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Subject:Fwd: Re: FOI request - Jason Austin

Date:Wed, 30 Dec 2015 12:28:02 -0800

From:Jason Austin

To:Robert Lapham CAO <rlapham@crd.bc.ca>, Mayor Desjardins
<barb.desjardins@esquimaltcouncil.ca>

CC:Mike Hicks <directorjdf@crd.bc.ca>, John Ranns <jranns@metchosin.ca>, Colin Plant
<>, Carol Hamilton <mayor@colwood.ca>

Dear Mr. Lapham and Chair Desjardins,

Matters with CRD Parks have deteriorated to such a degree I have to ask - is there no shame? You may be aware that Parks have been working towards a new management plan for Island View Beach for 10 years now. 5 years with unauthorized staff time and an unauthorized expenditure of \$18,000, and 5 years in the open. The process has been marred consistently by false and misleading statements to the CRD Directors and the public, particularly over the last 3 years. We brought all these issues to the CRD management, the CRD Parks Committee, and the CRD Board as they occurred, yet no one made reasonable inquiry, and the abuse continued.

In January 2015 the CRD published on its web site an environmental assessment of Island View Beach Regional Park. This was supposed to be "factual, technical and scientific" yet contained errors, exaggerations, misleading claims, and downright fabrications. This is significant because that environmental assessment was the first step in a new park plan that may lead to restricted park access by the public.

- We immediately informed staff of the errors we saw but nothing was done.
- We notified the Board and urged that the data be checked before taking that material to public hearings - the Board did nothing.
- We appeared before the Parks Committee urging them to postpone the hearings scheduled for January & February 2015 until the data had been checked, and they refused.
- The public meetings in January & February proceeded with misleading information given to the public.
- And you will recall I wrote to you Mr. Lapham in November urging you to intervene and postpone a public workshop scheduled for November 21st because the public had been misinformed and uninformed, and would not be able to come to an informed opinion. *(Regrettably you elected not to intervene on the grounds that some people had registered to attend and would be inconvenienced if the meeting was postponed - I never did understand the logic of that - were those people not more inconvenienced by spending a day at that workshop when the information put before them was wrong and incomplete? That meeting was held and was worse than I expected, and will be the*

subject of a letter to the board - again the public were misled on a number of critical issues to such a degree that nothing can be taken from that meeting - it was a another waste of CRD resources and the public's time.)

- We wrote to staff repeatedly over a period of months asking them to give us proof of the claims they were making about the existence of "species at risk" in the park - they refused to show that proof.
- In July we made an FOI request for that proof. Staff responded by claiming it would be 1,600 pages and they proposed to charge us \$1,165 for this.
- The claim of 1,600 pages was obviously a ploy not to give us the information so we filed a complaint with the office of the Information & Privacy Commissioner. That office instructed us to try again with the CRD so we went back to them in October. (See email below).
- To put this in context - the records are only a handful of emails between the CRD and the Ministry of the Environment about species in the park. There is nothing confidential or technical. The records originated in electronic format, and I had specifically requested I be given the records in electronic format, but instead today, more than 11 months after first asking for it, and more than 5 months filing the FOI, I received a packet of photocopies that appear to have been deliberately altered to make them unreadable, and which are certainly not in the form the CRD had them.

This material is critical. CRD Park staff are now working on a draft management plan for Island View Beach Regional Park to present to the Board in January, yet it is just another debacle in the making. If that proceeds I will show the Board that the material given to the public at the January & February public meetings was inaccurate. I will show the Board that the working session of November 21st was of no effect because the CRD had refused to divulge information prior to the meeting; it placed matters on the table for discussion that the CRD Board had given public assurances would not be up for discussion and therefore members of the public who relied on those assurances did not attend the workshop; and at the workshop the CRD failed to disclose key information to the participants. By denying them the full information, the participants at that workshop were therefore denied the opportunity to make informed, thoughtful and rational presentations, so nothing can be used from that workshop. See <http://www.friendsofislandviewbeach.com/bc-court-of-appeal.html>

One of the many important issues we have with CRD Parks is their exaggeration of the number of species in the park, and their goal appears to be to restrict public access to areas of the park in the name of environmental conservation. Yet CRD Parks staff did not disclose to the public, nor to the participants at the November 21st workshop, that another branch of the CRD issued a report on September 30th showing that the park will be completely under sea water in 35 years!! See <http://www.friendsofislandviewbeach.com/sea-level-rise-2050.html>

If the park will not exist soon, then why was this not disclosed by CRD Parks to the public? Why has all the time and CRD resources been wasted over these last 5 years!

The issue that must be addressed by the CRD and the other land owners at Island View Beach is if Island View Beach is going to be saved. Until that decision is made it is pointless

talking about environmental conservation for a park that is known to be doomed without intervention. And it must be understood that if the decision is made to save the park, that that intervention will, of a certainty, alter the environment in the park in some way. For example, the most sure manner to save the beach in the long term would be to raise the land with fill. So again, it is a waste of CRD resources to try to force a new park plan on the public, based on an environment that soon will not exist there.

Chair Desjardins: - in the 5 years I have been involved with Island View Beach there has been no leadership at the CRD Board or Committee level. Every time we reported the problems we were told "*tut tut, lets put that behind us and move on*". We need leadership that will demand unadulterated facts and hold people accountable, and we invite you to hold us accountable for everything we say. The only urgent matter that must be addressed at Island View Beach Regional Park is whether to save the beach or not. I can tell you that over the last 3 years, the only Board members that have made inquiry into Island View Beach or have indicated that they are watching events there, have been **Directors Mike Hicks; Colin Plant, John Ranns and Carol Hamilton**. I also say to you that the public and the Board has been mislead for years about the park. For example, in 2013 the CRD released a draft plan and then had to withdraw it because it contained so many misleading and false statements. See <http://www.friendsofislandviewbeach.com/misleading-claims.html> If the current process continues there will be further embarrassment for the CRD. **The prudent action is to put a hold on the current work and have an inquiry by those 4 directors into Island View Beach Regional Park and have them come back to the Board with recommendations. That inquiry should look at the validity of the presentations made by CRD Parks to the Board and the public over the years, and also make recommendations for how to proceed with Island View Beach Regional Park.** The Friends of Island View Beach will cooperate fully. We support environmental conservation where it is shown to be needed - our issue has been with the false and misleading claims. I also draw to your attention that for years now we have offered to do trail maintenance and build foot bridges over the ditches at IVB at no cost to the CRD, but CRD staff will not discuss this with us.

Mr. Lapham: My email to Ms. Bains below was returned with an automatic message that she is away until January 4th. Will you please give direction for someone else to respond to that message today.

In 2013 Ms. Hutcheson asked me what I wanted. My response was that I seek integrity in the process. **All we want is that the public have the complete, unbiased facts so they have the opportunity to make informed, thoughtful and rational presentations about the future of the park.** To achieve this we need leadership from the Board Chair and the CAO.

Thank you.

Jason Austin