

R. J. (Ron) Joyce
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August 3, 2007

Mr. Ed Steeves
Director & Chair
Sunshine Coast Regional District
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Dear Mr. Steeves:

I am a resident of the Sunshine Coast, active with the Concerned Citizens for the Protection of Chapman Creek Watershed. So far, I have participated in a most law-abiding way in respect for my personal honour and former profession. I am a policeman, retired after 30 years of service to the City of Vancouver with the rank of Sergeant. In that time, I have sworn to uphold the laws of this country even though, at times, I was in distinct disagreement with the spirit and intent of some of those laws. But, a policeman does not have the luxury of deciding which laws he will enforce. They are duty-bound and are required to apply themselves without fear or favour. Such is where the local RCMP members are found today.

You are aware that I have written to the Board concerning my contact with a member or members of the Sunshine Coast Detachment of the RCMP. Today, I met with Sgt. Barry Meyer, Operational NCO for the detachment, and am satisfied that he, and now the members of his detachment, are completely conversant with the provisions and authority of the Injunction and Order. Past confusions have been addressed and I no longer have any complaint regarding any contact I may have had with the police. I am assured that the activities of the police will be in the following areas:

1. Preservation of Life,
2. Protection of Property,
3. The detection and apprehension of criminals, and
4. The enforcement of the Court Order as it is stated and limited in the Order of Mr. Justice S. Kelleher (BCSC) and the dispute between Western Forest Products and those persons named in the order "and others".

I was there yesterday at the SCRD Board Offices where, no doubt, it was the last place you wanted to be. Like you, I noticed that the "face" of our protest is changing or has changed dramatically. Until yesterday, our protest consisted of reasonable, mature, middle-aged, for the most part "professional" people, who were cautiously content to make submissions to our elected representatives and participate in lawful demonstrations of protest so that we might effectively deal with a community problem within the existing legal/justice system. It is obvious now that the torch has been passed to a younger, in-your-face, confrontational, direct-action protest, of which the participants may or may not be residents of the Coast represented by the SCRD Board.

I came away with mixed emotions yesterday. First, I lamented your discomfort at being literally accosted by several young faces, most of whom, like me, you had probably never seen before. I was disappointed with the accusations made without any clear evidence questioning your character and integrity. I shared your obvious

belief that it was the Minister of Forests who should have been standing there in front of the crowd. I do admire you for having the fortitude to face that crowd and wonder where the rest of the Board was.

However, I do wonder about two issues about the conduct of the Board and the area you represent. First, I am baffled that no request for a judicial review was offered by the Sunshine Coast Regional District. Mr. John Conroy, QC, acting for the respondents (“the Watershed 5”), requested that you initiate either or both of two initiatives:

- The first was to request a judicial review of the process that allowed the tenure of the licences while it directly affected a Community Watershed Reserve.
- The second was for the SCRD Board of Directors to make a declaration concerning the status of the Community Watershed Reserve in relation to Chapman Creek.

The Board did neither.

A more serious matter has come to my attention and I hope it is a mere rumour. An interested person suspects or has received information that there may be some sort of private agreement between the Sechelt District (SD) and Western Forest Products. It is no secret that the SD holds what they call a “Community Forest” and that there exists a licence to allow harvesting in that area. You were on record yesterday as pointing out that you were opposed to the acquisition of this licence while sitting on the Council for the District. You will recall that the existence of this licence, held by SD, was the source of the cries of “conflict of interest” in your case. The person suggests that there may be some accord between the SD and WFP in that the road being constructed to facilitate their logging of the Chapman Creek Watershed may be used, upon the expiration of WFP’s licence, by the SD to facilitate the logging of the Community Forest presently under the control of the SD or a corporation under their control. I ask you to either confirm or deny that this relationship exists and that you, as a sitting member of the SCRD Board, will make a public declaration that the SD has no ambitions to log in that area, EVER! If, however, I or other members of our community discover that you have failed to disclose this very important relationship, I shall be among the first to demand your resignation. If I receive your personal, unqualified assurance that no such relationship exists between SD and WFP, I can assure you my continued support, insofar as we work together on this issue to save our watershed. As you said, “We are on your side.”

You may have noticed that some of us were attempting to behave like parents with petulant children and I was concerned that our legitimate protest was being or about to be high-jacked by activists with a more obscure motive, that being the opposition of any authority at all. In this dispute, I am, after all, only interested in this fight for pure, clean water. I gave what I am about to say to you and the Hon. Rich Coleman a great deal of thought. I hope your reply will consider this and will indicate to me that each of you have given the matter an equal amount of thought.

You will admit, I am sure, that so far the people who brought forward their complaint to the Local Board of Health impressed you and the other members with what I call “hard evidence”. You were shown videos, photos, and PowerPoint presentations accompanied with credible parole evidence of knowledgeable, lucid, and skilled individuals who literally begged that you listen to them and give weight to what they had to say. I acknowledge that, by your skilled handling of the Board and your salient questions, you did listen to them. I would further submit that by your resolution for “the letter”, you knew that unless WFP had an opportunity to produce “evidence” of their own that it was unlikely that an Order could follow on only one side’s submissions.

I am no stranger to the Courts and, although the Hearing was not intended to be judicial or even quasi-judicial, WFP had not had the opportunity to cross-examine anyone or to even produce their own case. We both know that any Order you might make would be appealed and probably successfully. It would have, as you said, given us a possible 3-day reprieve. At the time, I did not share the glee of the crowd that even a 3-day stoppage would be fruitful, given that in all likelihood you would have been correct in your assumption that it would detract from your credibility for future challenges in Court. So, why did the Board adjourn at noon on the second day without allowing WFP to make a submission? I do not find anything unusual with WFP requesting to be last to submit. In our system, the complainant makes his/her case first and the respondent is always last. The convening of the Health Board was complaint driven, so issues of fundamental justice apply. Your opening statement, setting out the procedure of the Hearing, addressed that point. You even offered the complainants time, after the WFP submission, to rebut anything they may have said. The point is that we cautiously, but impatiently, paid respect to “the system”, and waited with growing impatience as the wheels of justice turned. Your adjournment at that time effectively gave WFP time to continue the destruction in the forest. I hope it is not lost on you that at the time, several people were anxious in the Hearing Room and cautioned you that the WFP would ignore you. They were right.

Our real enemy is not the Ministry of Forests as you said, but it is “TIME”! Every day, every hour, every minute we wait, means more loss and more damage to an ecosystem that supplies us with the pure water we demand both in a quality and quantity upon which we can rely. So, it is with resignation that I say we need those young faces to carry the fight to the forest. Some might say it is an unholy alliance, but one that is necessary nonetheless. They are the only asset we have now to fight TIME. Even three days will buy us a little time to legally challenge the Order or for you to request a judicial review. The Court may even order a temporary stoppage. But, without our local Regional District Government’s support, their efforts and possible sacrifice in the woods, both of their safety and liberty, will only be seen as another direct-action protest carried out by young faces against the wall of authority.

Why are we fighting this particular enemy? With all your understanding, fairness, courtesy and politeness, WFP acknowledged your generosity by sneakily returning to the forest, cleverly ordering up more men and equipment, and quickly returning to business at an increased pace. Not only did they return to the forest in direct defiance of your publicly-stated wishes, but they returned to the most sensitive area, our Community Watershed Reserve, and deliberately set upon destroying it, while other less sensitive cut blocks available to them were left waiting. They allied themselves with our enemy – TIME, and are exploiting that alliance to a maximum profitability. At the same time, there is little doubt that they are laughing at you!

They knew that this would be the most aggravating area for them to cut. In effect, they have dismissed you and our elected colleagues as anything but relevant. This, they did with the full knowledge and understanding that you, the Board of Directors of the Sunshine Coast Regional District acting as the Local Board of Health, two governmental positions that you are empowered and expected to convene and “direct”, were respectfully requesting that WFP suspend operations to quell the rising disturbances you knew you were likely to face and to have time to fully research the situation that the above-mentioned skilled, dedicated, and concerned citizens were lawfully demanding and who had collectively submitted a very compelling argument justifying a work stoppage that threatened a very real health hazard. In a Courtroom, WFP would be judged as being “in contempt”, the very crime of which they are trying to make the police and Courts believe that honest people, those that are not sly, not clever and not duplicitous, are committing against them. What corporate bullies! I

am shocked that the Minister of Forests, a former police member, can align himself with bullies and exhibit what amounts to a wilful blindness to the tragedy in our watershed.

I have suggested that because of my past, I respect the “process” by which we live that separates us from the banana republics. I believe in the rule of law. I believe that everyone should be treated the way I expect to be treated myself. But, because of WFP’s despicable conduct, their seeming lip-service to the processes upon which we rely for justice in our community, they deserve no more of my respect! As I said, the face of the protest is changing. I am even concerned about that change. But, I ask you and the Minister, “Whose fault is it that it has progressed this far?” You laid the blame at the feet of the Ministry of Forests for allowing this attack on our drinking water. But surely you must accept some of that blame for your inaction when it was needed.

Some time ago, I sent a letter to the Minister. I did not even receive an acknowledgment from him or his office. I suppose that those who said that he and the members of the government really are unapproachable were, regrettably, correct. Your suggestions that everyone at the meeting yesterday should contact the Minister are, therefore, unlikely to bear any positive response, if any response at all. But, those young faces in the woods certainly will garner some attention. On the spectrum between “optimistically practical” and “demonstrably hopeless”, where would you concentrate your assets?

Mr. Will Coop’s study of watersheds and their history, “From Wisdom to Tyranny”, appears to be an aptly-named book for the succeeding governments of British Columbia. Unresponsive governments are usually found to be dictatorial if not tyrannical. I suppose the shoe fits in this case. The only real difference is that unlike a dictatorial state or a tyranny, we can still vent our frustration and are free to state our opinions as I do now. But, I would not be holding my breath waiting for a positive, sympathetic, or objective response from anyone in Victoria or even from the District Manager in Powell River. The government’s refusal to communicate, their neglect of our concern, their disregard for our welfare only offers WFP more TIME. Communication must be two-way, immediate, and effective. So far, we have seen none of it.

WFP has lost, in my opinion, the respect of almost everyone on the Coast. For you and the Board, by now you must conclude that their credibility and integrity are so low that anything they might say should be regarded as solely self-serving. That is why when you suggested yesterday that a hydrology study was being conducted by someone hired by WFP, it was met with a collective groan of disgust. In short, they can pay anyone to say anything they want. All we get out of it is fresh water, something we expected as a right before WFP showed up. Even that may be compromised now.

I urge you to use every avenue at your disposal to rid the Coast of these profiteers. Please do not concern yourself with any rights or privilege you might assume that you owe these people because you feel bound to “follow a system”. They have already clearly demonstrated that they think you are completely irrelevant. They have no intention of respecting any system within which you think you must play. As I said in a previous message to the Board, they think they are bigger than you are. Most bullies think that. Stand up to them, now! You will have the support of an overwhelming and growing number of your constituents. You said you were on our side. I accept that. But, now, move to the front and lead! Standing alongside and watching will only abrogate your leadership role to that changing face of the protest I described earlier. They are willing now to take this issue to the point of losing their liberty for us, all to stand up to a bully. Take charge and take control of our watershed and our community.

There is an often used term, rarely understood, that is most appropriate in this circumstance. The term is “public interest”. I prefer the police definition of the term and not the literal interpretation of the general populace caring. Among the points of public interest are these:

- Continuation or repetition of the offence, or
- the commission of another offence

Keeping these in mind, as soon as the officers of WFP quit your offices after you adjourned the Local Health Board, they immediately returned to the forest and continued the affront to our community, knowingly and deliberately and with increased fervor. Your adjournment served only to allow WFP more TIME to continue their assault on our public interest. Demand that they appear before your Board forthwith and further demand that they publicly “show cause” why they should be allowed to continue business on the Coast.

Please reconvene the Local Board of Health immediately and continue your work and Order a Stop to this madness.

Yours truly,

R. J. (Ron) Joyce
Elphinstone

c: Hon. Rich Coleman, Minister of Forests
Directors - SCRD