

October 29, 2015

**Ms. Angila Bains**  
**Manager, Information Services**  
**Legislative & Information Services**  
**Capital Regional District**  
By email

Hello Angila

I am writing following the telephone discussion we just had, to address two main points:

1. The 1,600 pages and “narrowing the scope of my request”; and
2. That my FOI request is in the public interest.

### **The 1,600 pages and “narrowing the scope of my request”**

My FOI request was precise, and said in part:

*the CRD identifies 9 species that it says are "confirmed resident species" in Island View Beach Regional Park. These include the Common Nighthawk, the Fleshy Jaumea, the American Glehnia, and the Sand-Verbena moth.*

*I would like:*

*- copies of the records that led to this determination for each of these 4 species*

There can be no way to interpret this other than that I seek the records that led the CRD to make the claim those named species are confirmed resident in Island View Beach Regional Park.

CRD Park staff knew what I sought:

**Appendix 4 is the email of February 24 2015 from the Friends of Island View Beach to Todd Golumbia, where it says:**

**We ask once more - please give us references that can be checked, to support your claim that the Common Nighthawk, the Fleshy Jaumea, the American Glehnia, and the Sand-Verbena moth, are resident now in Island View Beach Regional Park**

**Appendix 5 is my email of July 10, 2015, to Lynn Wilson where I say:**

**What "factual, technical and scientific" information do you have to confirm these 4 species are resident or breeding in the park? I have looked through the references cited by the CRD and been unable to find evidence these are resident or breeding in the park- in fact the material I have seen suggests they are not present. I have previously repeatedly asked Todd Golumbia for this information and was not given it. Will you please provide me with this.**

**And at Appendix 6 is her reply:**

**"...we are not providing you with any additional information about SAR."**

**Appendix 7 is my email of October 20, 2015 to Lynn Wilson where I say:**

**I did not ask for a treatise on these species - the first part of my request was for the records that led the CRD to make the statement that those species named are "confirmed resident" in Island View Beach Regional Park.**

**And at Appendix 8 is her astonishing reply:**

**Regarding your request for more information about species at risk, we feel we have already provided you with the information you are looking for.**

**Appendix 1 is from a Power Point presentation made by CRD Parks to Central Saanich Council on January 26, 2015.** That stressed three times that their environmental assessment [that included the claims that 9 species were "confirmed resident" in Island View Beach Regional Park] was a "**scientific presentation**". As a "scientific" presentation, that means claims made in it would be factual and supported by evidence that would be recorded and capable of being easily reproduced for an FOI request.

#### **CRD Regional Parks Committee meeting of May 21, 2014**

The CRD Parks staff report to the Regional Parks Committee about the planning process for island View Beach Regional Park said that the environmental assessment (Step 1) would provide "**factual technical and scientific information about .... Species at risk ..**"

See page 32 at <https://www.crd.bc.ca/docs/default-source/crd-document-library/committeedocuments/regionalparkscommittee/20140521/2014-05-21rpcagenda.pdf?sfvrsn=6>

#### **Summary about the 1,600 pages and "narrowing the scope of my request"**

My FOI request was clear and concise, and CRD Parks staff have always known exactly what I sought. The claim by CRD Parks that my FOI request would be 1,600 pages was nothing more than a ploy to thwart my FOI request, and there is no validity to speak today of "narrowing the scope of my request".

Further, the standard set by the Regional Parks Committee was that the environmental assessment be factual technical and scientific, and that CRD staff told Central Saanich repeatedly that it was "scientific", means the claims in it would be documented and readily available for an FOI request.

## **That my FOI request is in the public interest**

**Appendix 1** is from a Power Point presentation made by CRD Parks to Central Saanich Council on January 26, 2015. That stressed three times that their environmental assessment [that included the claims that 9 species were “confirmed resident” in Island View Beach Regional Park] was a “**scientific presentation**”

**Appendix 2** is from the same presentation by CRD Parks to Central Saanich Council and says that the environmental assessment {Step 1} was “**very important**” for the development of the new park plan [Steps 2-4]

**Appendix 3** is acknowledgement by CRD Parks that Central Saanich Council had asked for references to support the CRD Parks environmental claims, which is what I had also asked for. CRD parks told the CRD Parks Committee that they had provided that information to Central Saanich Council, but as shown in the emails at Appendices 4 & 5, the list of references sent by CRD Parks to Central Saanich did not provide any evidence that the named species are in the park.

### **CRD Regional Parks Committee meeting of May 21, 2014**

The CRD Parks staff report to the Regional Parks Committee about the planning process for island View Beach Regional Park said:

#### **SOCIAL IMPLICATIONS**

**There is a high level of public interest in the park management planning process for Island View Beach Regional Park.**

See page 29 at: <https://www.crd.bc.ca/docs/default-source/crd-document-library/committeedocuments/regionalparkscommittee/20140521/2014-05-21rpcagenda.pdf?sfvrsn=6>

## **Summary about my FOI request being in the public interest**

I have shown you the statements by CRD Parks to Central Saanich Council that their environmental assessment was “scientific” and that it was “very important” to the development of the new park management plan. I have shown you the resolution from Central Saanich Council asking for references for the data in that environmental assessment which essentially is what my FOI request also asked for. And I have shown you the minutes of the CRD Regional Parks Committee where the staff report states there is a high level of public interest in the park management planning process for Island View Beach Regional Park. There can be no doubt that the information I requested is in the public interest.

## **Other**

**Time:** We discussed the time for you to respond now. You mentioned that you closed the file and will have to reopen it and have the right to take the 30 days again although you said you didn’t plan to do that. I don’t wish to argue this here but I do point out I filed my complaint with the Office of the Information & Privacy Commissioner within the time allowed so your file should not have been closed. And I would reiterate that the initial proposal by the CRD to charge for the FOI request based on 1,600

pages was in error and, I believe, a deliberate tactic by some to thwart the FOI request. **If the CRD environmental assessment was factual technical and scientific as claimed, then the records requested would be easily available.**

**That no one else has asked for this information:**

You referred to Lynn Wilson's email of last week where Lynn said no one else has asked for this information. As you now know that is incorrect. Central Saanich Council asked for it on January 26, 2015.

**In conclusion, my FOI request for the records on which that environmental assessment was made:**

- (a) is clearly in the public interest; and**
- (b) if the CRD environmental assessment was factual technical and scientific as claimed, then the records would be easily available, and nowhere close to 1,600 pages as alleged.**

**Time is of the essence**

As I told you, time is of the essence as CRD parks intend to hold a public meeting on November 21<sup>st</sup> about the park plan – which is based in large part on the environmental assessment in Step 1 which is the subject of my FOI request. I now see on the CRD web site there is a registration requirement of November 18<sup>th</sup> which shortens the time even more. The information I requested must be readily available and there can be no good reason for further delay in providing it. Please see that I receive it no later than November 3<sup>rd</sup>. And please email it to me in electronic format so there is no delay in the mail.

Thank you

Jason Austin  
by email from <>

?

## To Central Saanich Council, re Island View Beach Regional park

### Background:

On January 26, 2015, a CRD delegation appeared before the Central Saanich Parks & Rec Committee and made a presentation about a 4 step process they had underway for a new park management plan at Island View Beach. They promised that Step 1 would be a “**scientific**” presentation to the public of the natural environment in the park, including the species of interest and their habitats. And they stated that “**Step 1 is very important because it represents information on the the park’s natural environment which will contribute to Steps 2-4 of the process**”. The minutes of the meeting say the CRD delegation told you the proposed public information sessions “... are designed to provide an understanding of **scientific information about the natural environment in the park area.**”

[http://centralsaanich.ca.granicus.com/DocumentViewer.php?file=centralsaanich\\_e3476f93a7128a581c39a5b1afdbbbf6.pdf&view=1](http://centralsaanich.ca.granicus.com/DocumentViewer.php?file=centralsaanich_e3476f93a7128a581c39a5b1afdbbbf6.pdf&view=1)

We appeared at the same meeting and expressed our concerns about the accuracy of the information prepared by the CRD.

Central Saanich Council this resolution and it was sent to the CRD:

*“That the Parks & Recreation Committee recommend that Council suggest that **the Capital Regional District (CRD) provide references on the CRD’s website for scientific information on the current development of a new Island View Beach Park Plan and further, that if the CRD is unable to provide references for the data provided that they commission a study by an independent firm regarding the validity of the facts.**”*

By letter of February 18, 2015 the CRD sent to Central Saanich what they said were “*references for the Step 1 scientific information*” – see appendix below. Examination of those “references” shows however that this contained no verifiable references to support their claims of the existence of species at risk at Island View Beach Regional Park. From our own work we have confirmed the existence of 6 “species at risk” but have not been able to confirm the existence of another 3 claimed by the CRD. Our study indicates the 6 species we confirmed are either not at risk in the park or do not need any further protection. If you are interested, our analysis is shown in the appendices starting at page 18 here: [http://www.friendsofislandviewbeach.com/uploads/2/4/3/5/24351508/step\\_2\\_recommendations\\_for\\_improvement.pdf](http://www.friendsofislandviewbeach.com/uploads/2/4/3/5/24351508/step_2_recommendations_for_improvement.pdf)



## Appendix 1

CRD Presentation to Central Saanich Parks & Rec Committee January 26, 2015  
claiming their environmental assessment was “scientific”.

---

### Step 1 – Scientific Presentation



The natural environment information for Step 1 is organized into a **scientific presentation**. The scientific presentation is divided into five sections for easy viewing:

- [Park Management Planning Process](#)
- [Natural History](#)
- [Coastal Processes](#)
- [Ecosystems and Habitats](#)
- [Species of Interest and their Habitats](#)

The presentation and response form are available on the CRD website at:  
<https://www.crd.bc.ca/project/island-view-beach-management-plan>.

The response form must be completed by midnight, **Sunday, February 15, 2015**. A report of the responses will be available on the CRD website at the completion of Step 1.

We are currently organizing Step 2 and Step 3 of the planning process. Details will be available soon.



## Appendix 2

CRD Presentation to Central Saanich Parks & Rec Committee January 26, 2015 saying the environmental assessment was “**very important**” and contributes to the remaining steps of the park plan.

### Step 1: Park’s Natural Environment



Step 1 is very important because it presents information on the park’s natural environment, which will contribute to Steps 2-4 of the process. We are meeting with federal and provincial government staff, District of Central Saanich staff and Council, First Nations, park visitors, adjacent landowners, interest groups, and regional residents during this process.

We will ensure public issues and interests are acknowledged, understood, documented, and considered in preparing the park management plan.

Two public meetings have been scheduled to present the information about the park’s natural environment:

#### January 29, 2015 | 6 – 9pm

Leonardo De Vinci Centre, 195 Bay Street, Victoria, BC

#### February 5, 2015 | 6 – 9pm

Saanich Fairgrounds-Main Hall, 1528 Stellys Cross Road, Saanichton, BC

#### Public Meeting Format:

- 6-6:30pm Greeting, light refreshments (cookies, fruit, coffee, tea, water)
- 6:30-8:30pm Scientific presentation, questions and discussion
- 8:30-9pm Time to complete response form.



## Appendix 3

### Letter from the CRD to Central Saanich enclosing what they said were references to the “scientific Step 1 presentation”



Regional Parks  
490 Atkins Avenue  
Victoria, BC, Canada V9B 2Z8

T: 250.478.3344  
F: 250.478.5416  
www.crd.bc.ca/parks

February 18, 2015

File: 6130-30  
Island View Beach – Management Plan

Mr. Bruce Greig, mcip, bcsla  
Director of Planning and Building Services  
District of Central Saanich  
1903 Mount Newton Cross Road  
Saanichton, BC V8M 2A9

Dear Mr. Greig:

**RE: CENTRAL SAANICH MOTION TO PROVIDE REFERENCES FOR STEP 1  
SCIENTIFIC INFORMATION – ISLAND VIEW BEACH REGIONAL PARK**

On January 26, 2015, Regional Parks made a presentation to the District of Central Saanich Parks & Recreation Committee on the Four-Step Public Participation Process to prepare a park management plan for Island View Beach Regional Park.

The Four Steps reviewed in the presentation to Council were:

- Step 1:** Provide factual technical and scientific information about the natural environment found within the park (winter 2015).
- Step 2:** Identify park management issues and interests (spring 2015).
- Step 3:** Hold community dialogue sessions (spring 2015).
- Step 4:** Prepare and present a draft plan, seek feedback and prepare a final plan (summer 2015).

During the subsequent discussion, Central Saanich passed the following motion:

“That the Parks & Recreation Committee recommend that Council suggest that the Capital Regional District (CRD) provide references on the CRD’s website for scientific information on the current development of a new Island View Beach Park Plan and further, that if the CRD is unable to provide references for the data provided that they commission a study by an independent firm regarding the validity of the facts.”

In response to the Central Saanich motion, Regional Parks is providing references for the Step 1 scientific information (see Attachment 1). This information has also been posted to the Island View Beach Regional Park website.

The scientific presentation is comprised of five modules covering information on the park's natural history, coastal processes, ecosystems and habitats, and species of concern and their habitats. A report on the results on Step 1 will be made available to Council later this spring.

We hope that the availability of references on the Step 1 scientific information will meet the needs of the District's motion. Please feel free to contact me should you have any questions or require additional information. I can be reached at [mwalton@crd.bc.ca](mailto:mwalton@crd.bc.ca) or 250-360-3340.

Yours truly,



**Mike Walton, Senior Manager**  
**Regional Parks**  
**Parks & Environmental Services**

LW:km

Attachment: 1

cc: Larisa Hutcheson, General Manager  
Lynn Wilson, Park Planner

## Coastal Process

- Andy Blaine Consulting. 2011. Detailed Ditch Survey at Island View Beach. Contracted Service to CRD Regional Parks.
- Aqua-Tex Scientific Consulting Ltd. 2011-2014. Various Reports on Assessments and Monitoring of Ditch Function and Maintenance Program. Contracted Services to CRD Regional Parks.
- Blundon, David. 2014. Unpublished groundwater data. Camosun College Environmental Technology Program. Victoria.
- Fediuk, Curtis. 2012. 2012 Mosquito Control Summary Report. D.G. Regan and Associates. Submitted to CRD Regional Parks.
- Fediuk, Curtis. 2013. 2013 Mosquito Control Summary Report. D.G. Regan and Associates. Submitted to CRD Regional Parks.
- Friends of Island View Beach. Historical accounts of public works at Island View Beach. Accessed November, 2014): <http://www.friendsofisolandviewbeach.com/>.
- Longshore Drift Graphics. Accessed October, 2014. <http://revisionworld.com/gcse-revision/geography/coastal-landscapes/coastal-processes/longshore-drift>.
- Lowen, Dennis. 2012. CRD Parks Island View Beach Regional Park Hydrologic and Hydrogeologic Site Assessment. Unpublished manuscript submitted to CRD Parks. 14pp.
- Neotectonic Investigations on Vancouver Island (92B, F). 1991. P.T. Bobrowsky, B.C. Geological Survey Branch; J.J. Clague, Geological Survey of Canada.
- Page, N. 2010. Cordova Shore Conservation Strategy. Unpublished report prepared for CRD Regional Parks, Tsawout First Nation, and Canadian Wildlife Service. 66 pp + appendices.
- Randhawa, G. J. Gendall, J. Webb. 2012. Historical and Successional Baseline Study of Island View Beach: A summary of the historical land-use and aerial photograph analysis since the 1930s. Unpublished manuscript for Camosun College Environmental Technology Program. 39 pp.
- Saanich Archives. Historic photos of Island View Beach Public Works. Accessed November, 2014. <http://saanicharchives.ca>
- US Office of Naval Research: <http://www.onr.navy.mil/focus/ocean/water/salinity1.htm>. Salinity parameters in parts per thousand.
- Wolfe, Evelyn Archives Specialist. Saanich Archives. Personal Communication, November, 2014 and February, 2015.

## Ecosystems and Habitats

Bartley, Glenn. 2008. TIXEN: A Special Place. Published by Tsawout First Nation. 7728 Tetayut Road, British Columbia. 78 pp.

Dune Ecosystems Schematic. Accessed October, 2014. Adapted from:  
<http://greenfieldgeography.wikispaces.com/IGSE=Coasts+and+GCSE+Coasts>.

Page, N. 2010. Cordova Shore Conservation Strategy. Unpublished report prepared for CRD Regional Parks, Tsawout First Nation, and Canadian Wildlife Service. 66 pp + appendices.

Page, N. P. Lilley, I.J. Walker and R.G. Vennesland. 2011. Status Report on Coastal Sand Ecosystems in British Columbia. Report prepared for the Coastal Sand Ecosystems Recovery Team. vii + 83 pp.

Stacey and Filatow. 2000. Terrestrial Ecosystem Mapping of TIXEN/Cordova Spit Final Report. Unpublished Manuscript. CRD Regional Parks. 89 pp.

Wetland Ecosystems Schematic Adapted from: USGS Public Domain Graphics (Wikipedia) Accessed October, 2014.

## Species and Habitats

BC Conservation Data Centre. Accessed November, 2014. <http://a100.gov.bc.ca/pub/eswp/>.

Bennett, Robb. 2005. Island View Beach Pitfall Trapping Spider Species List. Memo to CRD Regional Parks. March 7, 2005.

Bird Studies Canada. 2014. Bird Data for Island View Beach. Memo to CRD Parks from Karen Barry, BC Program Coordinator, Bird Studies Canada, Vancouver BC. <http://www.ibacanada.ca/>.

Cornell Lab of Ornithology. [http://www.allaboutbirds.org/guide/Common\\_nighthawk/lifehistory](http://www.allaboutbirds.org/guide/Common_nighthawk/lifehistory). Accessed October, 2014.

EBIRD (Cornell Lab of Ornithology) <http://ebird.org/content/canada/> Accessed November, 2014

Fairbairns, Matt. 2014. Contorted-pod Evening-primrose and Silky Beach Pea in Island View Beach Regional Park – 2014. Unpublished manuscript submitted to CRD Parks. Victoria, BC. 13 pp.

Parks Canada Agency-Government of Canada. 2011. Recovery Strategy for the Contorted-pod Evening-primrose (*Camissonia contorta*) in Canada. Species at Risk Act. Recovery Strategy Series. Parks Canada Agency, Ottawa. Vi + 30 pp.

Poulin, R.G., S.D. Grindal, and R.M. Brigham. 1996. Common Nighthawk (*Chordeiles minor*). In The Birds of North America, No. 213 (A. Poole and F. Gill, eds.). The Academy of Natural Sciences, Philadelphia, PA, and The American Ornithologists' Union, Washington, D.C.

Romer, Meherzad, Conservation Mapping Lead, BC Conservation Data Centre. Personal Communication, December, 2014.

Sand Verbena Moth. Species At Risk Websites (Federal Government). Accessed October, 2014.  
[http://www.sararegistry.gc.ca/document/default\\_e.cfm?documentID=1045](http://www.sararegistry.gc.ca/document/default_e.cfm?documentID=1045)

Sand Verbena Moth. Species At Risk Websites (Provincial Government). Accessed October, 2014.  
<http://www.speciesatrisk.bc.ca/node/7871>

Sand Verbena Moth. Species At Risk Websites (The Xerces Society for Invertebrate Conservation). Accessed October, 2014. <http://www.xerces.org/sand-verbena-moth/>

Western Sandpiper Information. Cornell Lab of Ornithology. Accessed October, 2014.  
<http://www.allaboutbirds.org/>.

## Appendix 4

### February 24, 2015 email from the Friends of Island Beach to the CRD requesting references

Good morning Todd

I think it important we refocus on the purpose of the CRD environmental presentation. It was to provide a factual, technical and scientific assessment of the environment at Island View Beach Regional Park - as it is now - to become a basis for moving forward with a new park management plan.

I see you have now added a "References" part to the CRD web site at <https://www.crd.bc.ca/project/other-projects-initiatives/island-view-beach-management-plan>. Would it have been too hard to have let us know?

But looking through these new references, none give support to your claim that the Common Nighthawk, the Fleishy Jaumea, the American Glehnia, or the Sand-Verbena moth, are resident in Island View Beach Regional Park. Instead we are left with your position that you were told this by the BC CDC but that you can't give us this information because you promised not to tell. With respect Todd, this is not factual, technical or scientific.

You tell us to contact the CDC and try to get the information ourselves from them, but it is you making this claim, not us, and the onus of proving your claim is on you. As you know, there have been many mistakes and misrepresentations by the CRD in the past about the environment at IVBRP and our role here is simply to fact check the claims made by the CRD.

**We ask once more - please give us references that can be checked, to support your claim that the Common Nighthawk, the Fleishy Jaumea, the American Glehnia, and the Sand-Verbena moth, are resident now in Island View Beach Regional Park**

Thank you.

Jason  
for the Friends of Island View Beach.

## Appendix 5

### July 10 2015 Email from Jason Austin to CRD requesting references

----- Forwarded Message -----

**Subject:**Re: FW: Invitation to participate in Step 2 of the process to prepare a management plan for Island View Beach Regional Park

**Date:**Fri, 10 Jul 2015 09:14:25 -0700

**From:**Jason Austin

**To:**Lynn Wilson @crd.bc.ca>

Hi Lynn

The environmental review to be done under Step I of the planning process was intended to be the foundation upon which any new park plan is to be built. If that Environmental Review is flawed, then anything built upon it will also be flawed. Accordingly the CRD Parks Committee set the standard, that the information was to be "***factual, technical and scientific***". <https://www.crd.bc.ca/docs/default-source/crd-document-library/committeedocuments/regionalparkscommittee/20140521/2014-05-21rpcagenda.pdf?sfvrsn=6>

In the final report on the Environmental Assessment, CRD Parks state:

***There are 33 species at risk in or immediately adjacent to the park; 9 species at risk are known to be resident or breeding in the park and the other 24 species at risk are of concern because they are birds that either use the park habitat during various times of the year or reside in the adjacent terrestrial or marine environments and are potentially influenced by park management actions and park users.***

**This raises three major concerns for me:**

1. The "9 species at risk" CRD Parks say are "**known to be resident or breeding in the park**" include:

- Sand Verbena moth
- Common night hawk
- Fleshy Jaumea
- American Glehnia

What "***factual, technical and scientific***" information do you have to confirm these 4 species are resident or breeding in the park? I have looked through the references cited by the CRD and been unable to find evidence these are resident or breeding in the park- in fact the material I have seen suggests they are not present. I have previously repeatedly asked Todd Golumbia for this information and was not given it. Will you please provide me with this.

2. The 5 species that are unquestionably known to be in the park, are  
*Yellow sand verbena*  
*Beach bindweed*  
*Black knotweed*  
*Contorted-pod evening-primrose*  
*Georgia Basin Bog Spider*

however, I can find no material in the CRD report that gives "*factual, technical and scientific*" information as to their location; their condition, or their susceptibility to risk by public use of the park. Please provide me with this information.

3. "*the other 24 species at risk are of concern because they are birds that either use the park habitat during various times of the year or reside in the adjacent terrestrial or marine environments and are potentially influenced by park management actions and park users.*"

I have looked through the references provided by the CRD and have been unable to find confirmation that these marine birds either use the park or reside in the adjacent terrestrial or marine environments and are potentially influenced by park management actions and park users. Please provide me with the "*factual, technical and scientific*" evidence to confirm this statement about the marine birds.

Also missing is any "*factual, technical and scientific*" information that shows *when* and *where* these marine birds might be present in the park or "*in the adjacent terrestrial or marine environments*". Please provide me with this information.

What park management actions or activities of park users do you envisage would influence these marine birds?

### **How can Step 2 be conducted when Step 1 is incomplete?**

It appears to me that Step 1 was not conducted to the standards set out by the Regional Parks Committee that it was to be based on *factual, technical and scientific* information, which among other things requires completeness. As Step 1 is undeniably incomplete how can the public give informed opinions on Step 2? This is the dilemma I find myself in.

Will you give me the information I have asked for in my notes 1-3 above please. I want to be a part of the planning process for Island View Beach Regional Park, but just as with the public, I would not be able to offer an informed opinion on the basis of the limited and unsubstantiated statements made.

Thanks

Jason

## **Appendix 6**

### **Refusal from the CRD on July 15, 2015**

.... In your email below, you ask for information about SAR from Step 1 of the planning process as a prerequisite to contributing to Step 2. We do not believe that this information is necessary to participate in Step 2, and **we are not providing you with any additional information about SAR.** .....

[Note – SAR = Species at Risk]

## Appendix 7

### October 20, 2015 to CRD again asking for references

----- Forwarded message -----

From: **Fof IvBeach** <[friendsofislandviewbeach@gmail.com](mailto:friendsofislandviewbeach@gmail.com)>

Date: Tue, Oct 20, 2015 at 2:52 PM

Subject: Re: Island View Beach

To: Lynn Wilson <[... crd.bc.ca](mailto:... crd.bc.ca)>

Hi Lynn

.....

There is another matter that I'll raise now in this spirit of open dialogue (!). As you know, we feel strongly that it is a waste of time and money to proceed with the public meeting in November while the Step 1 environmental assessment is incomplete. It is incomplete because it did not give factual evidence of what species at risk are in the park; *where* they are; *what* protection (if any) they may require; and *when* they may need protection. We have been saying for years that the environment should drive the development of a new park plan, and that trying to create a plan without an accurate environmental assessment is like building a house without foundations. I requested that information several times from the CRD and it was refused, and when I made an FOI request for it, a reply was given to me saying it would cost me \$1,165 which I interpreted as trying to thwart my FOI request. I filed a complaint with the Office of the Information and Privacy Commissioner and they have written back asking me to "negotiate" with the CRD, and if that is not successful then they will investigate. I had planned to write to Ms. Bains today (the CRD Manager, Information Services) but it occurs to me as I am replying to your email now it might be worthwhile to try this informally with you first. This was what I requested on July 16, 2015:

*Hello Angila*

At <https://www.crd.bc.ca/docs/default-source/parks-pdf/sarfactsheetivb.pdf?sfvrsn=2> the CRD identifies 9 species that it says are "confirmed resident species" in Island View Beach Regional Park. These include the Common Nighthawk, the Fleshy Jaumea, the American Glehnia, and the Sand-Verbena moth.

*I would like:*

- copies of the records that led to this determination for each of these 4 species*
- copies of the emails, both internal and external, that discuss these*
- copies of working papers and drafts that refer to these*

*Thank you.*

*Jason*

In reply, Ms. Bains said they estimated 1,600 pages and umpteen hours to photocopy them for a cost of \$1,165.

- First, we both know there are not 1,600 pages. Matt Fairbarn's detailed July 2014 report, for example, was only 12 pages. I did not ask for a treatise on these species - the first part of my request was for the records that led the CRD to make the statement that those species named are "confirmed resident" in Island View Beach Regional Park. Todd Golumbia admitted to me that he had no personal knowledge of them, and the CRD has never claimed before that these species are in the park; so Todd must have been replying on external sources to make the claim they are there. It is that evidence of their existence in Island View Beach Regional Park I am seeking.

- Second, I would prefer to have the records, emails and working papers in electronic format, so regardless of how many there are there is no time needed to photo copy them.

Will you raise this with senior staff today please and see if they will agree to provide that information now, or whether I will need to pursue this formally with Ms. Bains.

Thanks

Jason

## Appendix 8

### October 23, 2015 Refusal by the CRD to provide references

----- Forwarded message -----

From: **Lynn Wilson** <...@crd.bc.ca>

Date: Fri, Oct 23, 2015 at 3:02 PM

Subject: RE: Island View Beach

To: Fof IvBeach <friendsofislandviewbeach@gmail.com>

Cc: Todd Golumbia <@crd.bc.ca>, Mike Macintyre <@crd.bc.ca>, Angila Bains <@crd.bc.ca>

Hi Jason:

In response to your email, I acknowledge that the FOIVB do not believe that the CRD should proceed with the Step 3 community dialogue on November 21<sup>st</sup> for the reasons you've outlined below. However, this meeting, as part of the approved four-step public participation process, will proceed as planned. The CRD is comfortable that the community dialogue session will provide a good opportunity for participants to discuss possible options for addressing identified issues using available information. For context, we have not received any other requests to not hold this session; neither have we received any other requests to provide additional/different information than what is publicly available.

As a reminder, staff will consider the results of Steps 1-3, as well as other relevant input, as we prepare the draft management plan during Step 4. The public will have an opportunity to comment on the draft plan before it is finalized and sent to the CRD Board for approval. So, given that the Step 3 community dialogue is part of a larger planning process with many opportunities for input, I hope you will choose to remain engaged in this process. We feel it is important for everyone with an interest in Island View Beach Regional Park to be able to consider all sides of the issues; the community dialogue session will provide a good opportunity to do this if people with diverse viewpoints participate in it.

**Regarding your request for more information about species at risk, we feel we have already provided you with the information you are looking for.** The CRD and the parks committee are also comfortable with the information provided to date and feel it is sufficient to move forward with the process. You are welcome to contact Angila to pursue this further if you would like.

Regards,  
Lynn