

From: Stephen Rybak [REDACTED]
Sent: Wednesday, June 30, 2021 9:54 PM
To: Islands2050
Subject: Draft policy statement - comments
Attachments: policy state draft.docx

Please find attached my comments on the draft policy statement.

Thank you for your consideration,

Stephen Rybak

Draft Policy Statement

Comments

I would like to commend the Island Trust Council on its efforts to modernize the Island Trust Policy Statement through the draft bylaw and consultation process to date.

The comprehensive nature of this update is, in the view of some, long overdue perhaps too long, in its making. This has led to a complex, but necessary, document that, when approved will result in necessary changes and updates to many of the Local Trust Committee Official Community Plans.

Perhaps it might serve future Trust Councils well to adopt a periodic review and update of the Policy Statement to avoid such a major revitalization of a keystone, guiding document. A “sunset clause” would also ensure that timely reviews of the Policy Statement are undertaken and are not left to the varying interests of future Trust Councils.

By establishing a regular review of the Policy Statement and its consequential effect on Official Community Plan revisions on our Islands, Trustees and staff would be in a better position to plan for workloads and the financial impacts of the attendant OCP revision processes Island-by-Island.

A regular review process would also give residents of the Islands known opportunities to respond to our evolving environmental, social and economic conditions and needs, rather than storing up complex and competing issues and concerns for a decade or longer.

I strongly support the adoption of the two of the major thrusts of this proposed revisions to the Policy Statement - climate change and reconciliation with First Nations through heritage preservation and protection while maintaining the long term sustainability and resilience of Island communities.

The current draft of the Policy Statement goes to notable lengths to ensure that “Trust Council should be guided by detailed, area-based understandings of the Trust area and its unique amenities and environment, that are informed by multiple ways of knowing, including the best available area-based mapping, science, social science, local knowledge and indigenous ways of knowing. Furthermore, the uncertainties around the rate and scale of climate change are mandating more precautionary approaches to stewardship...”. The Policy Statement reinforces this local knowledge and science-based approach to address community needs equitably on numerous occasions.

And yet, the draft policy statement abrogates this basic, established fundamental approach to democratic governance with unsupported, absolute edicts directed by an unaccountable central planning authority. This is an unacceptable and unexpected over-reach! These absolute fiats undo the much needed revisions.

I cannot support, and urge you to reject outright the unwanted draft policy directives regarding the blanket prohibition of private docks, engineered hard-shoreline protection works and desalination facilities across the Island Trust area. They appear to be unjustified prescriptive solutions looking for problems that do not exist.

The banning of private docks is not necessary. On Galiano, the Local Trust Committee has attempted to interest the community in a priority review of docks for the past four or five years - but to no avail.

Private docks are not a consuming problem. On Galiano, the LTC has dealt with such structures through development permits or variance permits in a reasoned, public process that depends heavily on scientific knowledge and assessment. Not by a ban from above! But a case-by-case local assessment - it works and works well.

I find it totally incomprehensible that this draft revised Policy Statement does not forbid large-scale marinas, but only private docks. What!

This current draft also forbids desalination facilities without any justification, other than unsustainable power sources might be used. There is no attempt to look at size or scale, adverse impacts and would automatically rule out any future sustainable desalination technologies. What happened to the case-by-case knowledge-based examination championed by the Policy Statement? Salt water intrusion could become a major problem for residents lucky enough to reside on our rocky shores. Why discard a potential local solution for a resilient community?

The draft Policy Statement attempts to remove blinders to decisions, why don't you wear a blindfold?

Similarly, the draft proposals to deny waterfront residents the option of using an engineered solution to combat natural and man-made erosion is short-sighted and should not be imposed across the Islands Trust area without a detailed and thorough assessment and local knowledge. Seawalls and hard shoreline armouring is not pretty. It is expensive and in many cases, it may be a last solution in exceptional circumstances.

Perhaps the draft statement could be modified to state a preference for softer shoreline protection measures and assessments through discretionary development permits rather than this absolutist approach to very local issues and concerns.

The unsavoury edict approach may well leave waterfront residents at the mercies of senior level of governments who show no interest in restraining the speeds of large vessels in narrow, highly travelled waterways that result in significant wake damage to property as well as heritage sites.

A more balanced, nuanced approach is needed, not a heavy-handed imported solution.

I would suggest the Trust Council also examine other areas of less-glaring absolutes or limits the draft suggests without describing benchmarks. For example the draft suggests reducing emissions to air, land and water without describing those kinds of emissions or a baseline for assessments. (Section 4.1.8). It also suggests limiting the rate and scale of growth and development as a priority but offers no benchmarks to guide Local Trusts. (Section 3.1.12) This may demonstrate confidence in the judgement of Local Trust Committees but is in direct opposition to suggested out-right prohibitions that take local issues out of the hands of LTCs.

The Trust Committee may also wish to re-examine its suggested role in regards of consultation with First Nations on regulation of harvesting monitoring. (Section 4.1.12) Do not usurp the duty of other agencies to lead the consultation on their regulations.

Similar caution could be exercised in the draft wording regarding regulating forest practices and tree cutting and the required compatibility with or replacement of existing regulatory regimes. (Section 4.3.9)

The Trust Committee should be mindful that it can only advocate to higher orders of government in regards to the uses of the marine environment. The Island Trust may adopt a policy, but it could have no practical effect. (Section 4.6.7). It would be helpful if the Policy Statement included definitions - such as

“Trust Area waters” and “oil tankers” to provide more context.

Does the Trust Committee wish to actually become involved in the development of oil spill response plans without dedicating any resources and when other agencies are currently leading enhancements? (Section 4.6.18)

I am concerned that the draft Policy Statement recommends that LTCs become more active in the provision of housing by identifying appropriate locations for density increases. (Section 6.2.4) This, I believe is in conflict with the regulatory requirement for LTCs to assess re-zoning applications and would preempt and duplicate the current evaluation of proposals for housing. The choice of location should be left to the proponent while the assessment lies with the LTC.

Perhaps a more neutral parallel wording could be adopted from Section 6.3.1 by using “locations are appropriately sited” to achieve the same ends.

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