

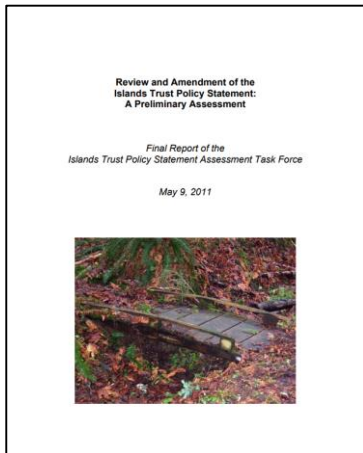


POLICY STATEMENT AMENDMENT PROJECT

Highlights from the 2011 Policy Statement Assessment Task Force Report
Presentation to Trust Programs Committee (TPC) - May 22, 2020



OVERVIEW



Overview of Islands Trust Policy Statement

- Structure and Influence
- Guiding Principles for Trust Council
- Priority Goals & Directive Policy Topic Areas
- History of Amendments

2011 Policy Statement Task Force Report

- Key Recommendations
- Priority Amendment Topics
- General Comments/Suggestions

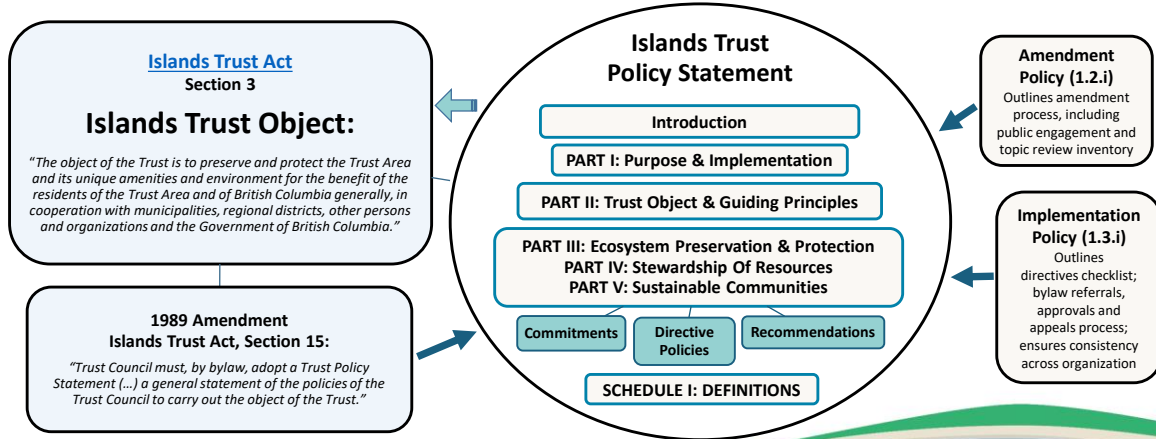
Next Steps & Discussion





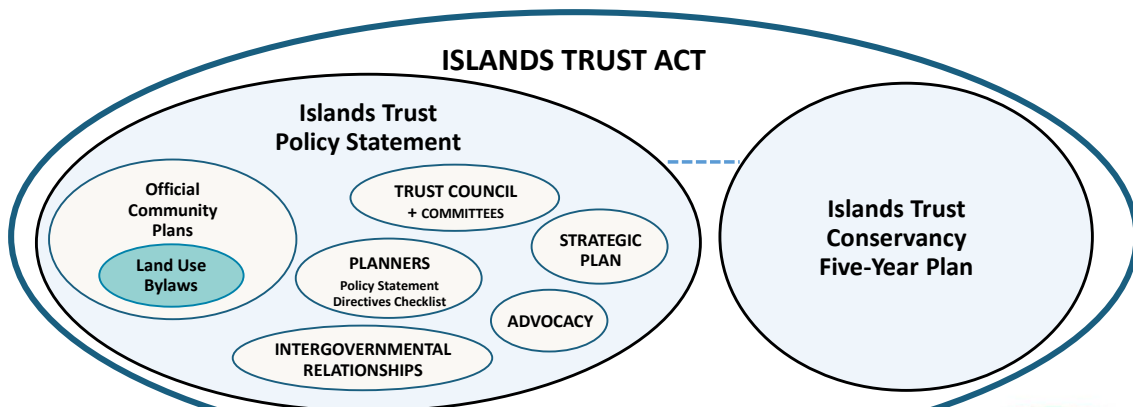
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STRUCTURE OF THE POLICY STATEMENT



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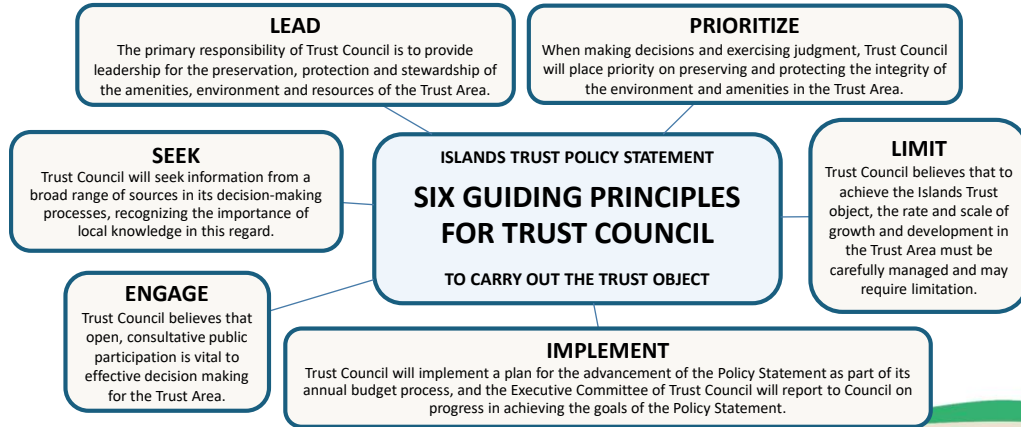
INFLUENCE OF THE POLICY STATEMENT





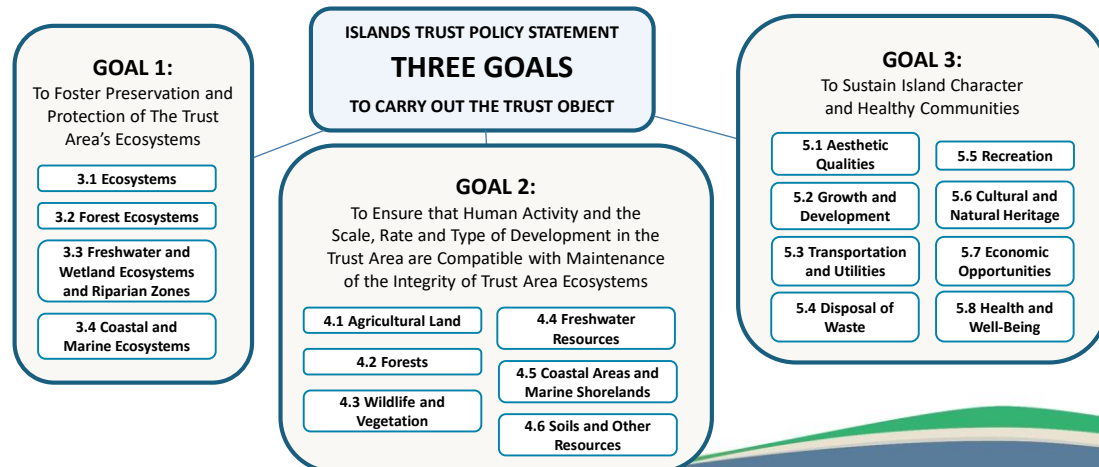
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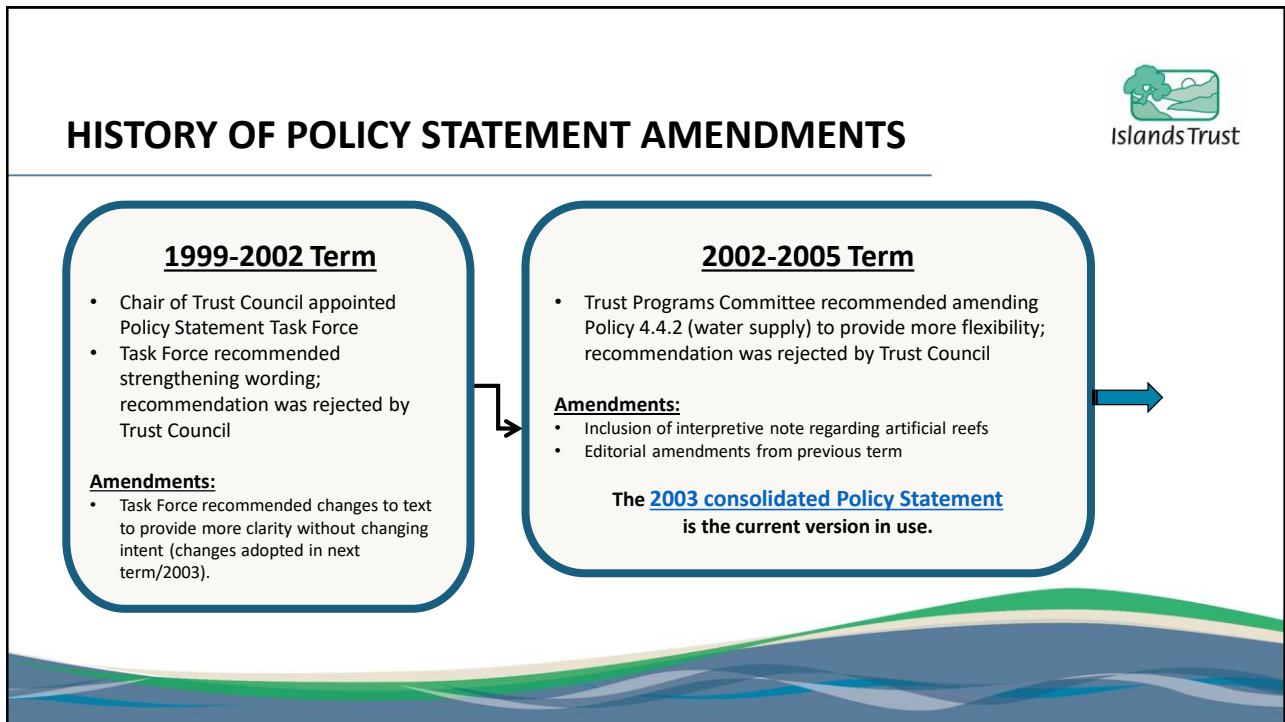
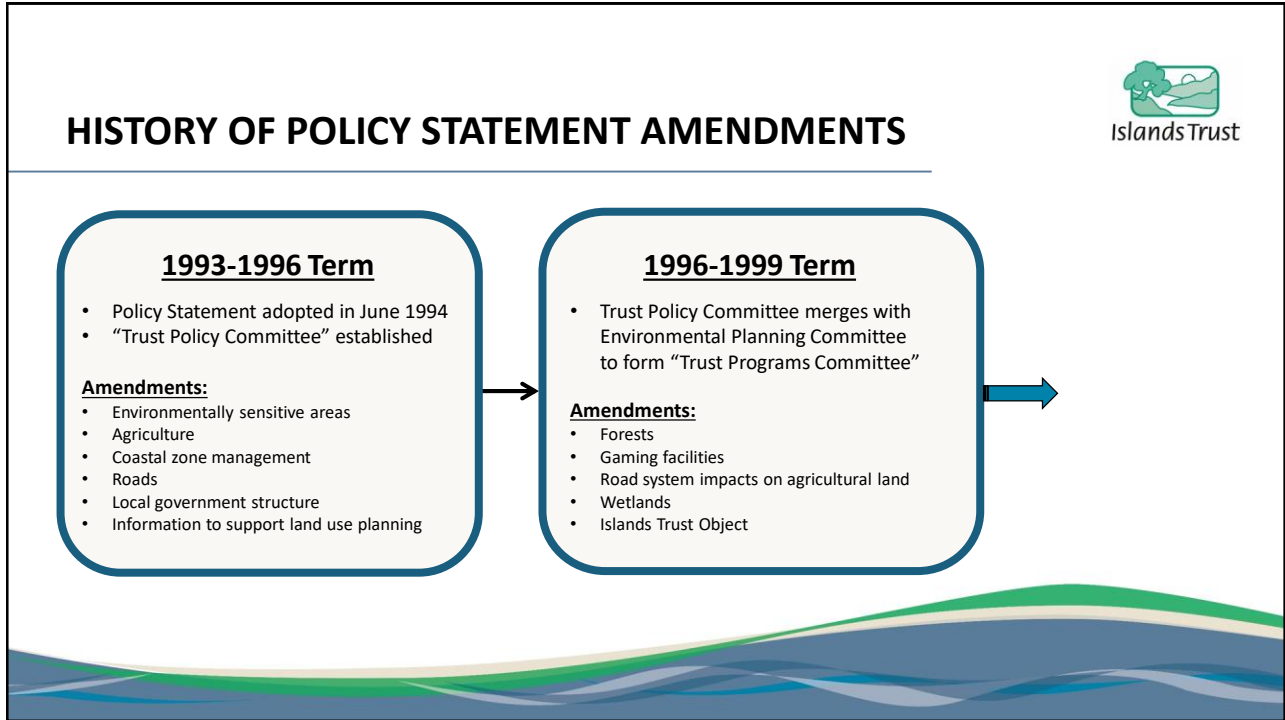
GUIDING PRINCIPLES FOR TRUST COUNCIL



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PRIORITY GOALS & DIRECTIVE POLICY TOPIC AREAS







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HISTORY OF POLICY STATEMENT AMENDMENTS

2005-2008 Term

- For the first time, a local trust committee (LTC) sought Trust Council's (TC) approval on proposed bylaws that had been rejected by Executive Committee (EC).
- The LTC had invested considerable time developing bylaws that local trustees, staff and Islands Trust legal counsel understood to be consistent with the Policy Statement. TC and EC ultimately decided the bylaws were not in line with the Policy Statement.
- Discussion on the intent/applicability of the Policy Statement ensued.

2008-2011 Term

- Trust Council established a Policy Statement Assessment Task Force to conduct a preliminary assessment of the Policy Statement and make recommendations regarding further actions.
- **The Task Force produced a report in May 2011 outlining its assessments and recommendations: [“Review and Amendment of the Islands Trust Policy Statement: A Preliminary Assessment”](#) to be considered by the next Trust Council (2011-2014).**
- Post-2011 Report:
 - The 2011-2014 Trust Council voted NOT to review the Policy Statement during that term, but directed TPC to amend the Related Policies 1.2.i; 1.3.i and 1.3.ii (completed in 2015) and to add one new topic to the Topic Review Inventory (seabed).
 - The 2014-2018 Trust Council voted to add two new topics: (public trust doctrine + right to a healthy environment)

2011 TASK FORCE REPORT – KEY RECOMMENDATIONS



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▪ 2011 Recommendations relevant to current Policy Statement Amendment Project

- **Topic Review Inventory:** That the next Trust Council consider the full Topic Review Inventory in Appendix B and the priority topics identified by the Policy Statement Assessment Task Force (p. 5-6) when determining the scope and approach of a future Policy Statement Review process.
- **Clear Language:** That the next Trust Council closely review the language of the Policy Statement to ensure that terms used are unambiguous and easily understood, adding definitions if necessary to achieve this purpose.
- **More Directive Policies:** That the next Trust Council consider inclusion of a rationale for any directive policies, either in the body of the Policy Statement or as an appendix, and remove the use of the word “address” from the Policy Statement in cases where Trust Council wants the policy to be more directive.

Ref: 2011 Task Force Report, p. 1
Recommendations # 2, 3, 5



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2010 TOPIC REVIEW INVENTORY – PRIORITY TOPICS

Existing Policies Needing Amendments		Suggested New Policy Statement Topics (Gaps)
4.2	Forests (stewardship)	Climate Change
5.2.5	Density Limits	Marine Protection (stewardship/shipping/lighthouses)
4.4	Freshwater Resources	Affordable Housing / Diversity of Housing
Part V	Sustainable Communities	Connectivity in Environmental Protection
4.5	Coastal and Marine Areas	Food Security
4.2.8	Designation of Forest Ecosystem Reserves	Riparian Area Protection
5.7	Economic Opportunities	Sustainable Environment
5.8.5	Healthy Communities	Agriculture
3.4.5	Protection of Natural Coastal Processes	BC Ferries
5.8.8	Renewable Energy Production	Landowner Stewardship
4.4.2	Water Quality and Quantity	Archaeological Resources
4.1	Agricultural Land	Crown Land Protection
5.2	Growth and Development	First Nations
5.6.3	Heritage	Rainwater Harvesting and Catchment Systems
3.4.8	Marine Sewage	Islands Trust Conservancy
4.5.1/4.5.2	Aquaculture	(NAPTEP, RCP, funding, protected area stewardship, conservation of biodiversity priorities)
5.5.2	Gaming/Casinos Prohibition	Use of Pesticides and other Toxins
5.8	Health and Well-Being	Natural Area Protection Tax Exemption Program
5.3.5	Impacts of Road Location, etc.	Performance Measurement / Indicators
4.2.6	Protection of Forest Stands	Tourism
4.6	Soils and Deposits	Tree Removal

Ref: 2011 Task Force Report p. 4-5 + Appendix B-1 p. 16-28



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2010 TOPIC REVIEW INVENTORY – GENERAL COMMENTS

General comments/suggestions from 2010/11 Policy Statement Review

Procedural Issues

- Executive Committee powers to overturn Local Trust Committee decisions on new land use bylaws
- Redundancy of reviewing applications against both Policy Statement and Official Community Plans
- Directives Only Checklist not useful to Planners
- Review implementation process to ensure administrative fairness, natural justice and certainty
- Consider section-by-section review at first two Trust Council meetings of each new term
- Consider role of First Nations in review process (e.g. Snuneymuxw FN protocol)

Ref: 2011 Task Force Report Appendix B-3

2010 TOPIC REVIEW INVENTORY – GENERAL COMMENTS



General comments/suggestions from 2010/11 Policy Statement Review

Directive Policies

- Directive policy language not clear; too much room for interpretation (“shall address”)
- Change language to “shall: X action” (remove “address”)
- Provide more specifics on rationale behind policies and how to “address”
- Provide more direction about timeframes, measurable targets and how to accomplish intentions of directives
- Legal Opinion (Nov 2000) endorsed more mandatory language; more consistent with *Islands Trust Act*
- Core issue: how much leeway to leave to local trust committees / island municipalities?

Ref: 2011 Task Force Report Appendix B-3, B-4

2010 TOPIC REVIEW INVENTORY – GENERAL COMMENTS



General comments/suggestions from 2010/11 Policy Statement Review

Structure / Format

- Make Policy Statement structure more clear/concise, user-friendly, principles-based and modernized
- Move “Definitions” section to beginning
- Eliminate footnotes
- Integrate Parts III (Ecosystem Preservation and Protection) and IV (Stewardship of Resources)
- Change position of “Aesthetic Qualities” (not first section of Part V)
- Add new Implementation section
- Include Directives Only Checklist as Appendix to Policy Statement

Ref: 2011 Task Force Report Appendix B-3



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2010 TOPIC REVIEW INVENTORY – GENERAL COMMENTS

General comments/suggestions from 2010/11 Policy Statement Review

Clarity / Emphasis

- Vision is unclear/inconsistent; consider adding a vision statement
- Purpose of Policy Statement should be more directly linked to Trust Object
- Clarify ambiguous terms (e.g. define “amenities” - see Appendix D discussion paper)
- Greater emphasis on key topics (e.g. First Nations; biodiversity; “living lightly”; developing partnerships)
- Clarify role of forestry on the islands
- Updates needed (e.g. agency names; NAPTEP; history; perceptions of “resources”; reference to “Salish Sea”)

Ref: 2011 Task Force Report Appendix B-3 and D



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NEXT STEPS FOR CURRENT POLICY STATEMENT AMENDMENT PROJECT



First Nations Engagement

* Timeline is subject to change based on First Nations engagement

Current Phase:

- Communicating “What We Heard” from the Islands 2050 Public Engagement
- Conducting ongoing First Nations engagement
- Commencing internal policy analysis



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NEXT STEPS FOR CURRENT POLICY STATEMENT AMENDMENT PROJECT



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ISLANDS TRUST
POLICY STATEMENT

CONSOLIDATED - APRIL, 2003

Current Scope of Policy Statement Review:

- First Nations Input on Policy Statement (full document)
- Holistic review of Introduction, Parts I, II and Schedule I-Definitions
- Climate Change & Affordable Housing lenses (full document)

Next Steps:

- Trust Programs Committee to discuss the recommendations outlined in the 2011 Task Force Report and provide advice to staff and/or Trust Council



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QUESTIONS & DISCUSSION

