



## Trust Programs Committee Minutes of a Special Meeting

**Date:** July 8, 2022  
**Location:** Regional District of Nanaimo  
6300 Hammond Bay Road, Nanaimo, BC

**Members Present:** Deb Morrison, North Pender Island Local Trustee (Chair)  
Timothy Peterson, Lasqueti Island Local Trustee (Vice Chair)  
Paul Brent, Saturna Island Local Trustee (by teleconference)  
Scott Colbourne, Gabriola Island Local Trustee (by teleconference)  
David Critchley, Denman Island Local Trustee  
Doug Fenton, Thetis Island Local Trustee  
Kees Langereis, Gabriola Island Local Trustee  
Benjamin McConchie, North Pender Island Local Trustee  
Dan Rogers, Gambier Island Local Trustee (EC Representative)  
Grant Scott, Hornby Island Local Trustee (by teleconference)  
Steve Wright, South Pender Island Local Trustee  
Peter Luckham, Islands Trust Council Chair (Ex Officio)

**Members Regrets:** Michael Kaile, Bowen Island Municipal Trustee

**Staff Present:** Clare Frater, Director, Trust Area Services  
Dilani Hippola, Senior Policy Advisor  
Robert Barlow, Legislative Services Clerk/Recorder

**Others Present:** No member of the public was present.

### 1. CALL TO ORDER

The meeting was called to order at 9:00 a.m. Chair Morrison acknowledged that participants of the meeting were on the traditional and treaty territories of the Snuneymuxw, Snaw-naw-as, and Stz'uminus First Nations. It was noted that the meeting was not being recorded or livestreamed because of technical issues at the meeting location.

### 2. AGENDA

#### 2.1 New Items and Re-Ordering of the Agenda

- 5.3 Correspondence from Alix Hodson-Deggan dated June 18, 2022 – provided by Committee members during the meeting

#### 2.2 Approval of Agenda

**By general consent** the agenda was approved as presented.

**3. PUBLIC COMMENT PERIOD**

No member of the public was present.

**4. DELEGATIONS**

None

**5. CORRESPONDENCE**

**5.1 June 3, 2022 - Alix Hodson-Deggan**

Referred from Executive Committee. Received for information.

**5.2 June 6, 2022 - Patricia Mertz**

Referred from Executive Committee. Received for information.

**5.3 June 18, 2022 - Alix Hodson-Deggan**

Received as a late item for information.

**6. ADMINISTRATIVE COORDINATION**

**6.1 Draft Minutes of Previous Meeting**

6.1.1 Trust Programs Committee minutes of May 13, 2022

**By general consent** the minutes were approved.

**6.2 Resolutions Without Meeting**

6.2.1. RWM 2022-01 - Set Special Meeting of July 8, 2022

Provided for information.

**6.3 FUAL**

To be reviewed at the next scheduled meeting.

**7. BUSINESS - WORK PROGRAM ITEMS**

**7.1 Policy Statement Amendment Project - Next Steps – Briefing**

Director Frater introduced the briefing, indicating that the purpose was to provide the Committee with recent engagement feedback from First Nations, referral agencies, and

**ADOPTED**

the public, and resolutions passed by Trust Council in June, 2022, to assist the Committee in developing recommendations for further amendments to the draft new Policy Statement Bylaw No. 183, for Trust Council to consider in September 2022.

Committee discussion included:

- an acknowledgement that first reading of a proposed Policy Statement Bylaw will not occur during this term of office
- a desire to do more regular reviews of the Policy Statement

The Committee discussion was organized around three categories of preliminary suggestions for amendments as indicated in the Session Outline: structure, content amendments and additional content development.

**Structure**

Committee discussion about structure included:

- whether the history and introduction should be part of the bylaw
- whether to remove or simplify advocacy/coordination policies within the bylaw, recognizing the need to highlight coordination mandate outlined in the Act
- detailed advocacy actions would be better placed in a separate advocacy strategy each term, related to strategic plan
- directive policies should be grouped together, with greater clarity on how to implement at local level
- remove or simplify Commitments of Trust Council as more general overarching guiding principles
- add new category of suggested / recommended policies for local trust committees and island municipalities to consider
- provide rationale or justification for directive policies within the Policy Statement or in a companion document
- the glossary should be part of the bylaw, as an appendix
- it is worth exploring whether the Policy Statement Implementation Policy should be part of the bylaw

Trustee Brent left the meeting at 10:00 a.m.

- there is a need to clarify whether other agencies are bound by the *Islands Trust Act* to engage and coordinate with Islands Trust
- while the document should be written in plain language it should not lose the detail needed to provide clear direction to decision-makers
- consider seeking professional plain language editorial services

The meeting recessed at 10:32 a.m. and resumed at 10:43 a.m.

Trustee Brent rejoined the meeting at 10:45 a.m.

**Content Amendments**

Committee discussion about content amendments included:

*First Nations and Reconciliation*

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## ADOPTED

- need to heed feedback from some Nations that they must be involved at earliest stages of conception and development of Policy Statement
- need to incorporate commitments to Declaration on the Rights of Indigenous Peoples Act (DRIPA), including aligning decision making with DRIPA principles
- some terms have specific definitions in DRIPA
- need for policies to require engagement with First Nations
- need for stronger language around First Nations' constitutional rights (i.e. access to culturally significant areas and healthy ecosystems, food security)
- need for stronger language around engaging with First Nations on cultural sites
- need for more detail on First Nations co-governance interests and collaborative frameworks
- changes needed to *Islands Trust Act* to support reconciliation and sharing of authority

### *Docks*

- the Province also holds responsibility for docks
- cumulative impact concepts are important and valuable in discussing docks but there are different worldviews to consider; need to have collaborative approaches with Nations
- requiring rezonings for docks may be a better than a ban
- promoting community docks rather than private docks is of value
- “preserving and protecting” includes aesthetic views of the islands and public access to the shore
- docks can obstruct beach access and moorage
- dock rezoning is a local trust committee and island municipality authority, not a Trust Council authority, but that doesn't preclude over-arching responsibility of Trust Council
- need to consider First Nations interests and feedback on this issue and ensure adequate engagement
- consider DRIPA requirements for “consent” – how to uphold amidst current legislative constraints; also need to uphold existing Constitutional rights

### *Agriculture*

- support for agriculture is important and complicated
- not talking about no farming, but need to acknowledge potential harms and climate considerations, and promote sustainable, regenerative approaches
- BC environmental farm plan is a good roadmap to safe farming
- need to follow through on what Nations are telling us, to better understand the implications of historic settler land uses on First Nations territories and rights

The meeting recessed at 12:04 p.m. and resumed at 12:39 p.m.

Trustee Scott left the meeting at 12:04 p.m.

### *Jurisdictional authority over tree cutting*

- Trust Council has already asked for tree cutting authority and an advocacy policy does not need to be in the Policy Statement

ADOPTED

- policies about forest cover protection are important and already in current and draft Trust Policy Statement
- need policies or tools to protect Garry oak ecosystems and other special 'trees of interest', such as very large or old trees
- asking local trust committees to develop forest management plans can't be included as LTCs don't have that authority; broader forest protection projects could be undertaken at the Trust Council strategic plan level
- there is little public understanding that if local trust committees are eventually given tree cutting powers in the Islands Trust Act, local trust committees could then choose whether to develop tree cutting regulations and local engagement would occur

*Appropriate floor area and lot coverage limits for residential development*

- impact of larger homes on climate change and rural character is substantial
- if the Policy Statement is silent on a particular topic, that may create problems of interpretation
- if policy is included needs to allow for local flexibility
- some islands may not have an issue with limits
- floor area and lot coverage can already be addressed by local trust committees
- keep the policy and emphasize local flexibility/customization

Trustee Brent left the meeting at 1:52 p.m.

The meeting recessed at 2:00 p.m. and resumed at 2:09 p.m.

*Mitigating impacts of seawalls and encouraging the use of soft shoreline approaches*

- instead of a ban the policy could indicate that seawalls or hard shoreline armoring require a permit/variance
- The science of Green Shores methods is available and clear, but there are concerns that hard armoring might be needed in some exceptional cases
- Any kind of hard armoring is affecting the natural process; erosion is a natural process
- Check on requirements that would trigger a variance

*New desalination plants*

- it was noted that the Trust Council resolution is to remove the draft directive policy to prohibit new desalination plants
- language could remain to suggest local trust committees consider dealing with impact of desalination plants
- Fisheries and Oceans Canada and the Province of British Columbia require a permit process to review proposals for new desalination plants
- federal and provincial staff indicate that they don't receive applications despite the fact that some residents in the local trust area do establish desalination plants

*Prioritizing advocacy for affordable housing for Indigenous people*

- Indigenous peoples were displaced as a result of colonial practices

ADOPTED

- where there are affordable housing projects, part of those projects could include support for Indigenous needs
- this particular topic is part of the broader reconciliation work but may not fit within the Policy Statement as coordination policies will be removed
- need to learn more about what levers are at our disposal to require LTCs to prioritize Indigenous interests; what are the constraints and opportunities?

Trustee Scott left the meeting at 2:44 p.m. due to technical difficulties.

*Postponing the deferred referrals to local trust committees until next term*

**By general consent** the agenda item was deferred to the next scheduled Trust Programs Committee meeting.

*Recommendations from regional districts to refine policies around active recreation, active transportation, trails, and climate emergency preparedness*

- a dialogue is needed with the regional districts
- each local trust area/Bowen Island has different needs so each local trust committee/island municipality needs to work with their respective regional district
- this is a climate change issue, so the Policy Statement needs to include support for these actions
- this is also a coordination issue with other local governments

Chair Morrison requested that Trust Programs Committee recommendations to Trust Council be included in the agenda of the next meeting. Further items for the committee to discuss include:

- the timing of first reading of the Policy Statement Bylaw
- advice to the next Trust Council on public engagement
- a potential recommendation for annual reviews of the Trust Policy Statement
- potential budget business cases for next phases of project
- discussion whether the current fiscal year budget is sufficient for the Policy Statement Amendment Project
- communications strategy needed, should be included in the budget

**8. BUSINESS - NEW**

None

**9. WORK PROGRAM**

To be reviewed at the next scheduled meeting.

**10. NEXT MEETING**

The next scheduled meeting is Friday, August 26, 2022, from 9:00 a.m. to 2:00 p.m.

ADOPTED

**11. ADJOURNMENT**

**By general consent** the meeting adjourned at 3.24 p.m.

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Deb Morrison, Chair

Certified Correct:

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Robert Barlow, Legislative Services Clerk/Recorder