

July 7, 2021

To: Trustees of the Islands Trust

From: Deborah Ferens, [REDACTED] Gabriola Island, BC V0R 1X1

Re: Draft Bylaw 183 Trust Policy Statement

Thank you for this opportunity to comment on Draft Bylaw 183 Trust Policy Statement.

At this time I will try to limit myself to two broad aspects of the Trust Policy Statement revisions largely in Part 1. a) the critical reasons for establishing the Islands Trust, and the special purpose and meaning of the Islands Trust Object and b) the directive policy language in Part1 that intrudes upon the intention to clarify and centralize the high level, overarching meaningfulness of why the Islands Trust simply exists.

What struck me immediately in the Draft Bylaw is that not much of the language has changed since 1974 in telling the Islands Trust story. I appreciate there is no holding back in naming the source of concern, worry and alarm that faced island communities in the early 70s, in the 1990s and in this 3rd decade of the 21st century. Development. The language over the years is almost interchangeable except for its intensification. In 1969: pressure of unrestrained residential development, uncontrolled growth. By late 1980s: population increases of 60%, urgent need for plans to manage growth, increasing tourists, pressure on limited water supplies, threats to Trust Area's fragile ecosystem. Fast forward to 2021, the conversion of natural areas surpassing accepted thresholds for ecosystem health.... population growth and urbanization leading to detrimental changes to landscape and seascape (State of the Salish Sea).

The critical and urgent work of Reconciliation, recognized and placed centrally in the Draft Bylaw, provides important context to the understanding of the territorial lands and waters of the Coast Salish Peoples, along with the harsh knowing that unrestrained, uncontrolled development in the Trust Area has also impacted cultural and spiritual sites, artifacts, place names, culturally significant species and traditional harvesting areas.

The Climate Emergency, recognized and placed centrally in the Draft Bylaw provides the critical and urgent call to action, but I quibble with the "uncertainties around the rate and scale of climate impacts". The recent heat wave that claimed the lives of hundreds of British Columbians, the billion plus heat related deaths of intertidal life on the shores of Gabriola and around the Salish Sea, the destruction of a town in the interior of the province, the out of control wildfires are a taste of the rate and scale of life systems imperiled and in jeopardy.

While updates and revisions to the Trust Policy Statement are of necessity as presented in this draft bylaw given Reconciliation, the climate emergency and the relentless cumulative impacts of 150 years plus of development, I find some of the changes weaken, deflate and scatter the critical focus on the special and unique purpose of the Islands Trust Object and its Meaning. Parts 1.2 and 1.4 include too much directive language, and unnecessary verbiage that confuses rather than clarifies. Despite other elements of slippage, I kind of like the elegant simplicity in the existing version – here's the history and meaning, here's the guiding principles, here's the directive policies.

Part 1.2 Establishment of the Islands Trust

First Paragraph, first sentence: Remove: “To understand the Islands Trust governance model it is helpful to understand its origins”. Just begin with “In the 1960s...” It’s a story.

Third Paragraph: “The Act established Islands Trust as a trust with a conservation-oriented responsibility.....”

What happened to the Trust as a “Special purpose government”? ...”unique in the world”. This must be emphasized in the first paragraphs of the Policy Statement. A clear and forthright definition or expansion of “a trust” and “conservation-oriented responsibility” would enhance the extraordinary significance of the Act and the establishment of the Islands Trust.

Middle of Last paragraph: “reaffirming the Province’s commitment to careful planning and development in the Trust Area. This may just be a grammatical thing but wouldn’t it be more appropriate to say “commitment to careful planning and to managing and controlling development”?”

Part 1.3 Present Context

Other than the reference to Trust Council adopting a Reconciliation Declaration and a Climate Emergency Declaration, all other “Trust Council” usage should be removed throughout the Present Context. The opening Parts of the Statement are the overarching values/vision for the Trust Area. Trust Council doesn’t have to acknowledge the duty it has to seek meaningful engagement with First Nations. Just say “The Declaration acknowledges the duty to seek meaningful engagement”. That feels like a higher level statement concerning the Trust Area.

Another example further in the paragraph: It’s not Trust Council but Trust Area protection measures that “will benefit from being guided by the best available science,etc.”

Fifth Paragraph: I am still challenged by the inclusion of affordable housing in the Present Context. There are any number of global and destabilizing factors threatening long term sustainability and resilience of Trust Area communities and most other communities around the world of which affordable housing is but a symptom and largely outside the jurisdictional mandate of the Islands Trust. Remove “As Trust Council endeavours to support” and replace with “Supporting community needs for affordable housing within the confines of its Islands Trust jurisdictional mandate it acknowledges the needetc.” Though again, I feel that the language here is too prescriptive and directive. I’d be ok with it in Part 6: Sustainable and Resilient Communities”

Last paragraph: remove “Trust Council’s” and the sentence reads “ The Policy Statement plays a vital role in articulating strategic policy priorities, principles, and approaches, centred firmly in the Islands Trust Object....”

Part 1.4 The Islands Trust Object and Its Meaning

There appears to be too much directive language in the several sections of the Part 1.4. There’s nothing inherently wrong with the wording I just think that most of it is more suitable in the later parts of the Policy Statement dealing with directive policies.

“.....preserve and protect the Trust Area”:

Remove the entire last sentence beginning “Appropriate developments can thuswhere permitted” and locate it in a subsequent section if some version of it has not already been mentioned.

“...and its unique amenities and environment”

This section is a worthy and fuller explanation in contrast to the current Policy Statement which is a mere two sentences. The draft is satisfying and powerful when it expounds upon particular

combinations of characteristics and features that are recognized for their value and favourable qualities, but seems to contain too much concentration on the problems and challenges “water supply constraints, shallow soils vulnerabilities” – these aspects are not unique amenities and have been adequately brought forward in Part 1.2.

The first 2 sentences of the fifth paragraph in this part could be removed:

“Trust Area islands are also home to vibrant communities that aspire to live sustainably.....appropriately located housing, transportation, and infrastructure” This could be said about any community up and down the coast. Most of the language again seems to be much more appropriate to directive language to be contained in the latter part of the Policy Statement.

I am completely against including the statement “Trust Council understands its preserve and protect mandate.....” Trust Council’s understanding of something is very limiting in the section trying to encapsulate at the highest level “unique amenities and environment”. This sentence would serve very well in the directive sections of the Policy Statement.

“...for the benefit of the residents of the Trust Area and of British Columbia generally...”

This area seems a straight forward explanation.

“...in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of British Columbia....”

Remove references to “Trust Council” and make the sentences more dynamic and high level with active statements such as ~~“While Trust Council can provide the necessary leadership,~~ Responsibility for the preservation and protection of the Trust Area rests with many,..... ~~Trust Council further recognizes that~~ Meaningful engagement and cooperation with First nations is critical to the preservation and protection of the region, to ~~Trust Council’s~~ reconciliation commitments, and to the implementation of the provincial Declaration on the rights of Indigenous Peoples Act.

Part 3: Regional Governance

Goal: To establish regional governance approaches that uphold the Islands Trust Object

This section would present much more powerfully and clearly if the entire “Governance Challenge” paragraph was removed and the first paragraph under the Goal and Context proclaims “Advancing the Islands Trust Object is the preeminent duty of Trust Council, its committees, and all locally elected trustees in the Trust Area.....etc.

The first full paragraph is totally unnecessary as it’s all been said already in in the “Present Context” and it contains the curious and confounding sentence “To keep everything in the Trust Area exactly as it is today would be impossible”. It implies we are attached to the way things are today. After reading the litany of dire and virtually irreversible impacts of unrelenting growth and the scale of natural area conversion why would we accept that the Trust Area as it is today is ok? Regenerative and restorative change and managed development would be something desirable.