Gordon Brent BROCHU-INGRAM. * KEXMIN field station * April 9, 2021 City and Regional Futures Colloquium Department of City and Regional Planning, Cornell University, College of Architecture, Art, and Planning

The Land We Would Like To Be: Renewing biodiversity conservation planning strategies as part of joint management with First Nations

around the northern Salish Sea

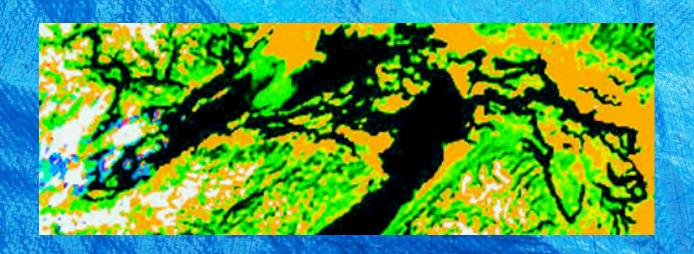


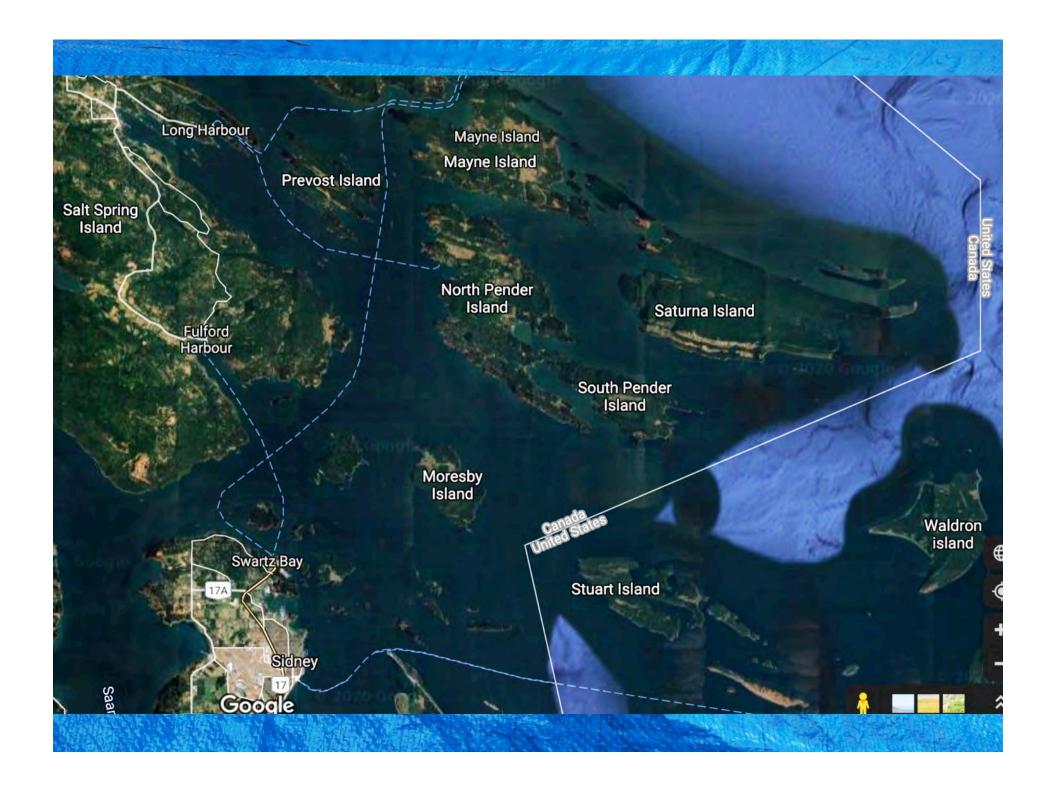
Thanks to Jeff Chusid and Chris Hinman, of Cornell University's College of Architecture, Art, and Planning, for supporting and assisting with this discussion

Thanks to my neighbours on Salt Spring Island and my colleagues at Islands Trust for sharing perspectives and information!



territorial acknowledgement







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The scores of indigenous communities with territories on the Canadian side of these islands, in the central part of the Salish Sea, involve two confederations, the Hul'qumi'num Treaty Group and the WSÁNEĆ Leadership Council, with the following First Nation governments historically and currently active in stewarding, harvesting, and inhabiting their lands and seas on the southern Gulf Islands: Cowichan Tribes; Halalt; Lyackson; Malahat; Pauquachin; Penelakut; Semiahmoo; Snuneymuxw; Stz'uminus; Tsartlip; Tsawwassen; Tsawout; Tseycum; and Ts'uubaa-asatx.

With only some 1852 treaties for Saanich on Vancouver Island, and a single treaty mentioning these islands forged with the Tsawwassen First Nation centred on the mainland 2009, much of the southern Gulf Islands has not been ceded to the governments of British Columbia and Canada – and much of the neighbouring islands in the USA have been ceded by the WSÁNEĆ.

1. Introduction: Combining environmental & community planning on an exurban margin during multiple crises (including the **COVID** pandemic)







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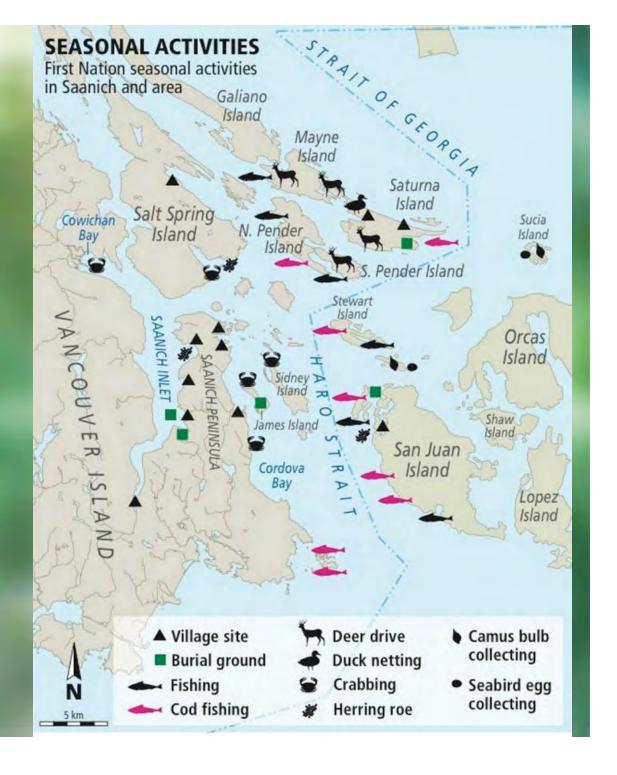
Renewing biodiversity conservation planning strategies as part of joint management with First Nations around the northern Salish Sea

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2.

Problem Statement: Land use planning & biodiversity conservation with First Nations in a time of repair



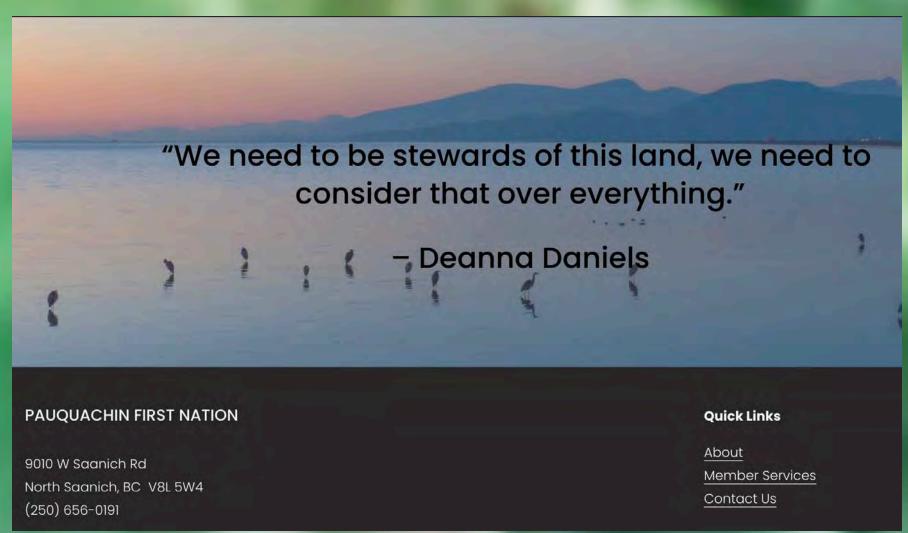
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WSÁNEĆ chief David Latess, middle, with Tommy Paul and Chief Edward Jim, circa 1923



ROAD TO RECOVERY



Rebecca David

Chief, Pauquachin First Nation Gordon Brent BROCHU-INGRAM. * KEXMIN field station * April 9, 2021 City and Regional Futures Colloquium
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Some relevant terms for the USA & Canada

biological diversity = biodiversity = at least three levels:

- ecosystems and communities (including cultural sites & landscapes);
- species; and
- genetic (sub-species, genotypes, diverse populations);

loss of local biological diversity:

- impact / cumulative impact / cause-effect linkage;
- loss of population size;
- loss of population fitness (and genetic diversity);
- extirpation / extinction; and
- critical habitat

protected areas:

- networks of protected areas (cores & buffers);
- international networks (biosphere reserves, NEON);
- national parks; state / provincial parks; ecological reserves and private/NGO nature reserves;
- tribal parks and joint management areas;
- habitat stewardship covenants on private land;
- county / regional district parks & recreation areas;
- displacement / protected areas refugees;
- traditional / treaty rights (over protected areas);
- enabling legislation (international treaties, federal, state / provincial, county / regional district, British Columbia Municipal Act); and
- budgets: protection / monitoring / complaints / enforcement;

law and land use:

- legislation with jurisdictions: public / private for county, municipality, (Islands Trust), regional district, state / provincial, national, international;
- international treaties (numerous with the USA) + United Nations Declaration on the Rights of Indigenous
- historic & modern treaties with indigenous governments
- bylaw and "nonconforming use;"
- species at risk = endangered species;
- critical habitat as a 'listed' / 'gazetted' territory;

law and land use continued:

- Indian Act / Indian Reserve / 'status' Indians / non-status Indians;
- 'bands' versus First Nations
- land claim & treaty negotiations;
- consultative frameworks (linked to treaties or lack of treaties);
- environmental assessment (BC and Canada); and
- regional initiative including ecosystem recovery strategy / teams.

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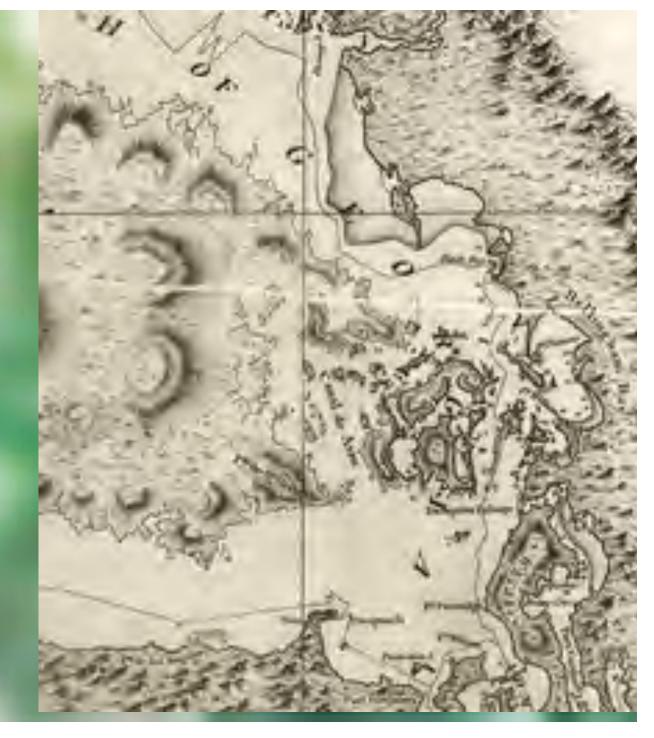
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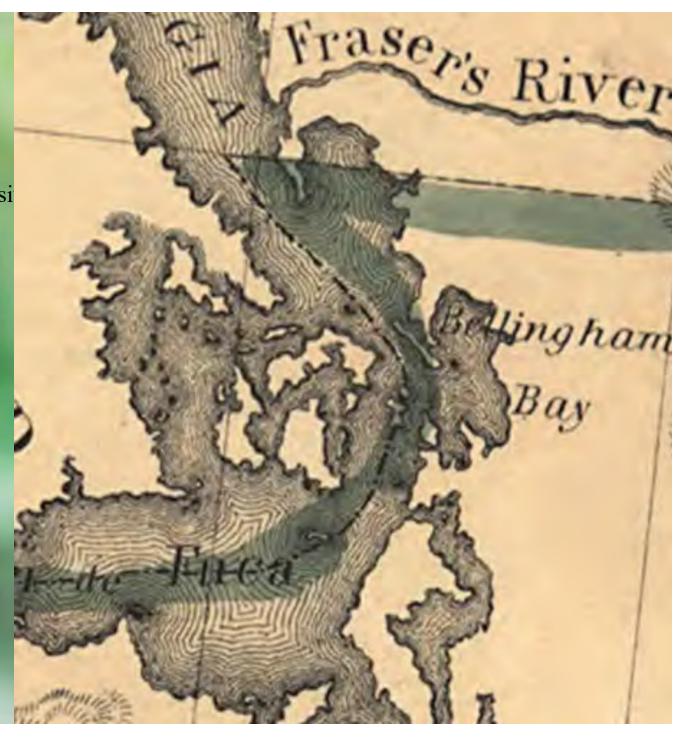
4.
The southern Gulf Islands

north of the U.S. San Juans:
Political ecologies & political
economies

George Vancouver's 1798 map of the Gulf and San Juan Islands



John C. Frémont, from "Map of Oregon and Upper California," 1848. Library of Congress



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5.

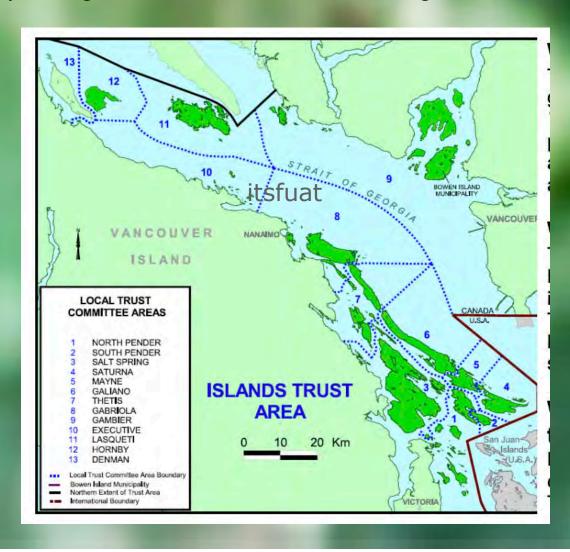
Border lands & seas: The Islands Trust of the southern Gulf Islands

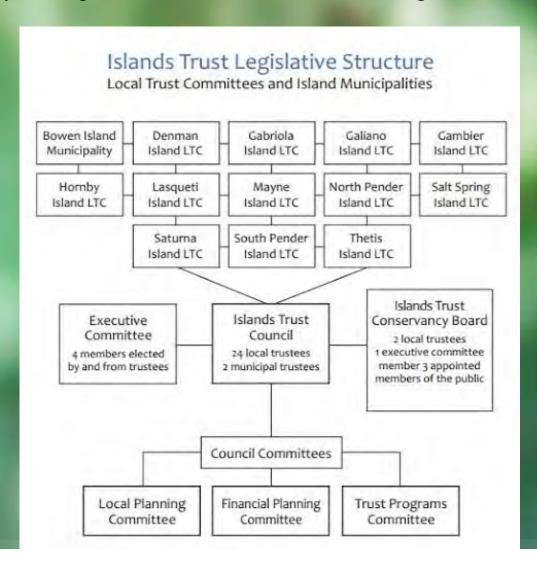
The Islands Trust Object

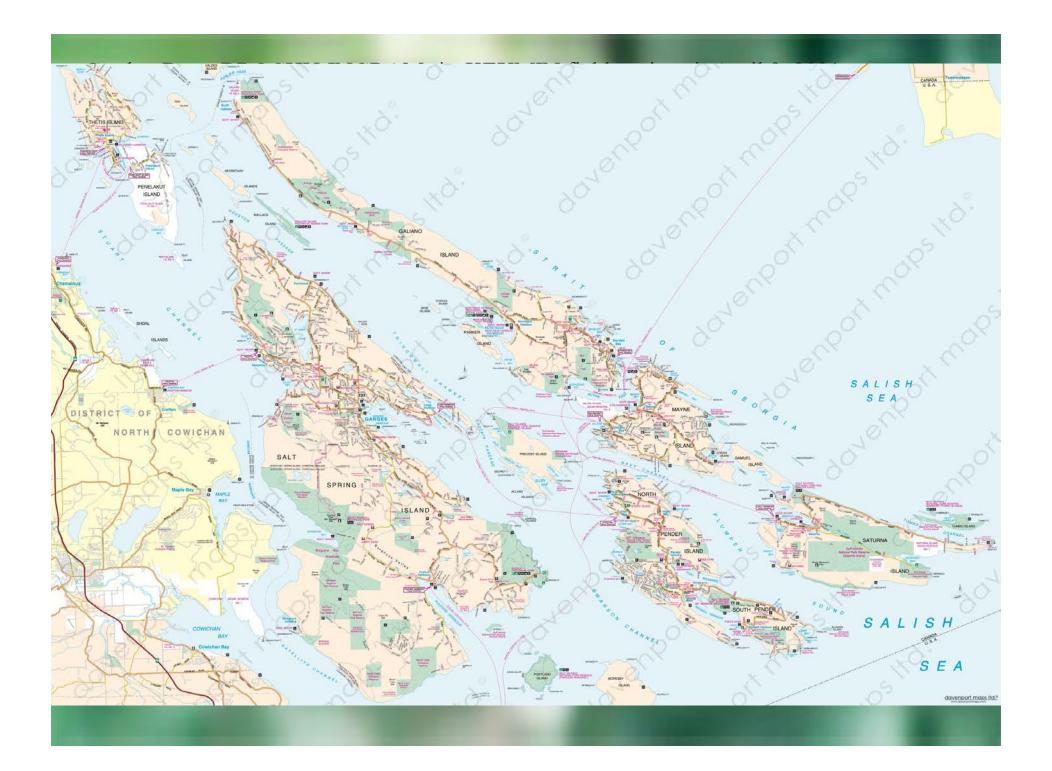
"The object of the Trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations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

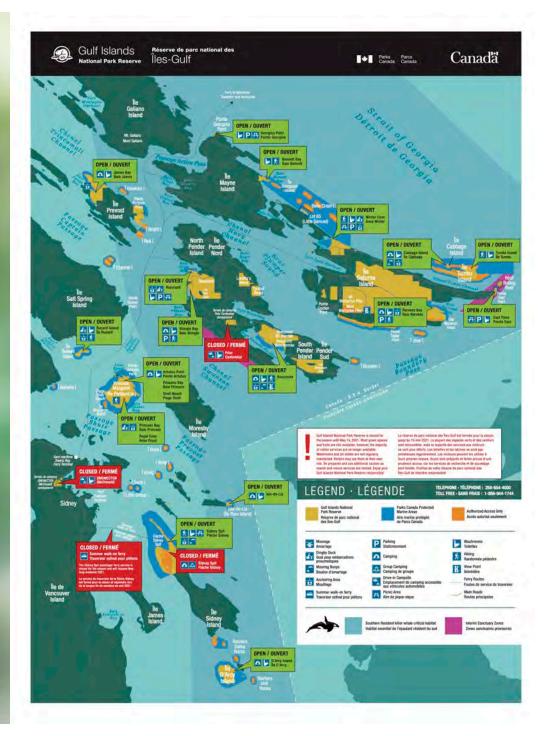
Islands Trust Act

1973











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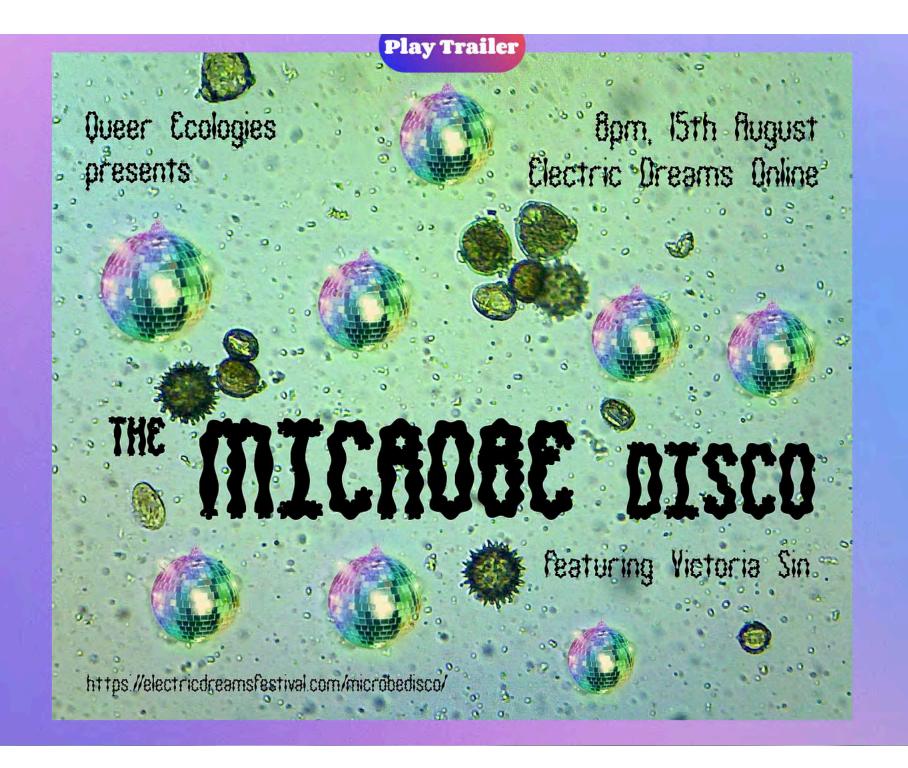
6.

New perspectives in biodiversity conservation: Indigenous science & queerer ecologies (in the Anthropocene)

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Saturna Ecological Education Centre students at one of their data collection points for a pilot project monitoring two Rockfish Conservation Areas for illegal fishing.

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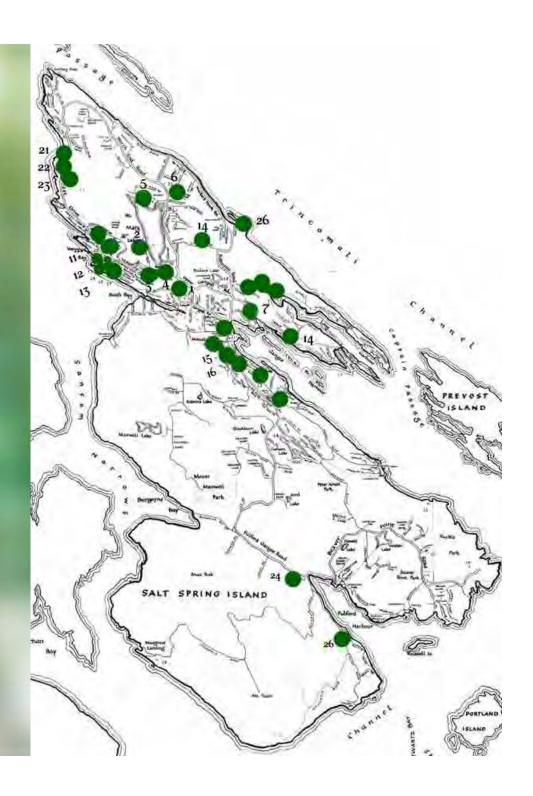
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7.

Decolonization & repair as multiple regional and local processes

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Clusters of homesteads granted in the 1850s and 1860s awarded to African Americans who had become British subjects



Gordon Brent **BROCHU-INGRAM** Prevostlisis **KEXMIN** field station April 9, 2021 The Land We Would Like To Be KABAKA SETTLEMENTS on sale SUBBOUNDING ISLANDS North Saanich Coal Island

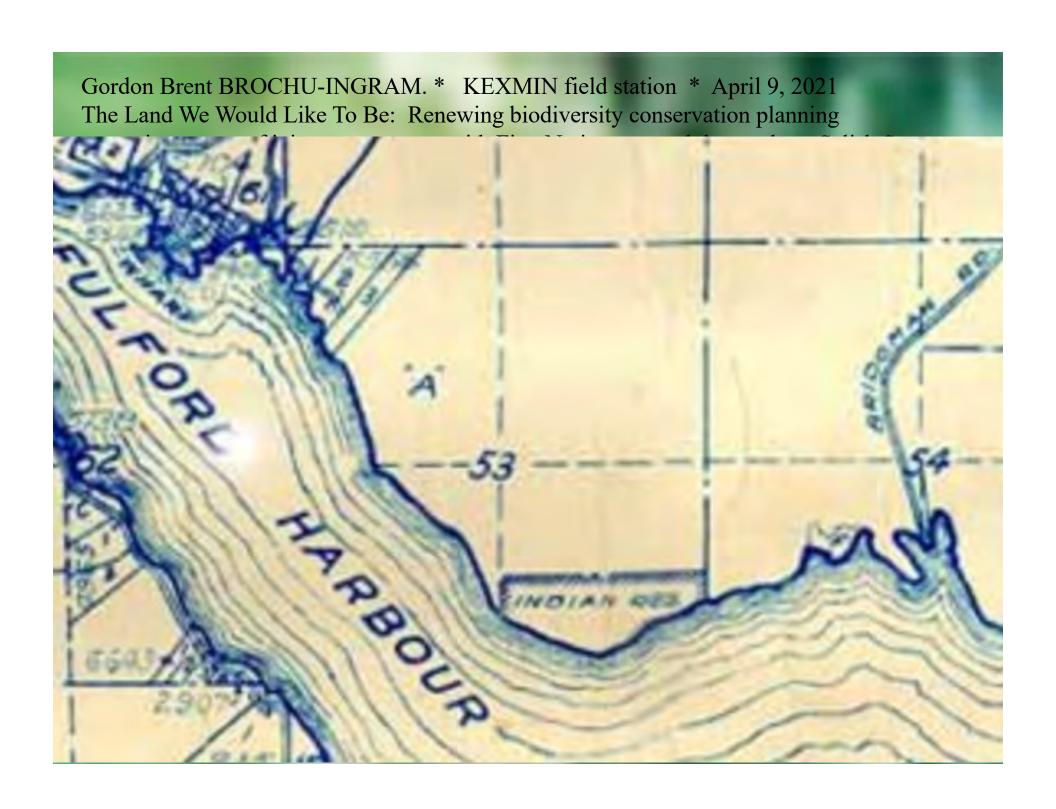


RED INDIANS WHO HAVE COME TO SEE THE KING

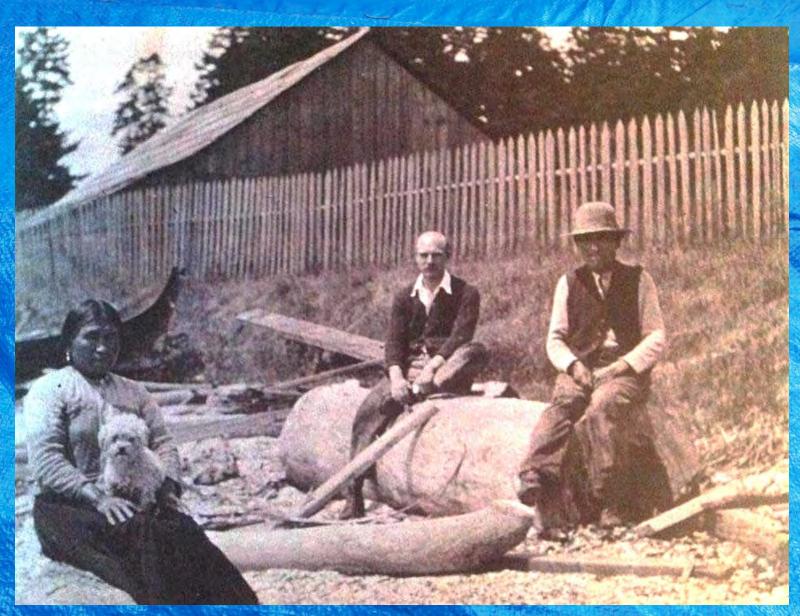
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Cowichan Chief
Tsulpi'multw,
a leader in the
Indian Rights
Movement
returning from an
audience with
King Edward VII
(in photo) in 1904
unsuccessfully
pressing for the
colonial-era promise
of land for the
Cowichan









WEN,NÁ,NEĆ 1920 Mary Zalt, Zalt Zalt and visitor with Salish wool dog (extinct ca1940)

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8.

Social equity redefined: Modernizing goals of biodiversity conservation, joint management & repair

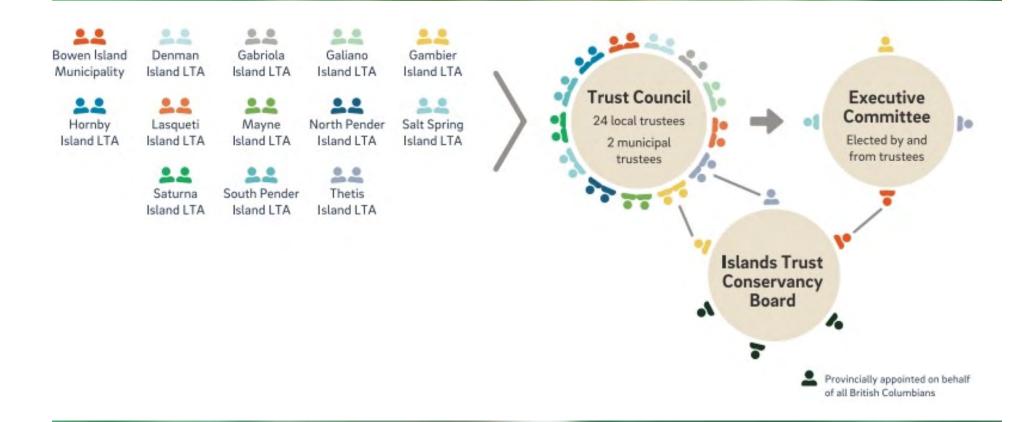
some criteria for equity:
land
housing
infrastructure
food gathering
ceremonial / education / spiritual space

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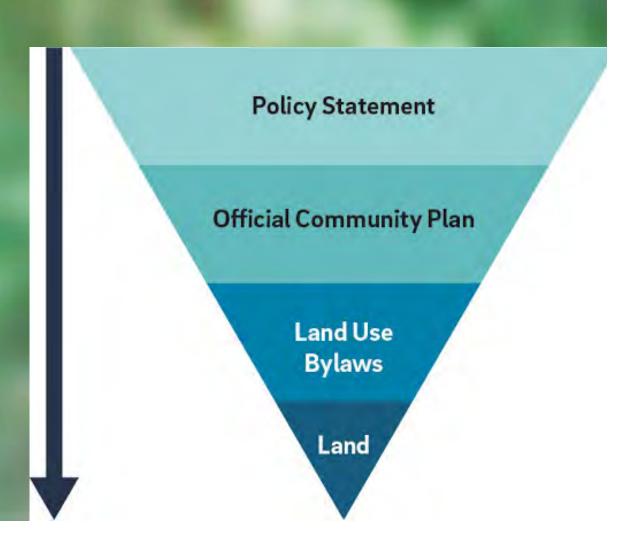
The exhaustion of older governmental & private models of conservation & island rural development



operational currency: concept of nonconforming uses as defined by the bylaws

permits required by the bylaws with the charges for the permit applications a major source of income for operation of Islands Trust

enforcement driven by anonymous, on-line complaints





TALALA







Have you noticed a potential or apparent bylaw violation?

You are here: Home > Islands > Bylaw Compliance and Enforcement > Report a bylaw violation

The Islands Trust is committed to protecting your privacy. The information provided in this form is confidential and used to process your complaint. We never provide or sell your personal information to agencies, third-parties, respondents or advertisers. For detailed information, please review our Privacy Statement.

Please note that we are unable to act on anonymous complaints.

If you would like to submit a complaint directly by email without using the submission form below, or you would like to provide photographs, please send an email to the Bylaw Enforcement office.

If you have language or literacy issues, come to one of the Islands Trust offices and staff will help you to complete a complaint form.

Once you click on the "Submit" button, don't leave the web page until your computer has successfully sent the message. Once it has successfully sent it, you will receive an automatic reply email indicating that "Your Bylaw Enforcement E-mail has been received!" If you haven't received this email message, then you haven't successfully submitted your complaint.

Please fill out the form below:

Fields marked with * are required

COVID-19 Response

Local Trust Areas

Bowen Island Municipality

Municipal Incorporation

Land Use Planning

Bylaw Compliance and Enforcement

- Report a bylaw violation
- Bylaw Enforcement Notification and Dispute Adjudication System
- Disputing a Bylaw Violation Notice

Island Ecosystems

Reading Room

Trust Council Projects

Other Jurisdictions

ISLANDS TRUST QUICKLINKS

Local Trust Areas



Contact Information		
Phone 1		Phone 2
*		
Phone 3		Email
Location of Violation		
First Name		Last Name
Street Address		Postal Code
Island		Other
Please select	*	
Legal Description (PID, Plan, Lot etc)		
		10
Complaint Details		
		*
		(1)
_		

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10.

Pressures for joint management of biodiversity conservation: Roles of First Nations, elected governments & political economies

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The territory negotiated in 2009 in a modern treaty for the Tsawwassen



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SISCENEM (Halibut Island) is less than 1,000 feet from from the international border was transferred to the WSÁNEĆ Leadership Council in 2020 from The Land Conservancy purchased the 9.67-acre island for \$1.55 million with help from an unnamed donor



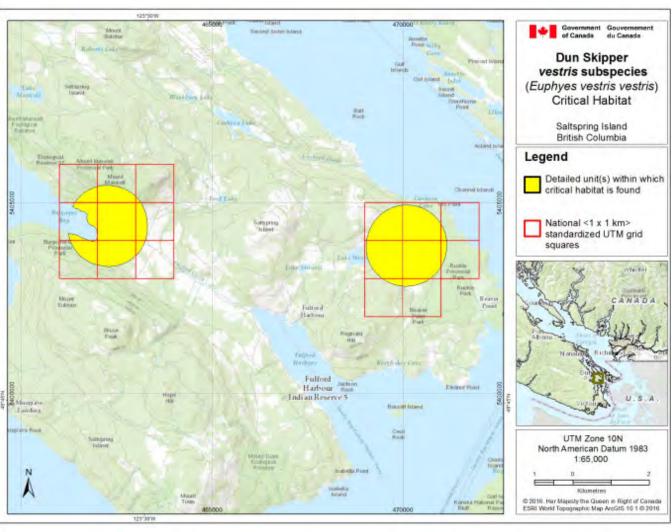
Consultation with First Nations in land use planning about traditional territory is enshrined in Canadian law.

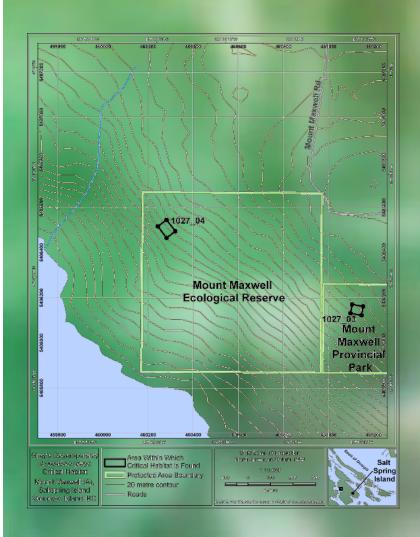
The United Nations Declaration on the Rights of Indigenous (2007 and adopted in British Columbia in 2019) changes the whole nature of Islands Trust (which still does not have jurisdiction over First Nations lands).

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11.
Some case studies:
Questions, dilemmas & opportunities

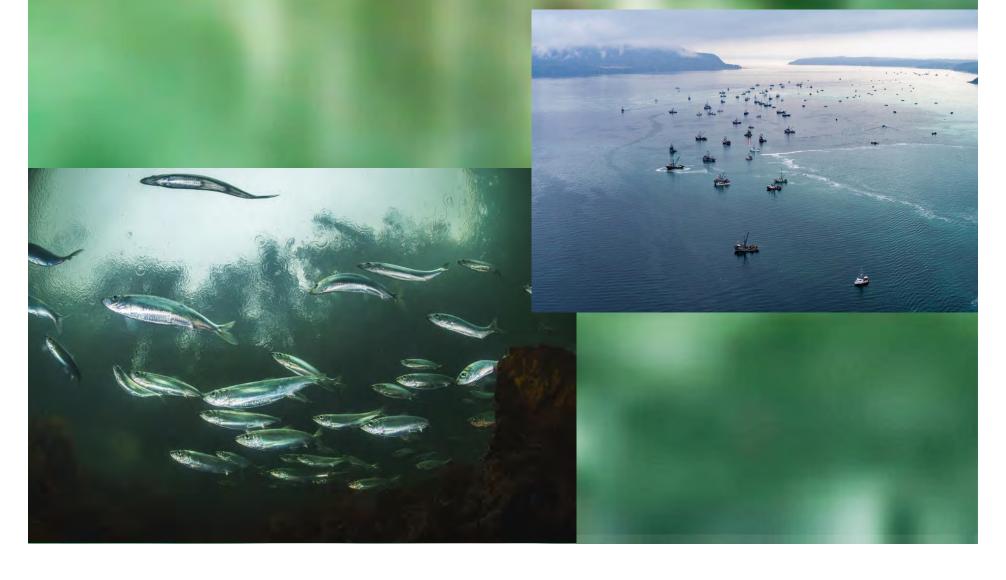


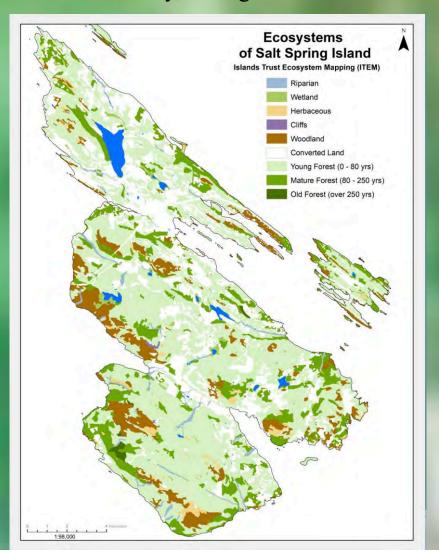


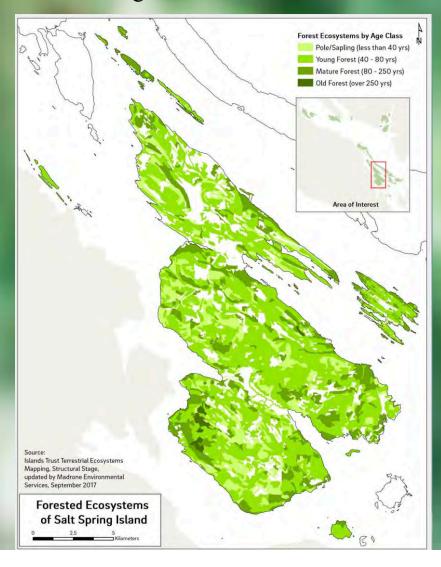
















STOP THE ISLANDS TRUST

PROTECT OUR FREEDOM! Oppose the Coastal Douglas-fir and

Associated Eco-systems protection project.

Home About

SIGN PETITIO

WE ARE FIGHTING FOR THE RIGHT TO LIVE AND WORK.

Support private land owner rights, working farms, builders and forestry jobs for residents on Salt Spring Island by opposing the "Protection of Coastal Douglas-fir and Associated Eco-systems Project" proposed by the Islands Trust. The Islands Trust Is trying to cram this through during Covid without proper public discourse.

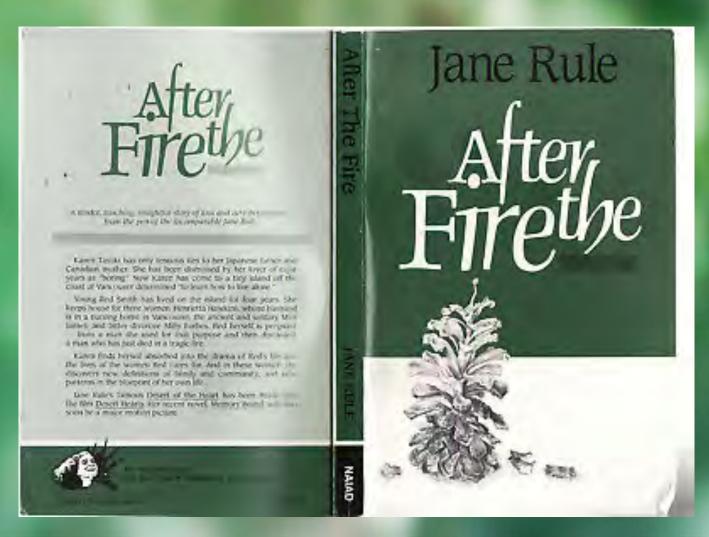
This is the just the latest set of restrictions promoted by the Islands Trust. Remember the Riparian Regulations? They wanted a set back from run-off ditches of 30 meters, representing a vast property taking.

We pay the people who are imposing these restrictions. We pay for the biologists who cook up the reports. No opposing studies are ever commissioned and there exists no funded organization opposing or even fact-checking these studies. Are they right? We don't know. This is not science.

More and more land is put into conservation every year, more and more land is taken out of the tax base, which means those property owners left pay more taxes. Lack of land means house prices go up, which means that more and more, the island is becoming an island for the wealthy. Which means it is less diverse, less interesting, just a parking lot for the wealthy three months a year. The community is drawn down, skeletal, just another place for rich people to have second and third homes.















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12.

New kinds of analytical and operational frameworks for conservation & community planning often lead by First Nations





WSÁNEĆ youth on a dock next to one of their ocean-going canoes on August 23, 2020 reestablishing reef-net fishing off Pender Island (on the marine border with the USA).

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ABOUT

HISTORY & TERRITORY

INITIATIVES

ÁLI SĆĀ

GET INVOLVED

CONTACT

a

WLC to build a referrals office to improve management of colonial activity within the territory.

Home / News / WLC to build a referrals office to improve management of colonial activity within the territory.

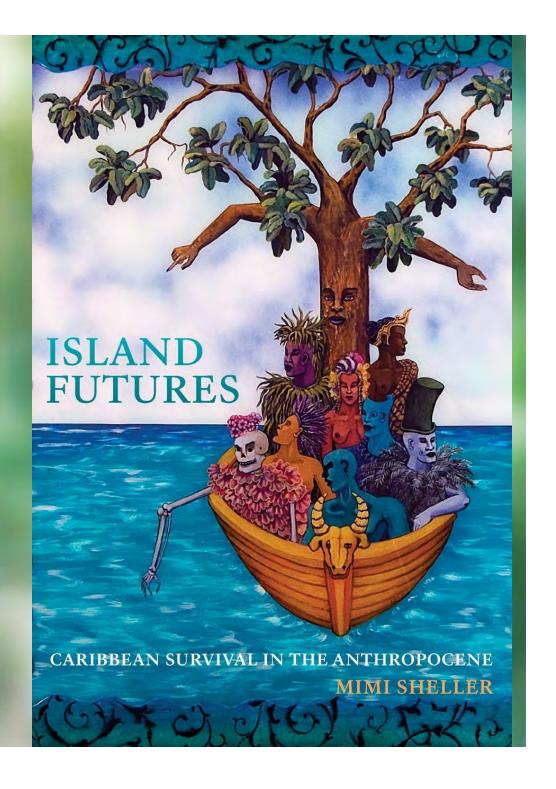
The WLC is pleased to announce work on a dedicated referrals office will begin this year.





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13. Conclusions: Re-imagining biodiversity planning for vulnerable life (including human populations & cultures) on the gentrifying margins



A copy of the paper written for this presentation will be available upon request in late April.

Think galactic—or your world is lost!

studio@gordonbrentingram.ca