



Raincoast Conservation Foundation
P.O. Box 2429
Sidney, BC V8L 3Y3
W̱SÁNEĆ Territory

July 7, 2021

**RE: Addendum to letter sent July 5, 2021 “First reading of revised Bylaw No. 183:
Islands Trust Policy Statement Bylaw, 2021”**

To Whom It May Concern:

This addendum to our original feedback letter, dated July 5th, 2021, is in response to growing concerns being raised across platforms including print and online news publications, social media, and emails, regarding the first reading of revised Bylaw No. 183: Islands Trust Policy Statement Bylaw, 2021 (TPS).

In that letter, we neither supported nor opposed the timeline proposed by the Islands Trust for revising the TPS. Rather, we chose to focus our efforts on urging a prioritization of the preserve and protect mandate of the Trust in the resulting policy document. We hoped that our letter would provide an opportunity for those Trustees to reflect upon whether the draft TPS will provide good policy direction to inform better land-use decisions within the Islands Trust Area. As advocates for the ecosystems and species of coastal British Columbia, our role is to mobilize peer reviewed science and other ways of knowing (e.g. local and Indigenous knowledge) to influence better environmental management and policy. The intent of our original letter was to push Trustees, elected by the residents of the Islands Trust, to reflect on whether they felt confident that the current draft TPS upholds their mandate and thus whether it is ready for first reading.

However, due to the escalating tensions between those who would seek to delay first reading and those who would not, we felt compelled to comment on two important considerations that should be made prior to progressing to first reading. While these considerations may be taken into account *following* first reading, it is our view that it is likely more efficient and less costly to address these concerns before moving on to the next step.

1. Ability of the draft document to uphold the mandate of the Trust:

Section 1.3 (pp. 3-4) addresses the rarity and fragility of the ecosystems found throughout the Trust area and sets an intention to employ “precautionary and adaptive approaches to decision-making” (p. 3) drawing on guidance from “the best available science, social science, local knowledge, and Indigenous ways of knowing” (p. 3). Later, section 2.1 states that the TPS “provides a framework for Trust Council to assume a leadership role in ‘place

protection planning' in the Trust Area, which entails preserving and protecting the unique amenities and environment of the Trust Area..." (p. 8). In the first draft of the revised TPS carrying capacity was introduced as a mechanism for measuring the human footprint on island landscapes, but in the current draft this has been replaced by what has been called a "no-compromise" list in the agenda package of Trust Program Committee's June 15th meeting. This list is not presented in its entirety in the actual draft document. While the precautionary principle and adaptive management are valid and valuable concepts, their on-the-ground application to uphold the Trust mandate are unclear.

Further, despite calls to remove the ambiguity from concepts like "unique amenities" introduced in the *Islands Trust Act* (the Act), the current version of the TPS deepens that ambiguity by using highly interpretive and context-dependent language. This has made the TPS vulnerable to interpretations that may violate the mandate of the Trust.

2. Ability of the draft document to be operationalized:

Section 2.1 (pp. 8-10) states that the purpose of the TPS is to "establish a general statement of policies of Trust Council to carry out the Islands Trust Object to preserve and protect the unique amenities and environment of the Trust Area." (p. 8). However, a significant portion of the 35-page TPS draft document is dedicated to recognizing the ecological and cultural significance of the unique amenities and natural environment of the Trust area, and their sensitivities without describing the methods and tools for protecting and enhancing these features on the ground (as noted above). It is worrisome that despite the numerous directive policies described throughout the TPS, there is no actionability built into the document itself. Rather, implementation is left to Policy 1.3.1: Policy Statement Implementation, which is not under review as part of this process, nor is it subject to ministerial review.

Section 15.1 of the Act reads "The trust council must, by bylaw, adopt a trust policy statement that applies to the *trust area*" (emphasis added). The next section goes on to say "The trust policy statement must be a general statement of the policies of the trust council to a) carry out (i.e. implement) the object of the trust." As such, to be in accordance with the Act, the TPS resulting from this review should be actionable on its own.

Further, it is important to remember that like the Act, the TPS is meant to be a general document to guide the governance of the islands at a regional scale. While the culture and history of each island are undoubtedly unique, the ecosystems found within this archipelago are highly similar, island to island. Unfortunately, their uniqueness largely comes from the level of severity of human impact on their functionality and resilience. On more degraded islands, trust-wide environmental policies will, ideally, enhance and protect the ecosystems that remain. On less degraded islands, these same policies should aim to prevent the destruction that has occurred elsewhere. Ultimately, the Islands Trust was created with the intent of protecting this globally unique group of islands and whether Gambier or Gabriola, the TPS should maintain that intention.

To be clear, Raincoast is in full support of the TPS review. The 1994 version of this document is outdated and fails to adequately operationalize the mandate of the Trust in a meaningful way. Further, it fails to recognize the cultural history of these islands and the people who lived on and stewarded them for thousands of years prior to settlers' arrival. We acknowledge that our correspondence with the Trust to date has repeatedly encouraged urgency and political bravery from Trustees and staff in light of the twin biodiversity and climate crises that are already having detrimental impacts on the fragile island ecosystems within the Trust Area. However, we also acknowledge that if the revised TPS is not carefully crafted with clear and intentional language and objectives, those sensitive island ecosystems and the populations they support could be at risk of further degradation.

As we stated in our [article](#) published in *The Province* back in April, “The Policy Statement in its current form leaves too much open for interpretation and, despite a plethora of commitments and recommendations, very little is actionable via operational strategies or plans.” While this was written in reference to the previous version of the TPS, this problematic element remains in the current draft, despite some strong additions and amendments to directive policies. As it is, if Policy 1.3.1 continues to govern the TPS’ implementation, directive policies, regardless of their strength, can be avoided and ignored at the local level as they often have been since the last TPS was ratified.

Upon further reflection since submitting our July 5th letter (and indeed, the feedback letter we drafted on June 22 in advance of the last Trust Programs Committee meeting) it has become clear that without immediate actionability written directly into the TPS, the revision process will be a wasted opportunity. A strong TPS will not only allow for a greater adherence to the Trust’s mandate, but also aid in the fulfillment of the Trust’s Climate Emergency Declaration and Reconciliation Declaration. As such we support slowing the revision process, i.e. pausing first reading, until actionability is embedded into the TPS.

We hope that this input provides guidance to strengthen the resulting TPS and aids in our collective objective to preserve and protect these islands for this generation and those of the future.

For the islands,



Shauna Doll, Gulf Islands Forest Project Coordinator



Chris Genovali, Executive Director