigenous Protected and Conserved Areas Support Indigenous Governing Bodies in the establishment of Indigenous Protected and Conserved Areas.</p>
6	Amend draft policy 3.4.4 to add the words “ <i>and local Indigenous</i> ”	<p>Community Facilities and Services Ensure that each island community’s, and local</p>

	<p>communities” after the word community’s</p>	<p>Indigenous communities’ current and projected long-term needs for educational, institutional, community, health, cultural, recreational facilities and services, and outdoor recreation are considered and planned for.</p>
7	<p>Amend policies 3.4.21, 3.4.22 and 3.4.23 to include at the end “ that is/are compatible with preservation and protection of the Trust Area and its unique amenities and environment</p>	<p>Access to Recreational Facilities Identify appropriate locations, types, and safe public access to recreational facilities that are compatible with preservation and protection of the Trust Area and its unique amenities and environment.</p> <p>Access to Community Marinas, Boat Launches, and Docks Identify and support safe public access to community marinas, boat launches, and docks that is compatible with preservation and protection of the Trust Area and its unique amenities and environment.</p> <p>Access to Anchorages Identify appropriate and safe small-craft anchorage public-access locations that are compatible with preservation and protection of the Trust Area and its unique amenities and environment.</p>
8	<p>Amend draft policy 3.5.16 to replace “impact areas of cultural, spiritual, archaeological, medicinal or recreational significance, or established or designated upland land uses, anchorages or moorages” with “impact areas identified as culturally significant by Indigenous Governing Bodies or Indigenous Knowledge Holders, in areas that provide critical habitat for species at risk, and in areas of recreational significance.”</p>	<p>Aquaculture Tenures Direct commercial aquaculture tenures to appropriate locations that will not adversely impact areas identified as culturally significant by Indigenous Governing Bodies or Indigenous Knowledge Holders, in areas that provide critical habitat for species at risk, and in areas of recreational significance.</p>
9	<p>Amend draft policies 3.2.3, 3.2.4, 3.2.6 and 3.2.7 to change “Identify and protect” to “Identify and prioritize protection of”</p>	<p>Indigenous Cultural Heritage Sites Through engagement with Indigenous Governing Bodies, identify and prioritize protection of Indigenous cultural heritage sites including, but not limited to, village sites, burial sites, middens, cairns, petroglyphs, culturally modified trees, fish traps, clam gardens, and pictographs, and known (registered), unregistered, or newly discovered archaeological sites.</p> <p>Indigenous Harvesting Areas Through engagement with Indigenous Governing Bodies, identify and prioritize</p>

		<p>protection of Indigenous harvesting areas on land and marine foreshores including, but not limited to, fish weirs, clam gardens, camas meadows, and other areas used for Indigenous hunting, fishing, trapping, and gathering of plants and medicines.</p> <p>Other Culturally Significant Areas for Indigenous Peoples Through engagement with Indigenous Governing Bodies, identify and prioritize protection of areas of importance for Indigenous cultural, spiritual, medicinal and ceremonial practices and gathering areas</p> <p>Culturally Significant Species and Medicinal Plants Through engagement with Indigenous Governing Bodies, identify, prioritize protection of, and support restoration of culturally significant species and medicinal plants.</p>
10	<p>Add to end of Stewardship definition.</p> <p>For Indigenous Peoples, stewardship may be mandatory under Indigenous law.</p>	<p>Stewardship: Voluntary, cooperative actions that nurture and take responsibility for the long-term integrity of the environment and amenities in the Islands Trust Area. For Indigenous Peoples, stewardship may be mandatory under Indigenous law.</p>
11	<p>Amend draft advisory policy 3.1.2 to delete at the end “that may have potential significant impacts on Indigenous Governing Bodies’ territories or the ecological health of the Islands Trust Area.”</p>	<p>Cooperate with Indigenous Governing Bodies Engage with Indigenous Governing Bodies on discretionary planning and land use management decisions.</p>
12	<p>Add new advisory policy in the Managing Growth and Development section:</p> <p>Economic Development Opportunities for Indigenous Communities Through engagement with Indigenous Governing Bodies, support economic development opportunities for Indigenous communities.</p>	<p>Economic Development Opportunities for Indigenous Communities Through engagement with Indigenous Governing Bodies, support economic development opportunities for Indigenous communities.</p>
13	<p>Change Guiding Principle 2.1.7 to be replace the words” science, Indigenous Knowledge, and local community knowledge” with</p>	<p>Foster Informed and Balanced Decision Making to be informed by a broad range of sources in its decision-making processes, including the</p>

	“Indigenous Knowledge, institutional knowledge, local community knowledge, and science.”	best available Indigenous Knowledge, institutional knowledge, local community knowledge, and science.”
14	Amend directive policy 3.2.1 and advisory policy 3.2.3 to add “camp sites” after “burial sites”	<p>Indigenous Cultural Heritage Sites Minimize potential negative impacts to Indigenous cultural heritage sites including, but not limited to, known village sites, burial sites, camp sites, middens, cairns, petroglyphs, culturally modified trees, fish traps, clam gardens, pictographs, and known (registered), unregistered, or newly-discovered archaeological sites.</p> <p>Indigenous Cultural Heritage Sites Through engagement with Indigenous Governing Bodies, identify and protect Indigenous cultural heritage sites including, but not limited to, village sites, burial sites, camp sites, middens, cairns, petroglyphs, culturally modified trees, fish traps, clam gardens, and pictographs, and known (registered), unregistered, or newly discovered archaeological sites.</p>
15	Change directive policy 3.5.15 to add “all archaeological sites including” before the word middens.	<p>Soil and Fill from Middens and Foreshore Areas of Cultural Significance Prohibit alteration, removal or excavation of soil or fill from all archaeological sites including middens or foreshore areas identified as culturally significant areas.</p>
16	Amend draft advisory policy 3.2.7 to add at the end “,and ochre”.	<p>Culturally Significant Species and Medicinal Plants Through engagement with Indigenous Governing Bodies, identify and protect and support restoration of culturally significant species and medicinal plants, and ochre.</p>
17	Amend the last sentence of introduction for Objective 2 to add at the end “,and that many of these places are the resting places of ancestors.”	Trust Council recognizes Indigenous cultural heritage as a unique amenity in the Islands Trust Area that must be preserved, protected, and where possible, restored. The Islands Trust Area is home to many culturally significant areas, sites, and species of importance to present and future generations of Indigenous Peoples. This section lays out general types of Indigenous cultural heritage and culturally significant areas, sites, and species that should be identified and protected in each local planning area; this should be guided by Indigenous Peoples, Indigenous governing bodies and Indigenous Knowledge Holders and undertaken in a culturally sensitive manner that respects confidentiality protocols around the sharing of Indigenous Knowledge, and that many of these places are the resting places of ancestors.
18	Add new Indigenous Cultural Heritage	Cultural Monitors

	<p>& Culturally Significant Areas, Sites and Species advisory policy</p> <p>Cultural Monitors Through engagement with Indigenous Governing Bodies, support opportunities for cultural monitors to be present for ground-disturbing activities.</p>	<p>Through engagement with Indigenous Governing Bodies, support opportunities for cultural monitors to be present for ground-disturbing activities.</p>
	<p>Add new Reconciliation Principle as 2.2.4</p> <p>Guidance from Indigenous Governing Bodies Be informed by guidance from Indigenous Governing Bodies and Indigenous Knowledge Holders.</p>	<p>Guidance from Indigenous Governing Bodies Be informed by guidance from Indigenous Governing Bodies and Indigenous Knowledge Holders.</p>
19	<p>Change draft principle 3.5.17 to replace the words “Consider the” with “Incorporate”</p>	<p>Setbacks from the Sea Incorporate current and anticipated impacts of sea level rise and storm surge, and determine appropriate shoreline buffers and setbacks from the sea, taking into account best practices recommended by the federal and provincial governments.</p>
20	<p>Amend acknowledgement by adding as the second to last sentence:</p> <p>Islands Trust Council acknowledges that a healthy environment is essential for Indigenous People to be able to exercise their inherent and treaty rights.</p>	<p>Acknowledgement:</p> <p>Islands Trust Council respectfully acknowledges that the lands and waters that encompass the Islands Trust Area have been home to Indigenous Peoples since time immemorial and that their relationship to these lands and waters continues to this day. Islands Trust Council acknowledges that residential schools, forced removal, and colonial laws and restrictions of Indigenous governance and cultural practices have displaced and dispossessed Coast Salish peoples and disrupted their relationships with the islands and waters of the Salish Sea. Islands Trust Council acknowledges that a healthy environment is essential for Indigenous People to be able to exercise their inherent and treaty rights. Islands Trust Council is committed to reconciliation and to working together to preserve and protect this ecologically, culturally, and spiritually significant region in the Salish Sea.</p>



IslandsTrust

Policy Statement Amendment Project

First Nation comments on July 2021 and September 2023 versions of the draft Policy Statement

This table provides a reference sheet about input from First Nations on Drafts of the Policy Statement with staff comment.

Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)		
Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
General Comments		
	<p>As a general comment, as noted above [reference to section 1.4], and per BC's DRIPA legislation, BC has committed to implementing UNDRIP including bringing all provincial legislation into accordance with UNDRIP. This is not in contradiction of the Object itself, but rather strengthens the degree to which IT must engage meaningfully with Indigenous Peoples in order to achieve Free, Prior and Informed Consent within our territories. Both Guiding and Directive policies must incorporate the principles and articles of UNDRIP. Municipalities and IT are both bodies created through provincial legislation and thus are subject to implemented of UNDRIP as well.</p>	<p>No change per legislative restrictions.</p> <p>To address comments from Cowichan Tribes and other Quw'utsun Nation members, and other Indigenous Governing Bodies section 1.3 Indigenous Inherent Rights Acknowledgement was added to the draft document.</p> <p>A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3,1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.</p> <p>Guiding principle 2.2.2 states that Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).</p>

Cowichan Tribes (see also below feedback provide verbally by Quw'utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
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Part 1: The Islands Trust Act – 1.2 – Map of the Island Trust Area

	<p>Realizing that this is a placeholder, there is no legend or scale (noting to ensure that these are on the updated map). Cowichan Tribes would be interested to see the new map referenced here.</p> <p>The new map should include recognition of the Indigenous Nations within whose territory Islands Trust operates. Additionally, it is important to bring forward that even though there are no Cowichan Tribes Indian Reserves on the Gulf Islands, they are part of Quw'utsun Nation territory</p>	<p>Staff have prepared a new map. At present it shows only local trust area boundaries.</p> <p>Staff are working on a second map that shows the names of the Indigenous Governing Bodies with treaty and territorial interests in the Trust Area. It does not show territorial boundaries due to the complexity of presenting overlapping and shifting boundaries. Staff would like to workshop the draft map with Indigenous Governing Bodies before including it in the Policy Statement.</p>
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Part 1: The Islands Trust Act – 1.3 – Interpretations of the Islands Trust Object

<p>Unique Amenities, Environment and Residents of the Trust Area</p>	<p>[Unique Amenities]</p> <p>A lot of this is referring to indigenous cultural heritage: "patterns of human occupation, heritage, gathering places, and culturally significant places." "Landforms, freshwater sources, plants, [and] animals" are also distinctly connected with Quw'utsun Mustimuhw relationships with the land and land management practices. All of this history, knowledge and heritage is skipped over with a description of our heritage and knowledge as signifying "pleasantness" and "charm", continuing the attempted erasure of our people from our territory and our relationships. If Islands Trust desires to highlight these "features", it makes much more sense to</p>	<p>No change. This section was removed in its entirety from the staff-recommended draft Policy Statement presented to Committee of the Whole in May 2024.</p> <p>Principle 2.2.2 signals Trust Council intent to work towards the foundations of collaborative governance.</p>
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Cowichan Tribes (see also below feedback provide verbally by Quw'utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
	<p>work with nations for a name in one of our languages to refer to our relations and our heritage. At the very least, the Quw'utsun Nation must be recognized in this section as the stewards of our territory - including listed features - and our cultural heritage must be recognized as our own.</p> <p>I understand that "unique amenities" is in the Islands Trust Act. Nevertheless, this definition should be expanded and should include the recognition that Islands Trust operates within Quw'utsun Nation territory.</p> <p>For example: The Islands Trust Area includes unique landforms, water sources and water bodies, plants, animals and culturally significant places within the territories of [First Nations or Indigenous Nations listed above], peoples who have cared for these lands and waters since time immemorial. These places include, but are not limited to, village sites, harvesting areas (on land, sea and intertidal areas) and spiritual places. Islands Trust commits to working in collaboration with [listed First Nations and Indigenous Nations] to care for these unique heritage and ecological values</p> <p>[Environment]</p> <p>Noting that there are culturally at-risk species as well, which may or may not be classified as species at risk under the federal</p>	

Cowichan Tribes (see also below feedback provide verbally by Quw'utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
	<p>act, but which may be uncommon, inaccessible or otherwise difficult for Quw'utsun people to acquire. Such species, and their habitats (including teachings around caring for and harvesting those species), are important to protect and ensure that Quw'utsun people have access to them.</p> <p>[Residents of Trust Area] How will Islands Trust work in collaboration with Cowichan Tribes and the Quw'utsun Nation with regards to shared decision making in our territory?</p>	

Part 1: The Islands Trust Act – 1.4 –Purpose and Structure of Policy Statement

<p>“The Policy Statement represents Trust Council’s vision for the preservation and protection of the Islands Trust Area and its unique amenities and environment. It aspires to reflect the values and interests of island communities, Indigenous government bodies and Indigenous Peoples, partner agencies, and all British Columbians, as well as the silent voices of island ecosystems, species at risk, and future generations.”</p>	<p>This includes commitments to implement UNDRIP (which are also commitments made by the Province generally under DRIPA), the Provinces' Draft Principles that Guide the Province of BC's Relationship with Indigenous Peoples, TRC Calls to Action.</p> <p>While IT can aspire to reflect interests and values of British Columbians, an "aspiration" is not enough when it comes to working with Indigenous Peoples who have rights to self-determination. Free, Prior and Informed Consent MUST be obtained from Indigenous Peoples prior on any projects within our territories.</p> <p>This commitment structures the relationship between IT and Indigenous Nations, including the Quw'utsun Nation, of which Cowichan Tribes is a member community.</p>	<p>No change per legislative restrictions.</p> <p>To address comments from Cowichan Tribes and other Quw'utsun Nation members, and other Indigenous Governing Bodies section 1.3 Indigenous Inherent Rights Acknowledgement was added to the draft document.</p> <p>A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3,1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.</p> <p>Guiding principle 2.2.2 states that Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples</p>
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Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
		(UNDRIP).
Part 1: The Islands Trust Act – 1.4 –Two Types of Policies in the Policy Statement		
	<p>As a general comment, as noted above, and per BC's DRIPA legislation, BC has committed to implementing UNDRIP including bringing all provincial legislation into accordance with UNDRIP. This is not in contradiction of the Object itself, but rather strengthens the degree to which IT must engage meaningfully with Indigenous Peoples in order to achieve Free, Prior and Informed Consent within our territories. Both Guiding and Directive policies must incorporate the principles and articles of UNDRIP. Municipalities and IT are both bodies created through provincial legislation and thus are subject to implemented of UNDRIP as well</p>	<p>No change per legislative restrictions.</p> <p>To address comments from Cowichan Tribes and other Quw'utsun Nation members, and other Indigenous Governing Bodies section 1.3 Indigenous Inherent Rights Acknowledgement was added to the draft document.</p> <p>Guiding principle 2.2.2 states that Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).</p> <p>A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3,1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.</p>
PART 2: Guiding Principles – 2.1.1 – Acknowledge and Respect Indigenous Rights		
<p>To grow understanding of the history and legacy of colonialism in the Islands Trust Area, to acknowledge and respect the rights of Indigenous Peoples in decision making, and to work</p>	<p>Working with Indigenous Nations as decision-makers within their territories: lands and waters in which Islands Trust operates. Quw'utsun Nation Chiefs are decision-makers in our lands and waters. Looking for a meaningful commitment to shared decision-making by IT, as per DRIPA</p>	<p>No change.</p> <p>Executive Committee has requested staff to work with Quw'utsun Nation on a protocol agreement, however this work has been delayed by Islands Trust staff. Cowichan Tribes/Quw’utsun Nation could also pursue a UN Declaration agreement with the</p>

Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
together with Indigenous governing bodies and Indigenous Knowledge Holders to preserve and protect culturally significant areas, sites, and species..	commitments. For example, Islands Trust Council can approach Cowichan Tribes leadership to discuss on a government-to-government basis how we can acknowledge past wrongs and work together. There could be a formal agreement committing to shared decision making and a body to implement it.	Province concerning the Islands Trust.
PART 2: Guiding Principles – 2.1.2 – Prioritize Environmental Protection		
To place priority on preserving, protecting and restoring the environment in all decision making	With respect to and including Indigenous nations as decision-makers. Quw'utsun mustimuhw (people) have invaluable traditional ecological knowledge about our territory that informs our governance of the territory. Additionally, "preserving, protecting and restoring" must include space for the exercise of aboriginal rights, such as harvesting.	No change. The draft principles 2.1.2 and 2.1.3 in Draft 2 were blended to reflect Cowichan Tribes’ comments. A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3.1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with First Nations so traditional ecological knowledge can be incorporated into decisions. Policies 3.2.2-3.2.7, 3.4.18 and 3.4.25 address protections for harvesting and/or hunting areas in support of continued exercise of Aboriginal rights.
PART 2: Guiding Principles – 2.1.3 – Prioritize Indigenous Cultural Heritage Protection		
To place priority on preserving, protecting and supporting restoration of Indigenous cultural heritage in all decision making.	Yes, but it should be explicitly stated that IT will work with Indigenous Nations who are the decision makers over our cultural heritage. We know how to protect and care for our cultural heritage.	No change. The draft principles 2.1.2 and 2.1.3 in Draft 2 were blended to reflect Cowichan Tribes’ comments. To address comments from Cowichan Tribes and

Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
		<p>other Quw'utsun Nation members, and other Indigenous Governing Bodies section 1.3 Indigenous Inherent Rights Acknowledgement was added to the draft document.</p> <p>A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3,1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.</p> <p>Guiding principle 2.2.2 states that Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).</p>

PART 2: Guiding Principles – 2.1.4 – Limit the Rate and Scale of Development

<p>To define and maintain appropriate limits for the rate and scale of development in order to preserve and protect the unique amenities and environment</p>	<p>Yes. However, in considering and determining development, this must be done through meaningful engagement with Indigenous nations. Cowichan Tribes has an extreme housing crisis and we need to ensure that our members are housed. Municipalities and other such bodies, such as IT, must coordinate with Cowichan Tribes to account for our housing needs in their plans (for example, developing an OCP with the understanding that CT has housing needs that are not able to be fulfilled on reserve. So limits must include planning for a percentage of the</p>	<p>Amend draft policy 3.4.10 to read:</p> <p>Housing Diversity <i>Support a range of housing types and tenures to help meet the identified housing needs of the island community and local Indigenous communities.</i></p> <p>Draft advisory policy 3.4.15 says “Through engagement with Indigenous Governing Bodies, support housing opportunities for Indigenous people in the Islands Trust Area.”</p>
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Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

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	<p>allowed housing for CT and other First Nations as well as needs of the non-indigenous community.) Include working with the Quw'utsun Nation when developing limits for rate and scale of development to ensure that needs of indigenous and non-indigenous peoples are met</p>	
PART 2: Guiding Principles – 2.1.5 – Foster Sustainable, Inclusive and Resilient Communities		
<p>To support land use planning decisions that foster sustainable, inclusive, and resilient communities, acknowledging the interdependencies between healthy communities and healthy ecosystems.</p>	<p>Land use planning must be done in a collaborative manner with Indigenous Nations. We are developing our own land use plans and must work together on this.</p>	<p>No change.</p> <p>Principle 2.2.2 signals Trust Council intent to work towards the foundations of collaborative governance.</p> <p>Policies 3.1.1 , 3,1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with First Nations.</p>
PART 2: Guiding Principles – 2.1.7 – Account for cumulative Effects		
<p>To strive to account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies, culturally sensitive areas and cultural heritage sites, and Islands Trust Area species and their habitats.</p>	<p>Delete "to strive to". Account for the cumulative effects...</p>	<p>No change.</p> <p>This policy reflects that data on cumulative effects may not be available – so “strive to” means that the LTC and island municipalities will do the best they can in this area. Staff carefully considered the wording. This principle could be updated through a future amendment process once more data is available that would enable local trust committees</p>

Cowichan Tribes (see also below feedback provide verbally by Quw'utsun Nation members to Islands Trust staff)		
Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
		and island municipalities to account for cumulative effects.
PART 2: Guiding Principles – 2.2.3 – Work Towards Strategic Inter-Agency Coordination		
To work towards establishing effective inter-agency coordination mechanisms with different levels of government, academic institutions and organizations who have important roles to play in supporting the Islands Trust Object.	including coordination and collaboration with Cowichan Tribes and the Quw'utsun Nation with regards to spill response and Guardians programs, for example	No change. During day-to day Island Trust work it is anticipated that Cowichan Tribes and the Quw'utsun Nation would be invited to applicable inter-agency coordination forums.
PART 2: Guiding Principles – 2.2.5 – Provide Public Education Opportunities		
To provide education opportunities to Islands Trust Area residents, communities, local organizations, and visitors, highlighting tangible ways they can contribute to preserving and protecting the region's unique amenities and environment, while respecting the confidentiality interests of Indigenous Peoples and Indigenous governing bodies	Yes, but it could be included that working with Indigenous Nations around public education is needed. Public education is IT's responsibility but it is important that Indigenous history and culture are shared and respected, as shared and directed by the nation. In line with principles of OCAP (Ownership, Control, Access and Possession), recognizing the Quw'utsun Nation as a self-determining nation with regards to our knowledge - how it is shared, with whom it is shared.	No change.
PART 3: Guiding Principles – Table 1 (B) – Truth & Reconciliation Commission of Canada (TRC) – 10 Principles		
First Nations, Inuit, and Métis peoples, as the original peoples of this country and as self-determining peoples, have Treaty, constitutional, and human rights that must be recognized and respected	Yes, but noting that only First Nations have aboriginal rights and title within the Gulf Islands.	No change.
PART 2: Guiding Principles – Table 2 – Principles for Change used by the National Inquiry into Missing and Murdered Indigenous Women and Girls		

Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
	<p>Please include also articles 3, 4, 10, 24 and 26. Of course, all UNDRIP articles apply per DRIPA, but it is important to include the recognition of Indigenous Nation's inherent right to self-determination. This underlies and gives support to the need for shared decision-making with regards to IT activities. Article 24 speaks to harvesting rights, rights protected as aboriginal rights under s.35. Cowichan people's harvesting rights, including access to harvesting places, must be protected</p>	<p>No change per legislative restrictions.</p> <p>Guiding principle 2.2.2 states that Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).</p> <p>Policies 3.2.2-3.2.7, 3.4.18 and 3.4.25 address protections for harvesting and/or hunting areas in support of continued exercise of Aboriginal rights.</p>

PART 2: Guiding Principles – Table 3 – Truth & Reconciliation Commission of Canada (TRC) – Applicable UN Declaration on the Rights of Indigenous Peoples (UNDRIP) Articles

<p>Self-Determined and Indigenous Led Solutions and Services</p>	<p>Hoping to see IT implement this commitment</p>	<p>No change.</p> <p>The reference is to Reconciliation Policy 2.2.3 re the following Principle for Change used by the National Inquiry into Missing and Murdered Indigenous Women and Girls:</p> <p>Self-Determined and Indigenous-Led Solutions and Services Services and solutions must be led by Indigenous governments, organizations, and people. This is based on the self-determination and self-governance of Indigenous Peoples, as defined per articles 3 and 4 of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP): Article 3: “Indigenous Peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.” Article 4: “Indigenous Peoples, in exercising their right to self-</p>
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Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
		<p>determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.”</p> <p>Though defined by these articles, self-determination actually represents an inherent right that exists independent of any statute or legislation. The colonial mindset by which Indigenous leaders ask for permission and the state gives permission has to end. Further, the exclusion of Indigenous women, girls, 2SLGBTQQIA people, Elders, and children from the exercise of Indigenous self-determination must end. CALLS FOR JUSTICE Reclaiming Power and Place: The Final Report of the National Inquiry into Missing and Murdered Indigenous Women and Girls 172 Where Indigenous Peoples and non-Indigenous governments have to work together to create solutions and deliver services, it must be in true partnership that respects Indigenous self-determination in all matters. Within this, we maintain that solutions should stem from Indigenous communities and Nations, and that these solutions must be prioritized and sustainably and equitably resourced.</p>

PART 3: Goals and Directive Policies – Goal 1 – Advancing Reconciliation

<p>This goal advances Guiding Principle 2.1.1 [Acknowledge and Respect Indigenous Rights]. Trust Council is committed to reconciliation and to long-term healing and relationship building with Indigenous governing bodies and</p>	<p>As commented by Cowichan Tribes on a previous draft of the policy statement, it would be useful to consider a mechanism whereby IT earmarks funds to purchase and return private lands to Cowichan Tribes and to the Quw'utsun Nation. Lands prioritized could be those for</p>	<p>Add new advisory policy under Objective 1: Advancing Reconciliation</p> <p>Land Back Through engagement with Indigenous Governing Bodies, support opportunities to direct land to Indigenous Governing Bodies as an amenity</p>
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Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
<p>Indigenous Peoples across the region. The policies in this section aim to acknowledge the history and legacy of Indigenous Peoples in the area since time immemorial, to recognize and respect the existing rights of Indigenous governing bodies regarding land use decisions that impact their territories, and to build foundations for collaborative governance and shared decision making</p>	<p>cultural protection (which includes ancillary ecological benefits). As IT is a body created by the Province, they too have a role in returning land to First Nations. It would be good to see this goal woven throughout the other goals in the document, made more explicit.</p>	<p>contribution in applications seeking additional development potential.</p>

PART 3: Goals and Directive Policies – 3.1.2 – Cooperate With Indigenous Governing Bodies

<p>Cooperate with Indigenous governing bodies on significant discretionary land use decisions that may impact their territories and the ecological health of the Salish Sea, and when addressing all Policy Statement directive policies (i.e. those under Part 3’s Goals 2, 3, 4, and 5)</p>	<p>Significance level to be determined by the Indigenous Nation, not IT or a regulator.</p>	<p>No change.</p> <p>Draft policy 3.1.2 now reads:</p> <p>Engage with Indigenous Governing Bodies on discretionary planning and land use management decisions that may have potential significant impacts on Indigenous Governing Bodies’ territories or the ecological health of the Islands Trust Area.</p> <p>Islands Trust is currently examining and seeking to refine its referral process to address some of the issues raised by IGBs during the Policy Statement review and through other communication channels.</p> <p>Islands Trust staff are hopeful that through agreements we can establish what is of significant to Indigenous Governing Bodies and refine our referral process, including the types of referrals submitted, as guided by the Indigenous Governing Bodies.</p>
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PART 3: Goals and Directive Policies – Goal 2

Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
<p>this should be guided by Indigenous Peoples, Indigenous governing bodies and Indigenous Knowledge Holders and undertaken in a culturally sensitive manner that respects confidentiality protocols around the sharing of Indigenous Knowledge</p>	<p>Including OCAP</p>	<p>Add new advisory policy under Objective 1: Reconciliation</p> <p>Respect Indigenous protocols for information and data provided Respect Indigenous Government Bodies’ and Indigenous Knowledge Holders’ protocols about how their data and information should be collected, protected, used, and shared.</p>

PART 3: Goals and Directive Policies – 3.2.1 – Indigenous Cultural Heritage Sites

<p>Identify and protect Indigenous cultural heritage sites including, but not limited to, village sites, burial sites, middens, cairns, petroglyphs and pictographs, and known (registered), unregistered, or newly discovered archaeological sites.</p>	<p>It's a bit odd to say that local trust committees and municipalities shall identify indigenous cultural heritage sites. They should work (in a structured manner, including providing capacity funding) with Indigenous Nations to protect cultural sites, cultural landscapes including harvesting areas etc</p>	<p>No change.</p> <p>Draft policies 3.2.1 and 3.2.3 address this feedback.</p> <p>Trust Council will need to consider a policy on capacity funding to guide future decisions about providing funding to Indigenous Governing Bodies to support engagement/cooperation.</p>
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PART 3: Goals and Directive Policies – 3.2.2 – Indigenous Harvesting Areas

<p>Identify and protect Indigenous harvesting areas on land and marine foreshores including, but not limited to, fish weirs, clam gardens, camas meadows, and other areas used for Indigenous hunting, fishing, trapping, and gathering of plants and medicines.</p>	<p>Previous Cowichan Tribes comment asking how IT will work with Cowichan Tribes to address land return. IT identified that this section would be the place ("identify" areas for protection). Identifying areas for protection is not synonymous with land return, nor is there any indication in this section that IT will work with Cowichan Tribes and the Quw'utsun Nation to recognize Our jurisdiction within our territory, including, but not limited to harvesting sites.</p>	<p>Add new advisory policy under Objective 1 – Advancing Reconciliation</p> <p>Land Back Through engagement with Indigenous Governing Bodies, support opportunities to direct land to Indigenous Governing Bodies as an amenity contribution in applications seeking additional development potential.</p>
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Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
	I suggest that this applies more broadly than just harvesting places and areas (which are certainly important but not the only areas of our territory to which we have jurisdiction)	
PART 3: Goals and Directive Policies – Goal 3		
This goal advances Principle 2.1.2 [Prioritize Environmental Protection]. Trust Council acknowledges that preserving and protecting the ecological integrity of the Islands Trust Area is essential to the Islands Trust Object and to supporting community well-being across the region. The policies in this section aim to identify and protect key ecosystem types and characteristics that safeguard biodiversity (excluding invasive species) and promote resilience to climate change.	Removal of invasive species is safeguarding biodiversity so I don't see the need for these parentheses.	<p>Amend Objective 3 introduction by removing (excluding invasive species).</p> <p>This change also responds to a previous Trust Council request to shorten and simplify the document, and represents a common-sense understand of safeguarding biodiversity.</p>
PART 3: Goals and Directive Policies – Goal 3 – Ecosystem Integrity		
Local trust committees and island municipalities shall...	Work with Indigenous Nations to do the following...	<p>No change.</p> <p>Draft policies 3.1.1 , 3,1.2 and 3.2.1 through 3.3.9 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.</p>
PART 3: Goals and Directive Policies – 3.3.1 – Protected Area Networks		
Identify, establish, and maintain a network of protected areas of sufficient size and distribution to preserve the environmental integrity of ecosystems in their planning area.	Protected areas should be focused on cultural protection as determined by First Nations whose territory the place is within. As a minimum, this will necessitate shared decision-making with First Nations; preferably would be governance entirely by	<p>Add new advisory policy under Objective 3</p> <p>Indigenous Protected and Conserved Areas Support Indigenous Governing Bodies in the establishment of Indigenous Protected and Conserved Areas</p>

Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
	<p>First Nations. It is a widely researched and understood that indigenous land management, including care for cultural landscapes and places, has great ecological benefits as well as cultural benefits. Indigenous governance and land management would enhance the goals of IT while working towards greater recognition of Indigenous nations as self-determining, focusing on the protection of indigenous cultural heritage (which nonetheless includes ecological integrity).</p>	<p>Policies 3.1.1 , 3,1.2 and 3.2.1 through 3.3.9 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with First Nations.</p>
<p>PART 3: Goals and Directive Policies – 3.3.3 – Forest Ecosystems</p>		
<p>Identify forest ecosystems and prioritize the preservation, protection, and restoration of unfragmented forest ecosystems, with particular focus on remaining stands of relatively undisturbed Coastal Douglas-fir and Coastal Western Hemlock and their associated ecosystems.</p>	<p>Previous comment from Cowichan Tribes that Garry Oak and arbutus forests and meadows be included here.</p>	<p>No change. Draft policy 3.3.4 addresses this comment.</p>
<p>PART 3: Goals and Directive Policies – 3.4.1 – Sustainable Development</p>		
<p>Sustainable Development</p>	<p>Work with First Nations on revenue-sharing, jobs and other economic development opportunities. Collaboration with First Nations in regards to their housing needs, including the development of affordable housing for Cowichan Tribes members.</p>	<p>No change to draft policy 3.4.1. The intention of this policy is to speak to development patterns. Amend draft policy 3.4.10 to read: Housing Diversity Support a range of housing types and tenures to help meet the identified housing needs of the island community and local Indigenous communities. Draft advisory policy 3.4.15 says “Through engagement with Indigenous Governing Bodies, support housing opportunities for Indigenous people</p>

Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
		<p>in the Islands Trust Area.”</p> <p>Draft policy 3.4.7 already addresses economic opportunities.</p> <p>Draft policies 3.1.1 , 3.1.2 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.</p> <p>Specific Trust Council initiatives that support economic opportunities for Indigenous communities would happen separately from implementation of the Policy Statement.</p>

PART 3: Goals and Directive Policies – 3.4.2 – Sustainable Development

<p>Establish appropriate density limits for efficient and sustainable use of the land base that help to safeguard protected area networks, and is compatible with preservation and protection of the area’s unique amenities and environment.</p>	<p>Land including foreshore and water. Ex. considering the impacts of existing private docks on eelgrass and on harvesting abilities and access for First Nations.</p>	<p>Islands Trust Council has signaled that it is not prepared to direct local trust committee and island municipalities to prohibit private docks in the Islands Trust Area in certain circumstances. However, should this position change draft policy 3.5.21 could be revised as follows:</p> <p>Marine Docks Consider the cumulative effects of docks, and limit or prohibit new docks in areas identified as culturally significant by Indigenous Governing Bodies and Indigenous Knowledge Holders, in areas that provide critical habitat for species at risk, and in areas of recreational significance.</p> <p>Draft advisory policy 3.2.4 addresses protection of Indigenous Harvesting Areas</p>
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Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
PART 3: Goals and Directive Policies – 3.4.3 – Impacts of Development		
Consider the aesthetic, environmental, and social impacts of development.	Work with First Nations to have Indigenous artists involved in public design.	No change. This would be captured through OCP development. In particular, form and character development permit guidelines. To date Trust Council has not signaled a desire to require OCPs to include specific content and as such staff have not recommended such.
PART 3: Goals and Directive Policies – 3.4.4 – Community Facilities and Services		
Ensure that each community’s current and projected long-term needs for educational, institutional, community, health, cultural, and recreational facilities and services are considered and planned for.	Working with First Nations to ensure that our community needs are met as well. Cowichan Tribes does not have IRs on the Gulf Islands but these are still our homelands which were preempted. It is common for municipalities not to work with Cowichan Tribes and the Quw'utsun Nation as a whole when developing OCPs and other regional plans, thereby planning for maximum growth without accounting for use by Cowichan Tribes members.	Amend draft policy 3.4.4 to read: Community Facilities and Services Ensure that each island community’s, and local Indigenous communities’ current and projected long-term needs for educational, institutional, community, health, cultural, recreational facilities and services, and outdoor recreation are considered and planned for. Draft policies 3.1.1 , 3,1.2 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.
PART 3: Goals and Directive Policies – 3.4.5 – Climate Change Mitigation and Adaption		
Identify land use strategies, and consider nature-based solutions, to minimize greenhouse gas emissions, and adapt to climate change-related vulnerabilities.	Yes, including ecological restoration - mitigation and enhancement specific to that ecosystem.	No change. Restoration of sensitive ecosystems addressed in draft policy 3.3.2.
PART 3: Goals and Directive Policies – Goal 4– Recreation		
Recreation	Concern that recreation mandates often	Amend policies 3.4.21, 3.4.22 and 3.4.23 to include

Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
	<p>overtake harvesting rights and protection of indigenous cultural landscapes and places. IT must work closely with Indigenous Nations around any development of recreational sites to ensure that our cultural heritage and rights are protected.</p>	<p>at the end: that are compatible with preservation and protection of the Trust Area and its unique amenities and environment</p> <p>Draft policies 3.1.1 , 3,1.2 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with First Nations.</p> <p>Draft advisory policy 3.2.5 addresses opportunities to improve access by Indigenous Peoples to marine and land-based harvesting and hunting areas</p>
<p>PART 3: Goals and Directive Policies – 3.4.19 – Low Impact Recreation</p>		
<p>Identify appropriate locations and types of facilities for low-impact and active recreational activities, and discourage high-impact recreational facilities that may adversely impact the preservation and protection of the area’s unique amenities and environment.</p>	<p>Low-impact rec can still impact cultural activities, depending on the teachings associated with that activity. Quiet and seclusion are important characteristics needed for certain cultural activities - highlighting the need to work collaboratively with First Nations on such plans.</p>	<p>No change.</p> <p>Draft policies 3.1.1 , 3,1.2 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.</p>
<p>PART 3: Goals and Directive Policies – 3.4.21 – Access to Community Marinas, Boat Launches and Docks</p>		
<p>Identify safe public access to community marinas, boat launches, and docks.</p>	<p>Concerns around the environmental and cumulative impacts of docks. Community/public marinas are generally a better way to go, however, it is necessary to work collaboratively with First Nations regarding such developments.</p>	<p>No change.</p> <p>Draft policies 3.1.1 , 3,1.2 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies..</p>
<p>PART 3: Goals and Directive Policies – 3.4.23 – Trail Systems</p>		
<p>Identify appropriate locations, types, and safe public access to public pedestrian, equestrian</p>	<p>Compatible with aboriginal rights and title and indigenous self-determination - all of these recreational decisions need to be</p>	<p>No change.</p> <p>Draft policies 3.1.1 , 3,1.2 speak to how Islands Trust</p>

Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
and bicycle trail systems to support active recreation that are compatible with preservation and protection of the area’s unique amenities and environment	made in explicit collaboration with the Quw'utsun Nation.	Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies..
PART 3: Goals and Directive Policies – 3.4.24 – Public Shoreline Access		
Identify and protect areas providing safe public access to marine shorelines and along marine shorelines that are appropriate for low-impact, public recreational use and do not adversely impact unique amenities and the environment.	Noting that there are many archaeological sites along the beaches and foreshore which need to be protected, working with the Quw'utsun Nation as the right and title holding nation. Additionally, beaches and foreshores should be cleaned up, access for Quw'utsun Nation members with regards to harvesting rights is necessary.	No change. Draft policies 3.4.25 and 3.4.26 address access to shorelines and publicly owned land. Draft advisory policy 3.2.5 addresses opportunities to improve access by Indigenous Peoples to marine and land-based harvesting and hunting areas
PART 3: Goals and Directive Policies – 3.5.1 – Freshwater Sustainability		
Ensure that neither the density, nor intensity of land use is increased in watersheds where the quality or quantity of the supply of freshwater is likely to be inadequate or unsustainable.	Yes, need to ensure planning with the Quw'utsun Nation regarding our housing needs.	No change.
PART 3: Goals and Directive Policies – Agricultural Lands		
Directive Policies - Agricultural Lands	Noting the need for shared decision making with the Quw'utsun Nation. Determining future use of land must include the nation.	No change. Draft policies 3.1.1 , 3,1.2 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.
PART 3: Goals and Directive Policies – 3.5.15 – Soils and Fill from Middens and Foreshore Area of Cultural Significance		
Prohibit alteration, removal or excavation of soil or fill from middens or foreshore areas identified as culturally significant areas.	Not all culturally significant sites - not all archaeological sites are recorded and/or known to the Archaeology Branch. The policy must include how IT will work in	No change. Draft policies 3.2.1 and 3.2.3. address protection of Indigenous cultural sites.

Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
	<p>collaboration (per DRIPA) with the Quw'utsun Nation around the protection of our material cultural heritage. How will chance finds be addressed? Noting that this was a previous comment made by Cowichan Tribes, which has not be addressed.</p>	<p>Draft policies 3.1.1 , 3,1.2 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.</p> <p>Development of a process for chance finds is best addressed through an agreement and associated Trust Council policy/staff procedure, rather than the Policy Statement.</p>

PART 3: Goals and Directive Policies – 3.5.18 – Soft Shoreline Protections

<p>Consider and foster soft shoreline approaches first such as those identified by the “Green Shores” program to set requirements for shoreline preservation</p>	<p>As stated by Cowichan Tribes in comments on a previous draft, development of stretches of foreshore that don't have existing infrastructure should be prevented. There are very few areas in our territory where Quw'utsun Mustimuhw can harvest resources on the foreshore, which is an aboriginal right and important for food security and cultural transmission. IT should also commit to working with the Quw'utsun Nation, DFO and municipalities to restore contaminated beaches so that harvesting can occur in the future.</p>	<p>Islands Trust Council has signaled that it is not prepared to direct local trust committee and island municipalities to prohibit seawalls and other hard shoreline armoring in the Islands Trust Area, nor is it prepared to mandate Green Shores approaches to managing shoreline erosion. However, should this position change staff could provide previously-considered policy language.</p> <p>However, should Trust Council wish to take a more directive approach policy 3.5.18 could be revised as follows:</p> <p>Soft Shoreline Protections Consider and Prioritize and foster soft shoreline approaches first, such as those identified by the “Green Shores” program, to set requirements for shoreline preservation, and to mitigate erosion of shoreline and foreshore cultural heritage sites.</p> <p>Draft policies 3.1.1, 3,1.2 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing</p>
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Cowichan Tribes (see also below feedback provide verbally by Quw'utsun Nation members to Islands Trust staff)		
Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
		<p>Bodies.</p> <p>Draft policy 3.4.18 addresses prevention of contamination by wastewater disposal systems which can impact cultural heritage and marine harvesting sites.</p> <p>While the restoration of contaminated beaches is outside the jurisdiction of Islands Trust Council, new draft advisory policy 3.3.9 addresses supporting opportunities for Indigenous-led ecosystem management.</p>
PART 3: Goals and Directive Policies – 3.5.19 – Marinas		
Identify requirements for the location, size, and nature of marinas that are compatible with preservation and protection of the area's unique amenities and environment	and protection of Quw'utsun Nation cultural landscapes including, but not limited to, archaeological sites.	<p>No change.</p> <p>The term 'unique amenities' encompasses archaeological sites.</p>
PART 3: Goals and Directive Policies – 3.5.20 – Sharing of Coastal Facilities		
Identify opportunities for the sharing of coastal facilities such as docks, wharves, floats, jetties, boat houses, board walks, and causeways.	these often have ecological impacts impacting aboriginal rights	No change.
PART 4: Policy Statement Amendments – Policy Statement Amendment Projects		
"Trust Council can identify any Policy Statement amendment tasks to be undertaken that term. Newly elected Trust Councils shall cooperate with Indigenous governing bodies..."	<p>[Comment 1] "What mechanism for Indigenous nations in whose territory IT operates to put forward policy amendments?"</p> <p>[Comment 2] "Need higher level discussions</p>	Staff will advise Cowichan Tribes that the method by which Indigenous Governing Bodies put forward policy amendment suggestions to Trust Council could be as simple as writing a letter at any time outlining the request. As desired, specific methods can be agreed to in an agreement. It is anticipated that any

Cowichan Tribes (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
	<p>between IT and Quw'utsun Nation to negotiate structures for shared decision-making. Cooperation is not a specific commitment that can be evaluated held up.”</p>	<p>future Policy Statement Amendment Process will involve Indigenous Governing Bodies from the outset.</p> <p>Executive Committee has requested staff to work with Quw'utsun Nation on a protocol agreement, however this work has been delayed by Islands Trust staff. Cowichan Tribes/Quw’utsun Nation could also pursue a UN Declaration agreement with the Province concerning the Islands Trust. However, a leadership to leadership meeting may be appropriate first.</p> <p>Guiding principle 2.2.2 states that Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).</p>

PART 4: Policy Statement Amendments – Implementation of Policy Statement Amendments

<p>“Trust Council may allocate resources to support local trust committees and island municipalities to undertake this work”</p>	<p>Need to ensure adequate resourcing to Quw'utsun Nation member communities to ensure we can participate in engagement with IT.</p>	<p>No change.</p> <p>Trust Council will need to consider a policy on capacity funding to guide future decisions about providing funding to Indigenous Governing Bodies to support engagement/cooperation.</p>
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Glossary of Terms – Archaeological Sites

<p>All archaeological sites in British Columbia are protected under the Heritage Conservation</p>	<p>Not a major point, but as this is a glossary, it should define the term. This isn't a definition of an archaeological site.</p> <p>Not for the glossary, but as general information: archaeological sites are where</p>	<p>No change.</p> <p>In response to this feedback, the draft definition was amended to include:</p>
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Cowichan Tribes (see also below feedback provide verbally by Quw'utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
<p>Act. This applies whether sites are located on public or private land, and whether the site is known or unknown. Protected archaeological sites may not be altered or changed in any manner without a permit. There are over 60,000 archaeological sites recorded in BC's Provincial Heritage Register including the remains of village and other habitation sites, as well as resource procurement activities such as fishing weirs and culturally modified trees. These sites may date anywhere from recent times to 14,000+ years ago, and studies continue to uncover new information. (Source: BC Archaeology Branch)</p>	<p>material evidence of past human activity. There are many places where material evidence may not have been found but that does NOT mean that areas where material evidence has not been found were not occupied (any archaeologist would confirm this). As such, it is imperative to understand that the entire Quw'utsun territory is and was a lived landscape and that importance of sites is not limited to recorded arch sites.</p>	<p><i>Archaeological sites consist of the physical remains of past human activity.</i></p>

Glossary of Terms - Middens

<p>Middens are the heaps of shells, bones, utensils and artifacts that accumulated sometimes over thousands of years of Indigenous Peoples' occupation of a site. Indigenous Peoples were originally thought to be nomadic but the existence and dates of middens are proof positive that some Indigenous Peoples occupied their villages year round. In British Columbia, all middens are protected if they contain artifacts, features, materials or other physical evidence of human habitation or use before 1846. Protection means that a permit is required to alter the site. There are approximately 5700 recorded shell midden sites in the province, and thousands of additional sites that have not been identified</p>	<p>Comment: Quw'utsun elders have emphasized that middens are cultural heritage, they are ancestral places, not "heaps" of refuse. There could be other material cultural heritage (artifacts) or ancestral remains (burials) in middens. "these archaeological sites are indicative of past First Nations settlement activity. Formed by the accumulation of stratified cultural deposits over thousands of years, shell midden sites represent some of the most complex archaeological sites in the world" (McLay et al 2008)</p> <p>Comment: Why this reference? For a discussion of middens by Quw'utsun elders,</p>	<p>No change.</p> <p>In response to this feedback the draft definition has been re-written.</p>
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Cowichan Tribes (see also below feedback provide verbally by Quw'utsun Nation members to Islands Trust staff)

Text from September 2023 version	Cowichan Tribes comments	Comments from Islands Trust Staff
to date. (Source: Indigenous Corporate Training Inc.)	see McLay et al 2008 "A'lhut tu tet Sul'hweentst Respecting the Ancestors"	

Cowichan Tribes

July 2021 version	Comments from Islands Trust Staff
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Highlights of comments

Mention that First Nations have Rights and Title assured under the Constitution Act, Section 35.1	Recommendation re acknowledging title to be provided at a later time.
The IT Act and Islands Trust's jurisdiction were established without any consultation with FNs. Should this be stated explicitly?	No change.
Somewhere in the document there needs to be a section on present day lands held by FNs in the Islands Trust Area. And an explanation of who has treaties (Douglas or modern day), who has reserve land on the islands, why the Quw'utsun Nation does not have reserve land, who are presently negotiating treaties, as well as negotiations toward establishment of treaty settlement lands. There needs to be an understanding set in this document that despite Quw'utsun not having reserve lands here, there is still a significant strength of claim, and rights and title. This is important since Quw'utsun Nation often receives lower Indigenous impact assessments by BC likely at least in part due to lack of treaty and lack of reserve land on the islands	In keeping with Trust Council direction to make the document shorter, this content has not been recommended as it would be impractical to achieve for 30+ Indigenous Governing Bodies.
The threshold is 30% development in a watershed before loss of ecosystem/watershed function is permanent.	No change. The original sentence referenced has been deleted. It had stated " A widely accepted threshold for the region is approximately 30-40% of converted area for any given habitat."
There may be still be areas where culturally important species persist, a great barrier to FNs is access because vast majority of lands in the islands are held privately.	No change. Now addressed through advisory policy 3.2.6.
Marine and terrestrial harvesting opportunities are vulnerable. And vulnerable not just to climate change, but to intensive development that converts environments important for harvesting by indigenous peoples.	No change. This comment is address through draft policies 3.2.1 and 3.2.3.

Cowichan Tribes	
2020 feedback (comments on an amended version of 2003 Policy Statement)	Comments from Islands Trust Staff
Text of July 24, 2020 letter	
<p>Thank you for engaging with Cowichan Tribes on proposed amendments to the Islands Trust Policy Statement. We understand that the Policy Statement is an important document that requires ministerial approval to amend and we also understand that it will shape decision-making within the Islands Trust area for years to come. Please find attached our edits, comments and suggestions in a “track changes” MS Word format. We provide these to you in fulfillment of the terms of our capacity funding agreement dated May 26, 2020. Below we have also set out a number of more general observations related to how Islands Trust may implement some of their reconciliation commitments through amendments to the Policy Statement.</p> <p><u>Islands Trust’s Commitment to Reconciliation</u> On March 13, 2019, Islands Trust Council passed a Reconciliation Declaration. Individual Local Trust Committees (LTC) have also passed standing resolutions outlining their reconciliation commitments. Islands Trust also passed the Islands Trust Reconciliation Action Plan 2019-2022. By way of these resolutions, declarations and plans, Islands Trust has made clear its commitment to move forward in true partnership with the Indigenous peoples on whose lands they carry out their work. We extend our acknowledgement for the work Islands Trust has done to communicate their intentions. As we move into the realm of decision-making policies and requirements, Islands Trust will be pressed to turn the words spoken in those intention documents into concrete action. S. 15(2) of the <i>Islands Trust Act</i>, RSBC 1996, c. 239 sets out what must be contained in the Policy Statement. The requirements in s. 15(2) are a legal floor and not a ceiling- the Islands Trust therefore appears free to add substantive content to the Policy Statement so long as the legislated requirements of s,15(2) are met. We therefore suggest that Trust Council add an additional section of the Policy Statement which sets out the ways in which the Islands Trust mandate to preserve and protect the unique ecosystems and attributes of the Trust Area will be earned out in true partnership with First Nations in accordance with the <i>Declaration on the Rights of Indigenous Peoples Act</i>, SBC 2019, c. 44. This section</p>	<p>No change per legislative restrictions.</p> <p>To address comments from Cowichan Tribes and other Quw'utsun Nation members, and other Indigenous Governing Bodies section 1.3 Indigenous Inherent Rights Acknowledgement was added to the draft document.</p> <p>A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3,1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.</p> <p>Guiding principle 2.2.2 states that Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).</p> <p>Trust Council should consider establishing an Indigenous advisory body</p>

<p>should be drafted in collaboration with participating First Nations.</p> <p><u>Position Statements and LTC/Island Municipality Directives</u> Cowichan Tribes interacts mainly with individual LTC and island municipalities with regards to issues such as development proposals and rezoning applications. Those activities provide the main context within which we are affected by decision-making within the Trust Area. Therefore, in our respectful view, the position statements made in the Policy Statement have limited weight and are of limited practical effect to us as First Nations, as compared to the policy directives. We would therefore like to see some of the position statements given some teeth by moving them into the policy directives sections of the relevant sub-headings (e.g., forests, heritage), if doing so does not run afoul of Trust Council's jurisdiction vis-a-vis the LTC. We also suggest that Islands Trust explore using the Policy Statement to establish an Indigenous advisory body tasked with assisting LTC and island municipalities in implementing Islands Trust's broader reconciliation commitments in the context of local decision-making. Alternatively, the Islands Trust could approach the Province to request a legislative amendment to the <i>Islands Trust Act</i> if such an amendment would be required to establish an Indigenous advisory body.</p>	<p>tasked with assisting LTC and island municipalities in implementing Islands Trust's broader reconciliation commitments in the context of local decision-making.</p>
<p>resulting from investigations. Also include a whole policy on the protection of known archaeological sites. Note that where a midden is present there is always a possibility of encountering ancestor burials.</p>	<p>Development of a process for chance finds is best addressed through an agreement and associated Trust Council policy/staff procedure, rather than the Policy Statement.</p> <p>Protection of archaeological sites addressed in directive policy 3.2.1 and advisory policy 3.2.3</p>
<p>Moorage and anchorage sites should also not be permitted in identified Indigenous shoreline harvesting areas</p>	<p>Amend draft policy 3.5.16 to replace "impact areas of cultural, spiritual, archaeological, medicinal or recreational significance, or established or designated upland land uses, anchorages or moorages" with "impact areas identified as culturally significant by Indigenous Governing Bodies or Indigenous Knowledge Holders, in areas that provide critical habitat for species at risk, and in areas of recreational significance."</p>
<p>Prevent development of any stretches of foreshore that don't already have existing</p>	<p>See above</p>

foreshore infrastructure, since these areas will be acceptable for indigenous harvesting (food source purity). Also note that all marine foreshore areas contain food resources since indigenous people harvest myriad species for food.	
Cowichan Tribes supports prohibition on private docks.	See above.
Given Island Trust's acknowledgement of the forcible dispossession of Indigenous peoples of these lands and their desire to return home to them, Islands Trust housing policies should work to facilitate that process where appropriate (i.e., working with housing developers to dedicate units to affordable housing for local Indigenous peoples	See above.
Highlights of comments	
Re draft sentence: "In 1974, the provincial government recognized that the Islands Trust Area needed preservation and protection in order to maintain water quality and sustainability, to preserve and protect marine and land-based wildlife habitats, and archaeological and cultural sites." I would caution that this statement may not sit well with some Indigenous groups – many archaeological sites within the Gulf Islands have been damaged in the name of development and that damage has been sanctioned by the provincial government. As the Islands Trust is aware, this is still an active matter of contention.	No change.
Re draft sentence: "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." Should add that climate change is also a relevant exacerbating factor here.	No change.
Re Policy Statement rationale: Add in a general acknowledgement of the policy statement being developed while recognizing the inherent jurisdiction and leadership roles of First Nations, as well as Indigenous and Aboriginal rights.	No change. To address comments from Cowichan Tribes and other Quw'utsun Nation members, and other Indigenous Governing Bodies section 1.3 Indigenous Inherent Rights Acknowledgement was added to the draft document.
Re draft sentence: "Local trust committees are not required to comply with any policy in the Policy Statement not stated as a directive policy." To be clear then, the Trust Council may take a position on a matter involving, for example, Indigenous issues, and none of the local trust committees would be required to act in a manner consistent with the Trust Council's position? If this is indeed the case, then there may be	No change. Commitments of Trust Council and advocacy policies removed from Policy Statement draft or converted to directives, as appropriate.

<p>cause for concern. Local trust committees are the bodies with whom we deal most regularly, and they are typically the ones making on-the-ground decisions which can impact our inherent rights – they are also much more susceptible to local politics and aggressive lobbying. What meaning then, does a position taken by Trust Council have when local trust committees are free to act inconsistently with those positions?</p>	
<p>Re draft section on Role of First Nations “First Nations through self-determined representatives or government structures will maintain and strengthen their treaty and traditional territories through cooperative decision-making and engagement to address certain matters related to land and water use. Cooperative actions such as engagement and mutually supportive strategies and action plans are necessary for the sustainability of the Trust Area.” Instead of “maintain and strengthen”. We would suggest this the phrase “help preserve and protect” – our territories in and of themselves do not need to be “maintained” – they simply <i>are</i>. Our suggested language is also more consistent with the legislated objects of the Islands Trust. This [first] line may be problematically vague. It may be helpful here to list some examples of matters that may be addressed through engagement.</p>	<p>No change. Preamble language removed from the draft new Policy Statement.</p>
<p>Re Object: If there’s nothing substantial stopping a legislative amendment to s.3 of the Islands Trust Act, then it should be done.S.3 should be amended to explicitly include Indigenous peoples and the principles of UNDRIP. This will ensure consistency with the Declaration on the Rights of Indigenous Peoples Act, SBC 2019 c. 44 (DRIPA)</p>	<p>No change. At request of Islands Trust the Islands Trust Act was updated to include cooperating with First Nations.</p>
<p>Re Object and its Meaning section Re draft sentence “The Islands Trust seeks to integrate ecosystem preservation and protection, sustainable communities and stewardship of resources.” If there’s nothing substantial stopping a legislative amendment to s.3 of the Islands Trust Act, then it should be done.S.3 should be amended to explicitly include Indigenous peoples and the principles of UNDRIP. This will ensure consistency with the Declaration on the Rights of Indigenous Peoples Act, SBC 2019 c. 44 (DRIPA). This last line should read “co-stewardship of resources” – Indigenous communities actively steward the resources within our territories.</p>	<p>No change. Preamble language removed from the draft new Policy Statement.</p>
<p>Re Object and its Meaning section Re draft sentence “Their needs can only be met and sustained within the limitations of the natural environment and the island communities of the</p>	<p>Trust Programs Committee may wish to revisit its decision to remove a policy on density limits from the draft new Policy Statement.</p>

Trust Area.” How does the Islands Trust determine these limitations? What is the “carrying capacity” of each island? If these are not ascertained, continued and sustained incremental growth and development (no matter how “green” the development may be), will continue to be allowed to erode the functionality of the very ecosystems and resources that the Islands Trust is mandated to protect.	
Re Guiding Principle: “When making decisions and exercising judgment, Trust Council will place priority on preserving and protecting the integrity of the environment, cultural heritage, and amenities in the Trust Area.” In addition to being a guiding principle, this should also be a policy directive.	Guiding principle 2.12 addresses prioritization. Amend draft policies 3.2.3, 3.2.4, 3.2.6 and 3.2.7 to change “Identify and protect” to “Identify and prioritize protection of”
How are local trust committees required to act in a manner consistent with these positions and statements? The amendments to this policy statement needs to meet the legislated requirements of DRIPA. Much of the language in this document falls short.	No change.
Where does the Islands Trust stand on the integration of Indigenous land management regimes (e.g. controlled burning)?	No change. This can be discussed with WLC outside of the Policy Statement amending process.
Add refernce to Indigenous spiritual and health needs – many of the lands and waters of the Trust Area are utilized by Indigenous peoples for spiritual and wellbeing purposes.	No change. There are now references to protecting areas important for Indigenous spiritual practices
Stewardship for Cowichan peoples is an imperative under Indigenous law – it is not voluntary.	Add to end of Stewardship definition. For Indigenous Peoples, stewardship may be mandatory under Indigenous law.
Land use planning should account for the existing and anticipated effects of climate change on ecosystem function and resiliency	No change. Climate change is addressed in the new draft Policy Statement.
Are land uses adjacent to protected areas are constrained through policy?	No change. Generally addressed by ecosystem integrity policies.
Re draft recommendation policy: 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.” Should add “through collaboration and partnership with First Nations where possible.”	No change. Guiding principle 2.2.2 states that Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

	A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3,1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.
Re directive policy about addressing location and construction of roads, trails and utility and communication corridors to minimize the fragmentation of forests – add trails	No change. Not appropriate in the Islands Trust Area context.
References to public use or public access should be public and Indigenous use or access	No change. Draft advisory policy 3.2.5 addresses opportunities to improve access by Indigenous Peoples to marine and land-based harvesting and hunting areas.
There needs to be directive policies re wildlife and vegetation as the islands hold a myriad of culturally important vegetation species. For example, Cowichan people still presently hunt on Gabriola, Galiano and Valdes Islands and will continue to do so as an exercise of their inherent rights – this needs to be kept in mind while Islands Trust Council or LTCs are policy-making.	No change. Draft advisory policy 3.2. addresses protection and supporting restoration of culturally significant species and medicinal plants.
Development and aquaculture should be directed away from identified Indigenous harvesting areas	No change. Addressed by draft directive policy 3.5.16
We would like to see Islands Trust take a stronger stance on protection of marine resources like shellfish, particularly as we continue to battle the province over the proliferation of private moorages in the Gulf Islands. Most of the bays are polluted and we have very few stretches of shoreline left to harvest in the Islands Trust jurisdictional area. It is extremely important to us that the preservation and protection mandate be carried out to protect these areas.	No change. Draft directive policy 3.4.18 addresses wastewater disposal systems which can cause contamination of marine harvesting sites. See above re docks.
One active issue is the lack of understanding as to how many aquifers interact with nearby freshwater streams. The province frequently employs guesswork when deciding whether to grant water licences. Islands Trust should use whatever leverage they have to try and further the collection of information regarding the interaction between aquifers and streams within their jurisdiction. This will help foster fully informed decision-making by all involved parties.	No change. Islands Trust is undertaking groundwater mapping projects.
Re draft commitment of Trust Council policy: “It is the position of Trust Council that development, activity, buildings or structures should not result in a loss of significant marine or coastal	Amend draft advisory policy 3.2.1 as follows Cooperate with Indigenous Governing Bodies

<p>habitat, or interfere with natural coastal processes.” “Significant” is an extremely problematic word. Because the bar of “significant” loss is so high, anything that falls below significant is considered acceptable – this is the very logic that results in “death by a thousand cuts” – i.e., cumulative impacts. We therefore strongly disagree with the use of the word “significant” in this policy</p>	<p>Engage with Indigenous Governing Bodies on discretionary planning and land use management decisions that may have potential significant impacts on Indigenous Governing Bodies’ territories or the ecological health of the Islands Trust Area.</p> <p>This is an advisory policy and Indigenous Governing Bodies can advise us if they don’t want referrals about lot line changes or other minor matters.</p>
<p>Re draft language to minimize impacts to sensitive coastal environments: From the Indigenous perspective, everything is connected. We don’t write-off places that have existing impacts and only seek protection of unencumbered areas. We realize that the marine ecosystem operates as a unified whole; we therefore expect all levels of government to minimize impacts of any development, no matter where on the coastline it occurs.</p>	<p>No change.</p> <p>There is no longer a reference to “sensitive coastal environments” in the draft new Policy Statement.</p>
<p>Islands Trust should also endeavour to undertake a resident education campaign about the importance of having septic systems routinely inspected and maintained.</p>	<p>No change.</p> <p>Trust Programs Committee can consider this idea for a stewardship education webinar.</p>
<p>Marinas, boat launches, docks and anchorages are extremely important topics for Cowichan Tribes and an area in which we expect to work in true partnership with Islands Trust.</p>	<p>No change.</p> <p>Staff note that there is a need for closer working relationship with staff of Indigenous Governing Bodies.</p>
<p>The Islands Trust should explicitly support policies and developments which seek to eliminate the socio-economic gap between Indigenous peoples and the broader public.</p>	<p>Add new advisory policy in the Managing Growth and Development section as follows:</p> <p>Economic Development Opportunities for Indigenous Communities Through engagement with Indigenous Governing Bodies, support economic development opportunities for Indigenous communities.</p>
<p>Understanding that there is no delegation to Islands Trust of the Crown’s legal duty to consult, we encourage Islands Trust to adopt its own concept of what consultation looks like in the Trust Areas, in keeping with the Province’s commitments as well as various policy expressions that have come forward from the LTCs recently (e.g. standing resolutions).</p>	<p>No change.</p> <p>Staff note that there is a need for closer working relationship with staff of Indigenous Governing Bodies, and for protocol agreements.</p>

K'ómoks First Nation		
Text from September 2023 version	K'ómoks comment	Comments from Islands Trust Staff
General Comments		
Entire document.	<p>When using the term unique amenities and environment change to Indigenous significance, unique amenities, and environment.</p> <p>There seems to be an overall sense that Indigenous Peoples have disappeared from/been forced out of the Islands Trust "object" (area). Suggest re-framing to indicate that Indigenous Peoples are very much still present and active stewards.</p> <p>Also suggest re-framing references to Indigenous Peoples using the active voice, emphasizing their agency, resistance/resilience, vs. framing as passive victims of colonialism.</p>	<p>No change.</p> <p>The mandate of the Islands Trust flows from Section 3 of the <i>Islands Trust Act</i>, It is not within the jurisdiction of the Islands Trust to change the "object".</p> <p>Staff assume that the term unique amenities is inclusive of cultural heritage of Indigenous Peoples.</p> <p>The re-drafted document attempts to incorporate modern use of the Trust Area by Indigenous People.</p>
Part 1: The Islands Trust Act – 1.1 – The Islands Trust Object		
"The object of the trust is to preserve and protect the Trust Area and its unique amenities and environment for the benefit of the residents of the Trust Area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, First Nations, other persons and organizations and the government of British Columbia." (Section 3, Islands Trust Act)	Suggest "collaboration" vs. "cooperation" (also see p.7 "In Cooperation With...")	<p>No change.</p> <p>The language in the draft Policy Statement references, verbatim, the Object of the Trust as defined in the <i>Islands Trust Act</i>.</p>
Part 1: The Islands Trust Act – 1.3 – Interpretations of the Islands Trust Object		
Coast Salish peoples have been residents and stewards of the region since time immemorial. Many Indigenous Peoples were forcibly removed from their homelands through colonization, but continue to have rights and responsibilities to their lands and	This phrasing sounds like Indigenous Peoples have disappeared from the area and only have distant 'interests' in the land. Suggest emphasizing indigenous Peoples' active presence and agency in exercising their rights & title and stewardship	<p>No change.</p> <p>Partly in response to K'ómoks Nation comment, this section was deleted in its entirety from the staff-recommended draft Policy Statement presented to Committee of the Whole in May 2024.</p>

K'ómoks First Nation		
Text from September 2023 version	K'ómoks comment	Comments from Islands Trust Staff
waters, and many cultural, spiritual, and economic interests in the region. Preservation and protection of the region is important to Indigenous Peoples	responsibilities.	
PART 2: Guiding Principles – 2.1.1 – Acknowledge and Respect Indigenous Rights		
To grow understanding of the history and legacy of colonialism in the Islands Trust Area, to acknowledge and respect the rights of Indigenous Peoples in decision making, and to work together with Indigenous governing bodies and Indigenous Knowledge Holders to preserve and protect culturally significant areas, sites, and species	Suggestion to reference “Indigenous rights and Title.”	Recommendation re acknowledging title to be provided at a later time.
PART 2: Guiding Principles – 2.1.8 – Foster Informed and Balanced Decision Making		
To be informed by a broad range of sources in its decision making processes, including the best available science, Indigenous Knowledge, and local community knowledge.	Suggestion to amend wording to: “Including the best available Indigenous Knowledge, Institutional Knowledge, and local community knowledge.”	Change Guiding Principle 2.1.7 to be re-ordered and include institutional knowledge as follows: “To be informed by a broad range of sources in its decision-making processes, including the best available Indigenous Knowledge, institutional knowledge, local community knowledge, and science. ” Staff do not recommend removing the term ‘science’ as the term ‘institutional knowledge’ alone may introduce confusion, in that it may be viewed to mean the collective understanding of Islands Trust and/or some other institution, rather than speaking to the general definition of science. Science is only meant to be considered as one of broad range of sources.
PART 2: Reconciliation Principles – 2.3.		
	Suggestion to add two additional subsections: add 2.3.4 DRIPA, 2.3.5 Section 35 Rights	No change. To address comments from K'ómoks First Nation and other Indigenous Governing Bodies section 1.3

K'ómoks First Nation		
Text from September 2023 version	K'ómoks comment	Comments from Islands Trust Staff
		<p>Indigenous Inherent Rights Acknowledgement was added to the draft document.</p> <p>A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3.1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to center reconciliation in their decision making.</p>
PART 3: Goals and Directive Policies – 3.2.1 – Indigenous Cultural Heritage Sites		
Identify and protect Indigenous cultural heritage sites including, but not limited to, village sites, burial sites, middens, cairns, petroglyphs and pictographs, and known (registered), unregistered, or newly discovered archaeological sites.	<p>Suggested wording change:</p> <p>Identify and protect Indigenous cultural heritage sites including, but not limited to, village sites, cemetery sites, camp sites, petroglyphs and pictographs, fish traps, clam gardens, culturally modified trees, and all known (registered), unregistered, or newly discovered archaeological sites.</p>	<p>No change.</p> <p>Amend directive policy 3.2.1 and advisory policy 3.23 to add “camp sites” after “burial sites”</p>
PART 3: Goals and Directive Policies – 3.2.3 – Other Culturally Significant Areas for Indigenous Peoples		
Identify and protect areas of importance for Indigenous cultural, spiritual, and ceremonial practices.	<p>Suggested wording change:</p> <p>Identify and protect areas of importance for Indigenous cultural, spiritual, and ceremonial practices, including but not limited to, transformation sites, village sites, cemetery sites, camp sites, petroglyphs and pictographs, fish traps, clam gardens, culturally modified trees, and all known (registered), unregistered, or newly discovered archaeological sites.</p> <p>Additional wording change: Add cultural</p>	<p>Amend directive policy 3.2.1 and advisory policy 3.23 to add “camp sites” after “burial sites”.</p> <p>Gathering of plants and medicines is captured in 3.2.4.</p>

K'ómoks First Nation		
Text from September 2023 version	K'ómoks comment	Comments from Islands Trust Staff
	and medicinal gathering areas.	
PART 3: Goals and Directive Policies – 3.3.3 – Forest Ecosystems		
Identify forest ecosystems and prioritize the preservation, protection, and restoration of unfragmented forest ecosystems, with particular focus on remaining stands of relatively undisturbed Coastal Douglas-fir and Coastal Western Hemlock and their associated ecosystems.	Suggested addition: Add Garry Oak ecosystem.	No change. Draft policy 3.3.4 addresses this comment.
PART 3: Goals and Directive Policies – 3.4.3 – Impacts of Development		
Consider the aesthetic, environmental, and social impacts of development.	Suggested change: "Consider the cultural heritage/impacts to Indigenous land use, aesthetic, environmental, and social impacts of development."	No change. Draft policies 3.1.1 and 3.2.1 to 3.2.3 will already require local trust committees and island municipalities to use regulatory tools and engagement processes to mitigate and limit the impact of development on Indigenous heritage and cultural sites.
PART 3: Goals and Directive Policies – 3.4.17 – Septic Fields		
Establish requirements for the location and siting of new septic fields to mitigate adverse impacts on the area's unique amenities and environment, including Indigenous Peoples' food security in Indigenous marine harvesting areas.	Suggested change: "Establish requirements for the location and siting of new septic fields and tanks to mitigate adverse impacts on the areas Indigenous significance, unique amenities and environment, including impacts to Indigenous cultural heritage sites and Indigenous Peoples' food security in Indigenous marine harvesting areas.	No change. Draft policy 3.4.18 addresses this comment.
PART 3: Goals and Directive Policies – 3.5.15 – Soil and Fill from Middens and Foreshore Areas of Cultural Significance		

K'ómoks First Nation		
Text from September 2023 version	K'ómoks comment	Comments from Islands Trust Staff
Prohibit alteration, removal or excavation of soil or fill from middens or foreshore areas identified as culturally significant areas	<p>Suggested change:</p> <p>"Prohibit alteration, removal or excavation of soil or fill from all archaeological sites including midden, or foreshore areas identified as culturally significant."</p> <p>Comment: This would be illegal anyways under the HCA unless proper permits were granted. Probably should be completely updated.</p>	<p>Change directive policy 3.5.15 to read:</p> <p>"Prohibit alteration, removal or excavation of soil or fill from middens and shorelines identified as culturally significant by Indigenous Governing Bodies and Indigenous Knowledge Holders, or that provide critical habitat for species at risk."</p>
PART 3: Goals and Directive Policies – 3.5.18 – Soft Shoreline Protections		
Consider and foster soft shoreline approaches first such as those identified by the "Green Shores" program to set requirements for shoreline preservation	<p>Suggested change:</p> <p>"Consider and foster soft shoreline approaches first such as those identified by the "Green Shores" program to set requirements for shoreline preservation and to mitigate erosion of shoreline and foreshore cultural heritage sites."</p>	<p>Islands Trust Council has signaled that it is not prepared to prohibit shoreline hardening, and nor is it prepared to mandate Green Shores approaches to managing shoreline erosion. As such, "consider" is a more appropriate term than "incorporate". However, should Trust Council wish to take a more directive approach policy 3.5.18 could be revised as follows:</p> <p>Soft Shoreline Protections Consider and Prioritize and foster soft shoreline approaches first, such as those identified by the "Green Shores" program, to set requirements for shoreline preservation, and to mitigate erosion of shoreline and foreshore cultural heritage sites.</p>
Glossary of Terms - Middens		
Middens are the heaps of shells, bones, utensils and artifacts that accumulated sometimes over thousands of years of Indigenous Peoples' occupation of a site.	<p>Comment: Decolonize the definition of middens to make explicit that ancestral remains are often found within them and they are more than merely "garbage"</p>	<p>In response to comments from K'ómoks Nation and other Indigenous Governing Bodies, the glossary definition of "middens" is drafted as follows:</p>

K'ómoks First Nation		
Text from September 2023 version	K'ómoks comment	Comments from Islands Trust Staff
<p>Indigenous Peoples were originally thought to be nomadic but the existence and dates of middens are proof positive that some Indigenous Peoples occupied their villages year round. In British Columbia, all middens are protected if they contain artifacts, features, materials or other physical evidence of human habitation or use before 1846. Protection means that a permit is required to alter the site. There are approximately 5700 recorded shell midden sites in the province, and thousands of additional sites that have not been identified to date. (Source: Indigenous Corporate Training Inc.)</p>	<p>heaps".</p> <p>Comment: Note that middens may be archaeological indicators of village and burial sites.</p>	<p><i>Midden, or 'shell midden' archaeological sites are indicative of past First Nations settlement activity. Formed by the accumulation of stratified cultural deposits over thousands of years, shell midden sites represent some of the most complex archaeological sites in the world.</i></p> <p><i>Source: McLay et al (2008) A'lhut tu tet Sul'hweentst Respecting the Ancestors</i></p> <p><i>Note: A midden may be an archaeological indicator of village and burial sites, and may contain ancestral remains</i></p>

K'ómoks First Nation	
July 2021 version	Comments from Islands Trust Staff
Highlights of comments	
Exclusive access to traditional places, plants, animals, and harvesting rights	<p>No change.</p> <p>Local trust committees and island municipalities are unable to zone to provide exclusive access.</p>
RE unique amenities definition : protection on culturally significant lands, (eg. shell middens, CMT, culturally sensitive plants, resources, places. with no development and FN access.	<p>No change as term no longer defined in the draft document.</p> <p>Staff assume that the term unique amenities is inclusive of cultural heritage of Indigenous Peoples.</p>
Re list of cultural resources to protect: ceremonial resources such as ochre; medicinal and culturally significant plants used in ceremony.	<p>Amend draft advisory policy draft advisory policy 3.2.7 to and "and ochre" at the end.</p>

Re roles and responsibilities: First Nations play an important role in contributing to the preservation and protection of the unique amenities and environment of the Trust Area, and have long history, knowledge with their traditional lands.	No change.
Access to all traditional areas for harvesting rights and ceremonial rights in FN traditional territory is important	No change. Protection of culturally significant species and medicinal plants is addressed in draft advisory policy 3.2.7, and culturally significant areas in 3.2.6.
Need for protection of traditional medicinal plant harvest	See above.
Need for protection of First Nation cultural harvesting areas, cultural significant places, archaeological sites	See above. Archaeological sites addressed in draft directive policy 3.2.1 and advisory policy 3.2.3.

Lyackson First Nation (see also below feedback provide verbally by Quw’utsun Nation members to Islands Trust staff)

Text from May 9, 2024 letter to CAO	Comments from Islands Trust Staff
<p>I was pleased to respond to your invitation dated January 23, 2023, to participate in Phase 3 early engagement on draft 2 of the Islands Trust Policy Statement Bylaw No. 183 (the “Policy Statement”). Subsequent to your letter there was a delay of many months, due, we understand, to staffing capacity constraints within Islands Trust and Phase 3 was re-initiated in August, 2023. At about the same time, Islands Trusts representatives sought Lyackson First Nation’s advice on how to improve engagement with local Indigenous communities. I am writing at the request of Lyackson First Nation Chief and Council to share our experience and additional feedback with you.</p> <p>Immediately last August, Lyackson First Nation staff again signalled that the proposed timelines were inadequate. Indeed, we expressed our hope that Islands Trust would have been working through the resolutions and Phase 2 comments with First Nations, in collaboration with our communities and from a rights-recognition perspective.</p> <p>We also reminded Islands Trust that the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) – brought into force in BC through the Declaration on the Rights of Indigenous Peoples Act – affirms nations’ right to participate in decision-making matters and requires obtaining our nations’ free, prior and informed consent on decisions that impact our territory and our people. We further noted that this consent cannot be obtained when unilateral decisions made by local governments create timelines that do not work for the nations - that do not allow for infringements on our rights to be properly considered or for our communities to be fully engaged. Meaningful consultation and</p>	<p>No changes to content of the document.</p> <p>This feedback was provided to Trust Council which chose to continue with project implementation as originally intended but with an extended 6 month referral period after First Reading. Staff have not been able to sustain a close working relationship about the Policy Statement Amendment Project with Lyackson First Nation staff (or any other Indigenous Governing Body’s staff) due to staff vacancies and general workloads.</p> <p>To address comments from Lyackson First Nation and other Quw’utsun Nation members, and other Indigenous Governing Bodies section 1.3 Indigenous Inherent Rights Acknowledgement was added to the draft document.</p> <p>Guiding principle 2.2.2 states that Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area be informed by the articles established in the United Nations Declaration on the</p>

<p>obtaining consent for the work at every point in the process can only occur where timelines are co-developed with nations and with respect to the nations' needs.</p> <p>As you must be aware, the Policy Statement gets into the core of UNDRIP and our Lyackson First Nation leadership being able to exercise its decision-making rights in its territory. We reminded you that throughout the entire process, the inherent right of Indigenous nations to be self-governing decisionmakers within our respective territories needs to be at the forefront. Thus, the process needed to be codesigned, at every step, with participating Indigenous nations, with the full recognition of our authority and jurisdiction within our territories. Further, as Islands Trust claims jurisdiction over much of the Quw'utsun Nation's territory and in consequence your decision-making impacts our aboriginal rights and title, recognition of our inherent right as decision-makers in our territory and meaningful engagement with our Nation by Islands Trust is of great importance.</p> <p>To remind you, Lyackson First Nation has been actively involved in the Policy Statement work since at least 2021. More recently, staff, along with technical representation from other Quw'utsun Nation communities, engaged in good faith in the review and provision of feedback on draft 2 of the Islands Trust Policy Statement. While there are improvements over the 1994 Policy Statement, there is still much work to be done.</p> <p>We note that many of the detailed comments provided in Phase 2 were not incorporated into Phase 3 and no rationale was given as to why they were not addressed. This lack of engagement is disrespectful to the work our teams put into the work, is harmful to our relationship with Islands Trust and is contrary to achieving our communities' free, prior and informed consent on decisions made in our territory. In many instances our feedback was misunderstood or misinterpreted, necessitating lengthy explanation and discussion. For clarity, we fully endorse Cowichan Tribes' April 10, 2024, written comments, along with our own verbal and written feedback, which we hope finds its way into the staff reports. I am sure you can appreciate Lyackson First Nation's reluctance to endorse a policy that does not recognize our inherent rights or that is not deeply rooted in relationship with Indigenous communities.</p> <p>In closing, I would like to remind you that if Islands Trust is truly committed to achieving reconciliation with Lyackson First Nation, it must recognize the importance of co-developing processes, including timelines, to work collaboratively with our Quw'utsun Nation member communities to co-draft the Islands Trust Policy Statement over the next five years. It is with this commitment that Lyackson First Nation could accept the current</p>	<p>Rights of Indigenous Peoples (UNDRIP).</p> <p>A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3.1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.</p> <p>Trust Programs Committee may wish to recommend to Trust Council that it pass a resolution at the same time that it considers First Reading such as: <i>That Trust Council amend the 2025-2028 Strategic Plan to include key initiative 1.1.2, colour coded to indicate that the initiation timeline is to be determined, as "Work with Indigenous Governing Bodies to co-design and implement a Policy Statement amendment review process that ensures ongoing and more regular review and amendment of the Policy Statement"</i>. A motion such as this would respond to Lyackson First Nation's statement that it could accept an interim Policy Statement so long as there was a Trust Council commitment about co-developing processes, including timelines, with Quw'utsun Nation member communities to co-draft the Islands Trust Policy Statement over the next five years.</p>
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<p>draft 2 as an interim policy, one to be adopted pending further collaboration with our communities. In this way, Islands Trust acknowledges the current iteration does not go far enough, but also that it could be a first step toward true partnership with our communities to do this work in a purposeful and fully resourced manner.</p>	
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Lyackson First Nation

July 2021 version **Comments from Islands Trust Staff**

Highlights of comments (As Lyackson commented on a version with Cowichan Tribes' comment, where comments have already been addressed in Cowichan Tribes' section above, not included here)

<p>In 2019, the Province committed to aligning its laws with the Declaration on the Rights of Indigenous Peoples Act; how is Islands Trust ensuring that the Islands Trust Act is consistent with the Declaration? The expectation is that this recognizes a right to free, prior and informed consent, how will this be reflected in the New Policy Statement?</p>	<p>No change per legislative restrictions.</p> <p>To address comments from Cowichan Tribes and other Quw'utsun Nation members, and other Indigenous Governing Bodies section 1.3 Indigenous Inherent Rights Acknowledgement was added to the draft document.</p> <p>A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3.1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.</p> <p>Guiding principle 2.2.2 states that Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).</p>
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<p>Re: Present context section: Elaborate on seeking guidance from Elders and leaning on TK. And also that this work must be paid for.</p>	<p>No change.</p> <p>Guiding principle 2.1.1 addresses working with Indigenous Knowledge Holders.</p> <p>Trust Council will need to consider a policy on capacity</p>
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	funding to guide future decisions about providing funding to Indigenous Governing Bodies to support engagement/cooperation.
Re: Present context section: The document also needs to address governance and stewardship desires and role of Nations.	No change. Generally addressed in 1.3 Indigenous Inherent Rights Acknowledgment
Re: Present context section: It would be good to see the TC prioritize finding solutions for Indigenous housing needs	Amend draft policy 3.4.10 to read: Housing Diversity Support a range of housing types and tenures to help meet the identified housing needs of the island community <i>and local Indigenous communities.</i> Draft advisory policy 3.4.15 says “Through engagement with Indigenous Governing Bodies, support housing opportunities for Indigenous people in the Islands Trust Area.”
Re: Present context section re role of Policy Statement: This should also capture the Indigenous concept of caring for ancestors (especially in context of culturally rich and archaeologically sensitive spaces and resting places of ancestors).	Amend the last sentence of introduction for Objective 2 as follows: This section lays out general types of Indigenous cultural heritage and culturally significant areas, sites, and species that should be identified and protected in each local planning area; this should be guided by Indigenous Peoples, Indigenous governing bodies and Indigenous Knowledge Holders and undertaken in a culturally sensitive manner that respects confidentiality protocols around the sharing of Indigenous Knowledge, and that many of these places are the resting places of ancestors.
In situations where there has been significant degradation, we look to regenerate and restore to previous levels (be it wildlife, fish and fish habitat, lands, cultural spaces	No change. The concept of restoration has been added through the draft document.
It is not always appropriate to identify Indigenous spaces used for harvest / cultural or ceremonial purposes	No change.

	<p>The draft new Policy Statement includes directives that begin with “Identify and protect” which identify typically intended to mean identify on a map. Where the ‘identifying’ requires engagement with an Indigenous Governing Body the topic is addressed through an advisory policy which provides flexibility.</p> <p>Approaches to identification and protection of cultural values will depend on direction from IGBs.</p>
Use of the descriptor 'traditional' in this case may indicate that harvesting is in the past. Many FN people still harvest in the IT area, and many who do not, would like opportunities for them or their descents to harvest here	<p>No change.</p> <p>The word tradition no longer appears in the draft document.</p>
Should not prioritize enjoyment of residents and visitors above local Indigenous communities.	<p>No change.</p> <p>The draft document attempts to accommodate this value in the directive policies 3.4.20,</p>
Some local Indigenous communities want to decide how they develop their land (e.g. economic development opportunities) it's not simply about preserving and protecting for some it's about thriving	<p>No change.</p> <p>Draft directive policy 3.4.7 already addresses economic opportunities.</p>
Islands Trust also needs to work toward building trusting relationships especially with First Nations.	<p>No change.</p> <p>Staff agree we need to do better.</p>
It's important to state that the Trust Policy Statement was conceived and developed by IT and only afterwards were Indigenous people consulted. In this way, the approach and design are not Indigenous-led. There needs to be a commitment that, going forward, Indigenous perspectives and voices will be involved at the problem identification, design, concept phases right through to decision making	<p>See recommendation in Lyackson section above re amending Strategic Plan.</p>
It's not simply engagement with FNs, but collaboration, cooperation, deep relationship building, support	<p>No change.</p> <p>Staff agree we need to do better.</p>
Roles and responsibilities section -multiple mentions of lack of reference to First Nations and FN membership	<p>No change.</p> <p>This section is no longer in the draft document.</p>
See previous comment re: alignment with DRIPA. What activities are underway to jointly assign to Islands Trust Council and First Nations?	<p>No change.</p> <p>Trust Council and the Islands Trust Conservancy Board may wish to consider activities in can undertake</p>

	in partnership with First Nations.
First Nations should have a formalized role in the Policy Statement implementation process.	No change. Trust Council has not yet begun discussions to address how the Policy Statement will be implemented. At such time as it does, Indigenous Governing Bodies' comments regarding implementation will be brought forward.
Islands Trust could divert a portion of funding to First Nations, as an alternative to funding land back measures	No change. Trust Council may wish to consider opportunities to support First Nations financially – it can give financial assistance to others to do any of the following: (i)engage in activities to gain knowledge about the history and heritage of the trust area and to increase public awareness, understanding and appreciation of the history and heritage; (ii)conserve heritage property; (iii)engage in activities to gain knowledge about the unique amenities and environment of the trust area and to increase public awareness, understanding and appreciation of the unique amenities and environment; (iv)preserve and protect the unique amenities and environment of the trust area,
Throughout the document it feels like the authors just tacked on "Indigenous" it doesn't feel like Indigenous concepts were at the forefront.	No change. Document has been redrafted.
Re Precautionary principle: What about Indigenous stewardship?	No change. This section is no longer in the draft document.
Local autonomy for local trust committees and island municipalities must be exercised within an Indigenous construct.	No change. This section is no longer in the draft document.

<p>Provide an additional statement saying that although there are a large number of culturally important species, access to FNs is often restricted or altogether absent in order for them to harvest important materials, foods and medicines.</p>	<p>No change.</p> <p>Although this statement is not included, draft advisory policy 3.2.5 addresses opportunities to improve access by Indigenous Peoples to marine and land-based harvesting and hunting areas</p>
<p>Re commitment of Trust Council re forest ecosystems being protected and maintained and the aesthetic value of forests should be maintained: This potentially fetters Indigenous logging (economic development) and infringes on exercise of Aboriginal cultural practices (e.g. Culturally Modified Trees)</p>	<p>No change.</p> <p>This policy is no longer in the draft document.</p>
<p>Cultural monitors should be used to prevent damage to archaeological sites</p>	<p>Add new Indigenous Cultural Heritage & Culturally Significant Areas, Sites and Species advisory policy</p> <p>Cultural Monitors Through engagement with Indigenous Governing Bodies, support opportunities for cultural monitors to be present for ground-disturbing activities.</p>
<p>Development, activity, buildings, or structures should not result in impacts to Aboriginal Rights of an Indigenous person</p>	<p>No change.</p> <p>Draft Guiding Principle 2.1.1 speaks to respecting Indigenous rights.</p>
<p>Lyackson First Nation disagrees with all new private docks until there is a Cumulative Effects Impacts Assessment (CEIA). If a homeowner chooses to buy / build on boat access only, that is their choice. There should be no reasonable expectation of a private dock on unceded territory. Decisions that do not take into account the cumulative effects are inconsistent with the Blueberry River Supreme Court decision. We would like Islands Trust to support a Cumulative Effects Impact Assessment of private moorages prior to approving / allowing any new docks, including those not requiring permits.</p> <p>Lyackson First Nation would like to see a reduction in approval of private moorages</p>	<p>See comments above re docks.</p>
<p>Would like to see Island Trust seek to use Traditional Knowledge and traditional practices to inform "western scientific" approaches.</p>	<p>Change Guiding Principle 2.1.7 to be re-ordered (and in response to other feedback include institutional knowledge) as follows:</p> <p>“To be informed by a broad range of sources in its</p>

	<p>decision-making processes, including the best available Indigenous Knowledge, institutional knowledge, local community knowledge, and science.”</p>
Careful consideration should be given to approving development on properties that are boat-access only, with an eye to approval on a very limited basis.	<p>No change</p> <p>Draft directive policy 3.3.8 calls for identification and prioritization of the preservation, protection, and restoration of islets and small islands.</p>
Support prohibition on seawalls and other hard shoreline armoring except where may be required to protect Indigenous cultural space.	<p>Islands Trust Council has signaled that it is not prepared to direct local trust committee and island municipalities to prohibit seawalls and other hard shoreline armoring in the Islands Trust Area, nor is it prepared to mandate Green Shores approaches to managing shoreline erosion. However, should this position change staff could provide previously-considered policy language.</p> <p>However, should Trust Council wish to take a more directive approach policy 3.5.18 could be revised as follows:</p> <p>Soft Shoreline Protections Consider and Prioritize and foster soft shoreline approaches first, such as those identified by the “Green Shores” program, to set requirements for shoreline preservation, and to mitigate erosion of shoreline and foreshore cultural heritage sites.</p>
Would like to see the addition of support the prohibition /increase in disposal at sea sites	<p>No change.</p> <p>Trust Council has removed advocacy policies from the draft new Policy Statement.</p>
It is not enough to merely engage but provide funding to support meaningful engagement	<p>No change.</p> <p>Trust Council will need to consider a policy on capacity funding to guide future decisions about providing funding to Indigenous Governing Bodies to support</p>

	engagement/cooperation.
It's important to not fall into pan indigeneity. Where we have said Indigenous, it is intended to generally reference local (those with Title) Indigenous populations.	No change.
Public access to beaches and areas of recreational significance should be subject to agreement with local First Nations (for example, Winter Cove on Saturna Island is a traditional harvesting ground that has been deteriorated by settler use)	<p>No change.</p> <p>Draft directive policy 3.1.1 sets out that local trust committees and island municipalities must engage with Indigenous Governing Bodies when developing bylaws. An OCP will typically contain a map that shows current and desired future access routes to recreational areas – often developed in partnership with the regional district or a local advocacy group – and potentially a corresponding policy that rezonings should be leveraged to secure these access routes for public use. As part of the bylaw referral process, or perhaps earlier as such a map is being developed, IGBs would have the opportunity to provide comment if there are proposed public access routes that they find to be unsuitable and the map could be amended.</p>
All of the directive policies could start with : Subject to consultation and meaningful engagement with local Indigenous Nations ...	<p>No change.</p> <p>Draft directive policy 3.1.1 states that local trust committees and island municipalities must engage with Indigenous Governing Bodies and provide a record of the engagement at time of bylaw submission.</p> <p>Draft advisory policy 3.1.2 states that local trust committees and island municipalities must engage with Indigenous Governing Bodies on discretionary planning and land use management decisions that may have potential significant impacts on Indigenous Governing Bodies' territories or the ecological health of the Islands Trust Area.</p>

<p>Directives must acknowledge shared stewardship moving towards Indigenous governance. This is not the local trust committees and island municipalities doing the work on their own. Where is reference to Indigenous leadership?</p>	<p>No change.</p> <p>Draft directive policy 3.1.1 states that local trust committees and island municipalities must engage with Indigenous Governing Bodies and provide a record of the engagement at time of bylaw submission.</p> <p>Draft advisory policy 3.1.2 states that local trust committees and island municipalities must engage with Indigenous Governing Bodies on discretionary planning and land use management decisions that may have potential significant impacts on Indigenous Governing Bodies' territories or the ecological health of the Islands Trust Area.</p>
<p>Economic Activities policy should include: and support economic development opportunities for Indigenous people</p>	<p>Add new advisory policy in the Managing Growth and Development section as follows:</p> <p>Through engagement with Indigenous Governing Bodies, support economic development opportunities for Indigenous communities.</p> <p>Draft directive policy 3.4.7 addresses economic activities generally.</p>
<p>Community Facilities and Services policy should include: and acknowledge the need to prioritize services for Indigenous people</p>	<p>Amend draft policy 3.4.4 to read:</p> <p>Community Facilities and Services Ensure that each island community's, and local Indigenous communities' current and projected long-term needs for educational, institutional, community, health, cultural, recreational facilities and services, and outdoor recreation are considered and planned for.</p> <p>Islands Trust has no powers associated with prioritizing community services for Indigenous</p>

	People.
More than safeguarding Indigenous cultural heritage, the expectation is that Islands Trust will through co-governance (leading to governance) find opportunities to incorporate Indigenous peoples, cultural and knowledge into its policies.	No change. Draft policies 3.1.1 , 3,1.2 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies. Staff acknowledge the need to work in deeper relationship with Indigenous Governing Bodies.
There should be a priority on providing housing for Indigenous people.	See above.

Malahat First Nation		
Text from September 2023 version	MÁLEXEŁ comment	Comments from Islands Trust Staff
Part 2: Guiding Principles – 2.2 Cooperation Principles		
2.2.5 Provide Public Education Opportunities (p.12) <i>To provide education opportunities to Islands Trust Area residents, communities, local organizations, and visitors, highlighting tangible ways they can contribute to preserving and protecting the region’s unique amenities and environment, while respecting the confidentiality interests of Indigenous Peoples and Indigenous governing bodies.</i>	Glad to see this is included in the list of principles: A couple items to consider for public education - incorporating Indigenous place names, and reverting back to the Indigenous (original place names) is one way to decolonize people's perspectives, as well as providing tools and resources on how to pronounce the place names such as phonetic spellings or QR codes connecting to recordings of the elders saying the place names. I think there needs to be more education and understanding of the laws and protections around heritage sites, too often cultural heritage sites are damaged by curious tourists or developers who choose to not notice impacts to an archaeological site	No change.
Part 2: Guiding Principles – 2.3 Reconciliation Principles (p. 13)		

General comment	Why is DRIPA not included in this?	No change recommended as per current legislative restrictions. To address comments from Malahat First Nation and other Indigenous Governing Bodies section 1.3 Indigenous Inherent Rights Acknowledgement was added to the draft document. A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3.1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.
Principle E in Table 1 - Truth & Reconciliation Commission of Canada (TRC) – 10 Principles	Take out Traditional and just have "knowledge Keepers"	No change. This text has been removed from the document.
Principle G in Table 1 - Truth & Reconciliation Commission of Canada (TRC) – 10 Principles	add relationship building	No change. This text has been removed from the document.
PART 3: Goals and Directive Policies - Goal 2: Preserving and Protecting Indigenous Cultural Heritage and Culturally Significant Areas, Sites, and Species		
3.2.2 Indigenous Harvesting Areas <i>Identify and protect Indigenous harvesting areas on land and marine foreshores including, but not limited to, fish weirs, clam gardens, camas meadows, and other areas used for Indigenous hunting, fishing, trapping, and gathering of plants and medicines</i>	Culturally Modified Trees	No change. This suggestion is incorporated in draft policy 3.2.1 and 3.2.3.
3.2.4 Culturally Significant Species and Medicinal Plants <i>Identify and protect and support restoration of culturally significant species and medicinal plants.</i>	Supporting protection and restoration is vital. It would be great to see relationship and facilitation around opportunities for Community members to access areas to harvest medicinal plants, cedar etc. all too often Nation members are challenged by the public when they go out to harvest in "protected" areas. Public education needs	No change. This suggestion is incorporated in draft policy 3.2.6

	to bring about an understanding that Nation members have a right to harvest	
PART 3: Goals and Directive Policies - Goal 3: Preserving and Protecting Healthy and Biodiverse Ecosystems		
3.3.1 Protected Area Networks <i>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.</i>	Work with First Nations to support Indigenous Protected Areas	Add new advisory policy under Objective 3 Indigenous Protected and Conserved Areas Support Indigenous Governing Bodies in the establishment of Indigenous Protected and Conserved Areas.
PART 3: Goals and Directive Policies - Goal 4: Fostering Sustainable, Inclusive, and Resilient Communities		
3.4.5 Climate Change Mitigation and Adaptation <i>Identify land use strategies, and consider nature-based solutions, to minimize greenhouse gas emissions, and adapt to climate change-related vulnerabilities.</i>	Public education on water conservation	No change.
3.4.9 Appropriate Locations for Densification <i>Identify appropriate locations where density increases could support the development of safe, secure, diverse and affordable housing while reducing dependency on private automobile use, and increasing use of trail systems, public transportation, and active transportation, and without adversely impacting the area's unique amenities and environment.</i>	With the Islands density of culturally and spiritually significant areas, extreme caution needs to be taken when it comes to housing on the islands. All too often the Archaeological branch approves permits that will alter cultural sites for housing construction in sacred sites	No change. Staff anticipate that directive policies 3.1.1, 3.2.1 and 3.2.3 may address these concerns.
PART 3: Goals and Directive Policies - Goal 5: Fostering Sustainable Stewardship of Lands and Waters		
3.5.6 Forest Lands for Sustainable Management <i>Retain large land holdings and parcel sizes to support sustainable forest management practices that are compatible with</i>	Island Trust should be considering climate change adaptation when it comes to forest planning	No change. Staff anticipate that directive policies 3.4.5 and 3.5.8 may address this issue.

<i>preservation and protection of the area's unique amenities and environment</i>		
PART 4: Implementation - 4.2 – Policy Statement Amendments		
“Newly elected Trust Councils shall cooperate with Indigenous governing bodies, and may wish to engage with key partners and interested and affected parties across the Islands Trust Area to define priorities for Policy Statement amendments that term.”	The term "cooperate" should be replaced with a term such as collaborate	No change. The Islands Trust Act supports the term ‘cooperate’, and staff understand that shifting to the term ‘collaborate’ may require legislative amendment to support a shift to co-governance, or signing of a section 7 agreement under the Declaration Act .In section 1.3 Trust Council has respectfully acknowledged the expressed interest of Indigenous Governing Bodies in working toward co-governance of the Islands Trust Area

Malahat First Nation	
July 2021 version	Comments from Islands Trust Staff
Highlights of comments	
There are two main issues we noticed throughout the document: <ol style="list-style-type: none"> 1. the use of the term “heritage” for all Indigenous culture. This is too history-focused and Islands Trust needs to acknowledge modern traditions and culture; 2. the use of the term “Indigenous ways of knowing”. This sounds offensive. We don’t have the correct phrase but it could be “Indigenous knowledge, culture, and history that is reflective of the indigenous community’s needs and desires” 	No change. The document has been re-drafted in a way that attempts to address these concerns.
Re: Present context section: Add: First Nation community members were also put into reserves, where are usually far from their homelands and where resources are usually insufficient, if not scarce. The forced removal and genocide cut off Indigenous people's connection to their lands and traditions, and they continue to suffer from this.	No change. This section was removed from the document.
Roles and responsibilities section: Needs to acknowledge traditional laws and practices, historic inequalities	No change. This section was removed from the document.
Roles and responsibilities section: Needs to acknowledge need for capacity funding for engagement	No change. This section was removed from the document. Trust Council will need to consider a policy on capacity

	funding to guide future decisions about providing funding to Indigenous Governing Bodies to support engagement/cooperation.
Regional governance section: Ensure references to culture are not just about heritage – culture is ongoing and relevant. This is a fundamental disconnect with government organizations	No change. This section was removed from the document. References in the draft document now suggest current cultural practices.
Regional Governance Policies: Move beyond engagement to coordinate, work together. Align with nations’ interests and concerns as well as DRIPA.	No change. Draft Guiding Principle 2.1.1 calls for Trust Council to work together with Indigenous Governing Bodies and Indigenous Knowledge Holders to preserve and protect culturally significant areas, sites, and species.
Add ‘no disturbance’ to soil and fill policy	No change. In response to this comment, staff added the word alteration as this word is used in legislation to identify activities that require a development permit.
Aquaculture should be directed away from culturally significant areas	No change. Addressed by draft directive policy 3.5.16.
Buildings and structures should be directed away from culturally significant areas.	
Mention Douglas Treaty rights	No change To address comments from Malahat Nation and other Indigenous Governing Bodies section 1.3 Indigenous Inherent Rights Acknowledgement was added to the draft document.
Growth and development should respect Indigenous culture, traditions, and knowledge	No change. The entire document is now drafted to ensure that local trust committees and island municipalities are managing growth and development in a manner that respects Indigenous values.

shíshálh Nation		
Text from September 2023 version	shíshálh comment (from notes from meeting)	Comments from Islands Trust Staff
General Comment		
General Comment	<p>Broadly – principles and values laid out – are fairly well aligned with shíshálh values. For riparian and heritage values for the island specifically</p> <p>missing is actionable objectives and a resourcing plan</p> <p>-between this and previous – much more broad and less specific – value to that and some flexibility – it doesn't necessarily translate in to the actionable items on skelhp</p> <p>-We think there are some really good guiding principles.</p> <p>-What we want is an actionable plan to make it happen.</p>	<p>No change.</p> <p>Trust Council has not yet begun discussions to address how the Policy Statement will be implemented. At such time as it does, Indigenous Governing Bodies comments regarding implementation will be brought forward.</p>
Acknowledgement	Should be 'shíshálh Nation'	<p>No change</p> <p>This change has been made</p>
Part 2: Guiding Principles – 2.1 General Guiding Principles		
<p>2.1.1 Acknowledge and Respect Indigenous Rights</p> <p>To grow understanding of the history and legacy of colonialism in the Islands Trust Area, to acknowledge and respect the rights of Indigenous Peoples in decision making, and to work together with Indigenous governing bodies and Indigenous Knowledge Holders to preserve and protect culturally significant areas, sites, and species.</p>	<p>Clarify – acknowledgement of the underlying indigenous title. Notice its absence</p>	<p>Recommendation re acknowledging title to be provided at a later time.</p>

shísháhlh Nation		
Text from September 2023 version	shísháhlh comment (from notes from meeting)	Comments from Islands Trust Staff
<p>2.1.2 Prioritize Environmental Protection To place priority on preserving, protecting and restoring the environment in all decision making.</p> <p>2.1.3 Prioritize Indigenous Cultural Heritage Protection To place priority on preserving, protecting and supporting restoration of Indigenous cultural heritage in all decision making.</p> <p>2.1.5 Foster Sustainable, Inclusive, and Resilient Communities To support land use planning decisions that foster sustainable, inclusive, and resilient communities, acknowledging the interdependencies between healthy communities and healthy ecosystems.</p> <p>2.1.6 Take Guidance From the Precautionary Principle To be guided by the precautionary principle in all decision making to safeguard the environment and cultural heritage where there may be uncertainty over the threats of serious or irreversible damage from development.</p> <p>2.1.7 Account for Cumulative Effects To strive to account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies, culturally sensitive areas and cultural heritage sites, and Islands Trust Area</p>	<p>Really happy to see these included. This “acknowledging the interdependencies between healthy communities and healthy ecosystems.” is a core shísháhlh world view.</p> <p>Precautionary principle is very important to the shísháhlh. Where they are unclear – we err on side of caution rather than risk impacts</p>	<p>No change.</p>

shísháhl Nation		
Text from September 2023 version	shísháhl comment (from notes from meeting)	Comments from Islands Trust Staff
<p>species and their habitats.</p> <p>2.1.8 Foster Informed and Balanced Decision Making</p> <p>To be informed by a broad range of sources in its decision making processes, including the best available science, Indigenous Knowledge, and local community knowledge.</p>		
Part 2: Guiding Principles – 2.2 Cooperation Principles		
<p>2.2.2 Work Towards Collaborative Governance with Indigenous Governing Bodies</p> <p>To work towards building strong relationships and foundations for collaborative governance with Indigenous governing bodies, including through the development of shared decision- making agreements under the Declaration on the Rights of Indigenous Peoples Act.</p>	<p>Good to see this: “shared decision-making agreements under the Declaration on the Rights of Indigenous Peoples Act.”</p>	<p>No change.</p>
Part 2: Guiding Principles – 2.3 Reconciliation Principles (p. 13)		
<p>General comment</p>	<p>Broadly good</p>	<p>No change.</p>
<p>Table 2 – Applicable UN Declaration on the Rights of Indigenous Peoples (UNDRIP) Articles²</p>	<p>Article 18 should be included - right to participate in the decision making</p>	<p>No change. The draft policy 2.3.2 is now about being informed by UNDRIP as a whole.</p>
PART 3: Goals and Directive Policies - Goal 1: Advancing Reconciliation		
<p>Direction Policies – Reconciliation – general comment</p>	<p>Need to address the gap - what does this actually mean to do 3.1.2 – will residents and IT decision makers actually listen?</p> <p>-what is a significant land use decision; what does cooperate mean?</p>	<p>No change</p> <p>Policy 3.1.2 was revised following legal advice. It is expected that the threshold of engagement on decisions that may have “potential significant impact” would be determined though engagement with Indigenous Governing Bodies.</p>

shíshálh Nation		
Text from September 2023 version	shíshálh comment (from notes from meeting)	Comments from Islands Trust Staff
	-cooperate can mean different things for lots of people including Indigenous nations Development permits are a particular problem	
3.1.2 Cooperate with Indigenous Governing Bodies Cooperate with Indigenous governing bodies on significant discretionary land use decisions that may impact their territories and the ecological health of the Salish Sea, and when addressing all Policy Statement directive policies (i.e. those under Part 3's Goals 2, 3, 4, and 5)	How can we make this actionable? How does consent fits in?	No change. Policy 3.1.2 was revised following legal advice. The specifics of how Islands Trust engages with an Indigenous Governing body can be dealt with in a protocol agreement.
PART 3: Goals and Directive Policies – Goal 2: Preserving and Protecting Indigenous Cultural Heritage and Culturally Significant Areas, Sites, and Species		
General comment on Part 3, Goal 2	Broadly good	No change.
3.2.1 Indigenous Cultural Heritage Sites Identify and protect Indigenous cultural heritage sites including, but not limited to, village sites, burial sites, middens, cairns, petroglyphs and pictographs, and known (registered), unregistered, or newly discovered archaeological sites.	Sometimes there is confidential information – shíshálh wants to be asked. The mapping sounds good in theory – but don't want to rely on non shíshálh people to interpret shíshálh data	No change. The methods to “identify” will be addressed as part of implementation.
3.2.2 Indigenous Harvesting Areas Identify and protect Indigenous harvesting areas on land and marine foreshores including, but not limited to, fish weirs, clam gardens, camas meadows, and other areas used for Indigenous hunting, fishing, trapping, and gathering of plants and medicines.	So good to see this. How can we work that harvesting areas that continue to be and become accessible again? There were lots of stories about hunting deer on skelhp. Another issue is trails on crown land. Unsanctioned trails are very difficult and can impact cultural harvesting. A concern is that when trails become sanctioned, there are impacts to hunting zones.	No change. Addressed by draft directive policies 3.2.4 and 3.2.5

shíshálh Nation		
Text from September 2023 version	shíshálh comment (from notes from meeting)	Comments from Islands Trust Staff
	All nature reserves need to include access to/for Indigenous People	
PART 3: Goals and Directive Policies - Goal 3: Preserving and Protecting Healthy and Biodiverse Ecosystems		
<i>General comment on Goal 3</i>	They are good.	No change.
3.3.2 Sensitive Ecosystems Identify and prioritize the preservation, protection, and restoration of sensitive ecosystems in the Islands Trust Area, classified as the following ecosystem types: cliff; freshwater; herbaceous; old and mature forest; riparian; wetland; and woodland.	Old and mature forests are a high priority for shíshálh Identifying will take a lot of resources	No change.
3.3.3 Forest Ecosystems Identify forest ecosystems and prioritize the preservation, protection, and restoration of unfragmented forest ecosystems, with particular focus on remaining stands of relatively undisturbed Coastal Douglas-fir and Coastal Western Hemlock and their associated ecosystems.	Coast Douglas-fir ecosystems are a high priority for shíshálh	No change.
PART 3: Goals and Directive Policies - Goal 4: Fostering Sustainable, Inclusive, and Resilient Communities		
General re development	Sprawl can negatively impact access to harvesting areas and hunting.	
3.4.23 Trail Systems Identify appropriate locations, types, and safe public access to public pedestrian, equestrian and bicycle trail systems to support active recreation that are compatible with preservation and protection of the area's unique amenities and environment.	Need to address this not adversely impacting indigenous cultural heritage and harvesting	No change. Draft policy 3.2.3 responds to this request and revisions to draft policy 3.4.2 address growth management and prevention of sprawl.
3.4.24 Public Shoreline Access	Need to address this not adversely	No change

shíshálh Nation		
Text from September 2023 version	shíshálh comment (from notes from meeting)	Comments from Islands Trust Staff
Identify and protect areas providing safe public access to marine shorelines and along marine shorelines that are appropriate for low-impact, public recreational use and do not adversely impact unique amenities and the environment.	impacting indigenous cultural heritage and harvesting	The combined effect of draft directive policies 3.1.1 and 3.2.1 through 3.2.5 should address this issue.
PART 3: Goals and Directive Policies - Goal 5: Fostering Sustainable Stewardship of Lands and Waters		
General comment	Broadly good, but start to see “strive to” language. This is important stuff.	No change
3.5.5 Freshwater Uses Strive to ensure that freshwater use is not to the detriment of other uses of the waterway such as fish and fish habitat uses, Indigenous cultural and spiritual uses, aesthetic and recreational uses, and the maintenance of water quality in lakes, streams, and wetlands.	This policy is important Recreational use should not be prioritized over fish habitat. Fish and fish habitat, and indigenous cultural and spiritual uses are very important. Fish and fish habitat is always prioritized for shíshálh	No change.
3.5.15 Soil and Fill from Middens and Foreshore Areas of Cultural Significance Prohibit alteration, removal or excavation of soil or fill from middens or foreshore areas identified as culturally significant areas.	Recommend being more specific add “in consultation with indigenous governing bodies” at the end	Staff consider that the combined effect of draft directive policies 3.1.1 and 3.2.1 through 3.2.5 should effectively address this issue.
3.5.17 Setbacks from the Sea Consider the current and anticipated impacts of sea level rise and storm surge, and determine appropriate shoreline buffers and setbacks from the sea.	Flag – DFO recommends minimum setback of 15m and protection from erosion shíshálh wants to see as a minimum of 15m and additional to consider impacts of sea level rise and storm surge	No change: Draft policy 3.5.17, Setbacks from the Sea, currently reads: Consider the current and anticipated impacts of sea level rise and storm surge, and determine appropriate shoreline buffers and setbacks from the sea, taking into account best practices recommended by the federal and provincial governments.

shíshálh Nation		
Text from September 2023 version	shíshálh comment (from notes from meeting)	Comments from Islands Trust Staff
		Current provincial guidance on best practice for the Strait of Georgian Planning Area is that the building setback should be at least the greater of 15 m from the future estimated Natural Boundary of the sea at Year 2100. Where the sea frontage is protected from erosion by a natural bedrock formation, the development approving official may agree to modify setback requirements as recommended by a suitably qualified Professional Engineer experienced in coastal engineering. The Professional Engineer should fully consider all aspects of the coastal flood hazard associated with Year 2100 water levels including potential wave, debris and related splash impacts on buildings. This approval should be augmented through a restrictive covenant describing the hazard and building requirements, and including the Professional Engineer's report and a liability disclaimer. The setback may be increased on a site-specific basis such as for exposed erodible beaches and/or in areas of known erosion hazard.
3.5.21 Private Docks Limit or prohibit new private docks in areas identified as culturally significant by Indigenous governing bodies and Indigenous Knowledge Holders, in areas that provide critical habitat for species at risk, and in areas of recreational significance; and consider the cumulative effects of docks.	Like this policy and the 'culturally significant' element shíshálh highly encourages group moorages – like to see that sharing of coastal facilities and limiting private docks.	No change.
PART 4: Implementation - 4.1 – Policy Statement Implementation		
General comment on implementation	Resourcing; and how is 3.1.2 actioned No real mention of First Nations in this.	No change. Trust Council has not yet begun discussions to address how the Policy Statement will be implemented. At such time as it does, Indigenous Governing Bodies

shíshálh Nation		
Text from September 2023 version	shíshálh comment (from notes from meeting)	Comments from Islands Trust Staff
		comments regarding implementation will be brought forward.
Title Statutory Bylaw Referrals	Title might be misnamed – could call it internal process	No change. Based on the comment received from shíshálh Nation, this title was updated in the new draft Policy Statement to read: Statutory Bylaw Approval Process.

Squamish Nation		
Text from September 2023 version	Squamish Nation's comment	Comments from Islands Trust Staff
General Comments		
PART 3: Goals and Directive Policies – 3.2.1 – Indigenous Cultural Heritage Sites		
Identify and protect Indigenous cultural heritage sites including, but not limited to, village sites, burial sites, middens, cairns, petroglyphs and pictographs, and known (registered), unregistered, or newly discovered archaeological sites.	<p>[Note: This comment was provided without specific reference to sections and is taken to apply throughout the document]</p> <p>Further scrutiny and direction will be needed be towards the actual implementation of principles and goals relating to heritage sites and areas.</p> <p>The Gulf Islands that fall within Squamish territory (through Howe Sound, Átl'ka7tsem) have many recorded sites on them, but those have been discovered piecemeal and reactively in response to proposed developments. Oral traditions, cultural history, and archaeological evidence all support a picture of heavy indigenous use of these areas, especially along shorelines where high value properties are being expanded. Many of these areas have not had proactive study to</p>	<p>No change.</p> <p>Draft policies 3.2.1, 3.2.2,</p> <p>Staff anticipate that directive policies 3.1.1, 3.2.1-3.2.5 may address the comments re heritage protection concerns.</p>

Squamish Nation		
Text from September 2023 version	Squamish Nation's comment	Comments from Islands Trust Staff
	<p>determine their archaeological potential, and until that is done, we should treat all such areas as having high potential for archaeological or cultural values. Our goals for protection for both recorded and unrecorded sites in these areas would be for either:</p> <p>1. Official protections for island areas with archaeological potential and the requirement for archaeological assessments to be done whenever there is development that would risk encounter a new site.</p> <p>or</p> <p>2. Broad AOA studies that could accurately determine with more precision the archaeological potential of the islands - specifically shoreline areas - and record any easily found sites. The results of such a study would provide us, the province, and Islands Trust with more detailed information to adjust the boundaries of areas of archaeological potential that require further assessment.</p> <p>These are our recommendations because existing provincial protections for archaeological sites are insufficient and reactive. The Squamish Nation is seeking a more proactive and protective approach in preserving its heritage. Separate discussions relating to Keats and Gambier have been fruitful in that respect. We would hope that Islands Trust can work with us on continuing that.</p> <p>It is imperative that all individual projects are uploaded to Squamish Connect for thorough</p>	

Squamish Nation		
Text from September 2023 version	Squamish Nation's comment	Comments from Islands Trust Staff
	analysis	
General Comments - Culture		
	<p>[Note: This comment was provided without specific reference to sections and is taken to apply throughout the document]</p> <ul style="list-style-type: none"> -Ensuring that the OCP includes a formal acknowledgment of the traditional territory of the Squamish Nation at the beginning of the document. -Squamish Language (sníchim) use in billboards, signages, and other platforms. -More Squamish place names for areas (engage with Language and Culture Department for all place names). -Training staff in Squamish values and history. -More procurement, business and employment benefits to Squamish businesses and members. 	<p>No change.</p> <p>The following comments are not appropriate to address in the Policy Statement but relevant staff are aware of the requests:</p> <ul style="list-style-type: none"> - Ensuring that the OCP includes a formal acknowledgment of the traditional territory of the Squamish Nation at the beginning of the document. - Squamish Language (sníchim) use in billboards, signages, and other platforms. - More Squamish place names for areas (engage with Language and Culture Department for all place names). - Training staff in Squamish values and history. - More procurement, business and employment benefits to Squamish businesses and members.
General Comments - Environment		
	<p>The goals are high-level and inclusive of natural resources, and I agree with them. Draft 2.4 includes some environmental concerns missing in the policy statement 2003, such as kelp forests and eelgrass beds.</p> <p>Ensuring that all dock and riparian setback projects are uploaded on Squamish Connect for through analysis.</p> <ul style="list-style-type: none"> - Engaging with Nation on case to case basis for all individual projects for Environmental analysis through Squamish Connect. 	<p>No change.</p> <p>Request for engagement is addressed by draft policy 3.1.1.</p>

Squamish Nation		
Text from September 2023 version	Squamish Nation's comment	Comments from Islands Trust Staff
PART 3: Goals and Directive Policies – Agriculture		
	SN recommends regularly revising and updating the usage of pesticides and buffer zones in agriculture, especially lands near water bodies and with a high potential for leaching under Goal 5, Agricultural lands.	No change. Regulating the application of pesticides as part of a legitimate farm operation is not within Islands Trust jurisdiction. For more on the regulation of pesticides by the federal and provincial government see this bulletin .
PART 3: Goals and Directive Policies – Freshwater		
	SN recommends exploring the opportunities for rainwater harvesting and replenishing groundwater aquifers in the new/ existing buildings wherever applicable under Goal 5, Freshwater.	No change. Staff anticipate that advisory policy 3.5.6 may address the comment.
PART 3: Goals and Directive Policies – 3.4.1 – Sustainable Development		
Ensure development is compact, energy-efficient, and appropriately situated on the island and on the site in order to: <ul style="list-style-type: none"> • reduce dependency on private automobile use, and support increased use of trail systems, public transportation, and active transportation, and • be compatible with preservation and protection of the area's unique amenities and environment 	Suggested change: Development should also aim for 'complete communities' with all services as possible Development should be net zero carbon emissions, low embodied carbon, pursue highest sustainability standards in all categories (including waste/water) and resilient to climate impacts	No change. Staff anticipate that policies 3.4.1 and 3.4.2 somewhat address the concept of compact, energy-efficient communities although no longer explicitly stated as a goal. To date Islands Trust Council has proven reluctant to impose a particular development pattern on the islands. There are tools, like greenhouse gas reduction development permit areas, that local trust committees and island municipalities can draw on to do what Squamish Nation proposes here. Staff are familiar with the Complete Communities concept, but has not generally

Squamish Nation		
Text from September 2023 version	Squamish Nation's comment	Comments from Islands Trust Staff
		been considered applicable in the Islands Trust Area, where, except for on one or two of the larger islands, a full suite of services is not generally available to residents, or even considered desirable by them.
PART 3: Goals and Directive Policies – 3.4.5 – Climate Change Mitigation and Adaptation		
Identify land use strategies, and consider nature-based solutions, to minimize greenhouse gas emissions, and adapt to climate change-related vulnerabilities.	Consider future drought in planning for development/water uses, sustainable use of water Consider minimizing waste and opportunities for reuse/repair/reduce, unbuilding standard for old structures	No change. Staff anticipate that directive policies 3.4.5 and 3.5.1 may address the comment. Regarding the comment about “minimizing waste and opportunities for reuse/repair/reduce, unbuilding standard for old structures”: Island OCPs could contain policies that encourage this, but in the Islands Trust Area regional districts regulate building standards.
PART 3: Goals and Directive Policies – 3.4.6 – Hazardous Areas		
Identify areas hazardous to development activities, including, but not limited to, areas subject to flooding, erosion, wildfire, or slope instability, and direct development away from such hazards.	Incorporating climate impacts into these hazards Creating and using sustainable and updated solutions for future development and restoration projects.	No change. Staff anticipate that directive policy 3.4.6 may address the comment.
General Comments - Forestry		
	Informed consent from SN Forestry Specialist for all requirements mentioned below: - Engaging with Squamish Nation for all cut block permits. - Engaging with Squamish Nation for all trees to be felled.	No change. The Islands Trust does not have jurisdiction over forestry related activities or tree cutting on private lands, with the exception of development permit areas. The comments have been provided to Islands Trust Conservancy staff for consideration in their processes.

Squamish Nation		
Text from September 2023 version	Squamish Nation's comment	Comments from Islands Trust Staff
	<ul style="list-style-type: none"> - Engaging with Squamish Nation for all matters concerning Old Growth/Second Growth. - Being mindful of cutting Cedar trees and returning them back to the Nation if they are felled. - Refer to Squamish Nation Culturally Significant Vegetation list for all native plantation - Engaging with SN for all above and other Forestry related concerns. 	

Tla'amin Nation	
2020 feedback (comments on an amended version of 2003 Policy Statement)	Comments from Islands Trust Staff
Text of October 8, 2020 letter	
<p>Thank you for the opportunity to review and provide feedback on the Islands Trust Policy Statement. We understand that this document is several decades old and has undergone numerous amendments over the years. We appreciate that the language in the proposed update serves as an improvement in recognizing the importance of First Nations in the Trust Area, including a commitment to the principles of UNDRIP.</p> <p>We believe that the document could go further to involve First Nation governments in the decision-making process, starting with a reference to First Nations in the object statement. Several commitments, directives, and recommendations in the policy sections could include explicit reference to working with First Nations to improve the decision-making process. This would serve to enhance cooperative decision-making in protecting natural and cultural sites, achieving First Nation access to resources, and improving consultation on planned developments.</p>	<p>No change.</p> <p>Guiding principle 2.2.2 states that Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).</p> <p>A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3,1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.</p> <p>Staff do not believe that this request was ever responded to. Staff note that there is a need for closer working relationship with staff of Indigenous Governing Bodies, and for protocol agreements. Staff will be reaching out to see if there is still interest in an agreement.</p>

<p>The Tla'amin Nation would like to suggest exploring a Protocol Agreement, or a similar type of document, to help guide the future relationship between the Islands Trust and the Nation. This would be a formal agreement that outlines the procedures for identifying and avoiding archaeological and culturally important sites, works in managing the continued use of resources (as defined in our Treaty), establishes a set schedule of reviews (i.e., annual reviews on planned developments), and proactively consults on development decisions. We look forward to continuing this discussion and building our relationship going forward. Thank you for sharing the opportunity to comment on this version of the Policy Statement and being willing to work with us for future benefit.</p>	
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Tsawout First Nation		
Text from September 2023 version	Tsawout First Nation's comment	Islands Trust Staff Recommendation
Part 1: The Islands Trust Act – 1.4 – Purpose and Structure of the Policy Statement		
<p>Directive Policies (as listed in Part 3 of the Policy Statement) are policies that local trust committees and island municipalities must address in their work on local regulatory bylaws and official community plans. These are general policies that are deemed integral to carrying out the Islands Trust Object, but which are general enough that they can be appropriately adapted to local circumstances. Where a directive policy starts with “shall strive to...”, the local body should make best efforts to implement the policy.</p>	<p>“[Shall strive to]” Passive language, can this be better enforced?</p>	<p>No change. “Strive to” is used in policy areas where not solely within the jurisdiction of the Islands Trust or, while within its jurisdiction, the authority is limited/constrained.</p>
PART 2: Guiding Principles – 2.1 – General Guiding Principles		
<p>In its efforts to carry out the Islands Trust Object, Trust Council commits to the following set of shared</p>	<p>Comment 1: Change ‘guide’ daily planning to ‘inform’.</p>	<p>No change. As the principles are guiding principles, staff</p>

Tsawout First Nation		
Text from September 2023 version	Tsawout First Nation's comment	Islands Trust Staff Recommendation
<p>principles and priorities to guide daily planning and decision making by all bodies across the Islands Trust</p> <p>Area: Trust Council commits to be guided by the following principles in its efforts to advance the Islands Trust Object:</p>	<p>Comment 2: Change 'being guided' to 'being informed'.</p>	<p>advise that guiding is an appropriate verb</p>
<p>PART 2: Guiding Principles – 2.1.1 – Acknowledge and Respect Indigenous Rights</p>		
<p>To grow understanding of the history and legacy of colonialism in the Islands Trust Area, to acknowledge and respect the rights of Indigenous Peoples in decision making, and to work together with Indigenous governing bodies and Indigenous Knowledge Holders to preserve and protect culturally significant areas, sites, and species</p>	<p>Add a piece regarding reconciliation. How will the trust look to reconcile past, present and future grievances with the nations whose land they govern. This imbues respecting rights through action.</p>	<p>No change recommended as per current legislative restrictions.</p> <p>To address comments from Tsawout First Nation and other Indigenous Governing Bodies section 1.3 Indigenous Inherent Rights Acknowledgement was added to the draft document.</p> <p>A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3,1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with First Nations.</p>
<p>Take Guidance From the Precautionary Principle To be guided by the precautionary principle in all decision making to safeguard the environment and cultural heritage where there may be uncertainty over the threats of serious or irreversible damage from development.</p>	<p>Change "Take Guidance From" and "To be guided by" to "Implement."</p>	<p>No change.</p> <p>"Guided by" more accurately reflects how Trust bodies make decisions.</p>
<p>Account for Cumulative Effects To strive to account for the cumulative effects of existing and proposed development to avoid detrimental effects on</p>	<p>Delete "Strive to"</p>	<p>No change.</p> <p>"Strive to" is used in policy areas where not solely within the jurisdiction of the Islands Trust</p>

Tsawout First Nation		
Text from September 2023 version	Tsawout First Nation's comment	Islands Trust Staff Recommendation
watersheds, groundwater supplies, culturally sensitive areas and cultural heritage sites, and Islands Trust Area species and their habitats.		or, while within its jurisdiction, the authority is limited/constrained. Not all cumulative effects may be known, or data may not be available – so strive simply means that the LTC and island municipalities will do the best they can in this area. We carefully considered the wording to make this policy flexible.
PART 2: Guiding Principles – 2.3 – Reconciliation Principles		
Trust Council's Reconciliation Principles	Include Guidance from the Indigenous peoples whose land they govern	Add new Reconciliation Principle as 2.2.4 Guidance from Indigenous Governing Bodies Be informed by guidance from Indigenous Governing Bodies and Indigenous Knowledge Holders
PART 3: Goals and Directive Policies – 3.5.17 – Setbacks from the Sea		
Consider the current and anticipated impacts of sea level rise and storm surge, and determine appropriate shoreline buffers and setbacks from the sea	Suggested change: 'Consider' to 'incorporate'.	Change draft principle 3.5.17 as follows: Setbacks from the Sea Consider the Incorporate current and anticipated impacts of sea level rise and storm surge, and determine appropriate shoreline buffers and setbacks from the sea, taking into account best practices recommended by the federal and provincial governments.
PART 3: Goals and Directive Policies – 3.5.18 – Soft Shoreline Protections		
Consider and foster soft shoreline approaches first such as those identified by	Suggested change:	Islands Trust Council has signaled that it is not prepared to prohibit shoreline hardening, and

Tsawout First Nation		
Text from September 2023 version	Tsawout First Nation's comment	Islands Trust Staff Recommendation
the "Green Shores" program to set requirements for shoreline preservation.	'Consider' to 'incorporate'.	<p>nor is it prepared to mandate Green Shores approaches to managing shoreline erosion. As such, "consider" is a more appropriate term than "incorporate". However, should Trust Council wish to take a more directive approach policy 3.5.18 could be revised as follows:</p> <p>Soft Shoreline Protections Consider and Prioritize and foster soft shoreline approaches, such as those identified by the "Green Shores" program, to set requirements for shoreline preservation, and to mitigate erosion of shoreline and foreshore cultural heritage sites.</p>
PART 3: Goals and Directive Policies – 3.5.21 – Private Docks		
Limit or prohibit new private docks in areas identified as culturally significant by Indigenous governing bodies and Indigenous Knowledge Holders, in areas that provide critical habitat for species at risk, and in areas of recreational significance; and consider the cumulative effects of docks	<p>Suggested change:</p> <p>Remove "Limit or."</p>	<p>Islands Trust Council has signaled that it is not prepared to direct local trust committee and island municipalities to prohibit private docks in the Islands Trust Area in certain circumstances. However, should this position change draft policy 3.5.21 could be revised as follows:</p> <p>Marine Docks Consider the cumulative effects of docks, and limit or prohibit new docks in areas identified as culturally significant by Indigenous Governing Bodies and Indigenous Knowledge Holders, in areas that provide critical habitat for species at risk, and in areas of recreational significance.</p>

Tla'amin Nation	
July 2021 version	Comments from Islands Trust Staff
Highlights of comments	
Tla'amin Nation suggests that Islands Trust bears in mind the order of importance when being inclusive and representative of indigenous communities in the Trust. It is noted that often First Nations appeared as the last item in multiple lists of consideration. Whether intentional or not this lends the document an air of afterthought when considering First Nations and does not align with the trusts mandate to be guided by UNDRIP.	No change. No longer an issue in the draft document.
It would be nice to have some live links to some of these documents. The average islander is not well versed in these legalities	No change. Hyperlinks have been added to referenced documents in draft Reconciliation Principles 2.2.1 – 2.2.3.
Can the document show a map with the SOI and Treaty consultation Areas in the document as well?	Staff are working on a map.
Roles and responsibilities section: Tla'amin Nation plays almost no role in Trust governance or decisions. This section should say the Islands Trust is striving to work with First Nations to allow Indigenous Nations to play an integral role in governance and cooperative decision making; For example, a role on your board	No change. This section was removed from the draft document. To address comments from Tla'amin Nation, and other Indigenous Governing Bodies section 1.3 Indigenous Inherent Rights Acknowledgement was added to the draft document.
Roles and responsibilities section: What Responsibilities do visitors and land owners have to be stewards or to make sure they are conforming with IT policy?	No change. This section was removed from the draft document.
Precautionary principle definition: There are better definitions. This is close to the Rio Declaration but I think their order of wording is better. "Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation." - <i>Principle 15 of the Rio Declaration on Environment and Development in 1992.</i> "When there is substantial, credible evidence of danger to human or environmental health, protective action should be taken despite continuing scientific uncertainty." - <i>Joe Schwarcz Phd (McGill University)</i>	No change. The definition has already been updated in response to this comment from Tla'amin Nation.
Re Guiding Principle re Prioritize Environmental and Indigenous Cultural Heritage Protection: We like it! Hope your committed to it.	No change.
Re removal of soil from a midden: It's contrary to the Heritage Conservation Act (HCA)	No change.

It's not legal to take fill from a midden regardless of whether it is identified as culturally significant and regardless of whether the site is a registered or unregistered site archaeological site.	
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Quw'utsun Nation members	
Quw'utsun Nation (key themes from notes from January 2024 meeting about draft amendments)	Comments from Islands Trust Staff
Up to draft section 1.3	
<ul style="list-style-type: none"> • There is an opportunity to flag that the Province is aligning its laws, and signal the context that this is one of the laws that aligns with UNDRIP – opportunity to signal that the Islands Trust Act should be modernized. • Some of the draft language suggest that there didn't have to used to be conservation effort, because indigenous communities, the way they cared for land, it happened naturally. So this way of framing run into residents now wanting to keep the islands a certain way. • Not sure if mandate is being executed well with the amount the development. The Nation has members, with traditional foods, that can't care for them in the way they have. • The phase 'where development is deemed necessary' is problematic– a lot of their Nation's community members would not deem development on the islands necessary (e.g. estuary and huge development – not a good mix) • The Islands Trust Act will be subject to UNDRIP and will then have to align with Constitution. Easy for settlers to think they have rights; but this very different from rights and title that has existed since forever • The whole concept of preserve and protect is not accurate. • 'Who' is deeming development necessary? How is Islands Trust working with Quw'utsun Nation? There is very little actual working together – this comes from new understanding. • Substance is important – infringement on rights and title can't be mitigated or accommodated for. 	<p>Regarding comments criticizing the approach to drafting a new Policy Statement, staff advised that First Nations were welcome to write to Trust Council at any time to request a new approach.</p> <p>To address comments from Cowichan Tribes and other Quw'utsun Nation members, and other Indigenous Governing Bodies section 1.3 Indigenous Inherent Rights Acknowledgement was added to the draft document.</p> <p>A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3,1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with First Nations.</p> <p>Guiding principle 2.2.2 states that Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).</p>

- Regarding proposed list of major islands in description of Trust Area: What does it mean to when an island is called a 'major island? Not listing Lyackson Island as a major island erases the important of Lyackson in the Islands Trust Area – that erasure is unacceptable.
- Considering the continued progression of this project is a concession of the First Nations in recognition of the important of getting the work done. But this is not enough until Islands Trust realizes the importance protecting. This project is a first step but this is not the only step and Islands Trust should only take this step with the promise offurther action Indigenous rights and to move to co-governance.
- The whole method of how these documents are approached needs to be change. It will come down to the Islands Trust's sense of social responsibility.
- Generally, First Nations need more representation on the Islands Trust.
- Islands Trust wasn't really involved in protecting Grace Islet. It was the nations standing up to Province at Walker Hook, with support from some islanders.
- References to population numbers should include Indigenous People who were displaced from the islands.
- RE: proposed unique amenities definition that included explanation that term amenity is derived from the Latin term amoenitās, signifying "pleasantness, delightfulness, charm:
 - The idea of being reduced down to pleasantness, delightfulness, and charm feels like wearing First Nations culture as an accessory
 - The reductive nature of the proposed definition is infantilizing, absurd, pastoral, odd.
 - It feels tokenizing and red-washing
 - Feels like a Terra Nullius type of term – as if the islands are not cultivated landscapes.
 - Just completely the wrong definition for 'unique amenities' - should be more nature-based amenities.

WSÁNEĆ Leadership Council Society (for Tsartlip, Tsartlip and Tsawout First Nations)	
2020 feedback (comments on an amended version of 2003 Policy Statement)	Comments from Islands Trust Staff
Highlights of comments	
Introduction/Acknowledgement: should highlight the fact that the lands in the gulf islands were never sold under the Douglas Treaties or any other agreement.	No change. Acknowledgement has been crafted to be general and applicable to the whole Islands Trust Area.
Description of Trust Area should include that these islands/species were managed and intimately known by the Coast Salish Indigenous people and were/are essential factors to the health and economy of the WSÁNEĆ.	No change. The section has been removed.
Description of Trust Area: It would be great to insert the story of TELETACES here.	No change. The section has been removed.
To date there have been no Policy Statement amendments that incorporate the interest of local First Nations. With the Provincial adoption of UNDRIPA and the recognition of the importance of First Nations interest in the Islands Trust area another challenge is reconcile these interests with the direction of Islands Trust Policy.	No change. To address comments from WLC, and Indigenous Governing Bodies, section 1.3 Indigenous Inherent Rights Acknowledgement was added to the draft document. A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3,1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies. Guiding principle 2.2.2 states that Trust Council will, to the extent that they engage its mandate to preserve and protect the Trust Area be informed by the articles established in the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).
Present context section: Additional context is the need to solve the environmental issues in a way that further reconciliation with First Nations, as the original and proper caretakers of the land	No change. The section has been removed.

<p>Need for cumulative impact studies, the need to determine the carrying capacity of the Salish sea, the need for responsible informed decision making. Incorporation of First Nations values.</p>	<p>No change.</p> <p>Guiding principle 2.1.6 speaks to striving to account for cumulative effects.</p>
<p>Priorities and management strategies should be established in collaboration with First Nations.</p>	<p>No change.</p> <p>A number of directive and advisory policies in the document, including 3.1.1 , 3,1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.</p>
<p>Highlight need to preserve environment to protect treaty rights and ensure they can be exercised into the future</p>	<p>Amend acknowledgement by adding as the second to last sentence:</p> <p>Islands Trust Council acknowledges that a healthy environment is essential for Indigenous People to be able to exercise their inherent and treaty rights.</p>
<p>Roles and responsibilities section: How, specifically, will cooperative decision-making be pursued?</p>	<p>No change.</p> <p>A number of directive and advisory policies in the document, including 3.1.1 , 3,1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.</p>
<p>Add more items of interest to First Nations:</p> <ul style="list-style-type: none"> • Protection of cultural heritage • Educational materials related to Indigenous history, rights, and culture • Place names and Signage • Housing • Reconciliation • Environmental Health/Remediation • Development Permitting • Economic opportunities/Land Opportunities 	<p>No change.</p> <p>The topics of educational materials, and placenames and signage, are best dealt with in other ways by Islands Trust. WLC has asked for a protocol agreement and it is expected these topics will addressed through that agreement.</p>

Throughout the document, I did not see mention of exploring place name changes, use of art in developments (WSANEC art), installing signage related to First Nations history/culture, education re: First Nations for residents, or specific targeted reconciliation policies.	
Islands Trust Object and its Meaning section introduction: should state the Islands Trust seeks reconciliation with First Nations	No change. The section has been removed.
Islands Trust Object and its Meaning “to preserve and protect” section: include mention of First Nations history, cultural and archaeology	No change. The section has been removed.
Islands Trust Object and its Meaning “for the benefit of” section: Mention there is a legal obligation to preserve the land and water to enable First Nations to be able to exercise their aboriginal and treaty rights.	No change. The section has been removed.
Guiding principle: “When making decisions and exercising judgment, Trust Council will place priority on preserving and protecting the integrity of the environment, cultural heritage, and amenities in the Trust Area.” Include concept of restoration	No change. In response to WLC feedback this change was made to the draft guiding principle 2.1.2
Preamble to Foster preservation and protection of Trust Area ecosystems goal: include active remediation as well.	No change. The section has been removed. References to restoration have been included through the draft document.
Preamble re Foster preservation and protection of Trust Area ecosystems re all sharing management responsibilities for ecosystems: When making decisions and exercising judgment, Trust Council will place priority on preserving and protecting the integrity of the environment, cultural heritage, and amenities in the Trust Area.	Amend policies 3.2.3, 3.2.4, 3.2.6 and 3.2.7 to change “Identify and protect” to “Identify and prioritize protection of”
Re ecosystem protection policies: Include specific WSANEC places: harvesting places, places where specific medicines grow, cultural places, etc.	No change. These topics have been addressed in advisory policy 3.2.4
RE creating networks of protected areas. Must be done in collaboration with First Nations - The creation of protected areas, despite being well meaning, has been used to dispossess indigenous peoples.	No change.
Islands Trust should consider cumulative impact studies to support long term planning and decision making	No change. Draft guiding principle 2.16 calls for Trust Council to strive to account for the cumulative effects of existing and proposed development to avoid detrimental effects on watersheds, groundwater supplies, culturally sensitive

	areas and cultural heritage sites, and Islands Trust Area species and their habitats.
Re policies re protection of unfragmented forest ecosystems: What about the reconnection of fragmented forest ecosystems	No change. Directive policy 3.3.1 addresses protected area networks Advisory policy 3.3.9 speaks to Indigenous led ecosystem management which could support reconnection of fragmented forest ecosystems.
Preamble to stewardship of resources section: mention First Nations rights (Douglas Treaty rights)	No change. The section has been removed.
Agricultural practices have removed WSANEC hunting territory, the original traditional activity in the region	No change. The section has been removed.
Agricultural activities should be compatible with indigenous food harvesting	No change. Policy 3.5.9 mentions consideration of downstream impacts – this was added based on input by WLC.
Each directive policy should say “in Include collaboration with First Nations”	No change. A number of directive and advisory policies elsewhere in the document, including 3.1.1 , 3,1.2 and 3.2.1 through 3.2.7 speak to how Islands Trust Council expects its local trust committees and island municipalities to engage with Indigenous Governing Bodies.
There needs to be directive policies re wildlife and vegetation as development by Islands Trust may impact habitats.	No change. The section has been removed. See ecosystem integrity section.
All docks reduce the amount of harvestable foreshore for shellfish	No change.
Development should be directed to sites away from sites important to First Nations	No change. This concept is addressed throughout the draft document.
Consider protections for clam gardens	No change. Addressed in 3.2.1 and 3.2.3

<ul style="list-style-type: none"> • Re policies regarding heritage protection: See recommendations in Cordova Bay Local Area Plan: undertake updated archaeological potential mapping and ground-truthing with archaeologists and WSÁNEĆ knowledge holders to better understand and protect the footprint of WSÁNEĆ ancestral landscapes. • exercise caution—in collaboration with WSÁNEĆ knowledge holders and decision makers and in accordance with the Protocol Agreement between the District of Saanich and the WSÁNEĆ Leadership Council—with respect to redevelopment and ground-altering activities that have potential to impact documented and undocumented WSÁNEĆ ancestral and cultural sites. This is of heightened concern in the coastal and village sub-areas. 	<p>No change.</p> <p>Generally, the theme relevant to land use planning have been captured.</p> <p>Staff will working with WLC staff on a protocol agreement to address the other topics.</p>
<p>First Nations have information/databases to inform Islands Trust land use planning.</p>	<p>No change.</p> <p>Staff look forward to working more closely with Indigenous Governing Bodies.</p>



REQUEST FOR DECISION

To: Trust Programs Committee **For the Meeting of:** May 29, 2025
From: Trust Area Services **Date Prepared:** May 27, 2025
SUBJECT: Policy Statement Amendment Project (PSAP) – Additional Policy Revisions

RECOMMENDATION: That Trust Programs Committee revise the draft new Policy Statement in accordance with the recommendations in Appendix 1 of the request for decision titled “Policy Statement Amendment Project (PSAP) – Additional Policy Revisions.”

DIRECTOR COMMENTS: The recommended policy revisions address a number of outstanding issues in the draft new Policy Statement.

1 PURPOSE: The purpose of this request for decision (RFD) is to provide Trust Programs Committee (TPC) with several recommended policy revisions, additions and deletions to the draft new Policy Statement.

2 BACKGROUND:

These recommendations are brought forward by staff initiative. They are based on recent review of the document by planning staff and that address issues identified earlier in the development of the draft policy statement but have not yet been addressed.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: None

FINANCIAL: None

POLICY: None

IMPLEMENTATION/COMMUNICATIONS: Staff will incorporate revisions into the draft new Policy Statement as directed by TPC.

FIRST NATIONS RELATIONS: The recommended revision with reference to Indigenous Governing Bodies in the implementation section and the revision regarding Aboriginal rights, address issues raised by Indigenous Governing Bodies in earlier phases of engagement.

OTHER: None

4 RELEVANT POLICY(S): None

5 ATTACHMENT(S):

1) Appendix 1: Proposed Bylaw Revisions for Bylaw No. 183

RESPONSE OPTIONS

Recommendation: That Trust Programs Committee revise the draft new Policy Statement in accordance with the recommendations in Appendix 1 of the request for decision titled “Policy Statement Amendment Project (PSAP) – Additional Policy Revisions.”

Alternative: Staff will revise the draft new Policy Statement in accordance with TPC direction.

Prepared By: Jason Youmans, Senior Policy Advisor

Reviewed By/Date: Clare Frater, Director, Trust Area Services/May 27, 2025

BYLAW NO. 183 – PROPOSED BYLAW REVISIONS

Policy Revisions

Recommendation: That Trust Programs Committee recommend Trust Council revise draft new Policy Statement policy 3.4.2 as follows:

Growth Management

Manage community growth and its associated impacts by directing residential, commercial and industrial development into suitable locations to prevent sprawl, minimize fragmentation of forest lands, and avoid adverse impacts to Indigenous cultural heritage, harvesting and hunting areas. ~~relieve growth pressures in the surrounding rural areas, and to help safeguard protected area networks.~~

Rationale: This change was recommended following review of the draft Policy Statement by planning staff on the basis that the current wording is too urban/suburban, and does not reflect the Islands Trust planning context, and is more consistent with the policy framework provided through the draft new Policy Statement.

New Policies

Recommendation: That Trust Programs Committee revise the draft new Policy Statement to introduce a new marine shorelands directive policy 3.5.22 as follows:

Marine Structures

Limit or prohibit the construction or installation of breakwaters, groynes, rock weirs and jetties in marine areas that are not zoned for group wharfage, marine commercial or industrial use, or ferry terminals.

Rationale: The absence of policy regarding breakwaters and other marine structures was noted.

Implications: If limited or prohibited, marine areas that are not zoned for group wharfage, marine commercial or industrial use, or ferry terminals, would require rezoning to permit the referenced structures.

Policies to Delete

Recommendation: That Trust Programs Committee revise the draft new Policy Statement by deleting recreation policy 3.4.21 as follows:

Access to Recreational Facilities

Identify appropriate locations, types, and safe public access to recreational facilities.

Rationale: Staff review suggests that the topic of this policy is sufficiently addressed in recreation policy 3.4.20 which says:

Location and Types of Recreational Facilities

Identify appropriate locations and types of facilities for low-impact and active recreational activities, and discourage high-impact activities that may adversely impact the preservation and protection of the Trust Area and its unique amenities and environment.

Part of the consideration of what makes a site “appropriate” for recreation facilities will be the extent to which safe public access can be provided.

Additional sub-section in Policy Statement Implementation/Reconciliation

Recommendation: That Trust Programs Committee revise the draft new Policy Statement by adding a new sub-section to Section 4.1 – Policy Statement Implementation as follows:

Implementing Reconciliation

The main mechanism by which Islands Trust Council’s commitment to Reconciliation will be implemented through the Policy Statement is the requirement for local trust committees and island municipalities to engage Indigenous Governing Bodies on official community plan and land use bylaw amendments set out in Directive Policy 3.1.1.

Additionally, the Policy Statement advises local trust committees and island municipalities to engage with Indigenous Governing Bodies on discretionary planning and land use management decisions, and on topics that need engagement with Indigenous Governing Bodies in order to be effectively addressed.

Rationale: In their review of the draft new Policy Statement, several Indigenous Governing Bodies noted the absence of reference to Indigenous Governing Bodies or Indigenous Peoples in the implementation section of the draft document. The proposed wording above attempts to address this gap.

Aboriginal Title

Recommendation: That Trust Programs Committee revise the draft new Policy Statement by revising sub-section 1.3 – Indigenous Inherent Rights Acknowledgement as follows:

1.3 – Indigenous Inherent Rights Acknowledgement

*Islands Trust Council respectfully acknowledges Indigenous inherent rights as protected under section 35 of the Constitution Act, 1982. Islands Trust Council respectfully acknowledges Indigenous rights to self-governance and the expressed interest of Indigenous Governing Bodies in working toward co-governance of the Islands Trust Area. **Islands Trust Council is committed to advancing reconciliation with Indigenous Governing Bodies through ongoing discussion and recognition of these rights.***

Given the Declaration on the Rights of Indigenous Peoples Act and the evolving legislative landscape in British Columbia, this bylaw serves as a starting point for improved cooperation with Indigenous Governing Bodies. Islands Trust Council commits to an ongoing effort to co-develop planning and land use management processes with Indigenous Governing Bodies within the Islands Trust Area and acknowledges that this document does not serve as an endpoint. Islands Trust Council will be informed by the United Nations Declaration on the Rights of Indigenous Peoples as a framework for its approach to reconciliation.

Rationale: In their review of the draft new Policy Statement, several Indigenous Governing Bodies requested that the document acknowledge not just Aboriginal rights, but Aboriginal title as well. Staff understand that the Aboriginal rights to which Section 35 of the *Constitution Act* refers are inclusive of title, and as such it is captured in the existing wording. Nonetheless, staff *do* recommend affirming recognition of these rights as proposed in red text above.



REQUEST FOR DECISION

To: Trust Programs Committee **For the Meeting of:** May 7, 2025
From: Trust Area Services **Date Prepared:** May 1, 2025
SUBJECT: Policy Statement Amendment Project – Part 4: Implementation

RECOMMENDATION: That Trust Programs Committee revise Part 4: Implementation of the draft Policy Statement in accordance with Appendix 2 of the Request For Decision titled “Policy Statement Amendment Project – Part 4: Implementation” in the Trust Programs Committee agenda of May 7, 2025.

DIRECTOR COMMENTS: The proposed revisions to Part 4: Implementation in Appendix 2 will lead, if Trust Council chooses, to the development of a Policy Statement Implementation Plan. Depending on its content, this plan may have significant impacts on many aspects of the Islands Trust’s work, including the Trust Council Strategic Plan, annual budgeting process and Council committee and local trust committee work programs.

- 1 **PURPOSE:** The purpose of this request for decision is to provide suggested revisions to the draft Policy Statement to address Trust Programs Committee resolutions regarding Part 4: Implementation.
- 2 **BACKGROUND:** At its meeting of April 2, 2025, Trust Programs Committee (TPC) passed the following resolution:

TPC-2025-018

That Trust Programs Committee request staff to provide an analysis and potential amendments to draft Policy Statement Section 4.1 – Policy Statement Implementation, to require development of a Policy Statement Implementation Plan that includes, but is not limited to:

- *Context statements similar to those used in Regional Growth Strategies;*
- *An updated directives only checklist;*
- *Implementation agreements with other levels of government and agencies;*
- *Targets and a monitoring program to assess Policy Statement implementation;*
- *A program to update Trust Area Official Community Plans to bring them into alignment with the new Policy Statement.*

At the April 29, 2025 TPC meeting there was also discussion about moving the section titled “Organizational Policy Alignment” above the section titled “Statutory Bylaw Approval Process.” Staff have done so in the suggested revisions shown in Appendix 2.

3 IMPLICATIONS OF RECOMMENDATION

ORGANIZATIONAL: Organizational implications of a Policy Statement Implementation Plan will depend on the plan's contents. The existence of an implementation plan will support better proactive planning for activities and resources.

FINANCIAL: None. Future financial implications of a Policy Statement Implementation Plan will depend on the plan's contents.

POLICY: Will result in proposed amendments to the draft new Policy Statement. Longer term, will influence changes to [Trust Council's Policy Statement Implementation Policy](#).

IMPLEMENTATION/COMMUNICATIONS: Staff will provide the recommended amendments in the new draft Policy Statement via track changes for Trust Council review. Staff have been having discussions and making plans for implementation of the new Policy Statement and this work will continue through the amendment process, resulting in future recommendations to Trust Council. Communications implications of a Policy Statement Implementation Plan will depend on the plan's contents.

FIRST NATIONS RELATIONS: First Nations relations implications of a Policy Statement Implementation Plan will depend on the plan's contents.

OTHER: None

4 RELEVANT POLICY(S):

[TC Policy 1.2.1 \(Policy Statement Amendment\)](#)

[TC Policy 1.3.1 \(Policy Statement Implementation\)](#)

5 ATTACHMENT(S):

Appendix 1: Implementation Policy Options and Analysis

Appendix 2: Recommended revisions to Part 4: Implementation

RESPONSE OPTIONS

Recommendation: That Trust Programs Committee revise Part 4: Implementation of the draft Policy Statement in accordance with Appendix 2 of the Request For Decision titled "Policy Statement Amendment Project – Part 4: Implementation" in the Trust Programs Committee agenda of May 7, 2025.

Alternative: TPC can propose alternative revisions to Part 4: Implementation of the draft Policy Statement.

Prepared By: Jason Youmans, Senior Policy Advisor

Reviewed By/Date: Clare Frater, Director, Trust Area Services/May 2, 2025

Implementation Policy Options and Analysis

The table below addresses a resolution made by Trust Programs Committee at its meeting of April 2, 2025 requesting staff to provide the following information:

TPC-2025-018

That Trust Programs Committee request staff to provide an analysis and potential amendments to draft Policy Statement Section 4.1 – Policy Statement Implementation, to require development of a Policy Statement Implementation Plan that includes, but is not limited to:

- ***Context statements similar to those used in Regional Growth Strategies;***
- ***An updated directives only checklist;***
- ***Implementation agreements with other levels of government and agencies;***
- ***Targets and a monitoring program to assess Policy Statement implementation;***
- ***A program to update Trust Area Official Community Plans to bring them into alignment with the new Policy Statement.***

Staff will address each of the above bullets in turn, but are generally supportive that the Policy Statement should contain direction to develop an Implementation Plan. The actual content of such a plan will emerge from discussions by Trust Council supplemented by staff advice. At this stage staff recommend that the draft new Policy Statement identify prospective options for what it *could* contain, not what it *must*. See Appendix 2 of this report for proposed revisions to Part 4 – Implementation of the new draft Policy Statement.

1. Context statements similar to those used in Regional Growth Strategies;

Analysis: Where a regional growth strategy (RGS) applies, [Section 446](#) of the *Local Government Act* requires all local governments under that RGS to submit, for approval to the regional district board, a context statement that details how that local government's official community plan (OCP) is consistent with the RGS. These context statements are included as a schedule to the OCP. Often, these context statements allow local governments to provide a narrative description of how their OCPs align with the RGS and in doing so can include nuance that would not be captured in a simple checklist.

Examples of context statement assessments from municipal OCPs can be found here:

- [City of Courtenay](#)
- [Village of Belcarra](#)
- [City of Victoria](#)

The Islands Trust Act does not require local trust committees or island municipalities to produce context statements as a schedule to their OCP.

Staff understand that this request for policy advice relates to the bylaw approval function of Executive Committee (EC) and how that body adjudicates whether LTC bylaws and IM official community plan bylaws are contrary to or at variance with the Policy Statement. Currently, this assessment is made using the Policy Statement Directives Only Checklist. Staff understand that there may be an interest among some trustees for a more narrative approach to describing Policy Statement consistency, similar to context statements.

The benefit of a more narrative form of Policy Statement consistency checklist is that it would enable an LTC/IM to provide greater detail or explanation if there are bylaws whose consistency with the Policy Statement is unclear. Bowen Island Municipality has already adapted the existing Islands Trust directives only checklist to provide narrative details where it feels such additional information would benefit Executive Committee's consideration.

There will need to be consideration of providing both staff assessment regarding consistency as well as LTC/Municipal Council advice (in the event they differ).

It should also be noted that regardless of the length or level of detail in an LTC/IM's evaluation of its bylaw's consistency with the Policy Statement, the decision about whether it is contrary to or at variance with the Policy Statement is a political decision of EC.

Staff support the introduction of a narrative component to the Directives Only Checklist (to be renamed at a future date) similar to RGS context statements and have begun work developing a framework for such. In the meantime, see Appendix 2 of this report for proposed revisions to Part 4 of the draft Policy Statement directing development of an Implementation Plan. Staff's proposed language regarding this item does not reference context statements or a narrative option, but rather just says that an assessment tool may be developed.

Recommendation: See Appendix 2 of this report for proposed revisions to Part 4 of the draft Policy Statement that direct staff to develop a Policy Statement implementation Plan that includes an updated Policy Statement consistency assessment.

Implications: The opportunity to provide narrative explanations of Policy Statement consistency will enable LTCs and island municipalities to formulate more detailed rationale for their policy and regulatory decisions. It will not, however, prevent Executive Committee from finding that a bylaw is not contrary to or at variance with the Policy Statement, regardless of the narrative description provided.

2. An updated directives only checklist;

Analysis: In accordance with the direction proposed in 1 above, staff intend to propose updates to the [Policy Statement Implementation Policy](#) to include a revised tool for Policy Statement consistency assessment . Such an assessment tool may include the five proposed

objectives of the new Policy Statement, as well as each new directive policy. It could include space for narrative explanations.

Recommendation: See Appendix 2 of this report for proposed revisions to Part 4 of the draft new Policy Statement that state that Trust Council should develop a plan for implementing the Policy Statement which could guide development of an assessment tool to determine whether local trust committee and island municipality bylaws are contrary to or at variance with the Policy Statement.

Implications: Some implications of a tool that includes narrative explanations, which could replace the Directives only Checklist, are as follows:

- EC may be better able to evaluate if a bylaw is contrary to or at variance with the PS, when judgement must be applied. If the new Policy Statement follows this statement in the draft, *“All of the policies contained within the Policy Statement are interconnected and interrelate to each other in multiple ways. Therefore, the document should always be considered in its entirety to interpret its intended meaning and vision”*, then a bylaw being at variance with a sole policy may not preclude EC approval.
- A court of law would also have a document to reference to assess the reasonableness of the decision.

3. Implementation agreements with other levels of government and agencies;

Analysis: A Policy Statement implementation plan can include direction to develop/amend implementation coordination agreements with other levels of government, Indigenous Governing Bodies and agencies. However, Islands Trust’s ability to enter into such agreements is contingent on there being a willing partner on the other side of the agreement, and just establishing interest in that will take time. Staff suggest that a Policy Statement implementation plan could set out a hierarchy of bodies with whom implementation coordination agreements are desirable and Islands Trust’s objectives for such agreements.

Recommendation: See Appendix 2 of this report for proposed revisions to Part 4 of the draft new Policy Statement that state that Trust Council should develop a plan for implementing the Policy Statement which could set out a program to review whether changes are needed to existing Trust Council agreements, or if new agreements are needed, to implement the Policy Statement.

Implications: The implications of advancing implementation coordination agreements through a Policy Statement Implementation Plan are twofold:

- staff would have to be assigned to pursue such agreements, along with committee/Council time to discuss their content, and
- both parties to the agreement would be expected to honour any commitments made therein.

4. Targets and a monitoring program to assess Policy Statement implementation;

Analysis: [Section 452\(1\)](#) of the Local Government Act requires regional districts to establish a monitoring program and report on their progress toward achieving the objectives and actions of their regional growth strategies. Examples of this can be found here:

- [Nanaimo Regional District](#)
- [Capital Regional District](#)

Staff find that it would be appropriate for implementation of the Policy Statement to be measured against such a suite of indicators.

Under the current project timeline it is unlikely that staff can develop, and Trust Council can discuss, revise and endorse, a set of indicators and targets for inclusion in the actual Policy Statement bylaw ahead of First Reading. As such, these indicators would have to live outside of the Policy Statement, possibly as an appendix to the [Policy Statement Implementation Policy](#). This may actually be preferable, as indicators and targets may need to be adjusted if they are found to be difficult to measure or otherwise problematic, and this is easier to do outside of a bylaw that requires ministerial approval to amend. The annual report could be a method by which Trust Council reports on progress towards targets or about monitoring indicators.

Staff also note that Trust Council has committed to the development of ecosystem health indicators as part of its [2025-2028 Strategic Plan](#), and staff have not yet considered how these might intersect and overlap with Policy Statement implementation indicators.

Recommendation: See Appendix 2 of this report for proposed revisions to Part 4 of the draft Policy Statement that state that Trust Council should develop a plan for implementing the Policy Statement which could establish targets and indicators with which Trust Council can monitor and evaluate implementation of the Policy Statement.

Implications: The implications of creating a suite of monitoring indicators for the Policy Statement is that staff would need to be assigned to the development, monitoring and reporting of outcomes, and there would need to be sufficient budget allocated.

5. A program to update Trust Area Official Community Plans to bring them into alignment with the new Policy Statement.

Analysis: Staff have considered whether Trust Council should undertake a program to cycle through the Trust Area's OCPs on a multi-year timeline and update them to align with the new Policy Statement. Staff ultimately concluded that experience shows that LTCs do not respond positively to having their major planning projects dictated to them by Trust Council. As such, staff recommend that LTCs and IMs bring their OCPs into full alignment with the Policy Statement in their own time, recognizing, however, that any OCP updates – small or large – undertaken following adoption of the new Policy Statement would need to be consistent with it.

In the absence of a plan-by-plan update program, Trust Council can nonetheless support LTC/IM implementation of the Policy Statement by prioritizing federation-wide projects that will

provide the information that LTCs will need to make appropriate OCP/LUB updates when the time comes. For example, the draft Policy Statement commits LTCs/IMs to “identify and protect” a number of important ecological and/or community values. The work of “identifying” these assets could be undertaken as federation-wide mapping initiatives under the Strategic Plan. Such a federation-wide approach could also be applied to learning more about sites of significance to Indigenous communities.

Alternatively, Trust Council could decide to only fund LTC projects that advance Policy Statement implementation, even if those projects don’t bring the subject island’s OCP into full alignment with the Policy Statement. An example of such a project would be one whereby an LTC decides that it wants to explore a new development permit area for the protection of Coastal Oak and Prairie Ecosystems. Identification and protection of these ecosystems is a directive policy in the new draft Policy Statement, so Trust Council *should* prioritize funding that LTC project.

Regardless, Trust Council *can* mandate a structured program to update all LTC OCPs to bring them into alignment with the Policy Statement. It would do this through its disbursement of LTC project budgets and can, through its Strategic Plan, indicate that Policy Statement OCP alignment projects would be the only major projects that would receive funding. Conversely, OCP alignment projects could be a separate project stream of Trust Council, with one or two done every year, alongside non-Policy Statement major projects on other islands. This term, RPC reviewed and assessed existing OCPs and ranked them for update priority, largely based on their age. This work could be re-purposed to inform a schedule of updates to bring them into Policy Statement alignment.

Recommendation: See Appendix 2 of this report for proposed revisions to Part 4 of the draft Policy Statement that state that Trust Council should develop a plan for implementing the Policy Statement which could set a timeline for official community plans and regulatory bylaw amendments to bring them into compliance with the amended Policy Statement.

Implications: The implication of including an OCP alignment program in a Policy Statement Implementation Plan will be that Trust Council will then be expected to carry out that program. The real challenge will come in Trust Council’s deliberations about the format that program should take. Options for Trust Council include:

- Business-as-usual: allowing LTCs/IMs to bring OCPs into Policy Statement alignment in their own time
- Influencing the update of OCPs and creating a hierarchy of priority for updates by developing a financial plan/making budget decisions that:
 - Only fund major projects that bring OCPs in full Policy Statement alignment
 - Only fund major projects that advance one or more directive policies
- Funding federation-wide initiatives that advance Policy Statement implementation on behalf of all LTCs/IMs (such as scientific or mapping work)

In the 1990s, after the last adoption of the Policy Statement, Islands Trust Council secured funding from the Province to assist with updating OCPs. Grant requests could be made of the Province and other granting agencies for activities that implement a new Policy Statement.

Part 4: Implementation

4.1 – Policy Statement Implementation

Organizational Policy Alignment

Section 15 of the Islands Trust Act requires that Trust Council must, by bylaw, adopt a trust policy statement that applies to the Trust Area, and that this Policy Statement must be a general statement of the policies of the Trust Council to carry out the object of the Trust.

Section 4(1) of the Islands Trust Act confirms that the Trust Council, Executive Committee, local trust committees and Islands Trust Conservancy are continued for the purpose of carrying out the object of the Trust.

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

Statutory Bylaw Approval Process:

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

~~**Executive Committee Approval:** Under Section 15(4) of the *Islands Trust Act*, bylaws submitted to the Executive Committee must not be approved by the Executive Committee, or Trust Council, if they are contrary to or at variance with the Islands Trust Policy Statement.~~

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

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

~~**Executive Committee Approval:** Under Section 15(4) of the *Islands Trust Act*, bylaws submitted to the Executive Committee must not be approved by the Executive Committee, or Trust Council, if they are contrary to or at variance with the Islands Trust Policy Statement.~~

Organizational Policy Alignment:

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

Policy Statement Implementation Plan

Prior to, or following the adoption of a new Policy Statement, or amendments to it, Trust Council should develop a plan to implement the Policy Statement. Execution of the Implementation Plan may inform the content of, or revisions to, the following documents:

- The Trust Council Strategic Plan
- The Trust Council Annual Budget
- The Policy Statement Implementation Policy
- Local Trust Committee and Island Municipality workplans
- Other documents as applicable

The Policy Statement Implementation Plan may guide the development of:

- a timeline to bring official community plans and land use bylaws into alignment with the Policy Statement
- a revised assessment tool that Executive Committee and Trust Council can use to assess whether local trust committee and island municipality bylaws are contrary to or at variance with the Policy Statement
- targets and indicators with which Trust Council can monitor and evaluate implementation of the Policy Statement
- annual monitoring and reporting activities
- changes to existing Trust Council policies, or new policies, to implement the Policy Statement
- changes to existing Trust Council agreements, or new agreements, with other levels of government, agencies, and Indigenous Governing Bodies, to implement the Policy Statement
- communications regarding Policy Statement implementation
- other implementation actions as applicable

Monitoring and Evaluation:

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

4.2 – Policy Statement Amendments

Policy Statement Amendment Projects:

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

Communications, Engagement, and Referrals:

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

Legislative Process:

Adoption of a Policy Statement amendment bylaw occurs only after Trust Council has undertaken four readings of the proposed Policy Statement bylaw and received approval by the Minister responsible for Islands Trust. Policy Statement amendment bylaws become effective upon date of adoption and are not retroactive.

~~Implementation of Policy Statement Amendments:~~

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

IMPLEMENTATION/COMMUNICATIONS: Staff will forward the approved work program to Trust Council.

FIRST NATIONS: None.

OTHER: None.

4 RELEVANT POLICY: [Trust Council policy on Work Program, FUAL and Priorities Matrix \(6.7.1\).](#)

5 ATTACHMENTS:

1. Current TPC Work Program – Active Projects
2. Current TPC Work Program – Future Projects
3. Proposed TPC Work Program – Future Projects

RESPONSE OPTIONS

Recommendation:

That Trust Programs Committee (TPC) approve the proposed Work Program report as [presented/ amended], and forward it to Trust Council for approval.

Alternative: Approve the proposed work program with amendments.

Prepared By: Robert Barlow, Legislative Services Clerk

Reviewed By/Date: Clare Frater, Director, Trust Area Services, May 2, 2025

Active Projects Report

Trust Programs Committee

1. Secretariat Role to Forums within the Trust Area

Activity:	Responsible	Dates
Administer Secretariat Services program in accordance with Secretariat Services Policy.	Chloe Straw Clare Frater	Rec'd: 15-Apr-2025 Target: 31-Mar-2026

2. Stewardship Education Program

Activity:	Responsible	Dates
Develop and implement a stewardship education activities in accordance with approved 2025/26 business case.	Clare Frater Morgana van Niekerk	Rec'd: 12-Mar-2025 Target: 31-Mar-2025

3. Trust Council Policy 1.2.1 (Policy Statement Amendment)

Activity:	Responsible	Dates
Review of the Policy with the view of making recommendations to Trust Council for amendments if required.	Clare Frater Jason Youmans	Rec'd: 04-Nov-2024 Target: 30-Jul-2025



Future Projects Report

Trust Programs Committee

1. <i>Update Crown Land Agreements</i>	Responsible	Date Received
Implement Crown Land Protocol project charter V2 and engage Bowen Island Municipality and the Province of B.C. in updating and consolidating existing agreements about Crown land into one agreement.	Clare Frater	19-Jun-2014
2. <i>Community Benefit Land Trust Concept</i>	Responsible	Date Received
Further consideration of the Community Benefit Land Trust Concept briefing presented to TPC on February 5, 2021.	Clare Frater	05-Feb-2021
3. <i>Community Stewardship Awards Program</i>	Responsible	Date Received
Trust Council Policy 2.1.11 Administration of Community Stewardship Awards Program states: Islands Trust Programs Committee of Trust Council is responsible for initiating Islands Trust Community Stewardship Awards Program in February in the final year of each term.	Clare Frater	02-Dec-2021



Future Projects Report

Trust Programs Committee

1. <i>Consider Community Benefit Land Trust concept for Islands Trust (Strategic Plan initiative 2.3.1)</i>	Responsible	Date Received
<p>Initiation timeline: To be determined. (Should include further consideration of the Community Benefit Land Trust Concept briefing presented to TPC on February 5, 2021.)</p>	Clare Frater	12-Mar-2025
2. <i>Implement Community Stewardship Awards Program</i>	Responsible	Date Received
<p>Staff will initiate in February 2026.</p> <p>2.1.11 Administration of Community Stewardship Awards Program Policy states: Islands Trust Programs Committee of Trust Council is responsible for initiating Islands Trust Community Stewardship Awards Program in February in the final year of each term.</p>	Clare Frater	02-Dec-2021
3. <i>Review all Trust Council policies, and where appropriate, amend, combine or rescind (Strategic Plan initiative 1.2.5)</i>	Responsible	Date Received
<p>TPC related policies to be reviewed this term of office (by October 2026):</p> <ul style="list-style-type: none"> 1.2.1 Policy Statement Amendment Policy 2.1.11 Administration of the Community Stewardship Awards Program Policy 2.1.15 Secretariat Services Policy <p>Initiation timeline: TPC has already requested amendments to policy 1.2.1. Project charters to amend policies 2.1.11 and 2.1.15 in 2026/27 will be initiated in 2026.</p>	Clare Frater	12-Mar-2025

Future Projects Report

Trust Programs Committee

<p>4. <i>Work with other agencies to facilitate data gathering / share in the development of environmental indicators (Strategic Plan initiative 2.1.1)</i></p>	<p>Responsible</p>	<p>Date Received</p>
<p>Initiation timeline: To be determined.</p>	<p>Clare Frater</p>	<p>12-Mar-2025</p>
<p>5. <i>Identify indicators of ecosystem health and integrity (Strategic Plan initiative 3.2.1)</i></p>	<p>Responsible</p>	<p>Date Received</p>
<p>Business case for funding due by September 2025. Project plan required for implementation in 2026/27.</p>	<p>Clare Frater</p>	<p>12-Mar-2025</p>
<p>6. <i>Update the State of the Islands Report (Strategic Plan initiative 3.2.2)</i></p>	<p>Responsible</p>	<p>Date Received</p>
<p>Business case for funding due by September 2025. Project plan required for implementation in 2026/27.</p>	<p>Clare Frater</p>	<p>12-Mar-2025</p>
<p>7. <i>Develop a shared inter-agency ecosystem health indicator toolkit for citizen groups, conservancies, and other agencies (Strategic Plan initiative 3.2.3)</i></p>	<p>Responsible</p>	<p>Date Received</p>
<p>Initiation timeline: To be determined</p>	<p>Clare Frater</p>	<p>12-Mar-2025</p>
<p>8. <i>Develop a climate action strategy, set baseline data and targets (Strategic Plan initiative 4.1.1)</i></p>	<p>Responsible</p>	<p>Date Received</p>
<p>Initiation timeline: To be determined</p>	<p>Clare Frater</p>	<p>12-Mar-2025</p>

Future Projects Report

Trust Programs Committee

<p>9. Partner with agencies and others to share climate data (Strategic Plan initiative 4.1.2)</p>	<p>Responsible</p>	<p>Date Received</p>
<p>Project plan required for implementation in 2026/27. No anticipated funding request.</p>	<p>Clare Frater</p>	<p>12-Mar-2025</p>
<p>10. Design and implement a climate action education plan (Strategic Plan initiative 4.2.1)</p>	<p>Responsible</p>	<p>Date Received</p>
<p>Business case for funding due by September 2025. Project plan required for implementation in 2026/27.</p>	<p>Clare Frater</p>	<p>12-Mar-2025</p>
<p>11. Implement activities assigned by the future Reconciliation Action Plan (2025-2028) implementation plan (To be assigned by TC) (Strategic Plan Initiative 5.1.5)</p>	<p>Responsible</p>	<p>Date Received</p>
<p>To be determined. Staff is drafting new Reconciliation Action Plan and associated implementation plan for Trust Council approval.</p>		
<p>12. Implement activities assigned by the Freshwater Sustainability Strategy (2022-2032) implementation plan (To be assigned by TC) (Strategic Plan Initiative 2.1.3)</p>	<p>Responsible</p>	<p>Date Received</p>
<p>To be determined. Regional Planning Committee is developing a Freshwater Sustainability Strategy Implementation Plan for Trust Council approval.</p>	<p>Clare Frater</p>	
<p>13. Recommend updates to Crown Land Agreements</p>	<p>Responsible</p>	<p>Date Received</p>

Future Projects Report

Trust Programs Committee

Implement Crown Land Protocol project charter V2 and engage Bowen Island Municipality and the Province of B.C. in updating and consolidating existing agreements about Crown land into one agreement.

Clare Frater

07-May-2025

Strategic Plan Initiative 1.2.7: Review all Trust Council and local trust committee agreements and where appropriate, amend, combine or rescind is assigned to EC. On April 23, 2025, Executive Committee requested staff forward April 23, 2025 and February 26th, 2025 briefings on Crown tenure application referrals to Trust Programs Committee for consideration for updating protocols and letters of understanding with the Crown.
