

Gulf Islands Alliance Delegation Request

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From: Graham Brazier <gsbraz@telus.net>

Sent: Tuesday, November 12, 2019 10:17 AM

To: Jas Chonk <jchonk@islandstrust.bc.ca>

Subject: Delegation

Hello Jas Chonk

On behalf of the Gulf Islands Alliance I would like to request that time be made available to address Trust Council on Wednesday December 4 on the subject of the Policy Statement review process.

Graham Brazier
Gulf Islands Alliance

Gulf Islands Alliance
Delegation to Islands Trust Council
December 4, 2019
Presenter – Graham Brazier

"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 Policy Statement sets out the Island Trust's three main goals:

- Foster the preservation and protection of the Trust Area's ecosystems
- Ensure that human activity and the scale, rate and type of development in the Trust Area are compatible with maintenance of the integrity of Trust Area ecosystems
- Sustain island character and healthy communities"

Gulf Islands Alliance

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December 2019

Wrestling with tough decisions.

We at the Gulf Islands Alliance (GIA) strongly support the steps presently being taken by the Islands Trust to up-date its Policy Statement. There is little doubt that revision currently underway is timely. We also believe that the first steps in the process are of critical importance and worthy of thoughtful reflection and thorough examination. As the foundational legislated mandate — The Islands Trust Act — will remain unchanged it is important that Trustees adapt and up-date their ability to be responsive to current and anticipated threats to the islands and waters of the Trust Area.

As we all well know: "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 purpose of the Policy Statement is to interpret the object of the Trust in a manner that provides meaningful guidelines for decision-makers as they work toward fulfilling the object of the Trust. In 2003 the drafters of the current Policy Statement introduced and framed the 23 page document with the declaration that the Policy Statement "sets out the Island Trust's three main goals.

- Foster the preservation and protection of the Trust Area's ecosystems
- Ensure that human activity and the scale, rate and type of development in the Trust Area are compatible with maintenance of the integrity of Trust Area ecosystems
- Sustain island character and healthy communities."

As the three main goals are not part of the legislation but rather an interpretation of Section 3 of the Act by a previous Trust Council, it is clear that they are subject to change by the current Trust Council.

So it seems to us at the Gulf Islands Alliance that these three goals, or principles, provide a clear starting point for a revised Policy Statement discussion. Our own

deliberations on the subject suggest there is a great deal of work to do here. We find, for example, that the first word: “foster” is an understatement of Section 3 of the Islands Trust Act which is “The object of the Trust is to preserve and protect the Trust Area....” We understand this to mean that the Trust’s primary purpose is to “preserve and protect.” Being cheerleaders for those who do is simply not enough.

However, it is the third goal — that which relates to “island character and healthy communities” — that seems to be the most contentious and one that has drawn the attention of Trust Council at its most recent meetings. We suspect that the phrase “island character and healthy communities” was an attempt by the council of the day to interpret the phrase “unique amenities” which appears in Section 3 of the Act and has long challenged supporters of the Islands Trust to define. What are “unique amenities”? What does that mean in 2019 and did it mean something different in 1974? We too have wrestled with this at GIA.

And, we are happy to pass along our conclusions for your consideration. It is our opinion that, if the Islands Trust fully acknowledges the significance of the word “and” that precedes “unique amenities and environment” in the object statement of Section 3 and devotes its primary energies to the object of the Trust which is articulated *before* the “and”, then its “unique amenities”, whatever they are, will be preserved and protected to the extent that the Trust is able to preserve and protect the Trust Area. In other words, we interpret the wording of the Act to differentiate primary from secondary objectives.

Consequently, we urge the Trust not to wrestle with a definition of “unique amenities” during the Policy Statement review process; but rather to devote time to articulating goals and/or principles derived from the well-defined words of the object — “to preserve and protect the Trust Area” — when replacing “the three main goals” presently included in the Policy Statement, which, in our opinion, actually weaken and deflect the Trust Mandate.

Some factors that will need to be taken into account when drafting the goals that were not evident in 2003 are climate change, relations with First Nations, the impacts of micro plastics, freighter anchorages and industrial activity on the foreshore as well as the anticipated impacts of significant increases in tourism.

Graham Brazier
on behalf of
The Gulf Islands Alliance