



Raincoast Conservation Foundation
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W̱SÁNEĆ Territory

July 5, 2021

**RE: First reading of revised Bylaw No. 183: Islands Trust Policy Statement
Bylaw, 2021**

To Whom It May Concern:

Over the past 18 months, many concerned Trust Area residents have engaged with the Islands Trust to identify and convey ways to update and improve the Trust Policy Statement (TPS) that guides and implements the Trust's "Preserve and Protect" mandate.

However, in recent weeks, an angry response has been generated from some Trust area residents opposed to first reading of the draft TPS, largely because of perceived constraints it might place on some activities; activities that are (for the most part) not aligned with protecting the long-term health of the Trust area's stressed and threatened marine and terrestrial ecosystems. This response was likely triggered by the anonymously penned and widely distributed letter that was not thoroughly researched and included inaccuracies about the intent of the revised TPS. While the post office responsible for its distribution has since [expressed regret](#), saying it should not have been circulated, the desired effect was administered, eliciting strong responses from residents and trustees, many of whom are now calling to delay the TPS revision process.

This past week has been an unprecedented one. Barely into the summer season, climate temperature records were shattered across BC, while 175 active wildfires burned across the province--one of which incinerated an entire town. Further, this week brought the permanent shut down of 60% of BC's commercial salmon fisheries due to federal recognition that our oceans and watersheds can no longer support the removals of these fish. In this week alone, 719 sudden deaths have been linked to extraordinary temperatures in this province; that is nearly half the number of deaths in BC attributed to COVID-19 in the 68 weeks since the World Health Organization declared a pandemic in March 2020.

British Columbians are witnessing and experiencing in real time the impacts of the interrelated and inextricably linked climate, biodiversity and forest crises. We must

recognise that land use choices of the past, especially as they relate to forests, have made the climate crisis in BC considerably worse. In many parts of the province we have squandered our resilience. We have eroded the very fabric of plant, insect, soil, and fungi networks that provide resilience in the face of climate, fire and biodiversity catastrophes. If we didn't know it before, we now know the growing cost of this ecological crisis in both human lives and livelihoods. Equipped with this knowledge, we must demand from our elected representatives the same concerted energy in responding to these crises as has been demonstrated in response to COVID-19.

This is a highly relevant context for the issues in front of the Islands Trust as it grapples with developing a draft TPS that reflects the realities unfolding in the fragile archipelago of islands it is mandated to protect. Unlike legislation, the laws of ecology are not negotiable. The Trust must consider how to avoid the path of catastrophe, while ensuring everyone's right to a livable and healthy environment.

Over the past year, many concerned Gulf Island residents have come forward with ideas and concepts to help the Trust strike this balance, many of which have been incorporated into the draft TPS statement. However, there is still progress to be made. Luckily, the first reading of bylaw No. 183 (Islands Trust Policy Statement Bylaw), scheduled on July 8th is not the end of the revision process. Rather, it is the fifth step in a seven stage process, with five (or more) months of engagement with local communities and First Nations ahead. Whether this timeline prevails or is delayed, it is essential that Trustees and residents alike do not waver in their efforts to produce a scientifically-informed and operational TPS that above all else upholds the mandate of the Trust to preserve and protect.

As the revision process moves forward, it is important for the public to remember that though highly political issues are being dealt with, Trustees are not politicians. Elected, yes, but the role of a 'trustee' includes:

- 1) a duty to obey the trust instrument (i.e. acting within powers granted);
- 2) a duty to act impartially;
- 3) a duty to act in the beneficiaries best interests (i.e. setting aside personal interests);
- 4) a duty to exercise discretion (i.e. knowing when to use their power);
- 5) a duty of loyalty (i.e. not personally profiting from decisions made by the Trust); and
- 6) a duty of care (i.e. preventing harm to the charge under the Trust's care, in this case "the unique amenities and environment").

Ultimately, the role of the trustee is a fiduciary responsibility, which is one of the highest duties under the law. In the case of the Islands Trust, it requires that

Trustees represent the interests of that which is unable to speak for itself: the natural environment.

It is also important to recognize that the ongoing debates occurring across the Trust Area are not just happening here. Local governments are grappling with the same tensions across the province. This is to be expected as we move through the sometimes disorienting process of revamping the policies and practices enshrined in business-as-usual land use practices that no longer serve our objectives. Though we are accustomed to and comfortable with this way of doing business, it has rapidly become anachronistic, and will not serve our current and future population as climate change dismantles the processes that sustain us and alters the lands and waters upon which all species on this planet depend.

Though the Trust needs to be granted greater jurisdictional power to fulfill its preserve and protect mandate--as has been well documented in our correspondence with the Trust over the past two years--it is this very mandate that makes the opportunity here so great. Unlike local governments struggling with these same issues, the Trust already has a legislative foundation built on environmental protection. The TPS revision process is a rare opportunity to transform that foundation into a structure that upholds ecological integrity and safe environments for the people and wildlife that call the Salish Sea home.

The Trust Area throughout the Gulf Islands does not exist in a protected bubble; now is the time to adapt, mitigate and build resilience in response to the inexorable environmental perturbations that we will be facing as Gulf Islanders. This is not a time to step back from actions and policies that are critical to ensuring livable lands and waters into the future. We must embrace intergenerational equity, and step up as the first generation to take action against downloading our environmental debts to those who come after us.

Sincerely,



Shauna Doll, Gulf Islands Forest Project Coordinator



Chris Genovali, Executive Director