

The ISLANDS TRUST *Story*



Preserve & Protect

by Peter Lamb
December, 2009

Celebrating 35 Years
1974-2009

The Islands Trust Object

“The object of the Trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.”

Islands Trust Act



Nostalgia, Salt Spring Island

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INTRODUCTION

To commemorate the 35th anniversary of the Islands Trust this year, I have been writing monthly articles on the history of the Trust in the Gulf Islands Driftwood. Finding that people have actually been reading them is gratifying and has encouraged me to consolidate them into this booklet which I hope you find both informative and enlightening.

The formation of the Trust by the B.C. Government in 1974 “*to be responsible for and to coordinate the future of*” designated Gulf Islands was a bold and visionary experiment in ecologically-based planning and governance of a particularly sensitive, rural area in British Columbia. It was given a special province-wide mandate to protect the islands in the face of predicted land development pressures. Since then, it has endured many reviews, studies and challenges and has yet to be granted the authority to truly accomplish its mandate. Nevertheless, it continues to be an active, dedicated confederation of local governments. Imagine what might have happened on these islands without the Islands Trust.

The purpose, history and unique role of the Islands Trust are perhaps not well-enough known. This play, therefore, is the story of the islands where we live and work and describes the key events that shaped the evolution of the Islands Trust to the present.

Peter Lamb, December 2009
An islander for 20 years and a former
Salt Spring Island Local Trustee.



Porlier Pass Light, 1992

ACT 1: FORMATION OF THE ISLANDS TRUST

You are invited to step back in time and witness the evolution of a unique form of local government in British Columbia. The curtain rises in the late 1960s before the Islands Trust was conceived.

SCENE 1: THE “TEN-ACRE FREEZE”

Land use planning in the Gulf Islands is the responsibility of newly-formed regional districts but little attention is paid to protection of the islands from inappropriate developments. Magic Lake Estates on North Pender Island has created over 1200 city-sized lots. Mudge Island, a small island near Gabriola Island, has mushroomed into 185 half-acre lots. Other large subdivisions are planned or approved for Mayne, Bowen and Salt Spring islands. Equally alarming is a University of British Columbia study that predicts rapid, intensive private development on the islands.

The Social Credit Party is in power at this time. Recognizing the looming threat, in October 1969, the provincial government limits subdivisions across the islands to a 10-acre minimum lot size. This puts the brakes on the pace of development but the future of the Gulf Islands is still at risk.

In 1971 the Capital Regional District produces a “*Gulf Islands Options Study*” which considers possible conservation areas, major park acquisitions and a controversial option to link islands with bridges and highways. A local federal MP proposes a National Trust for the islands and an International Joint Commission considers a proposal to designate the Gulf Islands, the San Juan Islands and Point Roberts as an international park - an alarming prospect for the government and for many islanders.

SCENE 2: THE SELECT STANDING COMMITTEE

We now fast forward to 1973. Although the 10-acre freeze is still in place, people are worried that large-scale development and log storage and booming grounds threaten the beauty and tranquility of the islands. In February 1973, the NDP government sets up an all-party Select Standing Committee on Municipal Affairs “*to inquire into future*

development, including the development of community plans on the Gulf Islands and such other islands in the vicinity.”

Committee representatives travel to all of the major islands in Howe Sound and the Strait of Georgia, up to and including Hornby and Denman Islands, recording the views of local residents. In September 1973, the Committee tables its report. The report cites “*large subdivisions and over-development as the priority concern.*” It also notes the need to limit commercial and industrial land use, to ensure continuing recreational opportunities, to control and coordinate water transportation, and to recognize the potential shortage of potable water.

The Committee is clearly aware of the threat to the islands and of their national significance, concluding that “*the islands are too important to the people of Canada to be left open to exploitation by real-estate developers and speculators.*” The report ends by recommending the creation of an Islands Trust “*to be responsible for and coordinate the future of the islands.*”

SCENE 3: BILL 112 (THE ISLANDS TRUST ACT)

The day is May 21, 1974 and the setting is the Legislative Assembly in Victoria. The NDP holds about 75 percent of the seats, the Social Credit 25 percent. The Opposition Party is present in full force. James Lorimer, Minister of Municipal Affairs, stands and presents Bill 112 which proposes the creation of an Islands Trust, signaling a special kind of trustee responsibility for the islands.

Lorimer first outlines the purpose of the bill, which is to **preserve and protect** “*the environment and peculiar nature of the islands . . . in the gulf south of Campbell River.*” He then explains that the new Trust would comprise three general trustees appointed by the Province who would deal with matters relating to the area as a whole. Local matters relating to the 13 major islands would be decided by a trust committee on each island made up of the three general trustees plus two locally elected trustees. Land use planning would continue to be done by the regional districts but now with approval of the Trust.

The Trust is to be totally funded by a provincial grant in recognition of its provincial mandate.

The Opposition is quick to respond, and the debate is fiery. The focus is not on the purpose of the Trust - everyone agrees that this special area should be protected - but on the design of the decision-making system. Led by Hugh Curtis, MLA for Saanich and the Islands, the Socreds decry the committee structure, with the balance of power to be held by the three trustees appointed by the Province, asserting it will diminish the influence of local trustees. The Minister responds that the islands “*are loved and cherished by a lot of us*” and the general trustees represent “*the rest of the people of B.C.*” Heated exchanges in the debate refer to the influence of “*rich foreign landowners*” as well as stories of “*hard-working and concerned islanders.*”



Pender Bridge, 1974

The Opposition attempts to amend the Bill, to refer it back to the Select Standing Committee and to postpone it, but the legislative process continues. On June 4, 1974, Bill 112 is given third reading, and the *Islands Trust Act* is proclaimed the next day.

Within two months, three general trustees are appointed – Hillary Brown from Hornby Island (appointed the first Chair of the Trust), Marc Holmes from Salt Spring and Dave Brousson from North Vancouver. An office is established in Victoria and initial staff hired. The Islands Trust is in business as the curtain falls.

ACT 2: THE EARLY YEARS

The population in the Trust area in 1976 is around 9,500 having grown from 4,400 in 1966, an average annual increase of about eight percent. Earlier subdivisions had proceeded but further rapid subdivision of the islands has been curtailed by the ten-acre land freeze imposed in 1969. The curtain rises in the new Trust office at 848 Courtney St. in Victoria.

SCENE 1: GETTING DOWN TO BUSINESS

Local trust areas on the 13 major islands are under pressure to complete their respective official community plans so that the ten-acre freeze can be lifted. An office manager for the Trust is appointed by the Province and three planners are hired to help local trustees prepare community plans and zoning bylaws as well as review development applications. Support staff are added within a few weeks and the Islands Trust gets to work.

However, land use decisions are still made by the seven affected regional districts subject to prior approval by the Trust. The provincial government retains final approval of official community plans and other bylaws. The Trust begins work as a limited local government indeed.

Within a year, the Islands Trust Act is amended, in response to an offer of land, to allow for the establishment of the Islands Trust Fund, a land conservancy within the Islands Trust, which will hold land and receive donations for land purchases (although this section of the Act is not proclaimed until 1987). Its story will be told in the intermission.

SCENE 2: TOWARD MATURITY AND RESPONSIVENESS

What happens next is intriguing. The provincial election of December 1975, brings the Social Credit party back into power. Hugh Curtis, who had been critical of the Trust structure (but not its mandate) when in opposition, becomes the new Minister of Municipal Affairs and Housing (the ministry that oversees the Trust). Still eager to see the islands protected, in February 1977 he introduces Bill 25, the Islands Trust Amendment Act, proposing significant changes designed to make the Trust “*a more mature and responsive body.*”



Montague Harbour, Galiano Island, 1974

The bill proposes to transfer responsibility for land use decisions from the regional districts to the Islands Trust eliminating one level of government from the land use planning approval process. The regional districts have mixed feelings about their reduced role. The Vancouver Sun of February 29 reports, “*The reactions of regional districts affected by proposed amendments to the Islands Trust Act range from fury to cautious praise to enthusiasm.*” However, as Curtis points out, they still have an important role to play in administering building regulations, parks and recreation, solid and liquid waste disposal and other “*customary services*” to the islands.

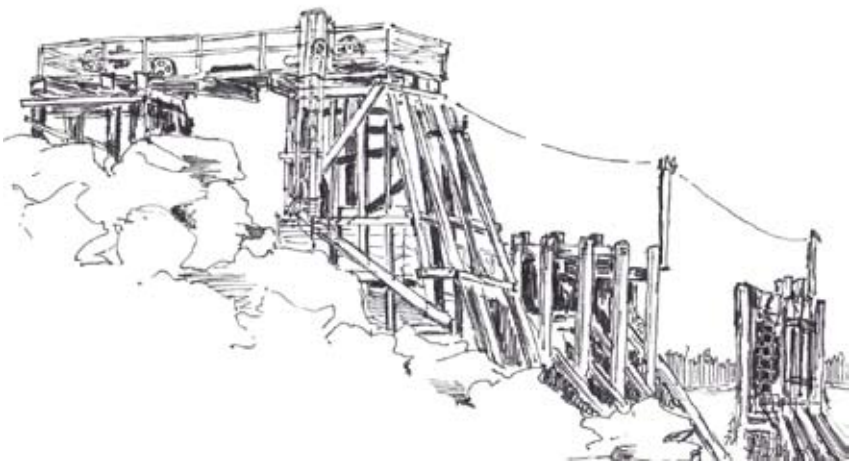
The proposed bill gives the Trust authority to appoint the Trust Manager and permits the Trust to supplement the provincial grant through a local property tax levy. To strengthen the Islands Trust mandate, the bill also enables the Trust to adopt special protective regulations applicable to designated areas of “*high recreational, scenic or ecological importance.*”

In his remarks, the Minister sums up the key concept of the provincial interest in the Islands Trust: “*The principle that the province as a whole has*

an interest in preserving and protecting the Islands Trust area is maintained in the continuation of provincial approval of bylaws, provision of financial support and the introduction of a new clause to assist in protecting the prime natural areas designated in regional plans.”

There is a concerted effort by the NDP opposition, led by Charles Barber, to challenge the proposed amendments to the Islands Trust Act. He is especially critical of the increased power given to the provincially-appointed general trustees to control local planning decisions in the islands and of the lack of consultation with the seven regional districts affected. Persistent attempts to amend or delay passage of the bill by the NDP opposition fail but during the final stages of the debate, the Minister acknowledges their criticism as well as public reaction and introduces a vitally important further amendment to the bill.

If the amendment passes, the three general trustees will be **elected** from among the 26 locally-elected trustees to fill the positions of Chair and two Vice-chairs, rather than appointed by the government. This is enough for Barber, who says it is a significant move *“that grants simultaneously greater power and greater accountability”* to the local trust committees. In short order, the amended legislation is passed. The Islands Trust will be fully elected starting in the next local elections in December 1978.



Denman Island Ferry Terminal, 1986

SCENE 3: DIFFICULT CHALLENGES AHEAD

It is now 1980 and the Social Credit Party is still in office. William Vander Zalm is the new Minister of Municipal Affairs and initiates a review of the regional government structure in British Columbia which has been in place across the province for over a decade. A major discussion paper is released in September 1980, setting the stage for a prolonged and contentious debate over local government structure in BC.

Meanwhile, trustees continue to prepare official community plans and zoning bylaws on each island and a regional plan for the whole Trust area. The Trust has resisted pressure from the provincial government to support specific development applications, notably projects on Denman, Salt Spring, Bowen and De Courcy islands. In addition, serious concerns are raised by trustees and residents about a proposed mining venture on Gambier Island and an airfield on Mayne Island.

Ministry staff appear before the trustees to explain some proposed and unwelcome legislative changes, mobilizing trustees and islanders to preserve and protect the Trust itself.

The curtain falls.

ACT 3: SURVIVAL OF THE TRUST

It is still 1980 and the curtain rises with the future of the Trust in question.

SCENE 1: A REVIEW OF LOCAL GOVERNMENT

The regional districts, municipalities and the Islands Trust are made aware of the government's proposed direction in the September 1980 discussion paper.

In a letter dated November 29, 1980 to Islands Trust Chair John Rich, Minister Vander Zalm assures him that the Trust will continue to exercise essentially the same planning responsibilities that have been established. With that assurance, trustees relax and carry on with preparation of a regional plan for the islands involving extensive consultation with provincial ministries and island residents.

However, events are not unfolding as expected.

SCENE 2: THE TRUST'S ROLE IS THREATENED

Throughout 1981, there is much debate around the province about the government's proposals to restructure local government. In November the Minister introduces Bill 72, the proposed Land Use Act.



To provide clarification of the proposed legislation, the Deputy Minister of Municipal Affairs addresses a meeting of all trustees in December 1981. Once again, trustees are assured that the province is not planning any substantial changes to the roles and responsibilities of the Trust.

However, three months later, a senior official from the Ministry tells trustees that, under proposed Bill 72, no local government, including the Islands Trust, would be able to adopt an official regional plan. The Trust's proposed regional plan would be advisory only and have no legal effect. That is bad enough but Bill 72 also proposes to give a committee of unelected civil servants overriding authority over local community plans.

Trustees quickly pass a resolution "*to record our utter dismay at the prospect that the role of the Trust and the process of achieving our objectives would be severely eroded and diminished...*" and urgently request clarification from the Minister.

Over the next few months, the Trust mounts a concerted public campaign to oppose those provisions in the Act. The Trust Chair, John Rich, is tracked down at a northern fishing lodge to deal with the worsening threat.

SCENE 3: PROPOSED ABOLITION OF THE TRUST

On July 27, 1982, Minister Vander Zalm moves second reading of Bill 72 with more unexpected changes and revealing his true intentions for the Islands Trust. The Minister notes that "*this bill has undergone a great public process*" and identifies the "*considerable controversy*" with respect to the Islands Trust. While acknowledging the work of the Trust in putting bylaws and community plans in place, he goes on to say "*this process can be carried through very effectively by the Regional Districts.*" Toward the end of the proposed Act, section 190 states simply "*The Islands Trust Act is repealed.*" In other words, the government now proposes to abolish the Islands Trust entirely.

The NDP Opposition, led by Charles Barber, leaps into action. He expresses anger over the introduction of a number of new features introduced into the proposed Act, including the new clause that would abolish the Trust without any prior consultation with the organization or with the residents affected. He argues at length that it is a loss for

local government and for the special protection afforded the Trust area. *“The islands will be treated like any other piece of real estate in BC.”* In an emotional defence of the Trust, he denounces the government for its actions and says that *“destruction of the Islands Trust will lead to the destruction of the Gulf Islands as we know them.”*

The Minister faces strong and widespread opposition to the bill. Editorial opinion condemns the proposed destruction of the Trust. The Vancouver Sun declares *“Abolishing the Islands Trust would be like removing the Beefeater guard from the Crown jewels in the Tower of London. It would be an invitation to plunder a one-of-a-kind treasure house.”* The Times Colonist adds its vigorous opposition to the government position on the Trust. *“To abandon the islands now to the varying and uncertain mercies of seven different regional districts is reckless and foolish.”*

In a last ditch attempt to delay the Bill, the Opposition demands a referendum on the islands to see if the residents favour retention of the Islands Trust. It is not needed. Faced with the criticism in the legislature and actively opposed by the Islands Trust, regional districts, the Union of BC Municipalities, the press and the public, Bill 72 is allowed to die on the Order Paper. In other words, the proposed legislation does not proceed any further and the Islands Trust continues in business.

The curtain falls to loud applause.



Garry Oak Burning,

INTERMISSION

We now take an intermission to look at the success story of the Islands Trust Fund – the land conservancy branch of the Trust – and its significant contribution to the preserve and protect object of the Islands Trust.

The original Islands Trust Act, passed in June 1974, does not provide authority for the Trust to hold land or receive donations from the public. This is corrected about a year later in Bill 97. An offer of a property to be conserved prompts the government to amend the Act to authorize a Trust Fund. In the debate, Minister James Lorimer states that its purpose is *“to develop and look after the islands, to acquire land for possible park purposes and for wilderness areas”* and that *“we have found in the past year that people who are prepared to give donations objected to giving them to government as such or to a department of government.”* The Islands Trust Fund is conceived as an idea but not yet established.

Over the next decade, Trust Council repeatedly asks the Province to activate the Trust Fund but without success. In 1987, Social Credit Minister Rita Johnston finally agrees to the establishment of the Trust Fund as part of a broad review of the Islands Trust and the trustees set up a special Committee under trustee Mike Humphries to work on its structure. An important aspect of this work is to identify lands in the Trust area that could be considered as a priority by the Trust Fund. Trustees benefit from a 1975 study by consultant Don Benn and the Nature Conservancy of Canada that identifies ecologically sensitive areas on the islands. All trustees are invited to suggest other lands with high conservation value in their areas.

However, it is two years before Minister Johnston introduces Bill 78, in May 1989, proposing major amendments to the Islands Trust Act including the establishment of a Trust Fund Board, *“giving it a clear mandate and budgetary and staff support through Trust Council.”* The NDP opposition comments that this *“is meaningless unless seeded with sufficient money and/or land.”* The Minister responds that such action will not be considered until an approved Trust Fund plan is in place. The amended Islands Trust Act is passed in July 1989, effective April 1, 1990.

In this transition period, three trustees are appointed to a Trust Fund committee to work with Ministry staff on a program and budget for the first year of the new legislation and to prepare the framework for the required Trust Fund plan. The new Trust Fund Board will consist of three of the elected local trustees and three ministerial appointees, a structure under which the Trust Fund still operates.

The first Trust Fund Board meeting is held on May 17, 1990. In the following four years, the initial Trust Fund plan is approved by the Minister, staff is hired by the Board and the Minister makes the first provincial appointments to the Board. The Islands Trust Fund is finally operational.

After that, much is accomplished including the following major initiatives.

TAX EXEMPTION PROGRAM

In 1994, green space is being taxed at the same rate as residential property. Newly elected trustee Kim Benson leads a prolonged process with the BC Assessment Authority, provincial ministries and others to “*untax nature*” in much the same way as taxes on eligible farm and forestry lands could be reduced.

In 2003, the Natural Area Protection Tax Exemption Program (NAPTEP), unique to the Islands Trust area, is piloted in the Gambier local trust area and officially launched in the Sunshine Coast and Capital Regional Districts in 2005. Landowners qualify for a 65 percent reduction in the property taxes owing on the portion of their land they are willing to protect under a strict conservation covenant held by the Islands Trust Fund and monitored annually. In 2009, the program is expanded to islands in the Nanaimo and Cowichan Valley regional districts.

By November 2009, the Trust Fund holds NAPTEP covenants on 15 properties covering 56 hectares, with 4 more NAPTEP covenants in the works.

REGIONAL CONSERVATION PLAN

A comprehensive Five Year Regional Conservation Plan is prepared for the period 2005 to 2010, with targets for ecosystem protection in each local trust area. By 2008, public and non-profit conservation organizations protect more than 15% of the Islands Trust Area land base, representing over 12,000 hectares of land.

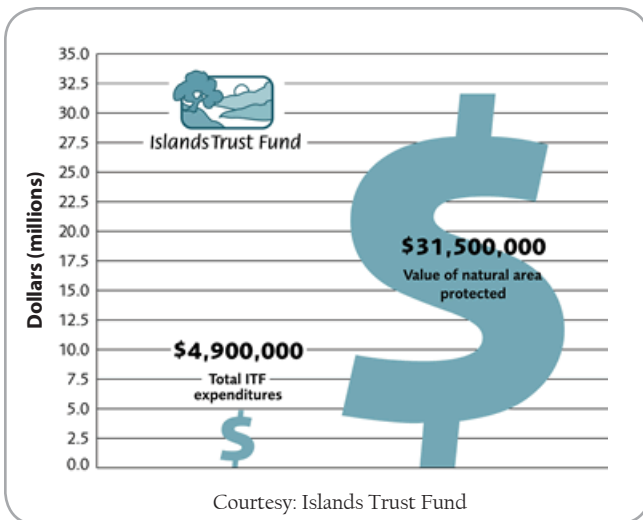
CROWN LANDS

Because of its unique status as a land trust under the umbrella of a local government, the Islands Trust Fund is able to acquire vacant crown land under the provincial Free Crown Grant program. By 2009, the Trust Fund has acquired two new nature reserves through this Program, on Gabriola and Gambier Islands, with a third to be completed soon on Bowen Island.

SUMMARY

By November 2009, the Islands Trust Fund has protected 19 nature reserves and holds an additional 58 conservation covenants on 12 of the 13 major Trust islands, protecting a total of 985 hectares of land.

Thanks to the generosity of island landowners, donors, partners, and the Free Crown Grant program, the Islands Trust Fund has, by March 2008, spent less than \$5 million to protect more than \$31 million worth of land: it is clear that the ecological, cultural, and social value of the lands and habitats protected by the Trust Fund far exceeds their monetary value.



ACT 4: MAJOR RESTRUCTURING

We now return to 1985 and the Islands Trust continues in business. The curtain rises with the Trust once again under provincial review.

SCENE 1: HOUSEKEEPING MEASURES?

The Trust has the authority to appoint its own staff, but it is the Ministry of Municipal Affairs which has the authority and budget to pay their wages and benefits. As a result, Trust staff are considered part of the government and its employee union bargaining unit and this anomaly creates difficulties from time to time in the management of Trust operations. In April 1985, Socred Minister Bill Ritchie introduces Bill 30 (the Islands Trust Amendment Act) to address this matter with two short “*housekeeping*” amendments to bring Trust staff directly under Ministry jurisdiction.

The opposition is suspicious, alleging a “*hidden agenda*” to exert more provincial control over the Trust. Trust Council Chair, Mike Humphries, writes a long letter to the Premier claiming “*the elected officials and the various island communities they serve see [this proposal] as an unjustified interference in the management of island affairs.*” Editorials criticize the government for its proposal and trustees express anger and frustration over the lack of consultation by the Minister.

NDP critic Robin Blencoe leads a prolonged attack on the legislation and proposes a compromise, recommended by the Trust, which will allow the Trust to fund its own operations without provincial support. Despite the extensive and often contentious debate, Bill 30 passes into law without amendment.

SCENE 2: SUPPORT FOR THE TRUST

In May 1987, the Select Standing Committee on Economic Development, Transportation and Municipal Affairs, chaired by MLA Dave Mercier, is directed to undertake a comprehensive public review of the Islands Trust. Socred Minister Rita Johnston makes it clear that the government is not considering abolishing the Trust. The Mercier Committee report is tabled six months later, recommending that the Trust become a regional district, an idea opposed by trustees, other agencies and island residents.

Coincidentally, an analysis of the Islands Trust is undertaken by graduate students at Simon Fraser University under Dr. Michael M'Gonigle and completed in September 1987. It includes a survey of 150 residents, a questionnaire of 36 former and present trustees, and interviews with 51 key individuals. The study finds strong support for the Trust and its performance to that date but expresses concern over its lack of authority to fulfill its mandate as well as underfunding and understaffing of the Trust.

The SFU study recommends that *“the Islands Trust be retained and strengthened”* by granting it more authority and clarifying its jurisdiction. Changes to the Act would *“reflect a commitment by the provincial government to local management by the Trust and individual islands.”*



Tug boat “Grapple”, Galiano Island, 1986

SCENE 3: A MAJOR REWORKING OF THE TRUST

Almost two years pass before Minister Johnston finally introduces Bill 78 (Islands Trust Act) in July 1989, with significant changes more in line with the recommendations in the SFU study than those contained in the Mercier Committee report. The proposed new Act is intended to *“improve the operation of the Islands Trust, enhancing its autonomy and increasing its flexibility. It confirms the Trust’s mandate to preserve and protect the islands and strengthens its ability to do so.”*

Highlights of the proposed legislation are:

- An approved Trust Policy Statement to guide planning and development approvals
- Establishment of the Trust Fund Board
- Provision for new island municipalities on Trust Council
- Official community plans to be consistent with the Trust Policy Statement
- Trust Council (comprising all local trustees) to become the principal body for Trust administration and land-use policy decisions
- Establishment of an Executive Committee to oversee the daily business of the Trust and review local trust committee bylaws (eliminating the term ‘General Trustees’)
- Local trust committees to include the two locally-elected trustees plus one member of the Executive Committee.

Trustees are pleased with the proposals and Trust Chair Nick Gilbert, declares “*the new Act returns all previous powers and gives us some additional ones.*”

The NDP opposition expresses 100 percent support for the Islands Trust and calls Bill 78 “*the first real major reworking of the organization of the Trust.*” While generally supportive of the proposed changes, they direct criticism toward three of the proposed new provisions:

- The allowance for island municipalities within the Trust area and framework – “*What you risk is...you start to balkanize, break down by incorporation into little municipalities.*” As a less risky alternative, the opposition suggests the concept of a local community commission.
- Ministerial approval of official community plans, island municipality bylaws that the Trust refuses, the Trust annual budget and the Trust Fund Plan – all criticized as inconsistent with the thrust in the new Act toward greater Trust autonomy.
- Establishment of a Trust Fund “*without seeding with sufficient money or land*” placing it in a weak position to do its job effectively.

With very little debate, Bill 78 is passed. The inaugural meeting of the new Islands Trust is held on April 1, 1990. In his opening remarks, Chair Nick Gilbert notes optimistically that the occasion “*marks the end of an era*

of much frustration and hopefully the agency has reached a new beginning". He urges MLAs to recognize the Trust area as a sensitive ecosystem and "commit to giving the Trust the necessary powers to carry out its mandate."

The Islands Trust enters the 1990s with a much improved legislative framework and an organization structure that essentially continues today. The curtain falls.



Deer and Rhodos

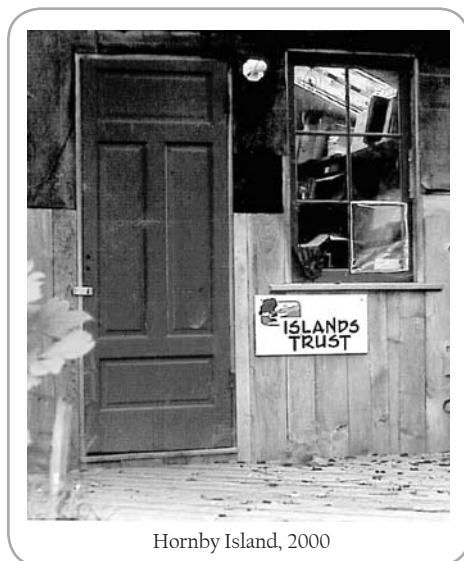
ACT 5: EVOLUTION AND ADAPTATION

Population in the Trust area in 1991 is around 18,000, an increase of 46 percent since 1981 (an average annual increase of about 3.8 percent). Growth rates have declined but development pressures continue to challenge the Islands Trust. It is now 1994 and the curtain rises with a new NDP government in power.

SCENE 1: A SENSE OF COMMONALITY

The first official Trust Policy Statement is finally completed by Trust Council, establishing a clear statement of the Trust vision, guiding principles and policies. It is approved by the Minister of Municipal Affairs, Darlene Marzari, who announces that it gives the islands in the Trust “*a sense of commonality.*” Any future amendments to each island’s official community plans will now have to be consistent with this statement. Inevitably, concerns are again expressed in the legislature about the appropriate balance between local island autonomy and the new, overriding Trust-wide policies contained in the Policy Statement.

The Trust opens its first decentralized office on Salt Spring Island, followed later with a northern office on Gabriola Island. Some trustees work out of informal local offices.



Hornby Island, 2000

The Minister promises a closer look at the Trust's governance structure and "*how this fragile creature called the Trust can deal with the development demands that are being made on it on a day-to-day basis.*" She states that "*if it is to sustain itself, it needs strengthening, broader scope, and greater interest on the part of the provincial government in its longevity and sustainability.*"

These are worthy aims but not fully implemented in the limited legislative changes proposed..

In July, 1994, Bill 25 is passed by the legislature, including amendments to the Islands Trust Act which enable Trust Council to enter into coordination agreements with federal and provincial ministries and other public agencies. (First Nations are added to the list later). An example is the agreement with Ministry of Transportation on road standards in the Trust area. Any such agreements will require ministerial approval. This is intended "*to make life easier*" for the Trust by giving it "*additional scope and an additional maturity.*"

To relieve the workload on Executive Committee members who chair local trust committee meetings as well as oversee Trust operations, Bill 25 also authorizes an increase in the size of the Committee. Subsequent regulations allow for four Executive Committee members.

SCENE 2: MANAGING GROWTH

It is a time of growing involvement of the Ministry into the affairs of the Trust. The "*complicated and contentious*" issue of private land logging is under constant review, sparking the Galiano Island conflict over the proposed development of Macmillan-Bloedel forestry lands. Resolution of the Gabriola OCP provisions concerning Weldwood forestry lands is reached. Some residents on Bowen, North Pender and Salt Spring Islands are looking at municipal status but are constrained by the Minister's expressed desire to retain "*the protection function of the Islands Trust.*"

In 1995, with the stated aim of better managing growth in the province, Bill 11 restores regional planning functions, dismantled in 1983 by the previous government. For the Islands Trust, this means "*new, compatible and rather flexible arrangements that the Islands Trust will now have with their adjacent regional districts for services and planning.*" It allows for more effective

coordination of local planning and local services on the islands. In 1999, a referendum on Bowen Island supports incorporation and arrangements are made to establish an island municipality within the Islands Trust that would have two of its seven elected councilors sitting as trustees at Trust Council. The Trust's "*preserve and protect*" mandate will continue to apply through reference to the Trust Policy Statement and the Trust will continue to approve the Bowen official community plan but, if its terms are rejected, an appeal can be made to the Minister (an option not available to local trust committees).

SCENE 3: STRATEGIC PERSPECTIVES

As part of a continuous process of planning for the future of the Trust area, the Islands Trust and the Ministry commissioned a "Strategic Perspectives Study" by consultant Diane Butler in March 2000. It is based on interviews with 46 individuals and 5 groups with an understanding of the Islands Trust. The report relies heavily on "*what was heard*" during the interviews.

Butler notes that "*Over the past quarter century, the Islands Trust has evolved and adapted to meet changing circumstances.*" The study is intended to provide "*a greater understanding of the Islands Trust's past strengths and weaknesses, future trends and conditions, and potential future governance options.*" and recommends a three-stage approach to a strategic review of the Trust:

- Implement a review of, and changes to, current practices that are within the Trust's existing authority.
- Implement a review of strategies requiring cooperation from other jurisdictions, including legislative amendments.
- Consider a broader and more in-depth review of governance options.

Trustees see this report as an opportunity to renew requests for legislative changes to strengthen the Trust's authority to achieve its mandate and to better articulate the provincial interest in the Trust area.

To show support for the Trust and prompted by continuing extensive logging occurring on the islands (most recently on Salt Spring and

Denman), over two hundred islanders attend a protest rally on the steps of the BC Legislature. They press the provincial government to “Unchain the Trust” by extending its authority to stop industrial logging in the Gulf Islands.



The curtain falls, with the Trust again seeking legislative support and a new government about to take over.

ACT 6: GOVERNANCE AND REFLECTION

The permanent population in the Trust area has tripled since 1974, reaching over 25,000 in 2006. Rising property values provide investment opportunities on the islands but negatively impact the natural environment and rural quality of life that the Trust was established to protect. It is now 2002, and the curtain rises with a new Liberal government in power.

SCENE 1: GOVERNANCE

Following the incorporation of Bowen Island in 1999, the Ministry of Community Development and the Islands Trust commission a study of the implications of further island incorporations within the Trust. The Ministry agrees to provide planning grants to Salt Spring and Gabriola Islands for the restructure studies needed to assess the pros and cons, including the costs, of incorporation. After heated debates on both islands, subsequent referenda are defeated. In 2002, on Salt Spring 70 percent oppose, and in 2004 on Gabriola, 87 percent oppose municipal incorporation.

In September 2003, Trust Council renews discussion of Trust Governance, targeting four ideas for improving its effectiveness.

- Transfer of some provincial and regional land use authorities to the Trust
- Improved coordination of local trust committee and regional district services
- Resolution of disputes involving provincial programs and the Trust mandate
- A differentiated property tax among local trust areas.

There is some progress made on these ideas within the Trust but still no success in achieving additional authority to carry out its provincial mandate.

A province-wide public opinion survey, published in 2005, confirms widespread and popular support (over 85%) for protection of the Gulf Islands. In the same year, Trust Council holds an Islands Forum which identifies the #1 hope as “*Recapture the original vision of the Islands Trust with increased legislative tools ...*” and the #1 concern as “*Scale, type, amount, location and speed of development.*”

In March 2006, trustees agree to renew their efforts and establish a Governance Task Force “*to improve governance and the services provided by the Islands Trust.*” Its first priority, which would require legislative change, is political representation. An independent consultant is hired to study options and public meetings are held on all the islands. Trust Council proposes a change in legislation to allow an increase in the number of Salt Spring trustees from two to four to increase representation, reflect diversity of views as well as spread the considerable workload (not the first time this idea had been suggested). In the subsequent referendum on Salt Spring in November 2008, the proposal is defeated with 57 percent opposing.

Two extended but successful court actions by the Trust in 2009, on Salt Spring and Denman Islands, confirm the authority of the Trust to enforce its zoning bylaws and development permit guidelines.

SCENE 2: TRANSITIONS

The evolution of the Trust, indeed of all levels of government, is overtaken by global events with priority attention shifting to the potential impacts of climate change. A growing number of scientific studies confirm global warming trends and the urgent need to reduce emissions of greenhouse gases (GHG) into the atmosphere. It is generally accepted that this is the most serious issue facing humanity and governments are challenged by their citizens to take action.

In response, the BC government establishes a Climate Action Team, promotes a Climate Action Charter (to which the Trust is a signatory) and introduces new legislation to address GHG emissions. Included is Bill 27, which requires all local governments to set GHG emission reduction targets in their official community plans by May 31, 2010. In September 2009, trustees agree that this should be the top priority for all local trust committees.

SCENE 3: FINAL REFLECTIONS

The need for the Islands Trust is as relevant today as it was in 1974 - even more so, given the extent of real estate development and speculation that prompted its formation. Surrounded by large and expanding urban centers in Vancouver, Victoria, Nanaimo and Seattle, the Gulf Islands are now at greater risk of disturbance and damage to its natural environment from land development and over-use by both residents and visitors.

WHY IS THE ISLANDS TRUST AREA CONSIDERED WORTHY OF SUCH PROTECTION?

A comprehensive, science-based assessment of the province's natural environment, prepared in 2008 by Biodiversity BC (a partnership of government and non-government organizations), confirmed the importance and fragility of the Trust area.

The Coastal Douglas Fir zone, where our islands are located, is designated "imperiled." It is among the rarest (0.25% in area) of all biogeoclimatic zones in BC, contains the highest density of species of global and provincial conservation concern and has the highest percentage (97%) of ecological communities of provincial conservation concern.

The Trust area alone is the home of at least 36 endangered ecosystems and 218 at-risk plant and animal species.

Thirty-five years ago, the threat to the islands and of their provincial and national significance was recognized and acted upon by the BC Government. Since then, the Trust has repeatedly sought the planning tools and authority needed for it to properly accomplish the mandate it was given by the province. At the same time, provincial funding of the Trust has steadily decreased from its initial 100 percent to less than 3 percent today.

The Islands Trust Act, and the institution which it established, represents a promise made by the provincial government to islanders, and to the people of British Columbia generally, that the islands would be protected for all time from over-development and inappropriate development. The initiative was astonishing for its courage, imagination and foresight. There are no other local or regional decision-making bodies like it elsewhere in Canada or, it appears, in North America. Whatever its flaws, it remains alone in our country as a government charged with the stewardship of a fragile environment and the preservation of a special, rural quality of life.

In the view of many, it is doing a remarkable job. With continued support and stronger authority, it can become a model for preserving and protecting the health and well-being of the earth on which we all depend.



Early Morning, Keats Island, 2008

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Old Barn, Salt Spring Island, 1988

CREDITS

Photographs

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Tourism BC	Pender Bridge, 1974
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	Trustee Office, 2000
	“Unchain the Trust”, 2000
Peter Lamb	Early Morning, Keats Island

Sketches

Peter Lamb	Porlier Pass Light, Galiano
	Denman Ferry Terminal
	Tug Boat “Grapple”, Galiano
	Old Barn, Salt Spring

Charts & Maps

Islands Trust	Trust Legislative Chart
	Trust Area Map
Islands Trust Fund	Island Trust Fund Chart

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- “*Islands in Trust*”, Arthur Fielding Sweet, 1988
- Debates in the B.C. Legislature (Hansard)
- BC Legislative Library
- Trust Council & Trust Fund Board minutes
- Capital Regional District minutes
- Gulf Islands Driftwood
- Islands Tides

ISLANDS TRUST AREA



Courtesy: Islands Trust