

IRENE C. FAULKNER
BARRISTER & SOLICITOR

Our File: 50004

May 30, 2008

Bob Wylie
Planning Approval Officer
Vancouver Island District
Ministry of Transportation
3rd Floor - 2100 Labieux Road
Nanaimo, BC V9T 6E9

Dear Sir:

Re: Western Forest Products Subdivision Applications and Request for Public Hearings

As indicated in our letter to you dated May 13, 2008, our clients, the Sea-to-Sea Greenbelt Society ("Sea-to-Sea") are concerned about the subdivision applications submitted by Western Forest Products ("WFP") for lands formerly located within Tree Farm Licence 25. Sea-to-Sea has been involved in working to protect forest lands in the Capital Regional District since 1994. Not only would their interests be significantly affected by the proposed subdivision, they have knowledge with respect to the lands in question which could be of assistance to you in assessing the public interest.

We understand that you are presently in the process of considering whether to grant these applications Preliminary Layout Approval ("PLA"). We write to request that you hold public hearings on this matter prior to making this decision.

According to s. 85(3) of the *Land Title Act*, a Provincial Approving Officer may refuse to approve a subdivision application if it is considered to be "against the public interest". In your consideration of whether an application is contrary to the public interest, you are authorized by s. 86(1)(b) of the *Land Title Act* to "hear from all persons who, in the approving officer's opinion, are affected by the subdivision." As planning law expert, William Buholzer, observes, approving officers across the Province have used public hearings to enhance their assessment of whether subdivision applications are in the public interest:

The case law indicates that approving officers may use a broad range of strategies for assessing the public interest in subdivision applications. Approving officer hearings are authorized by both the *Land Title Act*... and have been endorsed by the courts on several occasions as a means of determining the public interest.¹

¹ William Buholzer, *British Columbia Planning Law and Practice*. 2001. Markham, ON: Buttersworth, p. 13:56.

We believe that there are several sound reasons why you should conduct public hearings prior to making your decision regarding the preliminary layout approval of WFP's subdivision applications.

1. Public Hearings Would Enhance Your Decision Regarding Western Forest Product's Subdivision Applications

(a) Enhanced Legitimacy

It is particularly important that public hearings be held on this matter, because the decisions that have reversed the status of these longtime forest lands have occurred in a series of closed-door decisions. Over the years, the public has repeatedly made it clear that it wants these lands maintained as forest lands. In response, different levels of government have enacted a variety of laws and policies to protect the land from development.

However, recently a series of closed-door decisions have reversed the long-time policy that these lands not be developed. These decisions have reversed the public consultations and public decision-making that had called for these lands to remain forests. At this point the citizens within the Capital Region would find it unacceptable for your decision-making to also take place in secret.

The legitimacy of public decision-making processes depends not only on opportunities for public input, but on transparent decision-making processes and the accountability of public decision-makers. It is our view that the decision-making process through which the lands at issue have become subject to this proposed subdivision have been characterized by secrecy and broken promises to the public. But, we suggest that you have the opportunity to help remedy these shortcomings, infusing the planning process with respect to these lands with transparency and accountability. By holding public hearings regarding WFP's subdivision applications, you can help restore a measure of legitimacy of the decision regarding WFP's proposed subdivision.

As you may recall, on January 25 and 31 of 2007, at the request of WFP, the Minister of Forests and Range, Rich Coleman, deleted 28,283 hectares of privately held lands from TFLs 6, 19 and 25. Yet, while WFP consulted with its shareholders about the proposed deletions as early as 2006 in quarterly reports, the provincial government did not announce the deletions until they were a *fait accompli*. Government did not consult with the Capital Regional District, elected officials, communities or the interest groups that have worked to protect natural areas in the affected areas. Thus, while WFP kept its shareholders up to date, government was not doing the same with its citizen shareholders.

This lack of consultation has had many ramifications.

- The TFL deletion reversed the very purpose of Tree Farm Licences, which were first established after extensive public consultation by the 1956 Royal Commission on Forestry. That Commission recommended the formation of tree farm licences in order to

establish “permanent forestry on private lands”.² The Minister’s decision undid the long-term commitment to future generations that arose from the Royal Commission’s public consultations.

- The TFL deletion removed the land from regulation under the Vancouver Island Land Use Plan of 2000, which was the considered product of some of the most extensive public consultation in Canadian history to that point. That Plan had stipulated that these lands were to be retained for forestry -- and that changes to the objectives to the land would not be made without public consultation.³
- The TFL deletion decision flew in the face of the overwhelming public opposition to such TFL deletions as was noted by the Perry Commission in its public hearings in 1999.⁴
- In addition, the secret TFL deletion process seriously undermined several of the Capital Regional District’s (“CRD”) planning laws and instruments that the public had worked for years to develop along with the CRD. These forested lands are central to the CRD’s Community Energy Plan, Regional Green-Blue Spaces Strategy, green infrastructure network, and the maintenance of working forests in the region. Furthermore, the CRD’s Regional Growth Strategy called for much of the deleted land to be maintained as forestry resource lands. The rest of the lands are covered by two Official Community Plans⁵ that call for:
 - The retention of both the rural and natural character of the area;
 - The protection and enhancement of the natural environment, its ecosystems and biological diversity; and
 - Support for planned community development in conjunction with residential, agricultural, forestry, commercial, tourism and recreational activities.

The TFL deletions, taken without consulting the public, have seriously undermined the Regional Growth Strategy and other Regional District laws and policies. (See below.)

- Simultaneously, the deletions undermined local control over land use through zoning bylaws -- and the ability of the public to make effective submissions to decision-makers. When questioned about concerns that the deletions had taken place without prior public consultation in the Legislature, Minister Coleman assured the public that the deletion decision was not of concern, since local planning processes would now be relied upon to deal with these lands. He stated:

² See Honourable Gordon McG. Sloan, *Report of the Commissioner Relating to the Forest Resources of British Columbia*, Vol. 1. (Victoria: Don McDiarmid, 1956) at p. 93.

³ See the October 19, 2007 letter from Sandborn, Skeels and Dempster of the Environmental Law Clinic to the Auditor-General, found at www.elc.uvic.ca

⁴ See the October 19, 2007 letter from Sandborn, Skeels and Dempster of the Environmental Law Clinic to the Auditor-General, found at www.elc.uvic.ca

⁵ Otter Point & Shirley/Jordan River Official Community Plans.

They have to go through local zoning, and at that time there are public hearings and input from the public on the use of those lands. That's fine.⁶

This theme was reinforced by Government MLA Ron Cantelon's statement to the Legislature that local governments would be fully empowered to mitigate the TFL decision:

It is now no longer part of the tree farm licences. This does not mean, however, that the land is now suddenly open for development. Au contraire...

In fact it's under the jurisdiction, as well it should be, of the people in the local communities...In my community – and I'm sure your community [CRD] will be as responsive – the regional district placed a 50-hectare minimum parcel size on land that is zoned for silviculture. What this means in the regional district of Nanaimo is that you can't chop these parcels up into parcels smaller than 50 hectares...That, of course, is the prerogative of the local regional district in the southern area as well...Rightly, they should have the opportunity to say that, and they will, as they did in the Nanaimo regional district, where clearly the hand was held up to the forest companies and said, "No smaller than 50 hectares. Don't come here with your subdivision plans.

So I'm sure the people in this community will also respond quite well to any proposed changes in official community plans, to any proposed changes in zoning. They will have their say.⁷

However, as things have turned out, the public has not had an opportunity yet to have an effective say because of the following events:

After the TFL deletion decision was made public, there was overwhelming public concern, which led to massive media coverage, critical editorials in the *Victoria Times-Colonist*, a public meeting of 500 concerned citizens, etc. Among other things, the Capital Regional District voted to request that the Auditor-General conduct a probe of the process that had led to the provincial land deletion decision.

At the same CRD meeting, the CRD passed first reading of OCP and zoning bylaw amendments that applied to the former TFL lands. After a number of formal public hearings involving hundreds of citizens, in February CRD Directors approved third reading of those OCP and zoning bylaw amendments that applied to the former TFL lands. These bylaws (among other provisions) called for 120 ha lot minimums for future subdivisions. They were designed to maintain the *status quo* for lands that have been designated for TFL forestry for decades and to

⁶ Hansard, October 29, 2007, p. 8894.

⁷ -- [Hansard, October 22, 2007, p. 8672]

preserve the integrity of the CRD's Regional Growth Strategy and Official Community Plans, in the face of the unexpected Provincial TFL deletion decision.

However, in April, before these bylaws received formal approval by the Minister of Community Affairs – and while the passed bylaws awaited a signature of that Minister -- WFP submitted their applications for subdivision, thereby thwarting the CRD's attempt to use its zoning powers on behalf of the public who opposed the residential development of these lands.

Thus, the public has not yet received its opportunity for meaningful “public hearings and input from the public on the use of those lands” that was promised by the Minister in the Legislature. Nor have local community members “had their say”, as government MLA Cantelon promised.

The fact is that we have now arrived at the point where, with a single stroke of the pen, you could approve this subdivision and thwart the clearly expressed public vision for these lands. The public's interest in these lands has been expressed in numerous fora over the last five decades and more. With a single stroke of a pen you would be undoing the public will that was most recently expressed by the CRD in its recent bylaws -- but you would also be undoing the public will expressed during deliberations in the Royal Commission on Forestry, the Vancouver Island Land Use Plan deliberations, the Perry Commission deliberations, and the multi-year public consultation on the Regional Growth Strategy.

But you have the opportunity to restore a measure of legitimacy to the land use planning process and fulfill the promises made by these Ministers to the public. You can hold a formal public hearing prior to your decision regarding PLA of WFP's subdivision application.

(b) *Enhanced Assessment of the Public Interest*

Conducting public hearings will greatly enhance your consideration of whether WFP's proposed subdivision is in the public interest.

As stated above, the courts have endorsed approving officer's hearings as a means to facilitating the consideration of whether subdivisions are or are not in the public interest. Public consultation is an important step because the relevant legislation (including the *Land Title Act*) does not define “the public interest”. The courts have generally deferred fact-specific considerations of the issue by approving officers, provided such considerations were in good faith and were not overly narrow.

Examples from British Columbia case law reveal that the meaning of “the public interest” is quite expansive, often including not only legal and financial interests, but public concern for environmental integrity, health and safety, and even recreation. For example, in *Vancouver (City) v. Simpson*,⁸ the leading authority on the issue, the Supreme Court of Canada allowed the rejection of a subdivision application based on the approving officer's view that the proposed subdivision was against the public interest simply because it was situated on land the City hoped to purchase and develop into a public park.

⁸ *Vancouver (City) v. Simpson*, [1977] 1 S.C.R. 71

The courts have rejected overly restrictive definitions of the public interest, especially where such definitions have led to a lack of consultation with the public. In *MacFarlane v. British Columbia (Ministry of Transportation)*,⁹ the British Columbia Supreme Court quashed the provincial approving officer's preliminary layout approval of a subdivision application on the basis that the approving officer's narrow view of the public interest, as pertaining merely to affected legal or monetary interests, was an error in law. In that case, this error led the approving officer to: (a) fail to consider the relevance to the public interest of recently passed, but inapplicable, down-zoning bylaws; and, (b) ignore concerns raised by BC Parks about the proposals implications for public enjoyment of an adjacent Provincial Park.¹⁰

(c) *The Value of Public Participation in Sustainable Development*

In recent decades, there has been a heightened awareness of the necessity of public participation in achieving the goals of sustainable development. For example, the World Commission on Environment and Development emphasized the importance of public participation:

In its broadest sense, the strategy for sustainable development aims to promote harmony among human beings and between humanity and nature. In the specific context of the development and environment crises of the 1980s, which current national and international political and economic institutions have not and perhaps cannot overcome, the pursuit of sustainable development requires ... a political system that secures effective citizen participation in decision making...¹¹

WFP's proposed subdivision would have immediate effects on the natural environment enjoyed by numerous local residents. These residents should therefore have opportunity to participate in the decision-making processes governing the future of these lands. The most effective way for this to occur is by providing a public hearing in which information such as expert reports, referral agency recommendations, and private submissions can be presented to the public for comment.

(d) *The Truth-Finding Function of Public Hearings*

A public hearing would provide members of the public with an opportunity to comment and critique sources of information upon which you will rely for your decision to approve or reject WFP's subdivision applications. Public scrutiny of WFP's planning reports, impact assessments, referral agency comments, and private submissions will not only bring to light new information, but can play a valuable truth-finding function by clarifying the veracity of information contained in those important sources.

⁹ *MacFarlane v. British Columbia (Ministry of Transportation)*, [1994] B.C.J. No. 3213

¹⁰ Since these bylaws were passed after the subdivision application was submitted for preliminary approval, these down-zoning bylaws did not apply directly to the subdivision, being shielded for 12 months by s. 943 of the *Local Government Act*. The court held that these bylaws were, nevertheless, relevant to the approving officer's consideration of the public interest.

¹¹ World Commission on Environment and Development, *Our Common Future*, 1987. Oxford: Oxford University Press, p. 65.

2. You May be Required by Law to Hold a Public Hearing

Section 25 of British Columbia's *Freedom of Information and Protection of Privacy Act* ("FOIPPA") states:

25(1) Whether or not a request for access is made, the head of a public body must, without delay, disclose to the public, to an affected group of people or to an applicant, information...

(b) the disclosure of which is, for any other reason, clearly in the public interest.¹²

According to William Buholzer, author of *British Columbia Planning Law and Practice*, "information that is submitted to an approving officer as part of a subdivision application is a record in the possession of a public body that is subject to this rule."¹³ In our view, this rule also applies to documents such as expert reports, correspondence pursuant to the referral process, and private submissions sent to your Ministry. This is because the public disclosure of this information would be in the "public interest".

As noted above, there is no legislated definition of "the public interest" in BC. However, issues of environmental impact clearly pertain to the public interest. When protection of the environment is at stake, often a fundamental public interest is engaged. The Supreme Court of Canada has described environmental protection as of "superordinate importance" and has pointed out the importance of environmental law:

...individually and collectively, we are responsible for protecting the natural environment...environmental protection [has] emerged as a fundamental value in Canadian society.¹⁴

In Order 332-1999 (p. 5), the Information and Protection of Privacy Commissioner described the test for determining if a public interest fee waiver is warranted under s. 75(5)(b) of the Act:

"1. The head of the Ministry must examine the requested records and decide whether they relate to a matter of public interest (a matter of public interest may be an environmental or public health or safety matter, but matters of public interest are not restricted to those kinds of matters).

The following factors should be considered in making this decision:

¹² Note that s. 25(2) of the *Freedom of Information and Protection of Privacy Act* states that the above provision "applies despite any other provision of this Act."

¹³ William Buholzer, *British Columbia Planning Law and Practice*. 2001. Markham, ON: Butterworth, p. 13:21.

¹⁴ *Ontario v Canadian Pacific Ltd* (1995), cited with approval by the Court per L'Heureux-Dubé J. (for the majority) in *Spraytech v the Town of Hudson* (2000).

- (a) has the subject of the records been a matter of recent public debate?;
- (b) does the subject of the records relate directly to the environment, public health, or safety?;
- (c) could dissemination or use of the information in the records reasonably be expected to yield a public benefit by:
 - i. disclosing an environmental concern or a public health or safety concern?;
 - ii. contributing to the development or public understanding of, or debate on, an important environmental or public health or safety issue?; or
 - iii. contributing to public understanding of, or debate on, an important policy, law, program or service?;
- (d) do the records disclose how the Ministry is allocating financial or other resources?"

The public disclosure of the planning information pertaining to WFP's subdivision applications meets each of these criteria:

- 1(a): the deletion of these lands from TFL designations was recently the subject of extensive media coverage and public hearings conducted in the Capital region;
- 1(b): since, according to our estimation, the total site area of the proposed subdivision is approximately 15 kms², one of the largest subdivisions ever proposed on Vancouver Island, the immediate environmental and public health and safety impacts are obvious. They include potential harm to wildlife, riparian areas, water safety, and recreational uses. Furthermore, these forest lands function to contain urban sprawl and as "carbon sinks" to combat climate change; the subdivision of these lands will undermine these important environmental objectives;
- 1(c): the value of public disclosure (through a formal hearing) is similarly obvious, as the information concerning these risks would be brought into the open and made available for public discussion (as outlined above); and,
- 1(d): the public disclosure of this information could help reveal how the Ministry of Transportation (and other referral agencies in government) are allocating financial resources concerning this important public issue.

The public disclosure of this information would promote transparency and accountability—objectives which are central to the purpose of *FOIPPA*. As Supreme Court of Canada Justice La Forest commented in *Dagg v. Canada (Minister of Finance)*:

The overarching purpose of access to information legislation, then, is to facilitate democracy. It does so in two related ways. It helps ensure first, that citizens have the information required to participate meaningfully in the democratic process, and secondly, that politicians and bureaucrats remain accountable to the citizenry.¹⁵

We therefore submit that, in the present circumstances, section 25(1)(b) *FOIPPA* requires:

1) The disclosure of all relevant information received or gathered pursuant to WFP's subdivision applications, the content of which should include the following:

- a) subdivision maps;
- b) expert reports (on land use; aesthetics; environmental impacts, sewage treatment, water safety, etc);
- c) comments and recommendations from referral agencies; and
- d) private submissions sent to your Ministry regarding the proposal.

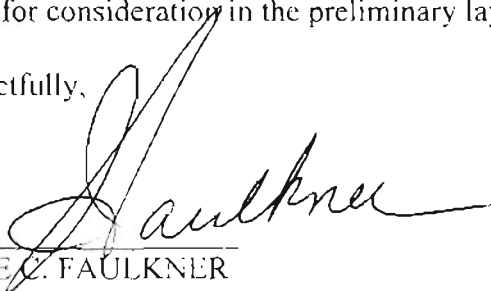
And,

2) That this disclosure be *to the public* through public hearings.

For all the reasons elaborated above, we respectfully request that you conduct public hearings to allow public discussion regarding the information described above prior to your determination of whether WFP's subdivision applications should receive preliminary layout approval.

In the coming weeks, we will be providing you with detailed submissions regarding various issues for consideration in the preliminary layout approval itself.

Respectfully,



IRENE C. FAULKNER
Counsel for Sea-to-Sea Greenbelt Society



TIM THIELMANN
Law Student

¹⁵ *Dagg v. Canada (Minister of Finance)*, [1997] 2 S.C.R. 403, at para. 61.

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May 29, 2008

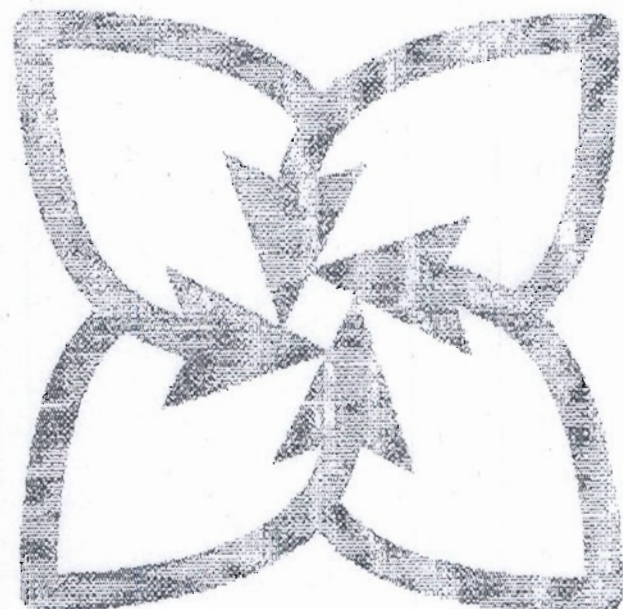
Bob Wylie
Planning Approval Officer
Vancouver Island District
Ministry of Transportation
3rd Floor - 2100 Labieux Road
Nanaimo, BC V9T 6E9

Dear Sir:

Dogwood Initiative supports the request that the Provincial Approving Officer conduct full public hearings regarding the application by Western Forest Products for subdivision of its former Tree Farm Licence lands (WFP file numbers 25564, 25565, 25567, 25568, 25569, 25570, 25605).

Dogwood Initiative is a Victoria based non-profit society which works to help communities exercise control over their local lands and resources. We currently have roughly 2000 supporters who are specifically concerned about the fate of the lands which fall within the above mentioned subdivision application.

Maurita Prato
On behalf of Dogwood Initiative
250-370-9930 ext 26



GREATER VICTORIA GREENBELT SOCIETY


Bob Wylie
Planning Approval Officer
Vancouver Island District
Ministry of Transportation
3rd floor – 2100 Labieux Road
Nanaimo, B.C.
V9T 6E9

28 May 2008

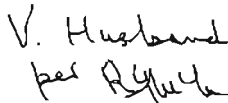
Dear Sir

Re: Western Forest Products Subdivision Application and Request for Public Hearing

Please be advised that the Greater Victoria Greenbelt Society supports the request by the Sea-to-Sea Greenbelt Society that you hold Public Hearings on the matter of Western Forest Products subdivision applications before you make any decision. We believe that the public should be properly consulted before any decision is made on this important matter of public interest.



R.G. McMinn
Chair, Greater Victoria Greenbelt Society



V. Husband
Director, Greater Victoria Greenbelt Society

499 Millstream Lake Road, Victoria, B.C. V9B 6H5

2459 Kemp Lake Rd
Sooke, BC
V9Z 0R3

28 May 2008

Mr. Bob Wylie,
Subdivision Approval Officer,
Vancouver Island District,
Ministry of Transportation,
3rd Floor – 2100 Labieux Road,
Nanaimo, BC V9T 6E9

Dear Mr. Wylie

The Directors of the Juan de Fuca Community Trails Society request that the Subdivision Approving Officer for the Juan de Fuca Electoral Area hold public hearings with regard to subdivision applications for Western Forest Products land released from TFL 25, before approval of any subdivision application concerning these lands.

The applications for subdivision approval were filed after third reading of bylaws amending zoning in the Juan de Fuca Electoral Area put in place to ensure the integrity of the Capital Regional District Regional Growth Strategy. There is a public perception that WFP benefitted from an unfortunate delay in the processing of the bylaws through the Ministry of Community Affairs. As the local government is the steward of the public interest in regard to land use planning, the proposed subdivisions undermine that interest. Approval of subdivisions in the JDFEA that the CRD Board and planners are not, at this time, prepared to support is not in the public interest.

The proposed subdivision addresses none of the critical concerns of the South Island concerned with ecological and social sustainability: Some of these concerns that must be addressed in the interest of all residents of the CRD and in the interest of residents of Otter Point, Shirley and Jordan River include habitat protection, wildlife corridors, outdoor recreation, beach access, parks, and trails. The plans promote rural sprawl and diminish the wild nature of this coast. They remove the potential for silviculture over a large area. Approval of plans created under the old bylaws will negate the ability of the local government to require and negotiate park dedication, greenspace and public amenities.

We ask that you hold public hearings on the subdivision applications. Such hearings will provide information to the Approving Officer, the proponent and the Capital Regional District authorities as to how to proceed in the public interest.

Yours Truly

S. J. Jorna, President
Juan de Fuca Community Trails Society.

OTTER POINT & SHIRLEY RESIDENTS & RATEPAYERS ASSOCIATION
(www.opsrra.ca)

2950 Michelson Rd.
Otter Point, B.C.
V9Z 0J7
29 May, 2008

Mr. Bob Wylie
Subdivision Approval Officer
Ministry of Highways
Nanaimo, B.C.

Dear Mr. Wylie:

Our association recently wrote to you requesting that we have an opportunity to comment on the Western Forest Products subdivision applications that are pending for our communities under the old CRD zoning bylaws. Since that letter was written on April 28th we have been made aware of a request from the Environmental Law Clinic, on behalf of the Sea-to-Sea Greenbelt Society, asking that you hold a public hearing on this matter prior to making a decision. I would like to add our association's name in support of that request.

In our opinion this would be a fair, public and constructive way to allow all parties who hold a concern about the outcome of your decision to have an opportunity to comment. Such a public hearing would provide an opportunity for the public to hear the views of WFP, the CRD, the Juan de Fuca Electoral Area as well as other organizations and individuals. From the community's point-of-view, decisions about future development on the WFP forest lands are in the public interest. This public interest extends to decisions regarding sustainable development, zoning, fire protection, fire suppression planning, access to and protection of a safe drinking water supply as well as concern for environmental integrity, health and safety, and even recreation. It would seem to be against the public's interest to approve subdivisions planned under zoning that was rescinded and that the CRD Board and planners do not support, without public comment.

In conclusion our association's position is that community planning should be done before major changes are made in land use; that the "grandfathering" of the subdivision zoning for the WFP property will result in a significant loss of community amenities and is not in the public or the community's interest.

Regards,

Arnie Campbell – President, OPSRRA

cc. Environmental Law Clinic – University of Victoria



Pulp, Paper and Woodworkers of CANADA

NANAIMO LOCAL No 8

596 Albert Street, Nanaimo, B.C. V9R 2W2

Telephone: 753-8721 Fax: 753-1236

May 28, 2008

Bob Wylie
Planning Approval Officer
Vancouver Island District
Ministry of Transportation
3rd Floor - 2100 Labieux Road
Nanaimo, BC V9T 6E9

Dear Sir:

Pulp, Paper and Woodworkers of Canada – Local 8 supports the request that the Provincial Approving Officer conduct full public hearings regarding the application by Western Forest Products for subdivision of its former Tree Farm Licence lands. (WFP file numbers 25564, 25565, 25567, 25568, 25569, 25570, 25605.)

(On behalf of _____)

PULP PAPER & WOODWORKERS
OF CANADA

Shirley Education and Action Society
2617 Seaside Dr., Shirley BC V9Z 1G7

May 29, 2008

Mr. Bob Wylie
Provincial Approving Officer
Ministry of Transportation
3rd Floor, 2100 Labieux Rd
Nanaimo BC V9T 6E9

Dear Mr. Wylie:

Re: Request for Public Hearings

SEAS is a non-profit society in Shirley that supports the interests and concerns of our community through public education and action.

SEAS would like to go on record as strongly endorsing the submission to you by Irene C. Faulkner, Counsel for Sea-to-Sea Greenbelt Society, calling for public hearings on the proposed development by Western Forest Products (WFP) of forest lands between Sooke and Port Renfrew.

The situation we now face is that a decision may be made which will overturn years of community land use planning and government initiatives because of a dubious arrangement between the Minister of Forests and Western Forest Products to allow deletion of lands from TFL 25 without an opportunity for the public to make its concerns known. This has led to these lands being put on the real estate market. When the Capital Regional District acted to protect these lands, WFP filed subdivision applications just days before CRD Bylaws received final reading, flying in the face of both the public's and local government's desire to see these lands protected from urban sprawl and over development. Our community submitted a petition of 168 names supporting downzoning of the lands in question.

There appears to be a blatant disregard of assurances given in the legislature by Minister Coleman and MLA Cantelon that the public would have an opportunity to be heard on this matter, which affects not only our community but the whole of southern Vancouver Island. The brief by Ms. Faulkner outlines the history of this situation in great detail. As this matter is now in your hands, we are calling on you to hold public hearings so that the full exposure promised by Minister Coleman and MLA Cantelon can actually occur.

Public Hearings would also afford you the opportunity to further determine "the public interest" by hearing the concerns of local residents, environmental groups, employees of Western Forest Products, and the public at large. It is incumbent on you to give this matter a public hearing in order to hear from all affected parties, in particular our community in which many of the lands in question are located.

We urge you to set these public hearings as soon as possible, and to request that WFP put any work on these lands on hold until the hearings have taken place.

We are counting on you to seriously consider the public interest as you are mandated to do. We look forward to your early response.

Sincerely,

Dominique Bernardet
President, SEAS

cc: SEA to SEA Greenbelt Society
John Horgan, MLA
Erik Lund, Regional Director



SIERRA
CLUB
BC

302-733 Johnson Street
Victoria, BC V8W 3C7

T (250) 386-5255
F (250) 386-4453

E info@sierraclub.bc.ca
W www.sierraclub.bc.ca

May 28, 2008

Bob Wylie
Planning Approval Officer
Vancouver Island District
Ministry of Transportation
3rd Floor - 2100 Labieux Road
Nanaimo, BC V9T 6E9

Dear Sir:

Sierra Club BC supports the request that the Provincial Approving Officer conduct full public hearings regarding the application by Western Forest Products for subdivision of its former Tree Farm Licence lands. (WFP file numbers 25564, 25565, 25567, 25568, 25569, 25570, 25605.)

Sincerely,
Rob Duncan

Biodiversity Campaigner
Sierra Club BC



May 28, 2008

Bob Wylie
Planning Approval Officer
Vancouver Island District
Ministry of Transportation
3rd Floor - 2100 Labieux Road
Nanaimo, BC V9T 6E9

Dear Sir:

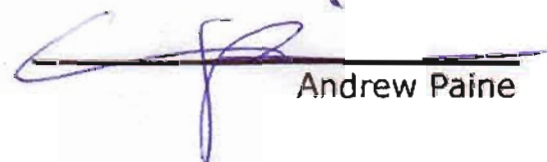
Sitka Surfboards supports the request that the Provincial Approving Officer conduct full public hearings regarding the application by Western Forest Products for subdivision of its former Tree Farm Licence lands (WFP file numbers 25564, 25565, 25567, 25568, 25569, 25570, 25605).

As a Jordan River Resident, Avid surfer, Surf Shop Owner and general concerned citizen, I strongly encourage you to reject the WFP rezoning application as it clearly is not in the public interest.

This decision would not only adversely affect the communities of Jordan River and Shirley but it would also have detrimental effects on the environment in the area. The subdivision of these lands with no clear community plan in place will lead to Urban sprawl in one of the most beautiful parts of our province. The subdivision application has very little ocean access for the public and no park lands dedicated. It was a tragedy that this land was ever released from the tree farm licenses but it would be even worse if you were to approve this application.

Thank you for your time and I hope you will make the decision that is in the public interest,

On behalf of Sitka Surfboards,



Andrew Paine



May 28, 2008

Bob Wylie
Planning Approval Officer
Vancouver Island District
Ministry of Transportation
3rd Floor - 2100 Labieux Road
Nanaimo, BC V9T 6E9

Dear Sir:

Smart Growth BC supports the request that the Provincial Approving Officer conduct full public hearings regarding the application by Western Forest Products for subdivision of its former Tree Farm License lands. (WFP file numbers 25564, 25565, 25567, 25568, 25569, 25570, 25605.)

A handwritten signature in black ink, appearing to read "Cheeying Ho".

Cheeying Ho
Executive Director

(On behalf of Smart Growth BC)



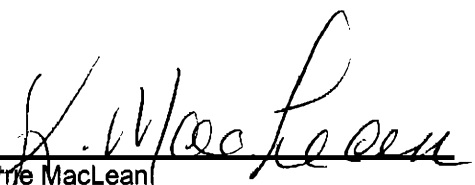
May 28, 2008

Bob Wylie
Planning Approval Officer
Vancouver Island District
Ministry of Transportation
3rd Floor - 2100 Labieux Road
Nanaimo, BC V9T 6E9

Dear Sir:

T'Sou-ke Nation supports the request that the Provincial Approving Officer conduct full public hearings regarding the application by Western Forest Products for subdivision of its former Tree Farm Licence lands (WFP file numbers 25564, 25565, 25567, 25568, 25569, 25570, 25605). These subdivision applications have huge implications for the surrounding communities, including the T'Sou-ke Nation.

T'Sou-ke Nation also expects to partake in a separate, Crown-Aboriginal consultation process before the Provincial Transportation Officer approves the subdivision applications. Consultation must take place before the Preliminary Layout Approval is provided.


Kerrie MacLean
Band Administrator
T'Sou-ke Nation

FROM :

FAX NO. :

May. 29 2008 01:58PM P1



WESTERN CANADA
**WILDERNESS
COMMITTEE**

VICTORIA OFFICE

651 Johnson Street Victoria, BC V8W 1M7
Phone: (250)-388-9292 Fax: (250)-388-9223
www.wcwc victoria.org

May 29, 2008

Bob Wylie
Planning Approval Officer
Vancouver Island District
Ministry of Transportation
3rd Floor - 2100 Labieux Road
Nanaimo, BC V9T 6E9

Dear Sir:

The Western Canada Wilderness Committee supports the request that the Provincial Approving Officer conduct full public hearings regarding the application by Western Forest Products for subdivision of its former Tree Farm Licence lands (WFP file numbers 25564, 25565, 25567, 25568, 25569, 25570, 25605).

(On behalf of the Western Canada Wilderness Committee)