

MONITORING DEVELOPMENT PERMITS AND RESTRICTIVE COVENANTS ON SALT SPRING ISLAND

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AUGUST 13, 2010

598 MANAGEMENT REPORT PREPARED FOR:

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EXECUTIVE SUMMARY

The Islands Trust is the land-use planning authority and local government for the Southern Gulf Islands of British Columbia. It uses a variety of land-use planning tools to regulate the development of land that is both sensitive and valuable. Two of these tools are *restrictive covenants*, which restrict development and impose obligations on landowners, and *Development Permits*, which require development activities in particular areas to conform to guidelines developed to protect that area.

The purpose of this report is to evaluate how restrictive covenants and Development Permits are monitored by the Salt Spring Island office of the Islands Trust and explore how restrictive covenants and Development Permits should be monitored. This work is being undertaken in the context of an Islands Trust policy review of covenant tracking throughout the Gulf Islands and feeds into this review because there is not currently a formal policy for monitoring restrictive covenants and Development Permits on Salt Spring Island.

In order to evaluate the current protocol for monitoring and make recommendations for a monitoring program this report includes:

- Background research on the Islands Trust,
- Background research on restrictive covenants and Development Permits and how they are used in British Columbia,
- A literature review on monitoring programs,
- Findings from key informant interviews on Salt Spring Island, and
- A Discussion of the research.

This research indicates that monitoring is complex and must find common ground between the competing objectives of stakeholders. Further, a monitoring program must be integrated into and appropriate given the resources and objectives of the organization conducting the monitoring. Monitoring programs must balance different factors:

- *Cost and Comprehensiveness*: costs must be controlled so that the monitoring program is sustainable and reasonable given the resources of the organization and data must be comprehensive enough to be useful for policy development and to support the objectives of the monitoring program.
- *Communication and Enforcement*: program design should find a balance between using monitoring as a way to reach out to the community using communication and taking enforcement action against illegal behaviour which can reduce community support.
- *Conservation and Development*: on Salt Spring Island, monitoring must contribute to the wider policy objective of supporting conservation and allowing development to proceed.

The scope of this report has been limited to the issue of monitoring restrictive covenants and Development Permits on Salt Spring Island. This includes the research described

above and the development of draft materials that can be used by administrative and planning staff of the Salt Spring Island office of the Islands Trust to develop a monitoring program for restrictive covenants and Development Permits. The draft materials include:

- Draft monitoring policy for restrictive covenants,
- Draft monitoring policy for Development Permits,
- Suggested monitoring form for restrictive covenants,
- Draft monitoring forms for 6 Development Permit Areas on Salt Spring Island.

Recommendations

This report recommends a two-phased approach to developing a monitoring program and that the Salt Spring Island office of the Islands Trust actively engage in education and outreach activities with the community to encourage understanding of the reasons and objectives for restrictive covenants and Development Permits.

Phase 1: Planning and review of Islands Trust capacity and policy objectives for monitoring. The objective of this phase is to determine how to integrate the monitoring program into the wider policy objectives and work of the Islands Trust.

- Analyze how monitoring can be used to support development that promotes conservation.
- Consider accountability of the monitoring program so that it is transparent and integrated into Islands Trust policy objectives.
- Develop a plan to secure long-term, sustainable funding sources for monitoring both for program sustainability and to strengthen the legitimacy of the monitoring program in the community.
- Evaluate whether there are resources available for enforcement activities and design monitoring program accordingly.
- Determine degree of stakeholder involvement; what stakeholders should be involved in monitoring and how they should be involved.

Phase 2: These recommendations concern the development of the monitoring program itself. The monitoring program should be developed and implemented by the Salt Spring Island office of the Islands Trust within a timeframe that the Local Trust Committee considers to be appropriate.

- Use ecosystem approach to monitoring to reflect human and natural realities of development and the property itself.
- Use communication to encourage community buy-in and understanding and dedicate staff time or hire communications officer for communication and outreach activities with community.
- Develop a monitoring policy for Salt Spring Island.
- Adapt current covenant monitoring form for restrictive covenants.
- Adapt draft forms in Appendix 7 for monitoring for each Development Permit Area.
- Design monitoring strategies for individual restrictive covenants and Development Permits.

TABLE OF CONTENTS

EXECUTIVE SUMMARY	ii
TABLE OF CONTENTS	i
INTRODUCTION	1
BACKGROUND	3
Introduction	3
Islands Trust	3
Current Islands Trust Initiatives	5
Restrictive Covenants.....	6
Development Permits	8
Gaps in Monitoring	12
Conclusion.....	12
LITERATURE REVIEW	14
Introduction	14
Monitoring as an Element of a Conservation Strategy.....	14
Monitoring Programs.....	15
Baselines for Monitoring	16
Indicators for Monitoring.....	17
Data Collection	18
Ecosystems and Monitoring	19
Approaches to Monitoring.....	20
Stress-Response Approach to Monitoring	20
Pressure-State-Response Approach to Monitoring.....	20
Ecosystem Approach to Monitoring	21
Conclusion.....	22
CONCEPTUAL FRAMEWORK.....	24
METHODOLOGY	26
Introduction	26
Interviews.....	26
Interview Participants	26
Interview Participant Selection	27
Rationale for Interview Participant Selection	27
Data Collection	28
Limitations	29
Conclusion.....	30
FINDINGS	31
Introduction	31
Islands Trust Staff.....	31
Development Permits	31
Restrictive Covenants	33
Limitations of Current Approach.....	35
Community Involvement in Monitoring.....	37
Development Community/Landowners.....	39
Development Permits.....	39

Restrictive Covenants	40
Limitations of Current Approach	41
Community Involvement in Monitoring	42
Conservation Advocates.....	44
Development Permits	44
Restrictive Covenants	45
Limitations of Current Approach	47
Community Involvement in Monitoring	48
Conclusion	49
DISCUSSION	50
Introduction	50
Comparison of Findings.....	50
Cost and Comprehensiveness of Monitoring.....	52
Communication and Enforcement.....	57
Process for Monitoring	63
Revised Conceptual Framework.....	66
Conclusion	68
RECOMMENDATIONS.....	69
Community Education	70
Phase 1. Initial Policy Development.....	70
Phase 2. Monitoring Program Development.....	71
CONCLUSION	74
SOURCES.....	77
APPENDICES.....	82
Appendix 1, Current Islands Trust Monitoring Form	82
Appendix 2, Islands Trust Recruitment Letter	85
Appendix 3, Interview Questions	87
Appendix 5, Draft Monitoring Policy for Restrictive Covenants	89
Appendix 6, Draft Monitoring Policy for Development Permits	90
Appendix 7, Draft Development Permit Area Monitoring Forms.....	92
Development Permit Area 1.....	92
Development Permit Area 2.....	94
Development Permit Area 3.....	96
Development Permit Area 4.....	98
Development Permit Area 5.....	99
Development Permit Area 6.....	100

List of Tables

Table 1. Comparison of Approaches to Monitoring	22
Table 2. Barriers to Monitoring	35
Table 3. Summary Table, Islands Trust Staff	38
Table 4. Summary Table, Landowners	43
Table 5. Summary Table, Conservation Advocates.....	49
Table 6. Comparison of Summary Tables	51
Table 7. Summary Table, Ideal and Realistic Monitoring Programs	65

List of Figures

Figure 1. Islands Trust Area..... 4
Figure 2. Map of Salt Spring Island with Development Permit Areas Marked..... 11
Figure 3. Conceptual Framework 25
Figure 4. Monitoring, Communication, and Enforcement..... 62
Figure 5. Revised Conceptual Framework..... 68

INTRODUCTION

The Islands Trust is a local government organization whose mandate is to preserve and protect the sensitive natural environment of the Gulf Islands of British Columbia because poorly conceived and managed development in one area can have repercussions for the wider region. Restrictive covenants and Development Permits are land-use planning tools that regulate the development of private property on the Gulf Islands. At present, no formal program is in place to monitor restrictive covenants and Development Permits and this lack of monitoring interferes with the Islands Trust's ability to fulfill its mandate. Monitoring is used to understand how development is proceeding and alert the Islands Trust to cases of non-compliance. Monitoring programs follow the course of the development process and over time can contribute to a better understanding whether the development process meets its objectives. The Salt Spring Island office of the Islands Trust is currently engaged in an evaluation of how covenants are tracked throughout the Gulf Islands and this research has been conducted in the context of this larger policy review.

The research question for this project is: *how are restrictive covenants and Development Permits monitored on Salt Spring Island and how they should be monitored?* The objective is to evaluate how the Salt Spring Island office of the Islands Trust monitors restrictive covenants and Development Permits and develop recommendations that can be used by the Salt Spring Island office of the Islands Trust to develop a formal monitoring program for restrictive covenants and Development Permits. The client for this project is the Salt Spring Island office of the Islands Trust.

The research begins with a section on the background of the Islands Trust and includes a description of the current Islands Trust initiatives that were the impetus for this research. This is followed by a discussion of restrictive covenants and Development Permits. The next section is a literature review on monitoring programs which is followed by the methodology for the interviews with key informants on Salt Spring Island. Next, the findings are presented. Three different groups of stakeholders were interviewed for this project; Islands Trust staff, members of the community involved in development activities, and members of the community that advocate for conservation activities. The following section discusses these findings in the context of the literature review. The next section presents the recommendations. The final section concludes this report.

BACKGROUND

Introduction

This section will introduce the Islands Trust, the local authority for land-use planning and conservation on Salt Spring Island. Next, the current Islands Trust initiatives that led to this project will be outlined. The following two sections describe restrictive covenants and Development Permits and provide a brief description of the ways they are used for conservation throughout British Columbia and on Salt Spring Island. The next section explores gaps in the monitoring system for restrictive covenants and Development Permits. The final section concludes the background analysis.

Islands Trust

The Islands Trust is a federation of independent local governments that plans land-use and regulates development on the Gulf Islands of British Columbia. It was established in 1974 in order to protect the unique and sensitive environment of the Gulf Islands from the pressure to develop land (Lamb, 2009). The Islands Trust mitigates land development pressure by promoting conservation and to that end the Islands Trust's mandate is “to preserve and protect the area of the Gulf Islands and its environment for the benefit of residents and the province” (Islands Trust, n.d.a). In practice, this means that the Islands Trust regulates the development of property and makes land-use planning decisions in the Islands Trust Area, the islands and water between mainland British Columbia and southern Vancouver Island, pictured in Figure 1. The legal basis for the Islands Trust land-use planning decisions and regulation is the *Islands Trust Act* (1996). The Islands Trust is primarily funded through taxes levied on properties in the Islands

Trust Area, revenue from application fees, and grants from the provincial government of British Columbia (Islands Trust, n.d.a); however, these sources of funding are not adequate for all the activities that the Islands Trust undertakes. This makes it necessary for the Islands Trust to recover costs for many of its programs and can delay or restrict the implementation of new programs.

Figure 1. Islands Trust Area



Retrieved from <http://islandstrust.bc.ca/map.cfm>

There are 12 Local Trust Areas and one island municipality (Bowen Island) comprising a major island and the surrounding area and water. Local Trust Committees are responsible for land-use planning decisions for each area and are comprised of two elected Trustees and a chair. An Executive Committee elected by the Trustees oversees

the daily business of the Islands Trust and reviews all Islands Trust bylaws. There are 26 trustees in total and they form the Trust Council, which makes decisions about general policy and budgets (Islands Trust, n.d.a). There are three offices of the Islands Trust: Victoria, Salt Spring Island, and Gabriola Island, and staff from these offices support Local Trust Committees, which function as local governments. On Salt Spring Island the Local Trust Committee is responsible for land-use planning decisions while the Capital Regional District provides many of the services associated with local government including building inspection, some water and sewer services, and parks and recreation (Capital Regional District, n.d.).

As evidenced by a 2004 public opinion survey, 90% of residents express support for the protection of the Gulf Islands (from <http://www.islandstrust.bc.ca/about.cfm>). While residents support conservation in general, it can be assumed that many landowners on the Gulf Islands plan to develop their land, which creates tension between conservation and development. Individual residents can be inconsistent from one situation to another. For example, landowners who plan to build houses or subdivide land may support other conservation activities, and conservation advocates that are against development in general may support particular developments. This contradiction makes the Local Trust Committee's land-use planning decisions controversial. Decisions are often contested— sometimes both by residents that support development and those that support conservation (Islands Trust, n.d.b).

Current Islands Trust Initiatives

In 2009 the Salt Spring Island Local Trust Committee requested a review of existing Islands Trust policies regarding the tracking of covenants because the current

system for tracking covenants was perceived to be inadequate (Islands Trust, 2009). In response to this request the Regional Planning (Projects) Manager has researched covenant tracking including; how covenants can be tracked, how to monitor, and the potential to use electronic tracking systems like the Trust Area Property Information System (TAPIS) that is currently used in Islands Trust offices. The objective of this work was to review and catalogue all covenants and develop a database to maintain information and facilitate monitoring. Local Planning Services has initiated a project to inventory existing covenants and track them over time (Islands Trust, 2009). This policy work is especially germane to the Salt Spring office of the Islands Trust because 43 percent of all covenants in the Islands Trust Area are on Salt Spring Island. In addition, five covenants on Salt Spring Island require frequent monitoring and 49 other covenants require some kind of monitoring (Islands Trust, 2009).

This Islands Trust policy work is also reviewing options for cost recovery for monitoring covenants (Islands Trust, 2010). Currently, the Islands Trust contracts out covenant monitoring with an annual budget for each covenant of \$500.00 (Leah Hartley Personal Communication, June 24, 2010). Potential funding options include seeking voluntary funding in the form of endowments and donations, obligatory funding from taxation revenue, or cost recovery built into the covenants themselves.

Restrictive Covenants

Restrictive covenants impose obligations regarding the use of land under section 219 of the *Land Title Act* (1996). They may restrict a property owner from removing trees, from building on land at all, building above a certain height, in an ecologically sensitive area, or the number and size of buildings (Little et al., 2004). Restrictive

covenants can pertain to subdivision, which involves breaking up a large piece of land into smaller lots that are then sold, by dictating whether subdivision is allowable and the subdivision that is acceptable. Restrictive covenants can be placed on land that is being developed in order to protect wildlife habitat and can mandate that parcels of land remain whole (*Land Title Act*, 1996; Harris, 2001). Restrictive covenants are registered against the land title and bind the covenantor (who enters into the covenant) and any successive owners of the land (*Land Title Act*, 1996; Little et al., 2004). They may require security in the form of a fund that will be used to monitor the covenant or remedy damage, or a penalty that will be owed by the owner of the land if they do not uphold the terms of the covenant (*Land Title Act*, 1996; Islands Trust, 2009).

Most regional districts and municipalities in British Columbia use restrictive covenants. However, different local governments report different outcomes and use restrictive covenants differently depending on the resources that they devote to monitoring and enforcement and the kind of covenants that they hold (Gawronski, 1999). The way that a restrictive covenant is used depends on the land in question, the planning objectives of the local government, and whether the community supports conservation activities (Gawronski, 1999).

The Islands Trust often uses restrictive covenants to regulate the development of land at the time of subdivision or before construction. On Salt Spring Island restrictive covenants can be put on property to restrict development of wildlife habitat and tree cutting, ensure water quality, mandate acceptable building sites on a property, or transfer building density from one property to another (Islands Trust, 2009; Islands Trust 2010; Little et al., 2004). This use of restrictive covenants can mediate between development

and conservation objectives by allowing development while requiring trade-offs in how development occurs that encourages conservation of natural features of the land.

The Islands Trust is required to uphold restrictive covenants in order to ensure that they remain valid (*Land Title Act*, 1996). If the covenant is no longer valid, if the natural landscape has changed and renders the restrictions obsolete or if the covenant begins to interfere with the reasonable use of the land without providing any benefit, the Supreme Court can modify or cancel a restrictive covenant. If a restrictive covenant is challenged in court, evidence of regular monitoring can be used to demonstrate the covenant's ongoing validity (*Land Title Act*, 1996). This means that if the Islands Trust monitors a covenant the monitoring can strengthen its legal validity (Islands Trust, 2010).

Development Permits

Development Permit Areas are designed to protect the natural environment, to protect development from hazardous conditions (such as erosion), or govern the aesthetic characteristics of development. Sections 919.1 and 920 of the *Local Government Act* provide authority for local governments across British Columbia to establish Development Permit Areas in their official community plans and require landowners to apply for Development Permits (Union of British Columbia Municipalities, 2010; *Local Government Act*, 1996). Most municipalities in the Capital Regional District (CRD)—including Salt Spring Island—have sensitive areas that are protected by Development Permit Areas (Harris, 2001; Jennings & Reganold, 1989). In the CRD they are used to preserve habitat, minimize the impact of impervious surfaces on the environment, and reduce development in riparian zones—area that is near watersheds, wetlands, or other sensitive water habitats (Harris, 2001).

A Development Permit is required before substantial development activity begins in a Development Permit Area. Development activities include clearing land, excavating, grading, paving, landscaping, construction, clearing vegetation, and any changes to the land or existing structures (BC Ministry of Environment Land and Parks, 2001). Development activities in Development Permit Areas are governed by a set of guidelines that are designed to promote safe and sustainable development based on the characteristics of the area. Development Permits are approved based on an interpretation of Development Permit Area guidelines in the official community plan which can make it difficult to enforce them— but they can provide a high level of site-specific environmental stewardship (Harris, 2001). They provide targeted land-use intervention that varies according to the specific situation or the objectives of the local government and may encourage innovation and send signals to developers and residents as to how development should proceed (British Columbia, 2010; Jennings & Reganold, 1989).

The second volume of the Salt Spring Island official community plan sets out guidelines for Development Permit Areas which impose additional obligations on landowners and are separate from the process for applying for a building permit (Islands Trust, 2008). Each Development Permit Area has guidelines that can determine:

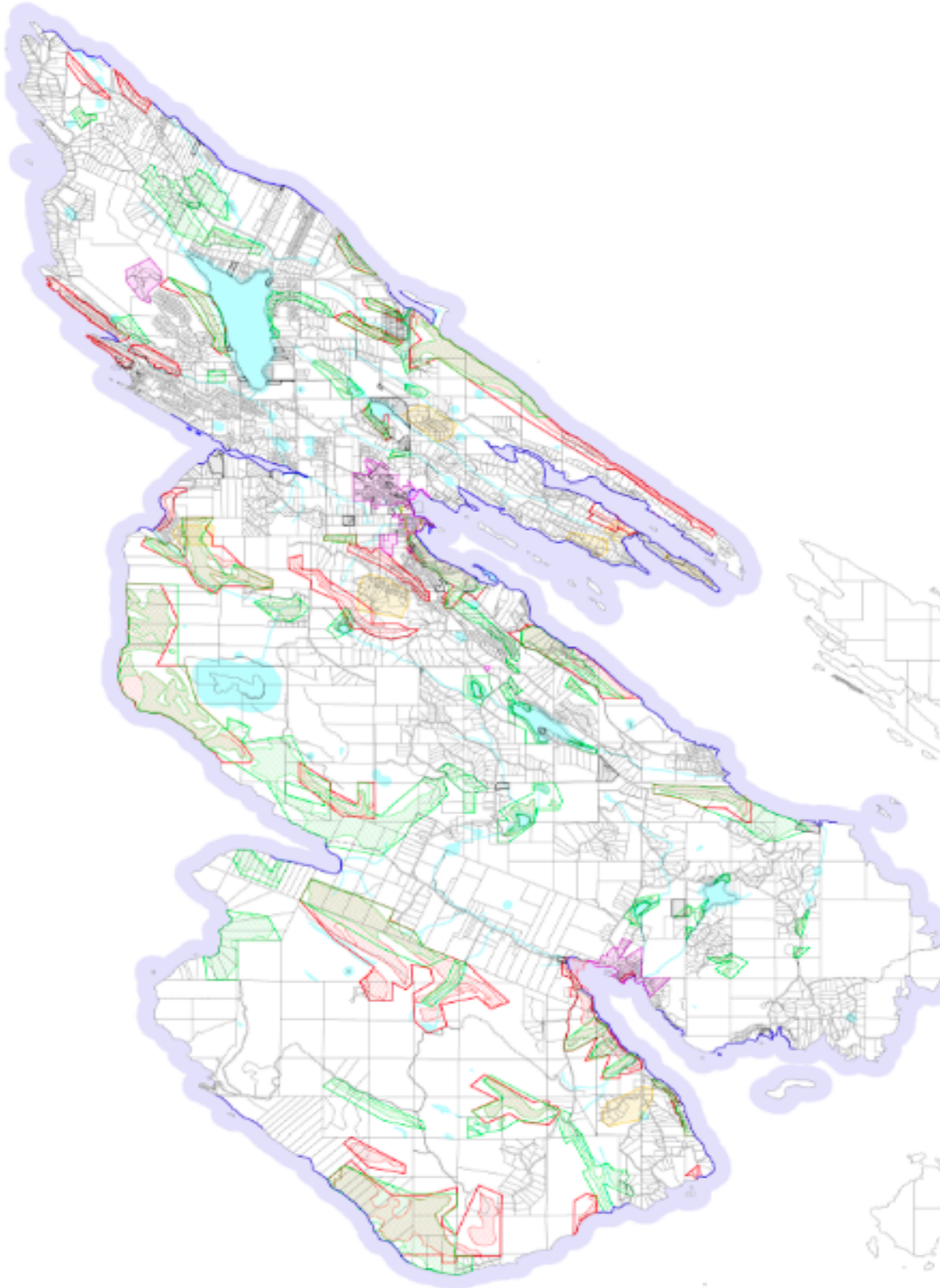
- the location of new buildings,
- access and site design of new development,
- off-street parking lot location and design,
- building form and exteriors, lighting and signs,
- landscaping and parking surfaces,
- storm water drainage and water pollution,
- subdivision of land, and
- new developments.

(Islands Trust, 2008)

The Development Permit application process is separate from the application for a building permit and requires applicants to submit a plan for development based on the guidelines for the Development Permit Area that the property is in. On Salt Spring Island, the Local Trust Committee considers the permit application and if it conforms to the guidelines, the Islands Trust issues a permit that is valid for the development that is described in the development plan. If the landowner plans other substantial development activities on the property, they must apply for another Development Permit (Islands Trust, 2008).

There are 6 Development Permit Areas (DPA) on Salt Spring Island which are shown in Figure 2. The *Island Villages DPA* (purple) maintains the existing feeling of the villages on Salt Spring Island. The *Non-village Commercial and Industrial DPA* (grey) ensures development supports commercial objectives with the least impact on neighbouring properties. The *Shoreline DPA* (blue) and the *Lakes, Streams, and Wetlands DPA* (light blue) protect waters, fish habitat, and riparian habitat. The *Community Well Capture Zones DPA* (orange) protects drinking water. The *Unstable Slopes and Soil Erosion Hazards DPA* (red and green) ensures that new development and existing developments will not be compromised by erosion and other hazards associated with unstable terrain (Islands Trust, 2008). Figure 2 gives an indication of the different locations and terrain of each Development Permit Area which necessitates different guidelines for each DPA. For example, the guidelines associated with the shoreline DPA and the Island villages DPA have different conservation objectives. In addition, not all DPA guidelines will apply to each Development Permit and will depend on the proposed Development activity.

Figure 2. Map of Salt Spring Island with Development Permit Areas Marked



Gaps in Monitoring

Salt Spring Island has more Development Permits and covenants than any other Island in the Islands Trust Area and there is currently no established protocol in place to for monitoring (Islands Trust, n.d.a). Monitoring is conducted for individual covenants or Development Permits, often on the initiative of Islands Trust staff. The lack of a systematic monitoring program for restrictive covenants may compromise the validity of existing restrictive covenants and the utility of future restrictive covenants because they may not fulfill their intended function. For Development Permits, the lack of a formal system to monitor development and development outcomes means that the Islands Trust has imposed obligations on the landowner without following up whether those obligations have been met. The above sections describe the legal as well as practical reasons to conduct monitoring, but there is no policy in place to do so. The request to conduct research on this issue was the result of growing awareness of the need for a systematic approach to monitoring Development Permits that coordinates with the systems being developed to track covenants. A search of www.civicinfo.bc.ca did not turn up substantial information on monitoring systems for Development Permits in other jurisdictions in British Columbia, which made it apparent that further investigation into this issue was needed.

Conclusion

The Islands Trust uses restrictive covenants and Development Permits to influence the development of private property and protect the natural environment of the Gulf Islands. This is a core element of the work of the Islands Trust because restrictive covenants and Development Permits can be used to promote development that also

conserves the unique and sensitive environment of the Gulf Islands (Islands Trust, n.d.a). The current approach to monitoring is haphazard and not adequate given the gaps identified by the Islands Trust's review of covenant tracking and the absence of an office policy to monitor Development Permits. A monitoring program for restrictive covenants and Development Permits must be integrated into the mandate of the Islands Trust and support wider land-use planning objectives.

LITERATURE REVIEW

Introduction

This section will review the literature on monitoring programs. It will begin by exploring monitoring programs in the context of a wider conservation strategy. Then, monitoring programs will be discussed in general, followed by an analysis of the elements of monitoring programs. How monitoring relates to ecosystem conservation will then be discussed. Next the stress-response and the pressure-state-response approach to monitoring will be explored. This is followed by a discussion of the ecosystem approach to monitoring and the tradeoffs between different approaches to monitoring. The final section concludes the literature review.

Monitoring as an Element of a Conservation Strategy

Monitoring programs are part of a wider conservation strategy, designed according to conservation objectives and within the context of the organization conducting the monitoring and the community (Kay et al., 1999). Communication between stakeholders and government concerning conservation objectives is integral to a conservation strategy because it will integrate the conservation strategy into the wider social and political context. This requires that the objectives and rationale of the program, as well as the data, are communicated to stakeholders, which enables conservation strategies to be comprehensive, involving shared accountability and a long-term perspective (Neufeld, 2000; Boyle et al., 2001; Kremen, 1994). Communication between government and stakeholders about the program's objectives encourages support and understanding from the community. The literature also suggests that transferring some

responsibility for monitoring to the community can encourage buy-in from stakeholders (Gunningham, n.d.; Whitelaw et al., 2003). Communities are not homogenous when it comes to conservation so it is best to take stakeholder concerns into account when designing and implementing a monitoring program and conservation strategy (Whitelaw et al., 2003; Boyle et al., 2001; Runhaar et al., 2006). The conservation strategy must be integrated into the wider framework of ecological as well as political, social, and economic needs, and based on analysis of stakeholder needs as well as the characteristics of the area or species being monitored (Boyle et al., 2001).

Monitoring Programs

Monitoring programs can encompass an entire ecosystem or focus on one or two species, and can demonstrate whether conservation strategies are fulfilling their objectives over time (Barnett, 2004; Jennings, 2005; Canterbury et al., 2000). Monitoring programs should be integrated into the governance framework of the organization conducting the monitoring and reflect both its culture and mandate. They should also support the policy objectives associated with the area or species that is being monitored and alert policymakers and other stakeholders to changes that are occurring (Boyle et al., 2001; Kay et al., 1999; Dale & Beyeler, 2001). Monitoring programs can promote sustainability and contribute to policy development that is based on an in-depth understanding of the area or species being monitored, how it has changed over time, and what is likely to contribute to change and long-term sustainability (Vanegas, 2003; Boyle et al., 2001; Runhaar et al., 2006; Litman, 2007; Whitelaw et al., 2003; Kremen et al., 1994).

Stakeholder objectives and the costs associated with monitoring affect program design. Data gathered through a monitoring program can result in additional requirements for environmental protection that slow down or impede the development of private property. This creates tension between development and conservation, as conservation necessarily constrains development and may increase the cost and timeline of the development process which can decrease stakeholder support, which should therefore be considered during program design (Runhaar et al., 2006; Barnett, 2004; Boyle et al., 2001; Jennings, 2005; Canterbury et al., 2000; Kremen, 1994). Monitoring programs support conservation objectives with minimal resources, so monitoring programs must be designed to balance cost and comprehensiveness in a way that is consistent with policy objectives (Whitelaw et al., 2003; Gunningham, n.d.; Breckenridge et al., 1994; Dale & Beyeler, 2001).

Baselines for Monitoring

A baseline or picture of the *unimpacted* natural state of the area or species under observation provides the starting point for collecting and analyzing data (Jennings, 2005; Barnett, 2004; Kremen et al., 1994; Canterbury et al., 2000). A baseline is not a target but a foundation for understanding both system-wide and specific changes in the area or species being monitored that enables the comparison of data over time (Jennings, 2005; Boyle et al., 2001; Kremen et al., 1994; Canterbury et al., 2000). This allows policymakers to develop benchmarks or a hypothesis about long-term change in relation to an *ideal* or unimpacted state and support the goals and objectives of a conservation strategy and monitoring program (Boyle et al., 2001; Barnett, 2004; Jennings, 2005; Kremen et al., 1994). Using a baseline to track changes over time provides data that can

measure natural and human-influenced trends and measures the success of a conservation strategy (Barnett, 2004).

Indicators for Monitoring

Indicators are variables that track changes, contribute to an understanding of pressures, and communicate trends (Jennings, 2005; Litman, 2007; Spangenberg, 2002; Canterbury et al., 2000; Boyle et al., 2001). Indicator selection should be realistic as well as consensual (taking stakeholder interests into account) while promoting ecological integrity and ease of data collection (Litman; 2007; Dale & Beyeler, 2001; Booth & Lucas, 2002; Kolk, 1999; Niemeijer, 2002; Jennings, 2005; Whitelaw et al., 2003; Runhaar et al., 2006). Some of the most important characteristics of a suite of indicators are that they be:

- Understandable
 - The indicators and the monitoring process should be easily understood by data collectors and analysts.
- Sensitive
 - Indicators must be sensitive to changes in the ecosystem and also be sensitive in ways that are similar to other organisms or natural processes.
- Comparable
 - Wherever possible data should be collected so that it is comparable with other areas or jurisdictions.
- Comprehensive
 - Indicators should be selected to reflect as much as possible of the variety of an ecosystem. There should be a sufficient range of different kinds of indicators to provide a robust picture of what is being monitored.
- Cost effective
 - Indicator selection should be realistic. Indicators that are very costly to monitor might compromise the monitoring program because resources are limited.
- Accurate
 - It should be possible to accurately and consistently monitor indicators.
- Relevant to policy
 - Indicators should be chosen that will provide data that is relevant to policy and decision-making. With limited resources it is important that the indicators provide useful data.
- Able to provide information to monitor trends and establish baselines

- Indicators should be chosen that contribute to an understanding of the ecosystem as a whole.
- Consensual
 - The process for selecting indicators should include all the interested stakeholders. This will ensure that different perspectives are taken into account, which will make the monitoring program more robust.

(Adapted from: Jennings, 2005; Litman, 2007; Dale & Beyeler, 2001; Spangenberg, 2002)

The primary trade-off in the selection of indicators during development of a monitoring program is between cost and comprehensiveness. In this context, comprehensiveness describes the quality and quantity of data that is collected as well as the usefulness of the data for analysis and policy development (Dale & Beyeler, 2001; Breckenridge et al., 1994; Manos et al., 2004; Booth & Lucas, 2002; Barnett, 2004; Neufeld, 2000). More indicators provide more data, but also increase the cost of monitoring, so compromises must be made between indicators (Ammons et al., 2001; Litman, 2007; Jennings, 2005). Indicators should be chosen according to the policy objectives and resources of the organization and the area or species being monitored. If not, indicators can be counterproductive, waste resources and not contribute positively to the monitoring program (Litman, 2007; Breckenridge et al., 1994; Dale & Beyeler, 2001).

Data Collection

Ease and affordability of data collection contributes to the long-term success of a monitoring program (Gunningham, N.D.; Whitelaw et al., 2003; Litman, 2007). Monitoring budgets are often small to begin with and are subject to cuts, so data collection must be both cost effective and comprehensive (Whitelaw et al., 2003). Having fewer indicators facilitates the ease and affordability of data collection and potentially

leads to an efficient monitoring program; however, collecting data in different ways can improve the comprehensiveness of data collected (Niemeijer, 2002; Ammons et al., 2001; Manos et al., 2004; Litman, 2007; Neufeld, 2000; Canterbury et al., 2000). Standardized, user-friendly instruments and measures ensure that data is comparable over time but may not provide comprehensive data. This may negatively affect the utility of monitoring that is conducted and so how data is collected should depend on the objectives of the monitoring program (Vanegas, 2003; Ammons et al., 2001; Breckenridge et al., 1994; Manos et al., 2004; Dale & Beyeler, 2001; Whitelaw et al., 2003; Jennings, 2005).

Ecosystems and Monitoring

Ecosystems are dynamic systems that include an area's plants and animals, water, soil, and weather (Kay et al., 1999; Levin, 1998; Franklin, 1993). Ecosystems respond to both internal and external influences. They change independently of human pressures as well as in response to stresses originating in human activity (Boyle et al., 2001; Walker et al., 1999; Levin, 1998; Franklin, 1993; Kay et al., 1999; Neufeld, 2000). Ignoring the complexity of the interrelated processes inside an ecosystem can lead to incorrect assumptions that compromise policy decisions. For example, policy targeted to one element of an ecosystem may impact another part of the ecosystem in negative or unforeseen ways (Canterbury et al., 2000; Runhaar et al., 2006; Franklin, 1993). Ecosystem complexity includes biodiversity and natural processes as well as the economic and political systems that will contribute to changes in the ecosystem. All of these elements are relevant to monitoring programs (Dale & Beyeler, 2001; Levin, 1998; Kremen et al., 1994; Vanegas, 2003).

Approaches to Monitoring

There are different approaches to developing a monitoring program. Each represent a series of advantages and trade-offs. The approach to monitoring that an organization takes depends on policy objectives for the monitoring program and conservation strategy, stakeholder objectives, and the available resources.

Stress-Response Approach to Monitoring

The *stress-response* model for monitoring uses indicators that are chosen to reduce the complexity of natural systems and are easily understandable (Spangenberg, 2002). This approach links stresses with responses in the indicators chosen and can provide early warnings of species distress or other changes in the ecosystem (Boyle et al., 2001; Jennings, 2005). Indicators like the number of one species are measured over time and this data is compared to measured stresses in the environment. Stress-response monitoring allows researchers to measure known causal relationships, but cannot be used to explain changes that are occurring—which may limit its utility for policy development (Canterbury et al., 2000). The stress-response approach to monitoring cannot be used to understand *how* the pressure from human actions is affecting an ecosystem but is simple to design and relatively inexpensive to sustain (Boyle et al., 2001).

Pressure-State-Response Approach to Monitoring

The *pressure-state-response* model monitors pressures on the environment while monitoring state indicators, like soil acidity and water quality (Jennings, 2005; Boyle et al., 2001; Dale & Beyeler, 2001). A third set of indicators measures the response to pressures over time. This approach to monitoring takes human-influenced pressures and trends into account, which provides a more complex picture of the area or species being

monitored. Monitoring programs that use the pressure-state-response approach monitor a few species as well as the ecosystem response to pressures in order to understand how changes in stresses resulting from human activity over time are affecting the ecosystem (Kremen et al., 1994; Canterbury et al., 2000). The pressure-state-response approach to monitoring provides more complex data about how the ecosystem is responding to changes than the stress-response approach but does not account for social and economic factors (Boyle et al, 2001).

Ecosystem Approach to Monitoring

The *ecosystem* approach to monitoring considers economic, governance, and ecological systems (Boyle et al., 2001; Neufeld, 2000; Vanegas, 2003; Litman, 2007; Canterbury et al., 2000; Vanegas, 2003; Dale & Beyeler, 2001). It is based on the properties of the ecosystem as well as stakeholder and organization objectives and the institutional arrangements of the organization conducting the monitoring (Neufeld, 2000; Boyle et al., 2001). The boundaries and functions of different elements of the ecosystem, the cumulative effects of human-influenced and natural pressures, policy objectives for the area, governance, management, and monitoring activities, and community concerns are all considered (Boyle et al., 2001; Kay et al., 1999). For an ecosystem approach to be successful the institutional arrangements of the monitoring program must be integrated into the organization doing the monitoring, adaptable, coordinated, and catalytic—leading to action if necessary— and designed to support the conservation strategy (Neufeld, 2000; Jennings, 2005; Boyle et al., 2001). The ecosystem approach allows an organization to facilitate productive integration between conservation and development objectives and activities (Kremen et al., 1994). This informs the selection of indicators

and how those indicators are used to collect data and inform policy (Boyle et al., 2001; Kremen et al., 1994; Dale & Beyeler, 2001; Jennings, 2005). The ecosystem approach to monitoring provides comprehensive information and is reflexive, but can be complex and expensive to develop and maintain over the long term (Boyle et al., 2001). Table 1 compares these approaches to monitoring.

Table 1. Comparison of Approaches to Monitoring

<i>Approach to Monitoring</i>	<i>Baseline</i>	<i>Indicators</i>	<i>Tradeoffs</i>
<i>Stress/Response</i>	Indicator species	Indicators chosen for ease of observation or value for conservation	Inexpensive Data is not complex
<i>Pressure/State/Response</i>	Indicator species and some state indicators	Indicators chosen for interaction with pressures and how state indicators can affect the response indicators	More indicators increases cost of monitoring Provides more complex data
<i>Ecosystem Approach</i>	Baseline is established of ecosystem, indicators relate to policy objectives	Indicators chosen to provide data that represents links between species, natural processes, and human influences	Indicators represent natural and human influenced factors Complex to design and sustain

Conclusion

Monitoring programs are an element in a wider conservation strategy. They must be designed according to the policy objectives and resources of the organization doing the monitoring. The elements of a monitoring program must be cost effective and still yield comprehensive data that can be used for policy development. The objectives of the monitoring program must be articulated by the organization conducting the monitoring before the program is designed. Different approaches to monitoring programs have different advantages, but an ecosystem approach to monitoring integrates a monitoring program into the wider socio-political system.

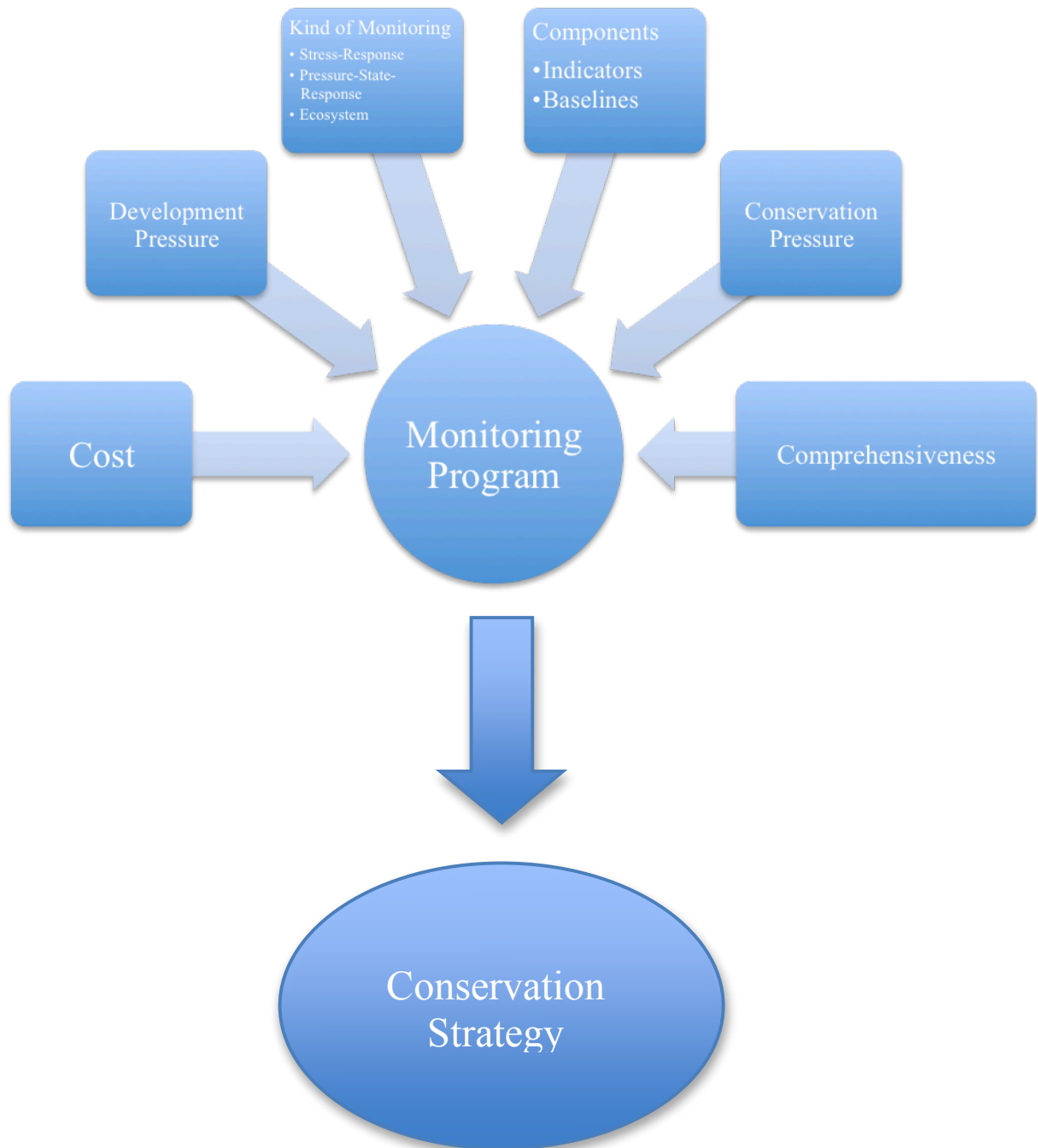
The information collected for this literature review was used to inform the interviews conducted with residents of Salt Spring Island and staff from the Islands Trust, and gave the researcher the tools to investigate the specifics of monitoring restrictive covenants and Development Permits on Salt Spring Island. The literature on monitoring programs indicates that designing a monitoring program requires a sensitive understanding of the area being monitored as well as stakeholder, policy, and conservation objectives. The following sections will explore research conducted with residents of Salt Spring Island and Islands Trust staff to develop an understanding of monitoring on Salt Spring Island based on the conception of monitoring as part of the wider conservation strategy discussed in this literature review.

CONCEPTUAL FRAMEWORK

The conceptual framework that was used to develop the interview questions and informed the interview process was developed using the background section and the literature review. In the framework, monitoring programs are affected by the objectives for monitoring (the balance between development and conservation pressure), the resources and mandate of the organization conducting the monitoring (what trade-offs need to be made between cost and comprehensiveness), and the species or area that is being monitored, which will have bearing on the approach to monitoring that is chosen and the way that the components of the monitoring program are used. The approach to monitoring that is chosen (stress-response, pressure-state-response, or ecosystem), how baseline information is gathered, indicator selection, and data collection will determine program design and how the monitoring program fits into the conservation strategy. This conceptual framework includes the impact of individual developers and landowners on Salt Spring Island as development pressure. Conservation pressure includes both the Islands Trust's mandate as well as the conservation objectives and pressure from the community on Salt Spring Island. How the monitoring program is designed, balancing conservation and development pressures, will also affect how monitoring fits into the conservation strategy. This conceptual framework was used to develop the questions for the key informant interviews conducted for this project, and gave the researcher a grounding in the theory behind monitoring programs before moving into the practical research. It will be developed further as the interview findings provide insight into

monitoring on Salt Spring Island and the gaps in the current Islands Trust approach to monitoring restrictive covenants and Development Permits.

Figure 3. Conceptual Framework



METHODOLOGY

Introduction

This section will discuss the methodology for collecting data for this report. The first section explores the rationale for conducting key informant interviews. Next, the process for selecting participants and the characteristics of the interview participants is described. The next section describes the data collection methods for the key informant interviews. This is followed by a discussion of the limitations of this approach. The final section concludes the methodology.

Interviews

Key informant interviews were conducted with residents of Salt Spring Island to explore the research question of how restrictive covenants and Development Permits are monitored on Salt Spring Island. The key informants have experience with either restrictive covenants or Development Permits and were chosen from the staff of the Salt Spring Island office of the Islands Trust and members of the community. The interview participants provided specific and practical information that could not be obtained by any other method and would otherwise be lacking in this report.

Interview Participants

There are three groups of interview participants; Islands Trust planning and administrative staff, Salt Spring Island residents that advocate for or engage in conservation, and Salt Spring Island residents currently responsible for restrictive covenants and Development Permits or professionally engaged in development activities.

These different groups have different perspectives on and objectives for a monitoring program, and this research is designed to take all these perspectives into account.

- Islands Trust staff (7 interviews)
 - Islands Trust staff will need a system that is relatively easy to use, that supports the Trusts' mandate, is cost effective, and is supported by the community.
- Conservation advocates (4 interviews)
 - These residents will be concerned that the monitoring program upholds the spirit and requirements of restrictive covenants and the regulations associated with Development Permits.
- Residents involved in development activities and residents that are responsible for restrictive covenants or Development Permits (5 interviews)
 - These residents will need to understand the monitoring program in order to engage in long-term planning and be sure that the monitoring will be dependable.

Interview Participant Selection

The selection of interview participants was done in conjunction with the Salt Spring Island office of the Islands Trust. The participants from the first group, Islands Trust staff, were chosen based on their experience with restrictive covenants and Development Permits between 2006 and 2008 and at the Salt Spring Island office of the Islands Trust. To develop the sample for the other two groups of interview participants the researcher contacted Salt Spring Island residents that engage in commercial development activities or that advocate for conservation on Salt Spring Island in addition to residents recommended by the Islands Trust. This approach enabled the researcher to obtain a diverse sample of interview participants.

Rationale for Interview Participant Selection

To obtain a sample of residents currently responsible for restrictive covenants and Development Permits the Salt Spring Island office of the Islands Trust contacted all the

property owners and developers that had applied for a Development Permit or restrictive covenant between 2006 and 2008 to invite them to participate in the research¹. The Islands Trust developed the list of prospective interview participants and made initial contact because information on applicants for restrictive covenants and Development Permits is subject to personal privacy protection. The researcher contacted additional interview participants based on research into their development or conservation activities on Salt Spring Island. The conservation advocates that were contacted to participate in the research were from organizations on Salt Spring Island that advocate for conservation by protecting land or opposing development. Some interview participants suggested other members of the community during the course of the interviews, and they were asked to participate as well. Sixteen interviews were conducted over the period of six weeks. Seven members of the Islands Trust staff, five landowners and members of the community that are involved in commercial development, and four members of the community that engage in conservation activities agreed to be interviewed.

Data Collection

Interviews were conducted in person or over the phone, at a time and location of the participant's choice. They lasted between 30 minutes and 1.5 hours. The interview participants were emailed a list of questions prior to the interview and were informed that participation in the research was voluntary and that they could withdraw at any time and their answers to the questions would not be included in the report². Participants were also informed that they could receive a copy of the final report if they wished. The researcher took notes during the interviews which will be shredded once this report is accepted by

¹ See Appendix 2, Islands Trust recruitment letter

² See Appendix 3, Interview Questions

the University of Victoria. The questions used were open ended and additional questions were formulated during the course of the interview. The researcher interviewed Islands Trust staff first to familiarize herself with the administrative capacity of the Salt Spring Island office of the Islands Trust before speaking with members of the community who would have a more specific perspective.

Limitations

There are a number of limitations to this approach. The results are qualitative and subject to the biases and perspective of the interview participants and researcher. The selection of the interview participants was undertaken in conjunction with the client for this project, which creates the risk that the selection of participants would be biased in favour of the Islands Trust. The Islands Trust requested that the researcher not contact any community members that were the subject of bylaw enforcement investigations or otherwise legally involved with the Islands Trust. This reduced the sample size, so the researcher selected additional participants from the community in order to increase the likelihood of interviewing a diverse sample of Salt Spring Island residents. The selection of these participants was based on research into the community as well as recommendations from other key informants. There was a high rate of refusal from landowners. The sample size was made large intentionally to mitigate against this and landowners who had applied for restrictive covenants and Development Permits were represented in the sample.

The researcher is a long-time resident of Salt Spring Island and is familiar with many members of the community, events, and concerns that were discussed in the interviews. This may have led to a bias on the part of the researcher as to the actual

substance of the interview participants' answers as well as the questions asked and the way that the interviews were conducted. To reduce the effect that this would have on the data collected the researcher disclosed minimal personal information until the interviews were concluded in order not to affect the participant's response. She also allowed the interview participants to share anything that they considered to be relevant. The additional questions that were formulated throughout the interview were based on the information that the interview participants shared and they were encouraged to be frank and thorough in their responses.

Conclusion

The researcher conducted key informant interviews to complement the background research and literature review and to elicit practical and community-specific information for this project. The key informants were selected from three groups of Salt Spring Island residents: Islands Trust staff, conservation advocates, and landowners and community members engaged in commercial development. Sixteen interviews were conducted over a period of six weeks. The interview participants were selected in conjunction with the Islands Trust due to privacy issues and additional participants were selected based on research into the community. The researcher took precautions to address the limitations of the approach to choosing interview participants.

FINDINGS

Introduction

This section will present the findings from the interviews conducted on Salt Spring Island in the spring of 2010. Each section will present data collected from one group of interview participants and includes information on Development Permits, restrictive covenants, limitations to the current approach, and the group's perspective on community involvement in monitoring. The data collected from Islands Trust staff is presented first, followed by data collected from landowners and community members engaged in commercial development, and then data collected from conservation advocates. The final section concludes the findings.

Islands Trust Staff

Islands Trust staff described their experience with the Development Permit application process and their experience with restrictive covenants as well as the limitations of the current approach and the Islands Trust staff perspective on community involvement in monitoring. While there were some differences among Islands Trust staff, overall there was agreement that administrative processes and technical expertise were key to the development of a monitoring program.

Development Permits

Islands Trust staff describe Development Permits as a tool that is used to manage land-use and development. Landowners submit a proposal for development to the Islands Trust to apply for a permit. If the proposal conforms to the guidelines of the Development Permit Area the Islands Trust must grant the Development Permit. The sign-off process

once the Development Permit has been issued is informal. The Development Permit is filed, but there is no protocol for ensuring follow-up. Islands Trust policy is to monitor all Development Permits, but in practice, the process is complaint driven (i.e.: if neighbours complain about some aspect of development in progress, bylaw enforcement will follow-up). Once a Development Permit has been issued the follow-up is at the discretion of the planner involved in the application process. Planners visit the site to ensure that development has commenced or is proceeding in accordance with the Development Permit, but there is no protocol for doing so. Islands Trust staff commented on a significant difference between Islands Trust policy and practice for monitoring Development Permits. While the policy is to follow up, in practice there is no system in place for monitoring Development Permits and the follow-up is haphazard, discretionary, and may be different from one Development Permit to another.

Islands Trust staff described a *bring forward* system that is used within the Salt Spring Island office once a Development Permit has been issued. It is used to alert the planner involved in evaluating the Development Permit application three months before a Development Permit that is on record will expire so that they can follow-up with the applicant and determine that development has commenced. Islands Trust staff describe that the bring forward is used to provide basic follow-up but is not part of an office-wide policy and this use is informal. They suggested that an office policy should stipulate that the bring forward system be used for every Development Permit and restrictive covenant to ensure that the follow-up was conducted consistently regardless of which staff member was responsible for the Development Permit.

Islands Trust staff expressed concern that many Development Permit applications require technical expertise, and the monitoring may require expertise that the staff of the Salt Spring Island office of the Islands Trust does not have. Obtaining this expertise would involve contracting out the monitoring of Development Permits and would require an investment of limited Islands Trust resources, which may not be feasible. Many of the Islands Trust staff interviewed indicated that the lack of expertise on staff and the lack of funding to engage consultants to monitor Development Permits were significant obstacles to monitoring, as monitoring carried out by Islands Trust staff may be perceived to be inadequate due to the lack of staff expertise.

If a developer or landowner undertakes development on their property that is consciously or unconsciously in contravention to the regulations of the Development Permit Area, the Islands Trust may not find out until it is too late to do anything. These cases are few but can cause significant damage to the property or neighbouring properties. There is no budget and no framework for identifying these cases when they are occurring. As a result, some Islands Trust staff advocate for better communication with the community, as educating the community can increase both awareness of Development Permit Areas and understanding of the rationale for the development guidelines.

Restrictive Covenants

Restrictive covenants are entered into when landowners agree to protect some aspect of a property in exchange for the right to develop other parts of the land. Restrictive covenants are often entered into at the time of subdivision of a property – when a large parcel of land is broken up into smaller parcels that can be built on and

sold—but they may not be tracked, especially if the property is subdivided again. It can take years to subdivide and develop a piece of land. Restrictive covenants may not be finalized until the very end of the process and Islands Trust staff said that it is possible that the office can lose track of the restrictive covenant between the application and the finalization of the covenant.

Islands Trust staff indicated that restrictive covenants are dealt with on a case-by-case basis depending on the individual covenant. The follow-up and monitoring process is not automatic and is subject to the initiative of staff. This means that Islands Trust staff may not be aware of a restrictive covenant until the property changes hands and the covenant appears on the land title. Prior to 2008 there was no searchable database for covenants and an Islands Trust-wide initiative to input restrictive covenants into the Trust Area Property Information System (TAPIS)—the computer system that Islands Trust staff use—was completed in 2009. This enables planners and other Islands Trust staff to see if there is a restrictive covenant on the property, but does not provide information on the covenant itself. Islands Trust staff indicated that this database can be hard to use, particularly when trying to locate a covenant, and that while the database has improved covenant tracking, it could be more user-friendly.

Islands Trust staff indicated that the use of restrictive covenants on Salt Spring Island has changed over time. Older covenants are not explicit regarding responsibilities and restrictions or penalties. Islands Trust staff said that this makes it hard to monitor these restrictive covenants because there is no provision for monitoring in the covenant itself. They said that restrictive covenants should be specifically written and legally binding so that the covenant clearly states what each party's responsibilities are. The

Islands Trust is endeavouring to make sure that newer restrictive covenants have funding in place for annual monitoring as well as explicitly stated restrictions and responsibilities. Cost recovery provisions and the responsibilities stated in the restrictive covenant are both important for subsequent monitoring, and Islands Trust staff indicated that consistency in the approach to developing covenants will facilitate the development and implementation of an office-wide monitoring program.

Islands Trust policy is that the applicant should cover the cost of monitoring the restrictive covenant, but this has not been enforced in the past and it is therefore challenging to implement for new restrictive covenants. Cost recovery is different for each new restrictive covenant that the Islands Trust enters into, and the Islands Trust is responsible for monitoring costs if there is no provision for cost recovery in the covenant. This means that monitoring the restrictive covenant has to compete for funding with other Islands Trust activities.

Limitations of Current Approach

Table 2 presents the barriers to monitoring that the Islands Trust staff identified in the interviews.

Table 2. Barriers to Monitoring

<i>Barriers to Monitoring</i>
<ul style="list-style-type: none"> • No policy or procedures for follow up for restrictive covenants and Development Permits • No expertise on staff to monitor Development Permits • Insufficient resources to engage consultants with expertise • Tracking restrictive covenants could still be improved • Use of covenants has changed over time • Cost recovery for monitoring covenants presents challenges

Islands Trust staff identified the lack of a policy or procedures to follow-up restrictive covenants and Development Permits as the most immediate barrier to the

development of a monitoring program. Follow-up is currently at the discretion of staff and relies on corporate memory instead of systematic protocols. Current initiatives are likely to improve the follow-up processes significantly. These include a system for keeping track of restrictive covenants and a comprehensive filing system for Development Permits. Island Trust staff expressed concern over the usefulness of a possible monitoring program until these administrative processes are in place. The scarceness of resources was also identified as a significant barrier to developing a monitoring program by many Islands Trust staff and cost recovery or additional funding was seen to be necessary for a monitoring program to be sustainable. Some Islands Trust staff also indicated that the Islands Trust is in the position of providing services for less than what they cost because the services are necessary for development on Salt Spring Island and if they were billed at their actual value landowners would not be able to afford them. They speculated that this reduces the Islands Trust's ability to recover costs for monitoring because residents are used to receiving services for less than the value of the service.

Islands Trust staff identified a culture among commercial developers of commencing development without applying for a Development Permit, doing work first and "begging for forgiveness" after it has been completed. This attitude is identified as being widespread and is a barrier to the development of a monitoring program as it contributes to an adversarial relationship between the Islands Trust and commercial developers and landowners. It also impedes the Islands Trust's ability to communicate land-use objectives, oversee development, and encourage sustainable and responsible development. When work is commenced without permits or oversight the Islands Trust is

not able to be involved in any way and cannot develop a monitoring program for that development. This applies to restrictive covenants as well—when development has already commenced, there may not be an opportunity to enter into restrictive covenants because the property may already have been significantly altered. Islands Trust staff commented that this reduces the Islands Trust’s ability to monitor and enforce because the development has already occurred and it may be hidden from the Islands Trust.

Islands Trust staff indicated that monitoring requires follow-up in the form of enforcement but they also indicated that using funds for communication with landowners is potentially more useful because communication can promote a conservation strategy while enforcement activities happen after the fact and can only punish destructive behaviour rather than encourage conservation. In many cases the cost of enforcement is not commensurate with the benefit that enforcement activities would provide for Salt Spring Island residents because enforcement is expensive and often cannot undo damage to a property that results from illegal development. In addition, the high cost of enforcement may not be reasonable when compared with the extent of the damage. Finally, enforcement affects a minority of landowners and communication educates all residents and can lead to community support for conservation objectives and consequently other Islands Trust policy.

Community Involvement in Monitoring

Islands Trust staff indicated that a monitoring program is likely to be most successful at fulfilling the Islands Trust’s mandate if it is conducted at the staff level. Community involvement is perceived to be too fraught and likely to lead to controversy. The process of developing the official community plan (and the guidelines for

Development Permit Areas) was public and has created an expectation in the community that there should be follow-up, but Islands Trust staff indicated that it would be more useful to educate community members about monitoring than to involve community members in monitoring. Islands Trust staff also indicated that the program should be ready to implement before it is communicated to the community. Islands Trust staff did suggest that landowners could be responsible for some aspect of monitoring their own property. They stipulated that any landowner involvement would have to be vigorous with clear boundaries and responsibilities for landowners but that it could potentially reduce the cost of monitoring. Table 3 presents a summary of the findings from the interviews with Islands Trust staff.

Table 3. Summary Table, Islands Trust Staff

<i>Development Permits</i>	<ul style="list-style-type: none"> • No system to track or monitor • Need administrative system to rationalize recordkeeping • Enforcement is problematic
<i>Restrictive Covenants</i>	<ul style="list-style-type: none"> • Can lose track of covenants • Covenants can be a formality • Should be written clearly
<i>Limitations of Current Approach</i>	<ul style="list-style-type: none"> • Need administrative system before monitoring program can be developed • Enforcement is expensive but necessary • Perception that developers can act without permits impedes monitoring
<i>Community Involvement in Monitoring</i>	<ul style="list-style-type: none"> • Volunteer community involvement is too complex • Monitoring program could include landowner involvement
<i>Ideal Monitoring Process</i>	<ul style="list-style-type: none"> • Funding for consultants with expertise to evaluate technical elements of Development Permits • Annual monitoring of restrictive covenants by consultants
<i>Realistic Monitoring Process</i>	<ul style="list-style-type: none"> • Internal office process alerts planner to monitoring • Simple monitoring program developed for each restrictive covenant and Development Permit based on the specific requirements of the application

Development Community/Landowners

In this section, the findings from interviews with landowners and other residents of Salt Spring Island that are professionally engaged in development activities will be presented. The first section will concern Development Permits, the second will concern restrictive covenants, and the third will describe the limitations to the current approach that were identified in these interviews. The final section presents the landowner perspective on community involvement in monitoring. There were a number of different perspectives within this group of interview participants which will be presented in this section. *Landowner* will be used to identify both landowners and advocates for landowners like realtors and other professionals that promote development or are engaged in development activities on Salt Spring Island.

Development Permits

Most landowners who had applied for Development Permits found the process to be relatively straightforward and the requirements for the Development Permit to be reasonable. They indicated that Development Permit requirements had improved the decisions that they made with regards to the development of their land. Landowners did not say that monitoring was important in their experience and they were not aware of any follow-up to ensure that they had complied with the requirements of the Development Permit, which was confusing for them. This indicates that monitoring could provide useful information to landowners about the development process on their property and Islands Trust expectations.

These interview participants perceived communication between the Islands Trust and landowners during the application and development process to be inadequate and

expressed the need for clear information from the Islands Trust. Many landowners expressed uncertainty as to whether the requirements for the Development Permits would be applied similarly by all members of the staff or would depend on the particular staff member that was consulted or when the consultation took place. The responsibilities and the requirements associated with the guidelines for Development Permit Areas were not clear to landowners throughout the development process. Landowners identified perceived shortcomings in the application process (especially with regards to communication) that they said would compromise the development of a monitoring program.

Restrictive Covenants

Landowners interviewed indicated that covenants seemed to sit on the land title and often did not actually affect how the land was used, and that monitoring was not necessary because they were upholding the restrictive covenant on their property; however, the need for communication and long-term, dependable monitoring was implied in several discussions regarding restrictive covenants. During the interviews, landowners indicated that a follow-up process that reminded them about their responsibilities would increase their understanding regarding the restrictive covenants on their property.

Landowners indicated that Islands Trust responses to questions were generally not clear or timely and expressed their desire for clear information and answers to questions. One interview participant said that conservation-minded landowners value the opportunity to be caretakers of the land but that the Islands Trust should educate landowners about the restrictive covenants that they are responsible for which would contribute to landowner buy-in for the restrictive covenant on their property. Landowners recommended that the

Islands Trust should make more site visits and communicate more extensively with landowners responsible for restrictive covenants.

Limitations of Current Approach

The limitations identified by the community members involved in development activities are consistent, if varied in how they were presented. Landowners indicated that more education and communication would improve their understanding of restrictive covenants and Development Permits. The Islands Trust's follow-up process is perceived to be unpredictable; landowners said that they did not know what would be followed up, or if the Islands Trust's response to their questions would be the same from staff member to staff member and were not clear about Islands Trust expectations. Interview participants commented on the perception that the Islands Trust has an adversarial relationship with the development community, is not be helpful during the Development Permit application process, and does not make information available on existing restrictive covenants. The adversarial relationship that many landowners described concerned the perceived attitude of the Islands Trust that development of any kind is not supported on Salt Spring Island and that any landowner developing their land must not be interested in sustainable or responsible development. The lack of clear and dependable communication from the Islands Trust through the development process is a contributing factor to the adversarial relationship described. The interview participants indicated that in their experience the Islands Trust's response to similar applications was unpredictable, which contributed to a sense of opposition between the Islands Trust and the development community. Landowners also identified the additional cost of the application, lawyer's fees, and technical reports as a factor in the adversarial relationship.

Several interview participants complained that the cost of the Development Permit application was high. One interview participant indicated that the cost of getting a lawyer to draw up the restrictive covenant was unreasonable when compared with the benefit to the land that the restrictive covenant provided. The disconnect between the true cost of the services that the Islands Trust provides and the fees that community members pay may lead to misunderstanding on the part of community members as to the value of Islands Trust services, which could be remedied by better communication. The interview participants indicated that if there was clear and dependable communication from the Islands Trust the application process would be more straightforward, reducing antagonism.

There was no discussion of what a monitoring system should look like as most landowners that were interviewed were not inclined to have the Islands Trust be more involved on their property or in the development process; however, landowner calls for communication from the Islands Trust indicates that they may welcome Islands Trust follow-up about development outcomes. They indicated that a monitoring program should include clear, dependable communication from the Islands Trust. Landowners also indicated that the Islands Trust should make more visits to properties and should not only apply restrictive covenants at the time of subdivision, but in an ongoing way tailored to the individual property and development process.

Community Involvement in Monitoring

Several landowners were hesitant about community involvement in monitoring because the community members interested in participating were likely to be conservation advocates that would make developing private property more complex and

would not be satisfied with the outcome of any development because it would not conserve the natural environment. Some landowners indicated that the requirements for restrictive covenants and Development Permits were reasonable, but that the attitude of the Islands Trust staff was obstructionist and that community involvement in monitoring would further obstruct development and compromise the integrity of the monitoring program. Some landowners commented that they are already doing work that the Islands Trust should be doing, and that getting community members involved would not be appropriate because monitoring is the Islands Trust’s responsibility. Other landowners said that community members should be responsible for the entire monitoring process by monitoring development on neighbouring properties and reporting infractions to the Islands Trust. Table 4 summarizes the findings from interviews with landowners.

Table 4. Summary Table, Landowners

<i>Development Permits</i>	<ul style="list-style-type: none"> • Inadequate communication from Islands Trust • Need follow-up to educate landowners • Requirements not clear
<i>Restrictive Covenants</i>	<ul style="list-style-type: none"> • No follow-up • Communication from Islands Trust is not dependable
<i>Limitations of Current Approach</i>	<ul style="list-style-type: none"> • Islands Trust needs to communicate more • Want predictable follow-up and communication • Landowners do not know what is required
<i>Community Involvement in Monitoring</i>	<ul style="list-style-type: none"> • Community involvement necessary for monitoring • Community involvement not appropriate
<i>Ideal Monitoring Process</i>	<ul style="list-style-type: none"> • Islands Trust monitors without requiring action from landowners
<i>Realistic Monitoring Process</i>	<ul style="list-style-type: none"> • Landowners submit additional information and follow-up on state of restrictive covenant or Development Permit with Islands Trust

Conservation Advocates

This section will present the findings from interviews with conservation advocates on Salt Spring Island. It will begin with a discussion of Development Permits and will then present findings on restrictive covenants, which will be followed by conservation advocates' opinions about the limitations to the current approach to using these tools. The final section will describe the conservation advocate perspective on community involvement in monitoring. The conservation advocates interviewed for this project are volunteers who work to preserve and protect the natural environment on Salt Spring Island. They were contacted based on research into the activities of the organizations that they work with. While the individuals interviewed all had different perspectives on restrictive covenants and Development Permits, there were significant similarities in their responses.

Development Permits

The conservation advocates' perspective is that the bylaw that gives authority for the Islands Trust to require Development Permits on Salt Spring Island is not clearly written and does not confer stringent responsibilities on landowners (The Official Community Plan; Islands Trust, 2008). The Development Permit Area guidelines themselves are seen to be inadequate—a developer can conform to the requirements for a Development Permit and still develop a piece of land irresponsibly. Further, the application process and follow up appears to be different from one application to another. As a result, conservation advocates were not concerned with monitoring because they argued that the system for issuing Development Permits needs to be changed before a monitoring program would be useful. Conservation advocates would prefer that the

Development Permit application process was more transparent so that they could be aware of the rationale for development and so that neighbours could report infractions to the Islands Trust. They indicated that the follow-up process for Development Permits was counterproductive because community members are not aware of individual Development Permits and are unable to undertake their own informal monitoring when the Islands Trust does not follow up. They identified the current application process for Development Permits as a barrier to monitoring which should be addressed before a monitoring program is developed. They also find that the authority of the Islands Trust as a local government is not clear, which seems to make the Islands Trust resistant to enforcing Development Permits and that the Islands Trust does not seem to be concerned with outcome once a Development Permit is issued.

Restrictive Covenants

Conservation advocates argue that the integrity of a restrictive covenant depends on the monitoring program. When restrictive covenants are not monitored they are no longer legally binding if they are challenged. They indicated that the Islands Trust does not have a history of monitoring restrictive covenants, which has created a disjoint between expectations and experience among Salt Spring Island residents. Older covenants were not clearly written and were not enforced, which has created expectations among developers that newer restrictive covenants may not actually be binding. The differences between newer and older covenants extends beyond frequency of monitoring. Recent restrictive covenants are clear and more specific than older covenants. A clear restrictive covenant explicitly states the requirements of both the landowner and the Islands Trust as well as the monitoring requirements and how monitoring will be funded.

Conservation advocates identified a need for the Islands Trust to develop a standardized approach to entering into restrictive covenants before developing a monitoring program.

Conservation advocates argued that landowners need to be educated about the responsibilities conferred by the covenants on their land. Communication was identified by most conservation advocates as being the best way to encourage self-enforcement because communication would help landowners understand their responsibilities, the reasons for those responsibilities, and the long-term benefits of conservation— and could increase support for a monitoring program. They suggested that realtors could be important partners in education as they can alert landowners to the benefits of restrictive covenants, as well as the restrictions that they impose and foster understanding among new landowners. Conservation advocates commented on the fact that commercial developers are increasingly using restrictive covenants for the associated incentives (like increased building density) while in the past landowners that entered into restrictive covenants did so to protect the land in perpetuity. This means that newer restrictive covenants may not be held willingly and that landowners may not understand all the implications of the restrictive covenant because development, not conservation, was the objective for entering into the covenant. This changing use of restrictive covenants makes communication with these landowners more important. Consequently, conservation advocates said that it would make sense to take into account the process by which a covenant is entered into and the reasons for entering into a covenant when designing the monitoring program because it may affect landowner response to the monitoring.

Limitations of Current Approach

Conservation advocates identified flaws in the approach to using restrictive covenants and Development Permits that present barriers to the development of a monitoring program. They indicated that the application process for Development Permits and the process for entering into restrictive covenants needs to be more standardized and that the Development Permit Area guidelines and individual restrictive covenants and Development Permits need to be clearly worded with penalties and provisions for cost recovery for long-term monitoring. They argue that this should be addressed before a monitoring program is implemented because any program will be compromised until the use of restrictive covenants and Development Permits is improved.

Conservation advocates also indicated that there needs to be more communication between the Islands Trust and the community on the subject of Development Permits and with regards to monitoring restrictive covenants. They argue that all stakeholders must understand the rationale for monitoring, and that the lack of communication has led to a disconnect between conservation advocates and the Islands Trust. Many of the conservation advocates interviewed indicated that more information on restrictive covenants and Development Permits would increase community awareness of development in the planning stages and facilitate conservation activity.

Conservation advocates operate on a volunteer basis and indicate that the scarcity of resources for conservation contributes to a sense that the relationship between the Islands Trust and conservation advocates is adversarial. One of the major limitations of the current approach to restrictive covenants and Development Permits identified by

conservation advocates was the unwillingness of the Islands Trust to engage in enforcement action. This would require the Islands Trust to prosecute or fine landowners that did not follow Development Permits or failed to uphold the restrictive covenant on their property. Conservation advocates recognize that enforcement is costly but maintain that the Islands Trust should undertake more enforcement to create expectations among landowners and commercial developers that there are consequences for irresponsible development activities.

Community Involvement in Monitoring

The conservation advocates interviewed were wary of community involvement in monitoring because monitoring is complex and should be part of the institutional framework of the Islands Trust, not undertaken by amateurs. They agreed that it is important that the Islands Trust be in charge of monitoring, both for legitimacy in the eyes of landowners and for consistency over time. They agreed that if landowners and commercial developers observe the monitoring being undertaken by conservation-minded members of the community rather than the Islands Trust, they will be less likely to support it. Conservation advocates indicated that it was possible that some community members would become involved in monitoring who were not conscientious about conservation and that the members of the community who are interested in conservation and willing to volunteer their time are already overextended and do not have time to become involved. However, they do support the Islands Trust encouraging landowners and developers to communicate with conservation groups. Table 5 presents a summary of the findings from interviews with conservation advocates.

Table 5. Summary Table, Conservation Advocates

<i>Development Permits</i>	<ul style="list-style-type: none"> • Process should be improved before monitoring program can be useful • Need more transparency for community
<i>Restrictive Covenants</i>	<ul style="list-style-type: none"> • Restrictive covenants need to be used consistently • Need to be clearly written • Landowners should be educated about restrictive covenant
<i>Limitations of Current Approach</i>	<ul style="list-style-type: none"> • Standardize use of restrictive covenants and Development Permits • Inadequate enforcement • Communication is inadequate
<i>Community Involvement in Monitoring</i>	<ul style="list-style-type: none"> • Islands Trust’s responsibility, no community involvement • Use conservation expertise to educate landowners
<i>Ideal Monitoring Process</i>	<ul style="list-style-type: none"> • Islands Trust monitors frequently and follows up infractions with enforcement
<i>Realistic Monitoring Process</i>	<ul style="list-style-type: none"> • Islands Trust works with landowners and conservation groups

Conclusion

Islands Trust staff identified the need to develop administrative processes that will improve the approach to restrictive covenants and Development Permits within the office before a monitoring program can be developed. All three groups of interview participants described a need for more communication between the Islands Trust and other stakeholders. There were differences between the interview participants’ views on how to conduct monitoring as well as what kind of monitoring was necessary, but there were also significant similarities, which will be explored in the next section of this report.

DISCUSSION

Introduction

This discussion will explore themes from the findings and how they relate to the literature review. It will begin with a comparison of the findings from the different groups of interview participants. Then it will discuss how to balance cost and comprehensiveness in the context of monitoring on Salt Spring Island. Next, the discussion will explore how enforcement and communication activities promote a conservation strategy and how this affects program development. The next section discusses the monitoring program suggested by the interview participants and the literature review. Then the data collected on Salt Spring Island will be used to revise the conceptual framework for the report. The final section concludes the discussion.

Comparison of Findings

Table 6 compares the findings from the three groups of interview participants. Each group identified different issues associated with monitoring restrictive covenants and Development Permits but the themes of the interviews were similar, as were the suggestions for improving the administrative processes associated with restrictive covenants and Development Permits and developing a monitoring program. These similarities suggested the themes for this discussion, and also indicated that developing a monitoring program for the community of Salt Spring Island may be more complex than the literature review suggested.

Table 6. Comparison of Summary Tables

	<i>Islands Trust Staff</i>	<i>Landowners</i>	<i>Conservation Advocates</i>
<i>Development Permits</i>	-No system in place to track or monitor -Need administrative system to rationalize recordkeeping	-No follow up leads to confusion -Requirements not clear	-Process should be improved before monitoring program can be useful -Need more transparency
<i>Restrictive Covenants</i>	-Can lose track of covenants -Covenants can be a formality -Covenants should be written clearly	-No follow-up -Use of covenants has changed over time	-Approach to restrictive covenants should be consistent -Need to be clearly written -Need to enforce infractions -Landowners should be educated
<i>Limitations of Current Approach</i>	-Need administrative system before monitoring program can be developed -Enforcement is costly but necessary -Perception that developers can act without permits impedes monitoring	-Islands Trust needs to communicate more -Landowners do not know what is required	-Need to standardize use of restrictive covenants and Development Permits -Inadequate enforcement -Communication is inadequate
<i>Community Involvement in Monitoring</i>	-Community involvement is too complex -Monitoring program could involve landowners	-Community involvement necessary -Community involvement not appropriate	-Islands Trust’s responsibility, no community involvement -Use conservation expertise to educate landowners

The above table suggests that all the stakeholders that will be affected by the monitoring program, including Islands Trust staff, have similar concerns regarding the current process for following up restrictive covenants and Development Permit. How the Salt Spring Island office of the Islands Trust follows up once Development Permits have been granted and once restrictive covenants have been entered into is a major concern for all groups of interview participants. Each group of interview participants also has concerns about engagement between the Islands Trust and the community. There appears to be a culture of adversarial relationships between the Islands Trust and the community

that includes distrust of the Islands Trust by conservation advocates and the culture of acting without Islands Trust involvement by developers, which will inform the following discussion. This relates to the balance between communication and enforcement as this balance will significantly affect how the Islands Trust relates to the community in the context of the monitoring program. The lack of communication identified by all interview participants is key to understanding the adversarial relationships described and will be discussed in depth later in this section of the report. A theme that will determine communication inasmuch as it relates to the design of the monitoring program is the balance between cost and comprehensiveness of monitoring, which was identified directly or indirectly by all interview participants. This theme is discussed first because the balance between cost and comprehensiveness will determine the balance between enforcement and communication, and program design. The themes that will be discussed in this section will include a discussion of the findings presented in the above table and will evaluate how a monitoring program can be developed that will both support conservation objectives and work to address the issues articulated by interview participants.

Cost and Comprehensiveness of Monitoring

The data collected in the interviews with Salt Spring Island residents concerning the trade-offs between cost and comprehensiveness of monitoring is consistent with the literature review. A monitoring program that gathers comprehensive data may not be appropriate for all situations because it requires more funding (Ammons et al., 2001; Litman, 2007; Breckenridge et al., 1994; Jennings, 2005). This appears to be the case for monitoring restrictive covenants and Development Permits on Salt Spring Island because

funding for monitoring is limited. The interview findings suggest that a less comprehensive monitoring program would be reasonable given the resources of the Salt Spring Island office of the Islands Trust. Selecting a few indicators for monitoring that relate to the key elements of the restrictive covenant or Development Permit would be an efficient use of the Islands Trust's limited staff resources. This seems to suggest a stress-response or pressure-state-response approach to monitoring (Boyle et al., 2001; Dale & Beyeler, 2001; Jennings, 2005). However, a monitoring program with few indicators may not provide the opportunity to use monitoring to support the wider Islands Trust objective to balance conservation and development pressure, whereas the ecosystem approach to monitoring will include consideration of human concerns and objectives (in this case conservation and development pressure), as well as the changes caused by human and natural activity (Boyle et al., 2001; Neufeld, 2000; Litman, 2007). This suggests that an ecosystem approach to monitoring that sacrificed comprehensiveness of data in favour of cost effective and user-friendly indicator selection and data collection would actually be the most appropriate approach in this context given funding limitations and Islands Trust policy objectives (Neufeld, 2000; Boyle et al., 2001; Jennings, 2005; Litman, 2007).

The interviews suggest that the monitoring program must balance the competing objectives of different stakeholders, which in this case is development pressure and conservation pressure. This balance is zero sum—development must always come at the cost of conservation; however, it is possible to develop land in a way that is consistent with the conservation objectives to maintain sensitive land and minimally disrupt ecosystem function. Interview participants indicated that development can occur that maximizes these objectives, which would mean in practice that development limits the

creation of impervious surfaces, water use, and the destruction of habitat and maintains the rural nature of Salt Spring Island. All of the interview participants understand that both development and conservation are important for the natural environment and the local economy of Salt Spring Island and that it is not possible to halt development entirely for economic as well as social reasons. This suggests that the development of a monitoring program for Salt Spring Island is not as straightforward as it may be elsewhere and may be complicated by the changing use of these land-use planning tools in response to development realities. For example, new landowners have a right to develop their land and much of the economic activity on Salt Spring Island is the result of development activities, but developers and landowners must consider conservation criteria because unrestrained development can reduce property value because land on Salt Spring Island is valued for its natural beauty. If development proceeds without regard for conservation, the natural environment will be compromised. This has wide-ranging negative impacts which include; the loss of tourism revenue, arable farmland, obstruction of views, and reduced property values, especially if land is in a watershed or an area subject to erosion. The Islands Trust is in the business of managing development to promote economic growth, conservation, and community satisfaction and promotes conservation through development by requiring development to be consistent with known best practices for conservation. The literature suggests that monitoring must be a part of the larger work of the organization (in this case the Islands Trust) otherwise it will not be an effective use of resources (Neufeld, 2000; Boyle et al., 2001). On Salt Spring Island this means that the monitoring program should be designed to promote the Islands Trust's mandate to preserve and protect the natural environment. It follows that the first step in

the development of a monitoring program would be an analysis of how this can be done (Booth & Lucas, 2002). The literature did not suggest that the balance between conservation and development objectives would be so complex and suggested that developing a monitoring program to promote conservation would be straightforward once conservation objectives were identified (Jennings, 2005; Canterbury et al., 2000). The interview findings indicate that identifying conservation objectives is only the first step in the process, and that it is far more challenging in this context to reconcile conservation and development objectives.

Both the interviews and literature suggest that the source and availability of funding is one factor that will affect the design of a monitoring program and how monitoring is conducted (Whitelaw et al., 2003). The source of funding affects who or what the monitoring program is accountable to as well as the sustainability of monitoring, which has bearing on how the monitoring is conducted. A monitoring program should always be accountable to stakeholders but it may affect the legitimacy of the program and how resources are used if local taxpayers are funding the monitoring with resources that could be used for other programs (Neufeld, 2000). This can be contrasted with the limited accountability associated with a monitoring regime for a restrictive covenant when cost recovery is part of the covenant that a landowner has entered into. Islands Trust staff conceded that there was scope for initial monitoring to be done at the staff level but staff involvement also raises issues about accountability as staff time is funded by local taxpayers and the Salt Spring Island office has limited staff resources. Before a monitoring program is developed issues associated with accountability should be

considered so that it is transparent and does not compromise the monitoring program in the future.

The previous paragraph discussed the accountability issues surrounding different sources of funding. Another issue associated with locating funding and the source of funding is sustainability of funding. Funding sustainability is necessary for the integrity of monitoring because monitoring must be long-term and dependable, especially in the case of restrictive covenants. If a restrictive covenant is not monitored regularly its validity can be challenged legally (*Land Title Act*, 1996). The interview findings and literature suggest that all Development Permit applicants must expect that the Islands Trust will follow-up or the monitoring will not be dependable or integrated into the application process (Jennings, 2005; Boyle et al., 2001; Jennings & Reganold, 1989). The literature indicates that monitoring programs must be cost effective and funding must be grounded in the fiscal reality of the organization conducting the monitoring, and that a monitoring program that requires more resources than an organization is capable of dedicating to it will not be sustainable for the long term (Kay et al., 1999; Whitelaw et al., 2003; Dale & Beyeler, 2001). Before a monitoring program is implemented on Salt Spring Island a plan for securing long-term, sustainable funding sources for monitoring should be developed so that it does not require an unrealistic allocation of resources and can be sustained into the future.

There was no consensus between interview participants about how monitoring should be funded. From a conservation perspective, the landowner is able to develop land in exchange for a trade-off and they should have to pay for the monitoring because of the benefit that they have received. Landowners argue that they should be able to develop

their property because they own it. Islands Trust staff expressed that a rigorous monitoring program must recover costs in a way that balances competing stakeholder objectives and the benefits associated with development of the land. This means that while the landowner or developer should be responsible for the bulk of the cost of the monitoring, it is also reasonable for taxpayers to cover some costs because of the benefits that the community receives as the result of development. The literature indicated that a systematic monitoring program could facilitate systematic cost recovery and could integrate the monitoring program into the organization, but there is no consensus from the interview data as to the most effective or equitable way to do so on Salt Spring Island (Boyle et al., 2001). A cost recovery system that was integrated into the monitoring program could strengthen the program's legitimacy in the eyes of the community by shifting much (but not all) of the cost to the landowners that are receiving most of the benefits of development. Both the literature and the interviews suggest that the monitoring program for restrictive covenants and Development Permits must be affordable. This indicates that a trade-off between cost and comprehensiveness that is appropriate in the context of Salt Spring Island will be integral to the program design.

Communication and Enforcement

The interviews suggest that enforcement and communication activities are two different approaches to promoting a conservation strategy and that the approach that is chosen will affect the development of the monitoring program. The literature review did not suggest that communication between stakeholders, especially between the organization conducting the monitoring and the stakeholders affected by the monitoring

program, would be such an important theme in the interviews. This section will focus on the data collected in the interviews and will draw on the literature whenever possible.

Communication alerts stakeholders about the monitoring program and can also educate them about the reasons for monitoring and the rationale for restrictive covenants and Development Permits. The interview findings suggest that the communication that occurs between the Islands trust and landowners during monitoring and regarding the monitoring program can be an opportunity for the Islands Trust to reach out to landowners and educate them about the Development Permit Area that their property is in or the rationale for the restrictive covenant. This is also an opportunity for the Islands Trust to use the monitoring program to achieve wider policy objectives and integrate the monitoring into the use of restrictive covenants and Development Permits as tools to promote sustainable development—which requires that the monitoring be reflexive and integrated into other Islands Trust activities using communication. Interview participants identified different needs for communication based on their experiences with Development Permits, restrictive covenants, and with the Islands Trust, but open communication about Islands Trust requirements, timelines, and the status of current applications was consistently presented as the first requirement for developing a monitoring program because residents interviewed indicated that they did not understand the Islands Trust’s expectations and were not aware of Islands Trust activities. For example, landowners indicated that they lacked the expertise to understand what is restricted by their restrictive covenant, were not certain if they qualify for exemptions for Development Permits, and may not understand the reasons for the Development Permit in the first place. Landowners interviewed said that they would appreciate and respond to

clear, timely, and reliable information from the Islands Trust. Conservation advocates identified the lack of public consultation in the Development Permit application process and the difficulty of obtaining information about restrictive covenants as contributing to the sense that the Islands Trust does not support or promote conservation activities. The interview participants suggested several ways to address these shortcomings:

- a filing system that would include the details of restrictive covenants as well as their existence on land title,
 - this would help Islands Trust staff answer questions about restrictive covenants, as well as
- more communication with landowners and conservation advocates, in the form of
 - staff time dedicated to outreach with the community,
 - information sessions, or
 - engaging a communications officer for Salt Spring Island.

Many interview participants described adversarial relationships between landowners and the Islands Trust, conservation advocates and the Islands Trust, and between conservation advocates and landowners, which are exacerbated by poor communication. The literature consulted for this project did not address the effects that such existing relationships between stakeholders have on the development of a monitoring program, but the interviews suggest that existing patterns of behaviour and the history of past interactions are likely to affect the monitoring program. Some stakeholders may be less likely to support a monitoring program as a result of past experiences with the Islands Trust which may also negatively affect the legitimacy of the program. One of the first steps in developing a monitoring program should therefore be to improve communication with the community as a way to neutralize adversarial relationships. The interviews suggest that communication activities surrounding the monitoring program can be used to encourage cooperation among stakeholders and with

the Islands Trust. The interviews also suggest that the ignorance of some community members about the cost of the services that the Islands Trust provides contributes to dissatisfaction. Educating community members about the value of Islands Trust services could improve awareness of Islands Trust activities and address this dissatisfaction. Increasing access to information in general may encourage collegiality among stakeholders.

Several interview participants suggested that it could be productive to encourage landowners to consult with conservation organizations and that communication between landowners, conservation advocates, and the Islands Trust is likely to facilitate the development of monitoring strategies targeted to individual restrictive covenants and Development Permits that will also support wider land-use objectives. Landowners especially indicated that an approach to monitoring that was targeted to their particular property would increase their support for Islands Trust activities. This would require the Islands Trust to work closely with landowners to develop individual monitoring regimes and when combined with forthright, timely, and easy to use information from the Islands Trust, could increase landowner support for monitoring. The Islands Trust may lack the in-house expertise and staff resources to answer landowner's questions, but communication even without the requisite expertise may contribute to landowner knowledge and satisfaction at relatively little cost when compared with the often prohibitive cost of enforcement activities.

Interview participants identified enforcement activities as integral to a monitoring program. The literature suggested that follow-up was necessary for monitoring, but the interview participants, especially conservation advocates, were vehement about the

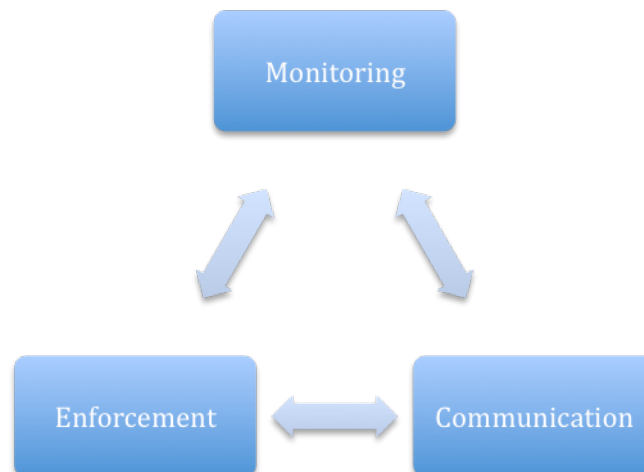
importance of enforcement activities on Salt Spring Island to ensure the effectiveness and legitimacy of monitoring (Neufeld, 2000). Conservation advocates describe enforcement as a tool to deter illegal behaviour. Landowners see enforcement as a way to establish guidelines for behaviour that may have more practical utility than bylaws or communication materials. Islands Trust staff identified a number of problems with enforcement activities: they are expensive, they punish landowners but often cannot undo the damage that has been done to the ecosystem, they can antagonize Salt Spring Island residents, and it is likely that there are not enough funds for both communication and enforcement. This suggests that before other decisions regarding monitoring are made the Islands Trust must evaluate whether stakeholder support for enforcement activities warrants the additional resources required because it will affect the approach to monitoring and how monitoring is conducted.

The balance between communication and enforcement will be determined by the objectives of the monitoring program, which the literature suggests will affect program design because the program's objectives will affect how it is developed and how the monitoring is conducted (Boyle et al., 2001; Runhaar et al., 2006; Neufeld, 2000). For instance, if the objective is to educate landowners about the rationale for the Development Permit and encourage buy-in then landowner participation in the monitoring process is consistent with the literature's claim that involving stakeholders in monitoring can increase stakeholder understanding and support while reducing costs. This would require a different communication and enforcement strategy than if the Islands Trust contracts out the monitoring (Whitelaw et al., 2003, Gunningham, n.d.). If landowners are involved in the monitoring by providing baseline information the

monitoring program would use communication to build stakeholder support. In this scenario, the Islands Trust will likely only resort to enforcement action in the most serious instances because it can alienate landowners. However, if the program's objective is to punish infractions community or landowner involvement would be counter-productive and monitoring should be undertaken by consultants or bylaw enforcement. Maintaining goodwill and cooperation would not be as important and enforcement action would be appropriate in more instances.

The interviews suggest that monitoring may not be the only activity required for a monitoring program and that it involves a triad of activities that includes monitoring as well as communication and enforcement. This understanding of monitoring that stems from the data collected and this discussion adds another element to the conceptual framework for this report. Communication and enforcement activities are necessary for monitoring to be integrated into an organization and the community in addition to the elements of monitoring identified in the literature review (baselines, indicators, and data collection). This is expressed in Figure 4 and will be incorporated into the revised conceptual framework that is used to develop the recommendations later in the report.

Figure 4. Monitoring, Communication, and Enforcement



Process for Monitoring

The Islands Trust is reviewing covenant tracking and is planning to consult with the community to evaluate existing Development Permit Areas and guidelines which will likely result in changes to the bylaw that regulates Development Permit Areas and has already changed how restrictive covenants are tracked (Islands Trust, 2008; Islands Trust, 2009). Conservation advocates hope that changes to the bylaw will make the guidelines for Development Permit Areas and consequently Development Permits more specific and more straightforward to understand. Local Planning Services is developing a covenant tracking system and inventory which standardizes the tracking and use of restrictive covenants (Islands Trust, 2009). Islands Trust staff indicated that these initiatives will increase Islands Trust capacity to monitor over time because it will be possible to keep track of past monitoring activities as well as the covenant itself, which is identified in the literature as being necessary for a monitoring program (Booth & Lucas, 2002; Boyle et al., 2001). Monitoring will not be rigorous or sustainable if there is no administrative framework in place to facilitate the monitoring and ensure that it is consistent from one staff member or application to another, because new staff may not understand how to monitor and existing staff may lose track of individual restrictive covenants and Development Permits due to the inadequacy of the current administrative systems. Thus, getting the tracking systems in place and developing office policy and procedures for monitoring are recommended early steps in the development of a monitoring program.

The literature review identified the key elements of monitoring programs—baselines, indicators, and data collection—and the interview findings also suggest that these elements are necessary, particularly that it is essential to obtain baseline

information for restrictive covenant and Development Permit sites before development has commenced in order to be able to compare the development to the unimpacted state of the land (Barnett, 2004; Boyle et al., 2001; Jennings, 2005; Canterbury et al., 2000; Litman, 2007; Kremen et al., 1994; Dale & Beyeler, 2001). Templates for similar restrictive covenants and for each Development Permit Area could reduce the marginal cost of monitoring each Development Permit and restrictive covenant and increase the ease of developing a monitoring protocol while enabling site specific indicator selection and ease of collecting baseline information. This approach can expedite planning objectives of the Islands Trust in a way that is realistic given the six different Development Permit Areas on Salt Spring Island and the myriad uses for restrictive covenants, from eagle habitat to water quality protection. An approach that can be tailored to specific properties will facilitate integration of the monitoring program into other Islands Trust policies and activities that is consistent with the recommendations in the literature and what the interview findings suggest about development on Salt Spring Island (Litman, 2007; Boyle et al., 2001; Dale & Beyeler, 2001). For example, indicators should be chosen to provide information that is relevant to other Islands Trust policy rather than ease of collecting data, which provides the criteria for evaluating and selecting indicators as well as a strategy for integrating the monitoring program into the organization of the Islands Trust (Neufeld, 2000; Kremen et al., 1994).

Each group of interview participants described an ideal monitoring process where they were not responsible for monitoring. Islands Trust staff would like to contract out the monitoring to experts, landowners would like the Islands Trust staff to monitor, and conservation advocates would like the Islands Trust to take on monitoring and

enforcement activities. The trade-offs for monitoring that each group was willing to concede would involve stakeholders while sacrificing technical expertise. These trade-offs identified by stakeholders are presented in Table 7 as the realistic monitoring program (which is compared to the ideal monitoring described by each group of interview participants) and the compromises identified in this table would help to integrate the monitoring program into the wider framework of Islands Trust policy objectives and the reality of funding limitations (Boyle et al., 2001; Neufeld, 2000; Litman, 2007).

Table 7. Summary Table, Ideal and Realistic Monitoring Programs

	<i>Islands Trust Staff</i>	<i>Landowners</i>	<i>Conservation Advocates</i>
<i>Ideal Monitoring Process</i>	-Funds to hire consultants with technical expertise -Consultants monitor restrictive covenants annually	-Islands Trust undertakes monitoring without requiring anything else from landowners	-Islands Trust monitors regularly and follows up infractions with enforcement
<i>Realistic Monitoring Process</i>	-Internal office process to alert planner to monitoring -Monitoring program developed for each restrictive covenant and Development Permit	-Landowners submit additional information and follow-up on state of restrictive covenant or Development Permit with Islands Trust	-Islands Trust works with landowners and conservation groups

A monitoring program based on the realistic approach described in the interviews and presented in Table 7 would be consistent with the ecosystem approach to monitoring in that it would take the entire framework of human and natural concerns into account and would include compromises based on the realities of Salt Spring Island (Neufeld, 2000; Kay et al., 1999; Boyle et al., 2001; Runhaar et al., 2006; Litman, 2007). Involving landowners in monitoring provides an opportunity to educate them about the rationale for the restrictions and guidelines that they are subject to. The monitoring will be less technical, but this is a trade-off that is consistent with the ecosystem approach to

monitoring (Boyle et al., 2001). In this context a stress-response approach to monitoring will not provide data that is comprehensive enough and a pressure-state-response approach will require more technical expertise than is feasible given the Islands Trust's limited resources. Further, a pressure-state-response approach will not support Islands Trust communication activities because the monitoring would focus on data collection without the associated communication that would be integral to an ecosystem approach to monitoring (Jennings, 2005; Boyle et al., 2001; Canterbury et al., 2000). An ecosystem approach to monitoring will also give the Islands Trust an opportunity to use the monitoring of these individual restrictive covenants and Development Permits to develop a better understanding of the development sites and surrounding land and to integrate Islands Trust policy into the long-term administration of the restrictive covenant and the short-term development associated with a Development Permit, as well as to reach out to interested community members with communication activities.

Revised Conceptual Framework

The interview findings suggest changes to the conceptual framework for this report. How cost and comprehensiveness are balanced in the conservation strategy and monitoring program will determine the elements of the monitoring program itself, which means that indicator selection and data collection will be different if the monitoring is comprehensive or if cost effectiveness is preeminent in program design. In addition, the ways in which the opposing pressures to develop and conserve are reconciled will affect how monitoring is conducted, as well as the substance of the conservation strategy. Further, the interviews suggest that communication and enforcement activities are equally important as monitoring activities for the conservation strategy. Below is the

revised conceptual framework that is based on both the literature review and the findings from the interviews. It incorporates Figure 4 into Figure 3 and situates monitoring inside the conservation strategy alongside communication and enforcement activities, in contrast to the conceptual framework developed using the literature review (Figure 3) which conceived of monitoring as an element of a conservation strategy. Finally, the interview findings suggest that the elements of the monitoring program will be determined by how the pressures on the conservation strategy are negotiated, while the first conceptual framework indicated that the elements would determine the design of the monitoring program. The revised conceptual framework is presented in Figure 5 and will be used to develop recommendations for a monitoring program for restrictive covenants and Development Permits for the Salt Spring Island office of the Islands Trust. What it lacks in specificity it provides in a wider perspective that is necessary considering the gaps in monitoring identified by this research.

Figure 5. Revised Conceptual Framework



Conclusion

The themes of cost and comprehensiveness and communication and enforcement that were suggested by the interview findings indicate that the development of a monitoring program is an exercise in finding balance between objectives and organizational and situational realities. This balance will determine program design. This is also appropriate in the context of Salt Spring Island because the development of any new program by the Islands Trust must foster a balance between the competing pressures of conservation and development. The discussion suggests that a monitoring program must be reasonable given Islands Trust resources, support policy objectives, and be communicated to stakeholders in order to encourage buy-in.

RECOMMENDATIONS

The primary purpose of this report was to develop recommendations for a monitoring program for restrictive covenants and Development Permits for the Salt Spring Island office of the Islands Trust. Background research into the Islands Trust and a literature review concerning monitoring programs suggest that a monitoring program should support the Islands Trust's mandate to preserve and protect the natural environment and be designed to balance cost and comprehensiveness. These findings were supported by key informant interviews on Salt Spring Island, which also suggested that communication with landowners and other members of the community is very important. The recommendations suggested by the findings are presented in two phases. The first concerns policy development and planning that should occur before the monitoring program is implemented and the second presents recommendations for the development of the monitoring program that are supported by draft materials included in the appendices. The phased approach recommended in this section will work to ensure that the monitoring program that is developed will be integrated into the Salt Spring Island office of the Islands Trust's activities and policy objectives, and realistic given the available resources. In addition to the two phases and as a preliminary way to address some of the limitations to the current approach to restrictive covenants and Development Permits identified in the interviews, this report recommends that the Salt Spring Island office of the Islands Trust begin to educate the community about the rationale and objectives for restrictive covenants and Development Permits, and for monitoring. This education program could positively contribute to voluntary compliance and should be implemented even if the recommendations for a monitoring program are not adopted.

Community Education

This education and outreach program addresses some of the limitations of the current approach that were identified in the course of this research. Community education and outreach should be long-term and integrated into the Salt Spring Island office of the Islands Trust's approach to restrictive covenants and Development Permits.

1. Use communication and education to raise awareness about the long term benefits of complying with restrictive covenants and Development Permits.
 - Educate community members about rationale and objectives for restrictive covenants and Development Permits.
 - Education and outreach can be used to raise awareness of the benefits of compliance with restrictive covenants and Development Permits.
2. Communication program can be used to neutralize adversarial relationships.
 - Communicate cost of Islands Trust services to community.
 - Develop forthright, timely, and easy to use information to communicate details and expectations of application and follow up process and monitoring program for restrictive covenants and Development Permits to landowners and conservation advocates.
 - Institute policy of open communication with interested community members even if lacking requisite expertise on staff.
 - Liaise with realtors and other members of the community who can become partners in educating landowners about restrictive covenants and Development Permits.
3. Dedicate staff time or hire communications officer for communication and outreach activities with community.
 - Information sessions for interested community members.
 - Communication materials for landowners in Development Permit Areas and landowners with restrictive covenants on their land as well as other development professionals.

Phase 1. Initial Policy Development

Phase 1 includes planning and review of Islands Trust capacity and policy objectives for monitoring. The objective of this phase of recommendations is to determine how to integrate the monitoring program into the wider policy objectives and work of the Islands Trust. This policy work should be undertaken by the Salt Spring office of the Islands Trust in the short term. It will determine how the monitoring program is integrated into the wider policy objectives and work of the Islands Trust.

1. Analyze how monitoring can be used to support development that promotes conservation.

- This will require that the Salt Spring Island office of the Islands Trust evaluates how the monitoring program will contribute to wider Islands Trust policy objectives and how the monitoring will adjust to changing use of restrictive covenants and Development Permits.
- 2. Consider accountability of the monitoring program so that it is transparent.
 - This requires that the monitoring program is integrated into larger Islands Trust policy objectives and that the benefits and objectives of monitoring are articulated and communicated by the Salt Spring Island office of the Islands Trust.
- 3. Develop a plan to secure long-term, sustainable funding sources for monitoring.
 - Building an appropriate system of cost recovery into the monitoring program that recovers monitoring costs from the parties that benefit from the monitoring can strengthen the legitimacy of the monitoring program in the eyes of the community.
 - This will be done by evaluating who the monitoring is accountable to. Over time the cost recovery for monitoring should be adjusted so that the beneficiaries are responsible for monitoring costs.
- 4. Evaluate whether there are resources available for enforcement activities and design monitoring program accordingly.
- 5. Determine degree of stakeholders involvement.
 - Stakeholder involvement will sacrifice some expertise that could be gained from consultants, but would be consistent with the ecosystem approach to monitoring.
 - Criteria for stakeholder involvement in monitoring should be relationship to the property that is being monitored, i.e. landowners or others with commensurate stake in the land should be involved in monitoring.
 - Landowners participation in monitoring could include landowner submission of digital photographs of development site in development application to establish baseline information. Landowners could also be required to submit photos of the development site to the Islands Trust throughout the course of development to facilitate ongoing monitoring.

Phase 2. Monitoring Program Development

Phase 2 recommendations are medium term and should be implemented by the Salt Spring Island office of the Islands Trust within a timeframe that the Salt Spring Island Local Trust Committee considers to be appropriate.

1. Use ecosystem approach to monitoring
 - Design monitoring to reflect human and natural realities of development and the property itself.

- Sacrifice comprehensiveness of data in favour of cost effective and user-friendly indicator selection and data collection. This will facilitate stakeholder involvement because the monitoring will not require technical expertise that is beyond stakeholder capacity. It will also contribute to the sustainability of the monitoring because it will require fewer resources.
 - Islands Trust staff will engage in monitoring activities and dependable follow-up for restrictive covenants and Development Permits.
 - Limitations of staff expertise should be acknowledged but should not preclude staff involvement in monitoring.
 - Engage consultants when necessary to monitor Development Permits that require technical expertise.
2. Develop a monitoring policy for the Salt Spring Island office of the Islands Trust³
 - Use office bring forward to ensure follow-up and site visit for all Development Permits.
 - Once all restrictive covenants are in TAPIS, use office bring forward for annual monitoring alerts.
 3. Develop templates for monitoring for similar restrictive covenants based on current covenant monitoring form.
 - Use the objectives of the restrictive covenant as a starting point to develop indicators for monitoring.
 - Indicator selection should evolve over time as monitoring program is developed.
 4. Develop templates for monitoring for each Development Permit Area⁴.
 - Use the Development Permit Area guidelines as a starting point to develop indicators for monitoring.
 - The draft Development Permit Area monitoring forms in appendix 7 should be used as a basis for indicator selection and should be developed over time.
 5. Develop monitoring strategies for individual restrictive covenants and Development Permits.
 - Encourage landowners to consult with conservation organizations which will enable landowners to understand the conservation objectives associated with the restrictive covenant or Development Permit.
 - This will facilitate landowner involvement in monitoring as they will better understand the rationale for monitoring.
 - This will also allow conservation advocates greater access to the Development Permit application process and may contribute to a decrease in adversarial

³See Appendix 5, Draft Monitoring Policy for Restrictive Covenants and Appendix 6, Draft Monitoring Policy for Development Permits

⁴ See Appendix 7, Draft Development Permit Area Monitoring Forms

relationships between conservation advocates and the Islands Trust and conservation advocates and landowners described in the findings.

6. The recommended monitoring program for Development Permits is a new obligation for landowners and the costs associated with monitoring should be covered by taxpayers for a three year pilot period. The monitoring protects a common resource and all stakeholders share the benefits of development. However, the bulk of the benefits of development accrue to landowners so cost recovery should be re-evaluated once the program is established.
7. Cost recovery for covenant monitoring is being evaluated pursuant to the policy work being undertaken by the Salt Spring office of the Islands Trust.

CONCLUSION

This project set out to evaluate the current monitoring program for restrictive covenants and Development Permits on Salt Spring Island in conjunction with work that is being undertaken by the Islands Trust evaluating the tracking of all covenants in the Islands Trust Area and making recommendations for a monitoring program. An exploration of the background of the Islands Trust indicates that the Islands Trust and the Islands Trust Area is unique. Unlike other local governments the Islands Trust is explicitly responsible for preserving and protecting the natural environment. This mandate is complex and can be challenging to navigate when development, especially on Salt Spring Island, is progressing rapidly and Islands Trust resources are limited. An investigation into restrictive covenants and Development Permits in British Columbia shows that they are land-use planning tools that can be used to restrain development in different ways and with different degrees of success.

A literature review on the subject of monitoring indicates that monitoring programs must be designed to balance the competing demands on an ecosystem and an organization and must be integrated into the organization itself. The ecosystem approach to monitoring evaluates the current and ideal state of the environment as well as the human impact on the environment. This approach to monitoring provides the basis for the conceptual framework of this report; conceived of as a study concerning the different pressures on the conservation strategy of the Salt Spring Island office of the Islands Trust. The research and findings from the key informant interviews conducted are used to understand the source of the different pressures and what is realistic in terms of next steps.

There is currently no formal monitoring system in place for Development Permits and for many restrictive covenants, although the Islands Trust is taking steps to address this. A number of administrative elements are in development and must be in place before the Salt Spring Island office of the Islands Trust implements a monitoring program for restrictive covenants and Development Permits. One of the findings from the research conducted for this project was that the process for assessing Development Permit applications and entering into restrictive covenants is not as standardized or systematic as is optimal for the development of a monitoring program. These processes could be evaluated and improved, but any recommendations pertaining to this larger policy analysis and review are beyond the scope of this report. A concerted and systematic office policy for monitoring restrictive covenants and Development Permits is recommended and a suggested draft policy is appended to this report to facilitate policy development⁵. This report may be valuable to the Salt Spring Island office of the Islands Trust regardless of whether or not any of the recommendations are adopted because the research and analysis conducted for this report will be a resource for the Salt Spring Island office of the Islands Trust that can be used to support future policy analysis and development.

The research question for this project was also to evaluate how restrictive covenants and Development Permits should be monitored. The analysis of the findings and the recommendations for a monitoring program that were developed based on this analysis concern how to monitor restrictive covenants and Development Permits in a way that is likely to be supported by stakeholders and reasonable given the limited resources

⁵Appendix 5, Draft Monitoring Policy for Restrictive Covenants and Appendix 6, Draft Monitoring Policy for Development Permits

of the Salt Spring Island office of the Islands Trust. It does not address the wider issues of how monitoring can contribute to an understanding of the ways that restrictive covenants and Development Permits affect the course of development or should be modified based on an assessment of how effectively they support land-use planning objectives. The Salt Spring Island office of the Islands Trust could adapt the monitoring program to include these considerations in the future. This kind of monitoring would potentially be more effective at supporting the Islands Trust's mandate. A monitoring program based on the recommendations in this report will provide useful information for any future policy analysis of the effectiveness and utility of restrictive covenants and Development Permits.

SOURCES

- Agnew, D. J. (1997) Review of the CCAMLR ecosystem monitoring programme. *UK Antarctic Science* 9(3), pp. 235-242. Retrieved February 9, 2010 from <http://journals.cambridge.org/action/displayFulltext?type=1&fid=220310&jid=ANS&volumeId=9&issueId=03&aid=220309>
- Ammons, D.N., Coe, C., & Lombardo, M. (2001) Performance-comparison projects in local government: Participants perspectives. *Public Administration Review* 61(1), pp. 100-109.
- Barnett, I. (2004) Wetland action plan. Species at Risk 2004 Pathways to Recovery Conference. Retrieved January 27, 2010 from http://www.llbc.Leg.Bc.Ca/Public/Pubdocs/Bcdocs/400484/Barnett_Edited_Final_Feb_8.Pdf
- Boyle, M., Kay, J., & Pond, B. (2001) Monitoring in support of policy: An adaptive ecosystem approach. In Munn, T. (ed.) *Encyclopedia of global environmental change* vol 4, pp 116-137. John Wiley and Son. Retrieved February 9, 2010 from <http://dev.nesh.ca/jameskay/www.fes.uwaterloo.ca/u/jjkay/pubs/SCOPE/monitor.pdf>
- Breckenridge, R.E., Kepner, W.G., & Mouat, D.A. (1995) A process for selecting indicators for monitoring conditions of rangeland health. *Environmental Monitoring and Assessment* 36, pp. 45-60.
- British Columbia Ministry of Environment, Lands and Parks. (2001) *BC Environment – Vancouver Island Region Environmental Objectives, Best Management Practices and Requirements for land developments*. Retrieved March 16, 2010 from http://www.llbc.leg.bc.ca/public/pubdocs/bcdocs/351566/best_management_pract.pdf
- British Columbia Ministry of Water, Land and Air Protection. (2004) *Environmental best management practices for urban and rural land development*. Retrieved January 26, 2010 from <http://www.llbc.Leg.Bc.Ca/Public/Pubdocs/Bcdocs/374290/Ebmp%20pdf%208.Pdf>
- Capital Regional District (n.d.) *Capital Regional District website*. Retrieved July 5, 2010 from <http://www.crd.bc.ca/saltspring/index.htm>
- Canterbury, G.E., Martin, T.E., Petit, L.J., & Bradford, D.F. (2000) Bird communities and habitat as ecological indicators for regional monitoring. *Conservation Biology* 14(2), pp. 544-558. Retrieved February 14, 2010 from <http://www.umt.edu/mcwru/temwebsite/files.pdf/Reprint574.pdf>

- Dale, V.H., & Beyeler, S.C. (2001) Challenges in the development and use of ecological indicators. *Ecological Indicators 1*, pp. 3-10. Retrieved February 14, 2010 from <http://www.esd.ornl.gov/programs/SERDP/Indicators/dale2.pdf>
- Ewing, K. (n.d.) *Conservation covenants and community conservation groups: Improving the protection of private land*. Retrieved January 27, 2010 from http://www.Nzcel-Conf.Auckland.Ac.Nz/Docs/Ewing_Kellie.Pdf
- Franklin, J.F. (1993) Preserving biodiversity: Species, ecosystems, or landscapes? *Ecological Application (3)2*, pp 202-205. Retrieved April 3, 2010 from <http://links.jstor.org/sici?sici=1051-0761%28199305%293%3A2%3C202%3APBSEOL%3E2.0.CO%3B2-7>
- Fraser, D., A., Gaydos, J. K., Karlsen, E., & Ryko, M. S. (2006) Collaborative science, policy development and program implementation in the transboundary Georgia Basin/Puget Sound ecosystem. *Environmental Monitoring and Assessment 113*, pp 49–69. Retrieved January 26, 2010 from <http://www.Environmental-Expert.Com/Files/6063/Articles/8581/1.Pdf>
- Gawronski, C. (1999) *Tools of the trade: Part of the Municipal Act reform initiative of British Columbia*. Retrieved February 2, 2010 from http://Www.Llbc.Leg.Bc.Ca/Public/Pubdocs/Bcdocs/335441/Tools_Of_Trade.Pdf
- Gunningham, N. (n.d.) *Compliance, enforcement and innovation*. Retrieved February 4, 2010 from www.oecd.org/dataoecd/18/38/33947825.pdf
- Harper, D. J., & Quigley, J.T. (n.d.) *No net loss of fish habitat: A review and analysis of habitat compensation in Canada*. Retrieved January 26, 2010 from <http://Faculty.Forestry.Ubc.Ca/Hinch/Harper%20and%20Quigley%202005.%20NL%20Fish%20Hab-%20Comp%20in%20Canada.Pdf>
- Harris, N., C. (2001). *Programs for land-based habitat conservation in B.C.: A report to the CRD roundtable sub-committee on land-based habitat*. Retrieved January 26, 2010 from <http://Www.Crd.Bc.Ca/Rte/Documents/Habitrpt.Pdf>
- Islands Trust Act*, R.S.B.C. 1996, c. 239
- Islands Trust. (2009) *Staff Report Re: Covenant Tracking*. Salt Spring Island, BC. Porter, B.
- Islands Trust. (2010) *Islands Trust Briefing: Monitoring costs for LTC conservation covenants*. Salt Spring Island, BC. Porter, B.
- Islands Trust. (n.d.a) *Islands Trust website*. Retrieved January 8, 2010 from <http://www.Islandstrust.Bc.Ca/Index.Cfm>

- Islands Trust. (n.d.b) *Options for local governments (Local Trust Committees and island municipalities) in the trust area to manage development*. Retrieved February 4, 2010 from <http://www.islandstrust.bc.ca/tc/pdf/itforumdevmgmttools.pdf>
- Islands Trust. *Salt Spring Island Official Community Plan*, Bylaw No. 434, 2008.
- Islands Trust Fund. (2005) Assessing covenant and land donation proposals connected with a development application. *Islands Trust Fund Policy Manual*. Retrieved April 7, 2010 from <http://www.islandstrustfund.bc.ca/board/pdf/tfbpolassesscovlanddonpropdevapp.pdf>
- Jennings, M., D., & Reganold, J. P. (1989) Local government policies toward environmentally sensitive areas in British Columbia, Canada; Washington and Oregon, USA. *Environmental Management* (13)4, pp. 443-453. Retrieved January 26, 2010 from <http://www.Springerlink.Com/Content/Ht16307320500722/Fulltext.Pdf>
- Jennings, S. (2005) Indicators to support an ecosystem approach to fisheries. *Fish and Fisheries* 6, pp. 212-232. Retrieved February 9, 2010 from <http://www.cbd.int/doc/articles/2005/A-00407.pdf>
- Kay, J. J., Regier, H. A., Boyle, M., & Francis, G. (1999) An ecosystem approach for sustainability: Addressing the challenge of complexity. *Futures* 31(7), pp. 721-742. Retrieved February 9, 2010 from <http://web.dcp.ufl.edu/ckibert/BCN6586/Modules/Module3/03-1.pdf>
- Kolk, A. (1999) Evaluating corporate environmental reporting. *Business Strategy and the Environment* 8, pp. 225–237.
- Kremen, C., Merenlender, A.M., & Murphy, D.D. (1994) Ecological monitoring: A vital need for integrated conservation and development programs in the tropics. *Conservation Biology* 8(2), pp. 388-397. Retrieved February 14, 2010 from http://www.cnr.berkeley.edu/BeahrsELP/2004%20Readings%20from%20CD/W7a%20Read%20Eco%20monitoring%20kremen_et_al_1994.pdf
- Lamb, P. (2009) *The Islands Trust Story*. Retrieved July 1, 2010 from <http://www.islandstrust.bc.ca/pdf/islandstruststory-plamb.pdf>
- Land Title Act*, R.S.B.C. 1996, c. 250.
- Levin, S.A. (1998) Ecosystems and the biosphere as complex adaptive systems. *Ecosystems* (1), pp 431-436.
- Litman, T. (2007) Developing indicators for comprehensive and sustainable transport

planning. *Transportation Research Record: Journal of the Transportation Research Board 2017*, pp. 10-15.

Little, D.W., Macinnis, A. & Mullen, M. (2004) *Easements, covenants and similar rights in British Columbia: An overview*. Retrieved February 2, 2010 from http://www.Fasken.Com/Files/Publication/A3a87878-1422-4267-8c77-45be524524f7/0eaaac06-1223-42d9-Bb2b-0087918d5356/Presentation/Publicationattachment/17143421-12b7-4643-87b2-B2344ccc04fa/DWL_AMW_MCM_EASEMENTS_COVEN.Pdf

Local Government Act, R.S.B.C. 1996, c. 323.

Manos, B., Bournaris, T.H., Silleo, N., Antonopoulous, V., & Papathanasiou, J. (2004) A decision support system approach for rivers monitoring and sustainable management. *Environmental Monitoring and Assessment 96*, pp. 85–98.

Neufeld, D.A. (2000) An ecosystem approach to planning for groundwater: The case of Waterloo region, Ontario, Canada. *Hydrogeology Journal 8*, pp. 239-250.

Nicholson, M.D. & Jennings, S. (2004) Testing candidate indicators to support ecosystem-based management: The power of monitoring surveys to detect temporal trends in fish community metrics. *Journal of Marine Science 61*, pp. 35-42. Retrieved on February 9, 2010 from <http://icesjms.oxfordjournals.org/cgi/reprint/61/1/35>

Runhaar, H., Dieperink, C., & Driessen, P. (2006) Policy analysis for sustainable development: The toolbox for the environmental social scientist. *International Journal of Sustainability in Higher Education 7*(1), pp. 34-56. Retrieved February 14, 2010 from <http://www.uu.nl/uupublish/content/IJSHE2005.pdf>

Salt Spring Island Local Trust Committee. (2009, January 8) Salt Spring Island Local Trust Committee Meeting. Retrieved March 16, 2010 from <http://www.islandstrust.bc.ca/ltc/ss/pdf/ssminbusjan082009.pdf>

Shepherd, G. (2004) *The ecosystem approach: Five steps to implementation*. IUCN, Gland, Switzerland and Cambridge, UK. Retrieved February 9, 2010 from

Spangenberg, J.H. (2002) institutional sustainability indicators: An analysis of the institutions in agenda 21 and a draft set of indicators for monitoring their effectivity. *Sustainable Development 10*, pp. 103-115.

Turnbull, G.K. & Hughes, W.T. (1996) Restrictive land covenants. *Journal of Real Estate Finance and Economics 12*, pp. 9-21.

Union of British Columbia Municipalities. (2010) *Development Permit Area guidelines in British Columbia climate action toolkit*. Retrieved January 10, 2010 from

<http://www.Toolkit.Bc.Ca/Tool/Development-Permit-Area-Guidelines>

Whitelaw, G., Vaughan, H., Craig, B., & Atkinson, D. (2003) Establishing the Canadian community monitoring network. *Environmental Monitoring and Assessment* 88, pp. 409–418.

Vanegas, J.A. (2003) Road Map and Principles for Built Environment Sustainability. *Environmental Science and Technology* 37, pp. 5363-5372. Retrieved February 14, 2020 from <http://www.p2pays.org/ref/41/40580.pdf>

APPENDICES

Appendix 1, Current Islands Trust Monitoring Form

ISLANDS TRUST FUND BOARD SITE MONITORING FORM

File Name		Month/Date/Year	
Island		Name of Monitor(s)	
Type of Project		Last date inspected	
Size of Area		By whom	
Time started		Time finished	Weather
Legal Description			
Directions to site			
Owner Name/Address/Telephone	Co-Covenant Holder Name/Contact/Address		
Date Notified		Date Notified	
Warden Name/Address/Telephone	Management Group Name/Contact/Address		
Date Notified		Date Notified	

MONITORING INSPECTION QUESTIONS	Y	N	?	n.a.	COMMENTS
Have there been any changes to access? Directions to the site?					
Any changes in landscapes?					
Soil, gravel or rock disturbance, dumping or removal?					
Tree cutting, trimming, removal, planted? Live or dead trees?					
Vegetation disturbed, destroyed, moved planted?					
Alteration or interference with hydrology, wetlands, body of water?					
Evidence of pollution or contamination? Land or water?					
Evidence of subdivision?					
Evidence of property use? Describe.					
Evidence that buildings, fixtures, structures, water works, ditches have been added or removed?					

MONITORING INSPECTION QUESTIONS	Y	N	?	n.a.	COMMENTS
Evidence that roads, paths, trails have been built? Describe location, type, use and probable age.					
Have existing trails deteriorated?					
Is there litter, dumping, abandoned vehicles? Where/type/age?					
Is there evidence of trespass? Foot/vehicle/animal?					
Have any signs been put up on the land?					
Are existing signs in need of repair?					
Are structures on the land in need of repair? (e.g. benches, bridges, fences, gates, parking areas, etc)					
Have there been activities on the land or on surrounding lands that may impact its environment?					
have there been any activities on the land or on surrounding lands that may pose a risk to public safety?					
Evidence of changes in landscape that could pose a risk to public safety?					
Did you observe any condition that might warrant closing access to protect public safety and/or habitat?					
Did you encounter any people during your inspection? Number and activity?					
Did you encounter any wildlife? Number and type.					
Did you observe any rare, endangered, unusual flora and fauna?					
Did you observe any invasive plants? If so, describe location and estimate percentage.					
General comments on the site (including natural history observations).					

*** PLEASE SHOW APPROXIMATE LOCATION OF ROUTE TAKEN DURING INSPECTION ON ATTACHED MAP ***

List of persons present for site visit												
Was the Covenant Holder present?	Y		N		Was the Landowner present?	Y		N				

Covenant Holder's Additional Comments	Landowner's Additional Comments

Monitor's Recommendations/Comments

Appendix 2, Islands Trust Recruitment Letter

March 25, 2006

Name
Address
Salt Spring Island, BC
V8K

Dear _____

This letter introduces Caitlin Brownrigg, a graduate student in Public Administration at the University of Victoria. Caitlin is working in conjunction with the Salt Spring Island office of the Islands Trust to evaluate procedures for monitoring Development Permits and restrictive covenants on Salt Spring Island. The research will assist Islands Trust Staff in developing a system for monitoring compliance with restrictive covenants and Development Permits.

You are being invited to participate in this study because you have expertise or experience in this area that will make your input valuable to the research and recommendations for a new monitoring process. If you agree to voluntarily participate in this project, your contact information will be forwarded to Caitlin, who will contact you to arrange a meeting.

Participation in this research will include an interview that will last between one and two hours and will be conducted at a time and location of your choice. A list of questions will be provided to you prior to the interview. You may choose whether or not to answer any of the questions. Your name and contact information will be held in strictest confidence and identifying details will be changed or omitted from the report.

If you have any questions regarding this project, or do not wish to participate, please contact Lisa Floritto at lfloritto@islandstrust.bc.ca or 250 537 9144. If we have not heard from you by April 6, 2010, we will forward your contact information to Caitlin.

Thank you for your consideration.

Regards,

Lisa Floritto
Administrative Assistant

Enc.

Monitoring Restrictive Covenants and Development Permits on Salt Spring Island

You are invited to participate in a study entitled Monitoring Restrictive Covenants and Development Permits on Salt Spring Island that is being conducted by Caitlin Brownrigg. Ms Brownrigg is a graduate student in the department of Public Administration at the University of Victoria and you may contact her if you have further questions by email at: mcbrown@uvic.ca or phone at: 250 538 8964.

Ms. Brownrigg states:

As a graduate student, I am required to conduct research as part of the requirements for a degree in Public Administration. It is being conducted under the supervision of Dr Lynne Siemens. You may contact my supervisor at 250 721 8096 or siemensl@uvic.ca.

The purpose of this research project is to evaluate the Salt Spring Region of the Islands Trust's existing monitoring system for Development Permits and restrictive covenants. This research will be used to make recommendations for a monitoring system that can be used by Islands Trust staff to monitor compliance with restrictive covenants and Development Permits. Research of this type is important because it will determine how to improve the current monitoring system for all stakeholders and will support the Islands Trust's ability to fulfill their mandate.

You are being asked to participate in this study because you may be affected by any changes to the current protocol for monitoring restrictive covenants and Development Permits or you have expertise in this area that will make your input valuable to the research and recommendations for a new monitoring process.

There is a potential risk that you may be identified as a participant in this research. I will minimize this risk by keeping your name confidential and changing or omitting any identifying information from the report. If you are not comfortable with any questions, you are not required to answer them and may withdraw any of your answers. The potential benefits of your participation in this research include improving the existing process for monitoring restrictive covenants and Development Permits. This may benefit you personally or professionally and may also benefit society by improving the ability of the Islands Trust to comply with its mandate to protect and preserve the natural environment of the Gulf Islands.

Your participation in this research is completely voluntary. If you do decide to participate, you may withdraw at any time without consequence. If you do withdraw from the study, your data will not be used and will be destroyed. Your confidentiality, and the confidentiality of the data, will be protected by keeping any data obtained through the interview in a secure location. I, Caitlin Brownrigg, will be the only person with access to the data and I will destroy it when my ADMN 598 Advanced Management Report has been successfully defended. Your name will not be used in the report itself; however, *it may be possible to identify you from reading the report* due to the limited number of participants in this research and the nature of life in a small community.

I hope you agree to participate in this research and look forward to hearing from you.

Sincerely,
Caitlin Brownrigg

Appendix 3, Interview Questions

Interview Questions—Monitoring Restrictive Covenants and Development Permits on Saltspring Island

These questions are intended to be open-ended and additional questions will be formulated through the course of the interview.

Group 1- Islands Trust Staff

- Describe your work with covenants (restrictive and conservation) and Development Permits.
- Do you have experience monitoring covenants?
- Please describe that experience.
- How would you say the current monitoring system is functioning? Would you characterize it as effective? Why? How would you measure its effectiveness?
- Would a similar approach be effective for Development Permits?
- How could it be improved? Please be as specific as you can.
- Why do you suggest these improvements?
- Do you foresee any challenges associated with these improvements?
- What would make the monitoring process more challenging? What would be counterproductive?
- What would make it easier?
- In general, how would describe your experience with restrictive covenants and Development Permits?
- Are they an effective tool for complying with the Islands Trust's mandate?
- How could their effectiveness be improved?
- What should be monitored closely?
- What elements are not important? Are there things about restrictive covenants and Development Permits that seem to be important but are not? (shouldn't be monitored)
- How do you expect the community to respond to this initiative? How would you address this response?
- Describe the problems tracking covenants (and DPs). In TAPIS and otherwise
- Is there anything else that you think I should know about this issue?

Group 2- Selected members of the community

- Tell me about your experience with restrictive covenants and /or Development Permits
- Describe any challenges you have experienced in complying with restrictive covenants and/or Development Permits.
- How would you propose monitoring for compliance?
- Are you aware of a current monitoring system for restrictive covenants or Development Permits?
- What elements would a good monitoring system have?
- How would it work?
- How involved should community members be in the monitoring process?

- Do you have any recommendations in terms of community involvement?
- How effective do you think that restrictive covenants and/or Development Permits are for conserving the natural environment?
- Do you have any suggestions for increasing this effectiveness?
- What is appropriate to expect from landowners and community members in a monitoring system?
- Is there anything else that I should know about this issue?

Appendix 5, Draft Monitoring Policy for Restrictive Covenants

DRAFT MONITORING POLICY—RESTRICTIVE COVENANTS

A: PURPOSE:

The purpose of this policy is to ensure that all restrictive covenants on Salt Spring Island are monitored annually.

B: POLICY:

- Visit site annually to monitor restrictive covenants
- Include all existing restrictive covenants in office bring forward system
- Use bring forward system to alert office that it is time to monitor covenant
 - For new restrictive covenants that have a provision for cost recovery, contract out the monitoring if necessary
 - For existing restrictive covenants with no provision for cost recovery, planner could conduct site visit
- Existing covenant monitoring form can be used to monitor restrictive covenants
- Person conducting the site visit should take photos and keep them in the restrictive covenant's file to track changes in the site over time and ensure consistency of monitoring over time, regardless of who is conducting the monitoring

Appendix 6, Draft Monitoring Policy for Development Permits

DRAFT MONITORING POLICY—DEVELOPMENT PERMITS

A: PURPOSE:

The purpose of this policy is to ensure that the follow up for all Development Permit applications is consistent regardless of the planner responsible for the application and the Development Permit Area that the application is for.

B: POLICY:

- Requirement for applicant to submit photos of jobsite as part of DP application
 - Applicants must take photographs of proposed site for development in order to provide Islands Trust with a baseline to evaluate development
 - Photos should be used as part of the evaluation during the site visits
 - Additional photos should be taken during the site visits to provide information about the course of development and evaluate compliance with the Development Permit
- Once application has been approved, file in bring forward
 - Use existing bring forward system to alert planner that it is time for follow up site visit
- 3 months before DP is set to expire visit site
 - Use form to ensure that development has started and that it is consistent with the Development Permit itself
 - Bring photographs for baseline information
 - Take additional photographs to chart development
- 1 year after construction is started, or after initial site visit, do follow up site visit.
 - Use form to see changes
 - For some Development Permits 1 year is not the best time to follow up, in these cases the planner responsible for evaluating the Development Permit application and the secretary should development a schedule for monitoring when the Development Permit application is approved
- If the planner is not able to ascertain that Development Permit requirements are being met after the site visit, they should alert the office and request follow up by a consultant
 - Staff from the Salt Spring office of the Islands Trust should conduct the initial site visit in order to be aware of how the development is progressing before contracting out subsequent monitoring

- In cases where landowner is not complying with the requirements of the Development Permit, give information including forms used on site visits and the photographs from the site to Bylaw Enforcement

Appendix 7, Draft Development Permit Area Monitoring Forms

Development Permit Area 1

DEVELOPMENT PERMIT AREA 1 SITE MONITORING FORM

File Name		Month/Date/Year	
Island		Name of Monitor(s)	
Type of Project		Last date inspected	
Size of Area		By whom	
Time started		Time finished	Weather
Legal Description			
Directions to site			
Owner Name/Address/Telephone			
Date Notified			

MONITORING INSPECTION QUESTIONS	Y	N	?	n.a.	COMMENTS
Construction taking place in area development plan indicated?					
Site access consistent with development plan?					
Building oriented in direction indicated in development plan?					
Construction materials consistent with development plan?					
Parking screened from view?					
Development pedestrian friendly?					
Building setback consistent with development plan?					
Landscaping consistent with development plan?					
Will there be a vegetation/ landscaping screen?					
Setback of building consistent with development plan?					
Building obstructing views?					

MONITORING INSPECTION QUESTIONS	Y	N	?	n.a.	COMMENTS
Building height consistent with development plan?					
Creation of impervious surfaces consistent with development plan?					
General comments on the site					

*** PLEASE ATTACH PHOTOS TAKEN DURING SITE VISIT ***

List of persons present for site visit				
Was the Landowner present?	Y		N	

Landowner's Additional Comments

Monitor's Recommendations/Comments

Development Permit Area 2

DEVELOPMENT PERMIT AREA 2 SITE MONITORING FORM

File Name		Month/Date/Year	
Island		Name of Monitor(s)	
Type of Project		Last date inspected	
Size of Area		By whom	
Time started		Time finished	
Legal Description			
Directions to site			
Owner Name/Address/Telephone			
Date Notified			

MONITORING INSPECTION QUESTIONS	Y	N	?	n.a.	COMMENTS
Construction taking place in area development plan indicated?					
Site access consistent with development plan?					
Building oriented in direction indicated in development plan?					
Construction materials consistent with development plan?					
Parking screened from view?					
Development pedestrian friendly?					
Building setback consistent with development plan?					
Landscaping consistent with development plan?					
Will there be a vegetation/ landscaping screen?					
Setback of building consistent with development plan?					
Building obstructing views?					
Building height consistent with development plan?					
Creation of impervious surfaces consistent with development plan?					

MONITORING INSPECTION QUESTIONS	Y	N	?	n.a.	COMMENTS
General comments on the site					

*** PLEASE ATTACH PHOTOS TAKEN DURING SITE VISIT ***

List of persons present for site visit				
Was the Landowner present?	Y		N	

Landowner's Additional Comments

Monitor's Recommendations/Comments

Development Permit Area 3

DEVELOPMENT PERMIT AREA 3 SITE MONITORING FORM

File Name		Month/Date/Year	
Island		Name of Monitor(s)	
Type of Project		Last date inspected	
Size of Area		By whom	
Time started		Time finished	
Legal Description			
Directions to site			
Owner Name/Address/Telephone			
Date Notified			

MONITORING INSPECTION QUESTIONS	Y	N	?	n.a.	COMMENTS
Any trees or native vegetation removed?					
Work minimizing degradation of ocean water?					
Evidence of construction of new roads?					
Evidence of construction of septic system?					
Evidence of dredging?					
Has shoreline been filled in?					
Boat launch ramps stable?					
Shoreline stabilization consistent with development plan?					
Pier construction consistent with development plan?					
Dock construction consistent with development plan?					
Habitat compromised?					
Lighting fixtures appropriate?					
General comments on the site					

*** PLEASE ATTACH PHOTOS TAKEN DURING SITE VISIT ***

List of persons present for site visit				
Was the Landowner present?	Y		N	

Landowner's Additional Comments

Monitor's Recommendations/Comments

Development Permit Area 4

DEVELOPMENT PERMIT AREA 4 SITE MONITORING FORM

File Name		Month/Date/Year	
Island		Name of Monitor(s)	
Type of Project		Last date inspected	
Size of Area		By whom	
Time started		Time finished	
Legal Description			
Directions to site			
Owner Name/Address/Telephone			
Date Notified			

MONITORING INSPECTION QUESTIONS	Y	N	?	n.a.	COMMENTS
Disturbance to drainage minimized? Consistent with development plan?					
Road construction consistent with development plan?					
Septic system installation consistent with development plan?					
Species protection consistent with development plan?					
Development consistent with reports?					
General comments on the site					

*** PLEASE ATTACH PHOTOS TAKEN DURING SITE VISIT ***

List of persons present for site visit				
Was the Landowner present?	Y		N	

Landowner's Additional Comments

Monitor's Recommendations/Comments

Development Permit Area 5

DEVELOPMENT PERMIT AREA 5 SITE MONITORING FORM

File Name		Month/Date/Year	
Island		Name of Monitor(s)	
Type of Project		Last date inspected	
Size of Area		By whom	
Time started		Time finished	
Legal Description			
Directions to site			
Owner Name/Address/Telephone			
Date Notified			

MONITORING INSPECTION QUESTIONS	Y	N	?	n.a.	COMMENTS
Any trees or native vegetation removed?					
Tree or vegetation removal consistent with development plan?					
Evidence that structure constructed will be non-residential?					
Evidence of construction of new roads?					
Evidence of construction of septic system?					
Habitat compromised?					
General comments on the site					

*** PLEASE ATTACH PHOTOS TAKEN DURING SITE VISIT ***

List of persons present for site visit				
Was the Landowner present?	Y		N	

Landowner's Additional Comments

Monitor's Recommendations/Comments

Development Permit Area 6

DEVELOPMENT PERMIT AREA 6 SITE MONITORING FORM

File Name		Month/Date/Year	
Island		Name of Monitor(s)	
Type of Project		Last date inspected	
Size of Area		By whom	
Time started		Time finished	
Legal Description			
Directions to site			
Owner Name/Address/Telephone			
Date Notified			

MONITORING INSPECTION QUESTIONS	Y	N	?	n.a.	COMMENTS
Any trees or native vegetation removed?					
Tree or vegetation removal consistent with development plan?					
Location of new structure consistent with development plan?					
Evidence of construction of new roads?					
Evidence of construction of septic system?					
Development consistent with development plan?					
General comments on the site					

*** PLEASE ATTACH PHOTOS TAKEN DURING SITE VISIT ***

List of persons present for site visit				
Was the Landowner present?	Y		N	

Landowner's Additional Comments

Monitor's Recommendations/Comments