

The Friends of Island View Beach
By email from friendsofislandviewbeach@gmail.com

November 20, 2015

Mr. Robert Lapham
Chief Administrative Officer
Capital Regional District
By email to rlapham@crd.bc.ca
And copy email to legserv@crd.bc.ca

Dear Mr. Lapham,

Postponement of public forum scheduled for Saturday, November 21, 2015

We call on you to postpone the public forum scheduled for Saturday, November 21, 2015 regarding Island View Beach Regional Park.

Our reasons:

Island View Beach Regional Park is one of the most popular parks in the Capital Region and the CRD reports over 300,000 visits each year. What happens to the park is of great importance to thousands of residents of the Capital Region.

The Capital Regional District has been attempting to formulate a new park plan since 2011.

There has been a history of misrepresentations by the CRD to the public about this park.

(a) In January 2013 a public information meeting was held in which the display boards were false and misleading.

See <http://www.friendsofislandviewbeach.com/2013-january-public-session.html>

And see the email of protest to the General Manager Parks & the Parks Chair

<http://www.friendsofislandviewbeach.com/2013-01-14-public-information-session.html>

(b) In September 2013 a draft interim plan was released that contained many serious misrepresentations, to a degree and number that made it hard to believe could be accidental, and the CRD had to abandon that plan.

See <http://www.friendsofislandviewbeach.com/misleading-claims.html>

In May 2014 the CRD Parks Committee approved a 4 step plan for the creation of the new park plan.

Step 1 was to be an environmental assessment that was to *“Provide **factual technical and scientific** information about the natural environment found in the park”*.

Step 3 (scheduled for tomorrow) was to *“provide a forum for those people who have an interest in the management of Island View Beach Regional Park to come together to jointly identify and discuss the ecological, cultural and visitor values of the park and share their ideas and work together to identify and discuss how the park should be managed.”*

Step 4 Regional staff prepare draft management plan

CRD Parks were aware their environmental presentation would be relied on by the CRD Board and by the public as the foundation of a new park plan. In conjunction with the directive from the Parks

Committee that their report was to be *factual technical and scientific*, this placed a very high duty of care on CRD Parks in the preparation of their report.

CRD Parks released their environmental assessment in January 2015.

As with the previous reports from CRD Parks, this 2015 environmental report contained comments that appeared neither *factual, technical nor scientific*.

Emails were sent to CRD Parks from January to November 2015 drawing attention to these, and requesting evidence supporting the claims made. Some of the correspondence can be seen here. <http://www.friendsofislandviewbeach.com/letters-to-the-crd-in-2015.html>

CRD Parks refused to provide evidence to support their environmental report. <http://www.friendsofislandviewbeach.com/letters-to-the-crd-in-2015.html>

A Freedom of Information request was made in July 2015 for specific information related to the CRD Parks report. CRD Parks have not provided that information either. <http://www.friendsofislandviewbeach.com/letters-to-the-crd-in-2015.html>

The public forum is scheduled for tomorrow yet the background material requested has not been made available. Even if it was produced this afternoon it would now be too late to distribute to the public and to study.

Comment.

Please read the notes at the link here in conjunction with the comments below: <http://www.friendsofislandviewbeach.com/bc-court-of-appeal.html>

The environment of the park will be the foundation of a new park plan. Planning documents from the CRD in 2015 and 2013 give indication that public access may be restricted in areas of the park in the name of environmental conservation which may flow from the Parks environmental assessment.

As thousands of park visitors may be effected, they have the right to know and question the underlying evidence behind claims made by CRD Parks in their environmental assessment. This includes the evidence that has been requested from CRD Parks over the last 9 months and which CRD Parks has refused to provide. <http://www.friendsofislandviewbeach.com/letters-to-the-crd-in-2015.html>

Although the CRD was not required to hold the public forum scheduled as Step 3, the fact they have chosen to do so means it must be conducted in a manner that is procedurally fair, and the public have a legitimate expectation to see and examine all material before the hearing date.

In order to provide the opportunity for informed, thoughtful, and rational presentations in the Step 3 public forum, it is necessary that interested members of the public have the opportunity to examine in advance, not only of the CRD environmental assessment, but also reports, other documents and evidence that went into creating the CRD environmental assessment in order to determine what reliance can be placed on it.

Anything less than full disclosure of the relevant information restricts the scope of the analysis and the consequent representation a member of the public might otherwise make to that public forum.

The failure to make this requested background material available to the public prior to the public forum amounts to a breach of the duty of procedural fairness. Accordingly we request the public forum be postponed until the background materials have been provided.

If you continue with the public forum, this breach of procedural fairness – the refusal to make available the requested background materials – will taint not only the public forum in Step 3 but anything that flows from it.

Finally, we draw to your attention that the CRD environmental assessment failed to consider the effect of climate change on Island View Beach Regional Park, despite having been advised to do so by the BC Ministry of the Environment in 2009. Another branch of the CRD has now released a sea level rise report that indicates the whole of Island View Beach will be inundated with sea water within 35 years, and therefore the likelihood exists the park will be routinely flooded and the environment damaged years before then if there is no intervention. See <http://www.friendsofisolandviewbeach.com/sea-level-rise-2050.html> This is obviously an essential element that must be addressed in a new park plan, and is another reason to postpone the public forum so this can be incorporated in to a new environmental assessment.

Yours truly,

The Friends of Island View Beach