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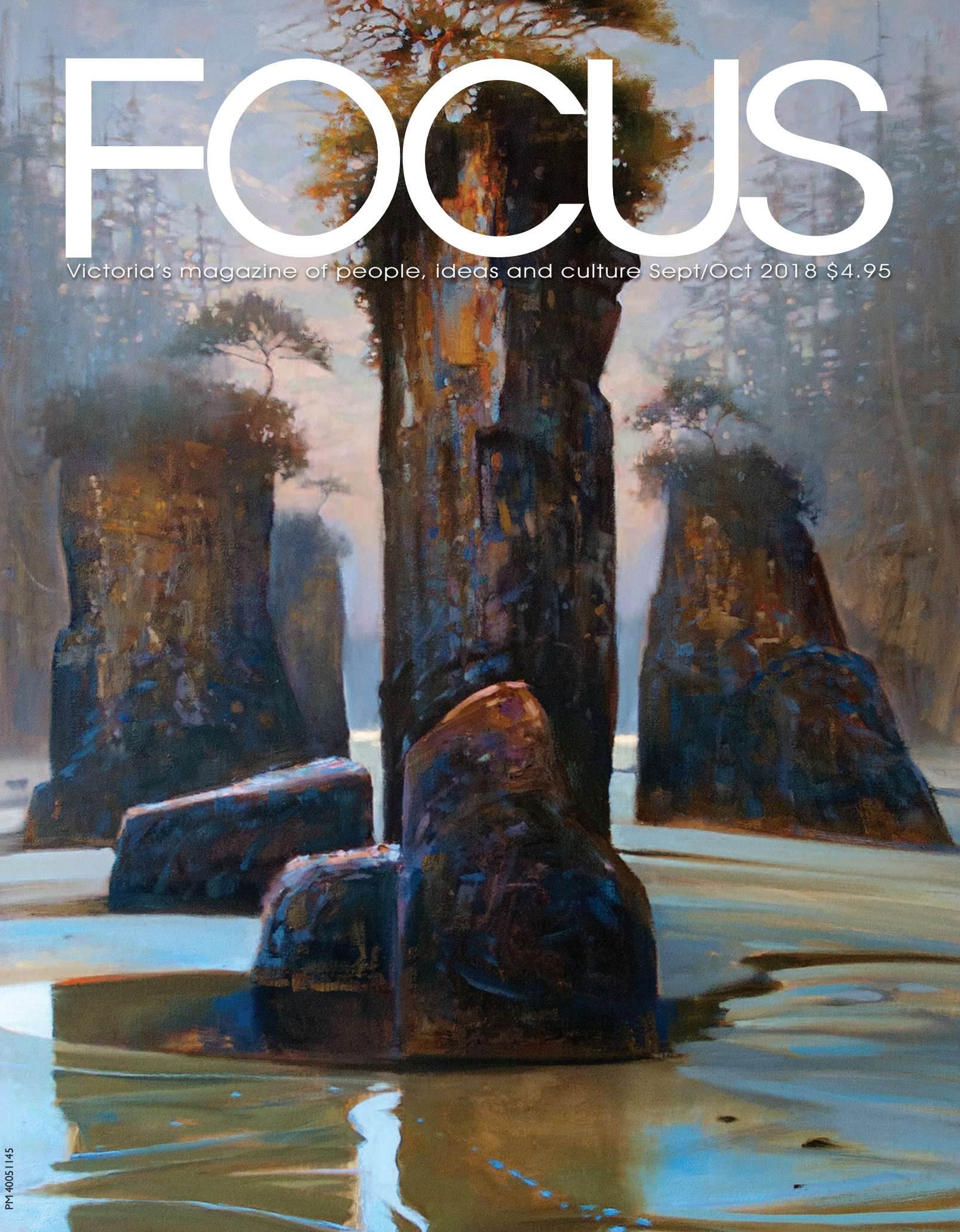

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Will Victoria's Old Town become a façade?

LESLIE CAMPBELL

Victoria City council will soon be faced with a controversial heritage conversion and demolition project in the heart of Old Town.

Most of us pay at least lip service to the value of the City of Victoria's Downtown heritage buildings. We enjoy how they conjure the past, make Victoria unique, and attract tourism dollars. It's up for debate, however, whether current powers-that-be—City council, staff and citizen committees—are up to the task of guarding Old Town's heritage buildings as the continuing development boom rocks their foundations.

I set out to examine just one new proposal—that for the 1892 "Duck's Block" and its neighbour at Broad and Johnson—but right away, it seemed to open the proverbial can of worms.

My first call was to Stuart Stark, as he was the chair of the City of Victoria's Heritage Advisory Panel which gave the proposed development a unanimous thumbs-down on March 13, citing concerns about the height and monolithic design "absorbing" the heritage building, and noting it was "not consistent with the Official Community Plan (OCP), the Downtown Core Area Plan and the Design Guidelines." Minutes also state the concern that, "Block by block Old Town is being converted from three to six storeys."

On March 28, however, the City's Advisory Design Panel gave the project a unanimous thumbs-up.

To make things even more confusing, I learned that in August 2017, the Downtown Residents Association's Land Use Committee had soundly declined to support the Broad Street development for similar reasons as the heritage panel's. The Committee's chair, Ian Sutherland, pointed out that the OCP is relatively new (2012), and "was compiled to the satisfaction of the public and the industry stakeholders." The Downtown Residents Association's position is that the maximum density of 3:1 for Old Town was a carefully considered policy and should be upheld. The Duck developers are requesting almost double that amount.

Stuart Stark

Since making their presentations to these citizen committees, developers UVic Properties and Chard Developments have made only minor adjustments to their plan for 172 residential units plus ground floor retail. The new buildings are still seven storeys tall. David Chard told me they have now applied for rezoning and permits and expect it will reach the Committee of the Whole in the next couple of months. If passed, it will go to public hearing and City council.

Before I could query him about the Duck's Block proposal, Stuart Stark informed me that he had resigned from the Heritage Advisory Panel, within a month of the March 13 meeting, and that the kind of issues the proposal raises are a good example of how heritage is being endangered by practices and attitudes at City Hall. He was willing to talk to me, he said, "in the hope that citizens might realize that their relied-on heritage program no longer exists."

A long-time heritage consultant in Victoria, Stark had sat on the Heritage Advisory Panel over three different periods in its history—in the 1970s, 1990s and from 2014-18; he chaired it for 6 months previous to his resignation.

"We had a fabulous heritage program for 35 years, but for the past few years it's been disintegrating," he told me. He's referring to a constellation of programs, policies, plans and guidelines that are supposed to protect both the individual heritage properties Victoria is renowned for, and the overall character of Downtown's "heritage conservation area." This includes Old Town, Chinatown, and the historic waterfront area. Development is allowed in these areas, even encouraged through grants and tax holidays, but there are various restrictions. It was such programs—and their visible results—that led to Victoria winning the Prince of Wales Prize for Municipal Heritage Leadership in 2001, said Stark.

IMAGE: DE HOOG & KIERULF ARCHITECTS

Architect's rendering of the proposal for the "Duck's Block"

One aspect of the program is the Heritage Advisory Panel itself. Composed of 10 volunteers, all with expertise in heritage matters, along with the City's heritage planner, its mandate is to advise council on proposals regarding heritage in the City. City Councillor Pam Madoff usually attends as a guest, though is not allowed to comment on proposals. They meet monthly to review proposed changes to heritage properties—now only commercial and multi-family ones.

This was one of Stark's complaints. A couple of years back, planning staff made recommendations to council on administrative changes aimed at speeding up permit approvals. Council passed these measures, perhaps without realizing that it meant quite a drastic change. "In the stroke of a pen," says Stark, "any application for changes to a single-family house became a staff review," rather than going through the Heritage Advisory Panel. This removed about half of what the Panel once advised council on—and perhaps explains, for instance, how a 1904 house in Rockland, connected to the Dunsmuirs, was able to be demolished. If council has no recommendation against such demolition from its Heritage Advisory Panel, it has a hard time justifying declining it itself.

Stark, however, isn't convinced that the Panel's recommendations even make it to council, at least in a clear, unaltered fashion. They

> "THERE WAS ONCE AN ATMOSPHERE AT CITY HALL that heritage was important. It's not there now."
>
> *—Stuart Stark, former chair, Victoria Heritage Advisory Panel*

The Duck's Building on Broad Street

are "filtered through planning staff," which sometimes disagree openly with the Panel's recommendations.

"The goals of the OCP are being used to trump heritage," Stark told me. And indeed, if one reads the OCP, one can see how, despite platitudes about heritage resources being protected and celebrated, there are other goals to do with the economy and walkable cities that might well be used to justify significant alterations to heritage structures. The OCP, for instance, calls for "at least 20,000 new residents and associated housing growth," 50 percent of them in the Urban Core.

But it's more than that, said Stark. "There was once an atmosphere at City Hall that heritage was important. It's not there now." He emphasized that "valuing heritage did not prevent development—and it shouldn't. But heritage was a lens through which all projects were reviewed—now it seems to be viewed as more of a hindrance to development."

Stark understands that developers are not the problem. They are trying to do what they do best—making a profitable investment through development projects. But he feels that City staff, particularly those at the top of what's now called "Sustainable Development and Community Planning," no longer really care about the heritage of Old Town—there's a lack of knowledge and/or interest.

How else to explain the "façadism" that's being allowed? Stark pointed to Customs House as the most visible example of this currently, with its three walls propped up and a heap of rubble inside. Plans call for Duck's Building to be gutted and another floor added on top, with the façade retained.

The lack of value attributed to heritage at City Hall also helps explain, in Stark's mind, the lack of timely and meaningful consultation with the Heritage Advisory Panel. "We were often the last to see a proposal," said Stark—and, if they had issues with the proposal, planning staff would complain about the time they'd already put into it.

Stark claimed informational presentations by staff about planned changes are relayed to council as "consultation"—as if the Panel had some say on them. After such a *faux* consultation on zoning changes involving height restrictions in Old Town, the Panel passed a unanimous motion that did not get relayed at all to council, said Stark.

Stark met a few times with senior staff and once with the mayor who urged him to stay. Believing things wouldn't change, he resigned.

I invited Councillor Pam Madoff to comment on Stark's resignation. She wrote: "Stuart's resignation from the Heritage Advisory Panel is a loss to the Panel, to City Council and to Victoria. A highly respected heritage consultant, and designer, with decades of experience, Stuart has also been a tireless and effective volunteer advocate of our built heritage for decades. As chair of the Panel he spent untold hours preparing for each meeting and ensuring that all voices around the table were heard. For Stuart to have become so frustrated with the role of the Panel, and how its opportunity to advise council had become increasingly limited, that he felt he had no option, other than resignation, should serve as a wake-up call for how the City's heritage policies are currently being implemented."

When I asked the City's Director of Sustainable Development and Community Planning Jonathan Tinney about Stark's resignation, he acknowledged the wealth of heritage knowledge among Panel members" and said, "We want to make sure we get the benefit of that—and the feedback from Stuart was helpful. Some changes have been made as a result." He told me more applications are now going to the Panel that formerly were handled solely by staff. An additional heritage planner has recently been hired.

Stark remains skeptical that the heritage program has the backing of senior staff, or even the mayor, who he sees as pro-development.

Madoff tends to lay the blame at council's feet: "All council and the mayor have to do is apply things that were put in place earlier." The appropriate guidelines and policies are all there, she feels. They just need to be applied with consistency. This will provide developers with the surety they need to create projects that will work in Downtown's heritage conservation area.

Madoff doesn't believe that heritage needs to be sacrificed for other priorities. She pointed to earlier developments which managed to restore and revitalize heritage properties without adding extra storeys on top and devolving into "façadism."

LISTED ON CANADA'S HISTORICAL PLACES website, Duck's Block is described as "an excellent example of a large-scale Late Victorian commercial building. Constructed in 1892 for Simeon Duck, a successful early local entrepreneur, MLA, and former Minister of Finance for British Columbia, this handsome Victorian building is a testament to the entrepreneurship of its original owner." Initially a carriage works, it also housed retail outlets, entertainment venues, meeting rooms and a brothel. "Bold decoration and architectural solidity make Duck's Block a dominant presence within Broad Street's narrow streetscape." Among its character-defining elements are "rusticated masonry piers at street level, and stone lintels; bold Victorian detailing, such as arched windows on the uppermost storey, … [and] intact original storefront elements such as cast iron columns."

Both Duck's Block and the next door building (615-625 Johnson), which is to be demolished under the proposal, are on the Heritage Registry and in the heart of Old Town. The guidelines for this area note: "The distinctive character of Old Town, without parallel in other Canadian cities, derives from Victoria's decline as a major seaport and centre of commerce by 1900, that protected it from the pressures of urban development that have altered the scale and character of most other urban seaports."

Michael Williams, the late developer and heritage afficionado, bought Duck's and the Trounce-designed building beside it many years ago, though never developed them. As a result, they now house affordable artist studios, retail spaces, apartments and a dance studio. Williams bequested these buildings, his other numerous Downtown properties, his businesses (e.g. Swan's Hotel and Pub) and extensive art collection to the University of Victoria upon his death in 2000.

UVic Properties, which manages the university's revenue-generating properties, has sold Duck's and the corner property (also built by Duck, in 1875, as the Canada Hotel) to Chard Developments, at fair market value, according to David Chard. In 2017 the two properties were assessed at $5.7M.

Chard will build market condos on his properties—113 in all. Duck's will be gutted and have an extra storey built on its roof, and the old Canada Hotel building will be demolished and replaced with a seven-storey building.

UVic's new building will occupy the parking lot to the left of the Duck's and house 59 non-market rental units for UVic grad students. It's been noted that once students graduate, there is no requirement for them to move out to make room for other students.

In all, that's 172 residential units—with no parking. Retail shops will occupy the ground floors.

Stark told me, "As an alumni of UVic, I am totally embarrassed that the university would inflict this on a heritage conservation area."

I asked Councillor Madoff what Michael Williams would think of the current proposal. Noting that Williams certainly never did anything like what they're planning to do with Duck's, she stated, "He was very protective of the character of Old Town. He understood the value, texture and scale of Old Town and that was what he was working to enhance."

Madoff said she told the developers a couple of years ago that she couldn't see even one principle of heritage conservation fulfilled by their plans. "The storefronts didn't relate to each other. And in taking the height up, they'd also flattened the height along Broad, when Old Town guidelines clearly call for varied heights echoing the rhythm and character of the conservation area." Besides being too high, she warned them, it reduced the Duck to a façade.

Before I even asked developer David Chard about this, he told me, "We're maintaining the entire structure, so it isn't façadism."

At 22.47 metres, the project is well over the 15 metres stipulated in the guidelines. Chard noted that there are heritage buildings in Old Town already over 15 metres, and Duck's Block itself is one of them. While this is true, Madoff noted, "15 metres was chosen as the limit for new buildings because new infill developments were not intended to dominate the Old Town profile and the profile was to remain 'sawtooth.'"

The main reason for greater height from Chard's standpoint (and most developers) is that it is needed to accommodate the number of units that "make the economics work." One huge expense, said Chard, is seismic work which is especially challenging with 125-year-old buildings. With the Duck proposal, the plan is to build the two new buildings before working on the Duck—"We'll use them to reinforce the Duck while we replace its rock footings with concrete," he explained.

Victoria's most blatant example of façadism: the Customs House project

Chard believes that what's getting lost in the discussion is this: "Many heritage buildings are in poor shape. What will happen to these buildings if they are not redeveloped?"

The most concerning aspect of the UVic/Chard proposal for Madoff is that the three-storey Johnson Street heritage building is to be completely demolished. Designed by architect Thomas Trounce in 1874 as the Canada Hotel, it is one of only a few of his designs left. Admittedly, said Madoff, it has been stripped of some heritage features over the years—like bay windows—but it could have been restored.

David Chard disagreed with that. He said the poorly-constructed wood-frame building could not be saved, as it was in "very rough shape."

Nevertheless, the property is a registered heritage building, and demolishing it, said both Stark and Madoff, sets a dangerous precedent for Old Town.

THE HERITAGE ADVISORY PANEL'S UNANIMOUS lack of support for UVic and Chard's proposal was followed on May 8 with a similar thumbs-down for Reliance Properties' application for the Northern Junk project. The Panel suggested the seven-storey building on that site be reduced to four or five storeys, and urged that materials be more responsive to the immediate neighbourhood. (See Ken Johnson's letter to the editor in this edition about the companion issue of selling off City-owned lands that this development necessitates.)

Reading through the minutes of the Heritage Advisory Panel shows it is not anti-development. A proposal to build a new eight-storey condo project on Store Street, between the Janion and Mermaid's Wharf, was recently passed unanimously. And in June, it supported a Heritage Alteration Permit for the 1897 Hall Block at 727 Yates Street, which adds two floors on top for rental housing. Council has since approved it for a public hearing.

The current acting chair of the Panel, Rick Goodacre, served as executive director for Heritage BC for 23 years. He told me that dealing with development proposals virtually always involves a type

of deal-making or trade-off, because the developers want to get as many units as possible on a site, while the City wants to see heritage buildings maintained, as well as more residential units Downtown. He implied that sometimes a good balance is struck, whereas other times it's debatable (he pointed to the Janion, with the huge new building behind the historic hotel).

In the past, many redevelopments of some of Victoria's oldest buildings earned the support of the panel, and subsequently council. Madoff can rattle off numerous examples—from Dragon Alley, to the Vogue, Chris Le Fevre's Wilson's Storage project on Herald, and Michael Williams' restorations—all part of a slow and steady stream of projects that revitalized Old Town, proving that developments can add housing while not sacrificing heritage buildings.

But can they still do so in the current market? Or have much higher land prices made those more modest, respectful developments financially impossible?

Without developers opening their books for me, I don't know the answer, though I do appreciate the risk they take on. The larger, more complex projects, involving heritage properties, are among the riskiest, taking years of planning and consultation. It's hardly surprising that by the time a developer gets to the Heritage Advisory Panel, he or she might well feel that they've already figured out the puzzle as best as it can be—and they are not inclined to lop off a few floors just because a citizens committee suggests it. Even staff can only advise the developer. In the end, the shape of the application for rezoning and permits is up to the developer, even when they get a unanimous thumbs-down from advisory panels or community groups. The decision on their proposals is ultimately council's, taking into consideration the reports of advisory panels and land use committees.

Two official citizen bodies—composed of volunteers putting in serious time and study—have clearly advised council against the Duck proposal as it stands (though the Advisory Design Panel loved it). They are basing their refusal to support the project on established rules in official documents. Besides the OCP, the Core Area Plan is a principal guide for planning decisions related to Downtown.

Madoff said the City developed its Core Area Plan in a very conscious way, allowing, for instance, buildings of 20-plus storeys on Blanshard, because it would save Old Town from such pressures. She supported it, but now states, "If [Old Town Guidelines are not respected] it puts the Core Area Plan into question for me."

Downtown's heritage conservation area is a relatively small area west of Douglas Street between Humboldt and Chatham. If council doesn't enforce the regulations around height and density in the area, developers will notice, and we can expect more precedent-setting changes to the character of Old Town.

Madoff worries that changes, including the "façadism" trend, are going to make Old Town look like a theme park rather than a vital part of Downtown. "International visitors," she said, "are discerning. They know authenticity when they see it. If it looks like a stage set, we'll lose on all counts."

Leslie Campbell knows there are many issues to reflect on, heading towards Victoria's October 20 civic election, but consider adding to your list the way potential council members manage growth in Victoria's Old Town.

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Developers & housing affordability

I too believe that real estate developers are enjoying unbridled gains by hoodwinking the municipalities in Greater Victoria at taxpayers' expense and have caused the rise in real estate prices that are now affecting all housing costs. If residents voice any concern about over-development in commercial areas or preservation of their neighbourhoods, they are accused of selfishness, NIMBYism or privilege. So the developers move right along while the rest of the population are divided, pitting old residents against newcomers, renters against homeowners, young against old, healthy green-space advocates against Downtown urbanites, heritage believers against modernists and so on.

I think that your editorial well describes how the 2018 Global Issues Dialogue could have included other voices rather than the "unfettered" pro-development ones. But, considering that the forum was put on by developers, they dictated the agenda. In effect, the foxes were preaching to the chickens. A more balanced and inclusive panel of forward thinkers which represents all sides could begin to brainstorm other considerations in the race to "pave paradise" and perhaps tackle the question of how to provide sustainable and affordable housing for all. If the developers are so on the edge of profit margins that a speculation tax endangers their profit, then so be it. A welcome cooling-off period will begin to curb our collective greed and remind us that everyone needs a home.

Frances Foster

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When an Olympic bid is successful, it means displacement of the "less fortunate" for the infrastructure that supports the venues. And while there is some hue and cry over this, the destruction/construction proceeds anyway. And so it is with the "luxury condo market" in the Lower Mainland and south Vancouver Island. On the world stage, BC 's Janet & Joe Lunchbucket have become the "less fortunate," and while the hue and cry goes on, the BC economy has become so tied up in real estate and construction—"Together they are about one-quarter of the economy"—that governments on all levels will do everything they can to ensure this remains the new normal. The gestures made towards affordability are only that—gestures. There is little real substance for the displaced.

And the cost of all this? Well, everyone outside the Lower Mainland and Victoria still goes begging for services, infrastructure, and jobs, according to research by the Canadian Centre for Policy Alternatives.

Because building "affordable housing" is contrary to the interests of the private sector, may I suggest that, if governments really want to address the affordability crisis, they contact Jimmy Carter's Habitat for Humanity?

Richard Weatherill

After I read Leslie Campbell's article on unaffordable housing and Gene Miller's on amalgamation, my nightmares began. The Victoria of 100 years in the future appeared, a smoggy megacity of highrise condominiums stretching for miles. The city's parks, alleys, laneways, boulevards, mall rooftops, parking lots, schoolyards, and the areas under bridges and overpasses teeming with thousands of homeless people. Older residents recall a city of beautiful trees and lush gardens. Some remember a stately hotel, the Empress, that once served high tea—with scones, and fancy sandwiches, and tea in china cups—in the lobby. In its place stands "The Mayor Lisa Helps," a humongous, Soviet-style residential tower patrolled by armed guards. "The Lisa" overlooks what was once Victoria's Inner Harbour. Drained and paved, the former waterway now houses one of Canada's largest tent cities. A big, flashing sign proclaims: "If you build it, they will come."

Cheera Crow

Great article on housing. You note that CRD says 6,200 affordable homes needed. But what power does the CRD have to do anything about this?

Ditto environmental planning—pie in the sky at the CRD as you noted in a previous article. Plans, predictions, no power.

The elephant in the room is the absence of regional government with powers to act. As long as that condition exists, the 13 municipalities will chase their collective tails on many fronts and the default actor regionally will be the Province when it suits.

Why this elephant is invisible—except to the grumpy taxpayers as far as I can tell—is a puzzle.

John Olson

In light of the recent housing crisis, the solution appears to be slapping together a bunch of expensive, poorly-designed residential towers throughout Downtown. It's important to consider that these buildings will have a lasting impact on life in Victoria.

We do not need to build high-rises to get optimal density. When people are only a few stories above, it's possible to look at and interact with people at ground level. This social element is critical. Four-to-six-storey buildings are ideal; dense enough, but not too tall. Tall buildings create shadows, require more energy to heat and cool, and can simply feel dehumanizing.

My next point is that new buildings should not be built out of concrete. Concrete has a huge carbon footprint and should be avoided whenever possible. We must reduce our carbon impact as quickly as possible if we are to survive climate change. In the long term, energy-efficient buildings have a much smaller impact. However, when constructed with concrete, much of the damage is already done before day one. Short-term impact is critical; developments like Dockside Green might look sustainable, but concrete high rises (which are part of their plan) are not. Wood buildings are totally feasible up to around 10 stories, and with fire-resistant compressed-laminate timber (CLT) and other low-carbon materials, there 's no excuse not to build this way.

Lastly, new buildings should be thought through, and properly designed. We do not need mountains of car parking, we need solar panels, green space, and public space. Developers should view buildings as a long term contribution to the city, rather than a quick profit.

I strongly urge council to limit heights to 10 stories, and to encourage more well-designed, affordable, sustainable buildings.

Finn Kreischer

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Pipeline protesters: *Ya done good*

Thank you for bringing to my attention that very, very odd speech by former Bank of Canada director David Dodge in Edmonton in "Who are the Real Pipeline Fanatics?" I wonder what he thinks about the murder of those four poor Kent State University students, killed for protesting the Vietnam war in 1970? Then there were the many who died fighting racist and plain stupid laws in the US and South Africa.

To all of those who were arrested protesting the Kinder Morgan pipeline expansion: *Ya done good*. Just think of how all these billions of dollars could be better spent.

The federal Liberals have 18 Members of Parliament in BC. The federal election is next October. It will be fascinating indeed to see how many still have their jobs by Christmas.

Finally, the HL Mencken quote provided by protester Gordon Bailey was perfect. I can't stand seeing Canada debauched by greedy oil companies and out-of-touch politicians like Justin Trudeau and Rachel Notley. In 1979, I canvassed for Grant Notley's NDP in Edmonton Norwood. This wasn't because of any fervent socialist leanings, but because you need varied, intelligent political debate. Notley and Trudeau are showing zero imagination in dealing with climate change.

Louis Guilbault

Pipeline fundamentals

Polls indicate that most Canadians accept industry and federal government claims that Kinder Morgan's Trans Mountain Pipeline expansion is in the national interest. Some important questions are warranted.

Is the lack of a tidewater export facility for Canadian heavy oil really costing Canada $15 billion per year?

The claim that future Asian markets will pay significantly more for diluted bitumen (dilbit) than existing US markets is debunked in a *Macleans* magazine piece by David Hughes and elsewhere. Dilbit shipped from Alberta to Asia has higher refining and transport costs than oil from other sources. The federal government's estimate of $15 billion in annual losses is grossly inflated now, and will shrink further as regulations tighten on sulphur content in bunker fuel.

Even if there was a lower cost per barrel in the US, what portion of it would "Canada" really lose? How much of the revenue would go to foreign shareholders, executive bonuses, and to more ill-advised fossil fuel infrastructure? What benefits would remain after accounting for the cost of oil sand tailing pond cleanup, droughts, fires, storms, floods, health effects, seawalls, and setbacks to indigenous reconciliation?

Proponents of the pipeline expansion cite this summer's trade war with the US as another sign that the Asian bitumen market is a must for Canada. Should the decision on a 40-year pipeline be influenced by bizarre US negotiating tactics that could end with the next election—before dilbit could start to flow in the new TMX? Wouldn't it be more sensible to base the decision on the laws of physics that govern the rapid warming of the planet?

Can we trust that the pipeline will create thousands of Canadian jobs?

The export of bitumen to Asia sends refining jobs with it. Kinder Morgan's application to the National Energy Board estimated permanent jobs after construction at 40 in Alberta and 50 in BC.

The cost of the Trans Mountain purchase includes $4.5 billion for existing assets, plus an estimated $7.4 billion for the expansion. Many expect this to escalate. Eco-futurist Guy Dauncey projects that just $4.5 billion could "replace most of Alberta's coal and gas-fired electricity, while generating between 30 and 50 times as many jobs."

Oil sands, as a whole, provide only *half of one percent* of the nation's jobs. Why are taxpayers "de-risking" more fossil fuel infrastructure instead of creating sustainable jobs in electric vehicles, wind, geothermal, solar and energy conservation for buildings?

Will markets for heavy oil persist?

One red herring used to confound people is the issue of non-combustion uses for fossil fuel. Yes, such use will continue in medicine and various essential products, and yes, this would be relevant if such end uses were a significant portion of total use, but worldwide it's somewhere in the range of 5 percent (7 percent in the US). Let's stay focused on the 95 percent of the fuel that is burned, releasing greenhouse gas emissions and pollutants.

To meet the Paris accord, global emissions must start falling by 2020, and drop to near-zero well before the end of this century. How wise is the taxpayer-funded bet on Kinder Morgan's pipeline in view of that reality? A recent study published in the journal *Nature Climate Change* concludes that there is "a carbon bubble that, if not deflated early, could lead to a discounted global wealth loss of US $1 to $4 trillion, a loss comparable to the 2008 financial crisis." Canada will fare much worse than most countries if it continues to delay transition from fossil fuels.

Is the pipeline needed to pay for Canada's non-existent transition plan to a sustainable economy?

Prime Minister Trudeau argues that the revenue from oil sands development will fund the transition to renewables. Why is a questionable investment in a sunset industry a prerequisite for a smart investment in clean technologies? Projections indicate that, if the oil sands continue to grow, Canada has virtually no chance of achieving the greenhouse gas emission targets set by the Harper government without the "Hail Mary" of expensive carbon capture and storage, and negative emissions.

Thomas Homer-Dixon, CIGI chair of the Balsillie School of International Affairs, explains the larger climate predicament well: "Humanity either undertakes fast and deep cuts in its carbon emissions or, some time later this century, civilization starts to unravel."

No one seems to know exactly how to deal with a dilbit spill, yet some claim that the promised $1.5 billion Oceans Protection Plan (for only five years, and covering all Canadian oceans) is worth the price of the pipeline project. Should government protection of Canadian oceans be a by-product of an oil industry subsidy? Will a seven-fold increase in tanker traffic through the Salish Sea increase the risk of a catastrophic dilbit spill? Will it push the starving and endangered southern resident killer whales closer to extinction?

Fundamental questions remain on economic payback, jobs, and environmental risks. Opposition and protest are legitimate stances until more is known about the Trans Mountain pipeline's impacts.

Bob Landell

Board of Variance allows Gonzales Hill development

You may have heard by now that the Board of Variance's (BOV) decision on Thursday, July 26, concerning 1980 Fairfield Place [adjacent to Gonzales Hill Park] was to approve the variance requested. This was a sad decision for most of us neighbours and park users.

Those of us who attended the hearing and were against the variance request remain disturbed that the process to reach this decision appeared to be flawed.

The legislation for the board clearly states that all BOV decisions are final; there is no appeal. Under the *Local Government Act*, Division 15 Section 542 subsection (4), a decision of the Board of Variance is final. There is no process for appeal.

This request was very similar to one of the two variances denied at the March 22 hearing, with the difference being a slight reduction in the requested setback of the building from 8.48 meters to 7.08 meters. This is a variation of about only five feet. In addition, the new variance would also save a few Garry oaks. How could this be considered a new request? Was the environmental measure a trade off for the fact that no lack of hardship was evident in the setback? Was introducing the saving of the trees, rather, a means to get round the regulation that disallows appeals?

We had intended to ask about this at the hearing, but, unlike the previous hearing, only adjacent neighbours were allowed to speak or ask questions. After the hearing, I spoke to the Chair (Andrew Rushforth) and asked him why this request was allowed when appeals were forbidden. In short, he told me that it wasn't an appeal, but was a "new request."

Who has responsibility for overseeing the BOV's activities? I would think it is the Province, since the BOV operates under provincial legislation, although its members are appointed by the City of Victoria, i.e. the City council. Most councillors profess to know little about the BOV's operation. I think the meeting of July 26 was one instance where oversight is warranted and that is for two reasons:

1. If the BOV's decision is final, how final is final? Was the hearing held for an appeal or a new request?

2. The fact that members of the community were not allowed to speak at the hearing.

The dearth of support from most of the area's municipal politicians was another unfortunate reality for this struggle over 1980 Fairfield Place. Some Victoria councillors were interested (notably Ben Isitt and Jeremy Loveday) and many listened to our pleas. Many agreed it would be good to save the property and make it part of the park. But to our knowledge, none spoke out for us. City of Victoria council may have discussed the matter *in camera*, so no information at all was forthcoming. Some of us did meet with David Screech, chair of the CRD Parks Committee. He was helpful and showed interest in saving the park although he doubted the CRD directors also would be interested. Although part of Gonzales Park is in Oak Bay and its residents are significant park users, we received only silence from the Oak Bay council. Interestingly, when the park was created in 1992 the then MP at the time, John Brewin, applauded the mayors of Oak

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Bay, Victoria, and Saanich for their leadership in establishing Gonzales Hill Regional Park.

It is so unfortunate that this lot is now forever lost and to a development—one house for two people—when this small gem, an iconic example of the natural habitat of Southern Vancouver Island, could have been preserved for the pleasure of generations to come.

Scott Chapman, Philippe Doré, Janya Freer, Danny Meyer, Sheila Protti, Helen Rodney

Amalgamation: the other side of "amalgacide"

My favorite columnist, Gene Miller, was quite precocious with his assertion that he's read the literature and that amalgamation "…generally doesn't save taxpayers a dime" (*Focus*, July/August 2018).

There is a vast and complex literature concerning amalgamation. To illustrate, Drew Dilkens' excellent 2014 international PhD dissertation examining costs in the amalgamations of Toronto, Ottawa and Windsor-Essex, had a bibliography of 437 studies. This literature includes financial and political perspectives, and common among the political are voices for "public choice," advocating local control by taxpayers and many small governments. These advocates usually study brief time periods immediately following amalgamations, and find no cost savings (because they are examining a transition period!).

Financially-oriented studies tend to be longer-term, with more exacting methodologies, and often find that amalgamation produces increased levels of service with commensurately increased cost. Efficiencies are found in eliminating duplication in municipal administration, obtaining scale economies in purchasing, having in-house specialized skills rather than having to contract them, and not operating lots of little municipal governments. Some examples of financial studies are: Dilkens' dissertation; Stantec Consulting's 2011 "St John's Amalgamation Review"; City of Toronto's final report "Building the New City of Toronto, January 1998-December 2002"; and the international OECD study "What Makes Cities More Productive." Timothy Cobban's article in *Urban Affairs Review* last July reviewed Ontario's program of compulsory amalgamations during the 1990s-2000s and concluded "…The main empirical finding in this article is that increasing local jurisdiction size reduces the cost of local administration."

Once you know about these two literatures, if you want, you can pick the one that suits your biases. One literature guides you to make informed decisions that will improve your city, and one is just a collection of short-sighted analysis. Don't you wonder why anybody would pick the second one?

Peter Spurr

In the past several issues of *Focus*, I read with shock and awe the series of convoluted "Amalgacide" columns by Gene Miller.

He reminded us "that communities aren't communities merely because they have place names or share postal code or some accidental adjacency, but because they actively practice a range of community functions and maintain commonwealth—that is do things together."

If that is true, every week we experience more examples of how and where that doesn't happen in our city.

Amalgamation Yes has never taken the position that the only path to improved accountability was one large city. The current campaign is focused just on the two largest agglomerations of urban residents. Concurrently we have suggested that the Peninsula 3 could also examine opportunities to build from their common interest and similarly for the Westshore.

The question before the voters of Victoria and Saanich is *not* "do you support amalgamation," but rather to confirm public support for a serious review of that topic by an independent body of citizens.

We suffer from fierce defense of 13 municipal entities, each which resist possible mergers and yet whose councils refuse to agree to consider new inter-municipal agreements. Thus the impasse over regional land use planning, housing supply, transportation, arts funding, and emergency services common to all residents.

UVic Professor Emeritus Robert Bish, one of the frequently cited researchers opposed to amalgamation, simply repeats a dogma from advocates of the "public choice" model, introduced by Charles Tiebout back in the 1950s, who argue that administrative fragmentation—a larger number of local governments—is associated with a greater set of choices over public service provision and their costs. They suggest "increased choice and competitive pressure among local government improves quality of local public services."

There are major flaws in this framework. First it limits itself to micro economic consideration of "efficiency." Conveniently Bish and others offer stories of Toronto or Montreal and never study Kelowna, Kamloops, Abbotsford or Chilliwack. They ignore macro economic measure as to whether mergers can have a positive impact on economic growth and GNP via increased investment, employment and tax base (more on this below).

It also ignores the fact that the majority of residents travel through two to four adjacent municipalities on their way to work, play, shop or learn. A singular focus on cost savings to one particular municipality has no reality in terms of "externalities"—who actually uses and who pays for those public works and services? Daily there are over 100,000 vehicle trips by non-residents enroute to ferries, airport, UVic, Camosun, RGH, Uptown, Mayfair, Hartland, Inner Harbour, or their place of employment, on roads and bridges paid for only by residents of Victoria and Saanich. Similarly, non-residents access arts, cultural, sports facilities and festivals, or use community/health/ charity/church services which exist only because of millions in dollars of community grants and property tax exemptions supported by city residents.

As for evidence of cost savings, see the 2017 report of Canadian scholar Timothy Cobban: "Bigger is Better: Reducing cost of local administration by Increasing Jurisdictional size in Ontario 1995-2010." Cobban was able to observe, record and research the *significance of scale* for local government. Instead of focusing on Toronto, he compared the results in administrative costs over 15 years for 587 municipalities which were amalgamated (to form 146 new municipalities) against another 297 municipalities that were not merged. He found that over time *the larger the merger, the larger the savings*. Research in Denmark and Israel confirm the same results.

International studies provide a picture of development in over 430 urban areas. If their conclusions that "administrative fragmentation is associated with lower productivity" are valid, they provide an answer to Miller's question, "does everywhere include little old here?" And unfortunately it does. There is a clear body of scholarly research that indicates that amalgamation can absolutely provide savings in three respects: municipal administration, capital financing, and by providing cohesive leadership.

That perspective is reinforced by an oft-ignored 2013 paper "A Prosperous Region Needs a Vibrant Core" by our own UVic professors Elizabeth Gugl and David Scoones. They conclude, "Many potentially beneficial agreements are not undertaken [in the CRD], and some of the region's most pressing problems remain unaddressed."

In a recent column, Miller states: "it takes both a geographic and social border to sustain a sense of community identity and sense of shared purpose reinforced by familiar community structure and protocols." I suggest that in their daily lives, urban residents within the bounds of Mount Douglas to the Inner Harbour and Dallas Road do in fact recognize "the us" that forms a combined Victoria and Saanich (and likely shared with Oak Bay and Esquimalt). But we need to address the need for changes to outdated municipal regimes if we are to defend and build from that sense of community.

Vote *yes* for an independent Citizens Assembly to identify how we go about that.

James D Anderson, Board member, Amalgamation Yes

Election campaigning by stealth in Oak Bay

I opened my 2018 Oak Bay property tax notice and, in the information insert, I noticed a blatant misrepresentation of a presentation given to Oak Bay Council by the Municipal Finance Authority (MFA). The offending statement reads: "A recent presentation from the Municipal Finance Authority confirmed the District's strong financial position and low debt..." I attended this particular Committee of the Whole meeting and have reviewed the archived webcast. At no time did the representative from the MFA confirm "the District's strong financial position." During the follow-up question and answer, the MFA representative seemed to be going out of her way to stick to the facts and stay apolitical.

So, the author of this statement is making an inferential leap. I was curious; who writes and/or guides these district-wide communications? As people are not allowed to ask Oak Bay mayor and council questions and get answers in any public forum, I was able to deduce that the statement was in fact written by our current mayor, Nils Jensen. How do I know? This exact statement appears in the "Message from the Mayor" in the Oak Bay 2017 Annual Report.

Yes, Oak Bay has low debt, but massive infrastructure bills are looming ($283 Million). Can Mayor Jensen honestly say that we are in a "strong financial position" when we owe little money now, but are ill-prepared for future costs? I have not contacted the MFA but think they may be interested to know that their apolitical information presentations are being spun into political propaganda. With a municipal election coming up, I find this type of misrepresentation galling and, to top it off, this campaigning by stealth was paid for with my and my fellow citizen's municipal tax dollars.

Curtis Hobson

Public lands being sold to Northern Junk developer

The City of Victoria is celebrating the new Johnson Street Bridge. On the west side, the City will be creating a new park, which they are currently calling "Festival Park." On the east side, the City 's plans are somewhat vague; planning documents indicate the possible development of City-owned property to the north and east of the Northern Junk buildings.

If you look north of the Northern Junk buildings, you will see a small parking lot. For many years this lot has been private, used by CRD or City workers. Its civic address is 1324 Wharf Street. It is currently zoned "Inner Harbour-Park." Just north of this lot, closer to the bridge, is another small City-owned lot; it doesn't have an address (it shows as "0" Wharf Street) but it is tucked along the roadside of the old bridge site.

In the early 1970s, architect Arthur Erickson prepared an Inner Harbour Plan for the City of Victoria suggesting that each end of the Inner Harbour, from Ship Point to the Johnson Street Bridge, would

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A myth that distilled water leaches the good minerals out of your body persists in spite of scientific evidence that states otherwise. Dr. Brian Clement, co-director of the Hippocrates Health Institute of West Palm Beach, Florida, says, (from the video "Why Choose Distilled Water?") "Distilled water is pure water. A lot of people have been misled into believing that it robs minerals out of the body. Well, in my life, I've been drinking distilled water for 35 years. University of California, Los Angeles, several years ago, told me I had the bone density of a 22-year-old athlete. So, if in fact distilled water robbed the body of minerals, I would probably be crippled by now."

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be anchored by a public park. As a result, for many years, the properties at 1324 and 0 Wharf Street were zoned for park space.

Yet right now, there's a development proposal from Reliance Properties working its way through the City planning department, which necessitates that the City of Victoria sell this land to Reliance to facilitate the construction of a seven-storey building between the Northern Junk buildings and the new Johnson Street Bridge. (At an *in camera* meeting back in January 2010, the City agreed to sell the land in question to the developer at "fair market value" once the development was approved.)

The proposed "Gateway" development will rise approximately 120 feet above the waterline, presenting a 90-foot-high wall along the connecting street between the new bridge and Wharf Street.

The City of Victoria certainly has the right to sell public lands for the benefit of the City. But selling public lands that would result in a building that has been deemed (unanimously) to be too large by the City 's own Heritage Advisory Panel, and that would obscure the historic views up and down Johnson Street when coming over the new bridge, is not in the best interests of the public.

There would be no real public plaza if this building was placed on these lands. There would be a private plaza that the developers would put in, but this would not be public land. The City would end up with a sidewalk and possibly a set of stairs leading down to the future David Foster Walkway.

The BC Assessment Authority currently shows the property at 1324 Wharf Street as consisting of a 10,944-square-foot waterfront lot with an assessed value of $295,500; the property at 0 Wharf Street is listed at 5,407 square feet, a waterfront lot with an assessed value of $195,600.

Where in Victoria could you buy any lot for that value, much less one on the Inner Harbour? And how do you put a value on the property that is currently a City street and the large, City-owned, landscaped area in front of the Northern Junk buildings?

We assume that the City will engage a professional assessor to determine the "real" price for the property in question.

If council approves the development, would they not be in a conflict of interest when it came to selling the public lands? And would not the reverse hold true: if they sell the land first, would they not be in a position of conflict when it came to the question of approval for the proposed development?

Some time over the next year these questions are going to have to be asked and answered in public.

In the end, the southeast side of the Johnson Street Bridge, next to the Northern Junk buildings, is no place for a seven-storey development. This project must be radically redesigned or rejected, with the latter being the preferred option. The City is increasing in density and, to counterbalance this, we need more open public spaces. To sell these public lands off for the benefit of developers is a disgrace to the future of the Inner Harbour and the City of Victoria.

Drive down to the area and observe the current open spaces and imagine a seven-story building on the site.

Ken Johnson, President, Hallmark Heritage Society

The Malahat

I have lived in the area for a quarter century and had always enjoyed a drive over the Malahat. It was and still is a beautiful and safe drive except for the uncontrolled speeders. No matter how much money is spent on widening, abatement barriers and such, the road as we know it today will never change. If the amount of money being spent on these projects was put into proper policing it could be the Malahat of days gone by. Three police stations, one at each end and one in the middle, 8 police cruisers and a platoon of constables working 24/7 not being afraid of stopping errant drivers and speeders would have been far cheaper than what is being done. The wider the road, along with the false sense of security afforded by the barriers, will only encourage more traffic and more speeders. Dedicated police forces would change that. On my last dozen or so round trips over the mountain I never saw a police car. But I saw a lot of impatient fools.

William Jesse

Proportional representation

We have an historic opportunity this fall to take part in a referendum that could potentially change our archaic voting system so that every vote moving forward counts.

By doing so, we can actually move towards a more compassionate way of living vs corporate-led fossil fuel initiatives that are destroying this beautiful land, our water, air, democracy and trampling indigenous rights, and destroying cultures.

By having the ability to have every vote count, we can elect people who are invested in the greater good of all and show the rest of the country what's possible. In fact, only the US, Canada and the UK still use a first-past-the-post voting system that dates back centuries and was designed to ensure that wealth and power remained in the hands of those who already had it.

No wonder those with the most money and power are beginning campaigns of fear and confusion. I've already seen full-page ads and editorials in corporate-bought media…and using names very similar to FairVote Canada, like FairReferendum…ugh!

One compassionate initiative that could arise from having proportional representation is the creation of a basic income for all by simply raising the tax rate by a few percentage on those in the position to most afford it, namely multi-million/billion-dollar corporations and the super-wealthy.

Had we had proportional representation in place as Trudeau promised us, I can assure you that we taxpayers would not be having Site C and pipelines to pay for. Initiatives like a basic income for all would be possible if we weren't subsidizing rich oil companies. Real jobs could be created in giving real power to the people through solar installations on every building, with affordable carbon-free power.

If you want to regain control of our governments in favour of what's best for people and planet, tell your friends and neighbours to get involved with non profits like FairVote BC and be sure to vote *yes* for Proportional Representation. Anything is better than the current archaic system we have.

Frances Litman, founder, Creatively United for the Planet

Parties aren't dogs, and to be honest, we like our dogs a lot more. But we keep our dogs on a leash for good reason. The way I see it, proportional representation keeps all the parties on a leash and it puts the leash in our hands. Isn't that what democracy is all about? *Demo* means "the people." *Kratos* means "to rule." The people rule, or if you prefer, the people hold the leash.

Ann Remnant

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NAFTA ruling could cost Canadians $580 million

TAXPAYERS COULD BE ON THE HOOK for more than $580 million after a court rejected Canada's appeal of a North American Free Trade Agreement (NAFTA) tribunal ruling. In a written ruling released May 2, Federal Court of Canada Justice Anne Mactavish turned down Canada's appeal of a NAFTA tribunal's finding, in favour of Delaware company Bilcon.

The company was planning a quarry and marine terminal on the Bay of Fundy. As Judith Lavoie reported in the October, 2015 *Focus*, after a joint review panel recommended against allowing the project—a decision supported by the Nova Scotia and federal governments—Bilcon filed a claim under NAFTA's Chapter 11, which governs so-called investor-state dispute settlement issues. Victoria MP Murray Rankin testified for Bilcon as an administrative law expert.

Victoria MP Murray Rankin

On March 17, 2015, the tribunal decided in favour of Bilcon. Two years of appeals and legal wrangles later, Bilcon asked for reparations of US$443 million, or approximately C$580 million. In addition, the company asked that Canada pay all fees, costs and disbursements. Though the submission is marked "confidential," it is publicly available on the website of the Permanent Court of Arbitration. The NAFTA panel has yet to rule on the size of that claim.

In her recent ruling on Canada's appeal, Mactavish found that the court had no power to intervene in the tribunal's decision. Her ruling followed hearings on January 29 and 30, 2018 in Ottawa.

Though Canada could have appealed Mactavish's decision to the Federal Court of Appeal, it failed to do so within the 30-day time limit. Why would Ottawa let sit a ruling that paints such gloomy prospects for the value of environmental panels reviewing foreign-owned resource projects, not to mention hefty compensation bills?

One environmental expert believes the government was reticent for fear of upsetting its current negotiations with the US over the free trade agreement itself. Gretchen Fitzgerald is national program director of Sierra Club Canada Foundation. "It's touchy, obviously, with the US right now," said Fitzgerald, who attended the January court hearings. Sierra Club Canada Foundation was an intervener in the government's appeal, supporting Canada's position, along with East Coast Environmental Law.

Fitzgerald said that by failing to appeal to the higher court, the government is telling foreign investors that they need no longer fear Canadian environmental review boards and the like: "The corporations can have expectations of approval when they start investing."

Despite deciding against Canada, Mactavish noted that the tribunal's ruling raised significant policy concerns. These include "potential chill" in the environmental assessment process, Mactavish wrote.

Bilcon's March 10, 2017 submission can be viewed online at: https://pcacases.com/web/sendAttach/2123. Other Bilcon documents available here: https://www.italaw.com/cases/1588

—Russ Francis

Check *The Record* before you vote

How did City of Victoria councillors vote on development proposals? Now you can know: www.victoriarecord.com

JOURNALIST SID TAFLER, a former editor of *Monday Magazine*, has compiled the four-year voting record of current City of Victoria council members on major development issues for his new website called *The Record*—just in time for the October 20 civic elections.

"Some of the results may surprise you—and your readers," Tafler told us. "There is a theme throughout regarding which way council leans, and some consistent voting by some in the same direction, and what looks like block voting." Some councillors consistently vote for major development proposals, while others are more nuanced, he explained. Pressed for an example he mentions that Mayor Lisa Helps and Councillor Marianne Alto have voted "yes" on 95 percent of development projects. Others, like Geoff Young, had a 50-50 record of pro and con votes.

The Record will look at issues such as amalgamation and responsiveness to community concerns, but development is its main focus. "Development is key to just about anything in the City—transportation, affordability, parks, emergency services (e.g. firefighters will have to deal with more high rises)…and the kind of city we're going to live in," said Tafler. He pointed out that development is also an area where City Hall has a tremendous amount of control, so it's important to figure out whether they are using it wisely.

The collapse of professional journalism and general distraction and apathy means no one is really aware of the voting record of incumbents, noted Tafler, who spent many hours reading minutes and listening to videotaped council meetings to help correct that "democracy deficit." Voters need solid understanding of their representatives' actions to make an informed choice come voting day.

Besides looking at incumbents' voting patterns, *The Record* will also look at new candidates, offer analysis around the issues, and explain what happened once the election is over.

A Gofundme campaign seeking to raise $3,000 had been almost reached at presstime. Go to www.victoriarecord.com for more.

—Leslie Campbell

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Landslide Lisa's record as mayor of Victoria

DAVID BROADLAND

For this reporter, three key moments defined Mayor Lisa Helps' controversial first term.

PHOTO: TONY BOUNSALL

Mayoral candidate Lisa Helps in 2014, Macdonald ahead of her

Back in our January 2014 edition, in a story titled "Tough questions for Lisa Helps," freelance journalist Stephen Andrew played cat-and-mouse with then City of Victoria Councillor Lisa Helps over whether she was running for mayor. We had asked Andrew to interview Helps because we'd heard she was ready to declare. Andrew couldn't get Helps to admit the obvious—and he gave no hint whatsoever that he was considering running too.

Helps told Andrew that, as mayor, she would never go to China (on a trade mission). In the next four years she went twice. She told Andrew "things are very positive" that the new Johnson Street Bridge would "come in on time and on budget." The bridge, then scheduled to be open to traffic in the fall of 2015, is still unfinished, its final price still unknown but likely to be over $115 million (voters approved a $77-million project). Helps told Andrew that Victoria couldn't afford a new Crystal Pool; now she favours building a pool at a cost that's pushing $80 million. In the election later that year, Helps did run for mayor. So did Stephen Andrew. Helps defeated incumbent Mayor Dean Fortin by 89 votes, earning her the moniker "Landslide Lisa." Andrew came in fourth, trailing Ida Chong. (Andrew has announced he's seeking a seat on council in the upcoming election.)

Helps seems to have a clearer path to victory this time around. None of her announced competitors have the kind of name recognition she does, and that may be all it takes for her to hold on to her $104,000-per-year job for another four years.

Below, I will take you through three issues Mayor Helps faced in her first term. The mayor agreed to answer questions submitted to her by email.

LET'S START WITH THE HURRIED REMOVAL of the statue of Sir John A. Macdonald from the grounds of City Hall in August 2018.

Helps' public description of how this came about links the action back to the City's commitment in 2015 to undertake the Calls to Action identified by the Truth and Reconciliation Commission (TRC) that were within municipal government authority. Yet, following Victoria's removal of the statue, former Truth and Reconciliation Commissioner Murray Sinclair told *The Canadian Press*, "The problem I have with the overall approach to tearing down statues and buildings is that it is counterproductive to…reconciliation because it almost smacks of revenge or smacks of acts of anger, but in reality, what we are trying to do, is we are trying to create more balance in the relationship."

Revenge? Anger? How did Victoria suddenly become Canada's poster child for how not to conduct reconciliation with First Nations?

First, let's place the issue in its proper context. The stated goals of the TRC were to "raise awareness of the history and impacts of the residential school system," and to "enable a process of healing and reconciliation between those affected and non-Aboriginal governments, communities and individuals."

In 2012, as many as 3,000 people attended a TRC event in Victoria, many of them non-Aboriginal. The TRC set a high standard for openness and inclusion in order to create what Sinclair describes as "more balance in the relationship." Sadly, the process that led to the removal of the Macdonald statue appears to have involved just three members of the non-Aboriginal community and had zero transparency.

Mayor Helps played the lead role in the process that led to this "counterproductive" action. The extraordinary committee behind the removal of the statue was established at an *in camera* meeting of City council in June 2017. Creation of that committee was based on a seven-page recommendation authored by Helps and Councillor Marianne Alto. Part of their recommendation was that the activities of the committee, which they called "the City Family," would only be reported to the public "at the discretion" of Helps.

The document is striking for its lack of clearly defined objectives. None of the five recommendations of the TRC that were specific to governments were addressed. Instead, Helps and Alto requested a looser arrangement in which the Family would "take responsibility for doing that work with integrity, an open heart, and a willingness to work in diverse ways and take the time needed." They declared: "Reconciliation is the way forward; it is the process, not the outcome. Reconciliation is how, not what."

WHEN CONFRONTED BY A JOURNALIST about whether or not Elsner's conduct was the subject of an investigation, Helps chose to lie in order to protect Elsner, whom she clearly admired for his enlightened approach to community policing.

Indeed, the only concrete action Helps and Alto foresaw, aside from paying First Nations members of the City Family for their participation, was their idea to "document the program on film, as a record of the work and for observation and use by other municipalities and/or organizations interested in a Reconciliation program."

Notably absent from the document was the signature of City Manager Jason Johnson, who, along with Helps and Alto, had met with local First Nations leaders as the process was developed. (Johnson was fired by City council soon afterwards. No explanation for his termination has ever been provided.)

I asked Mayor Helps which of the five TRC "Calls to Action for Government" justified, in her view, removal of the Macdonald statue.

"Not every act of reconciliation is specifically dictated by a single TRC Action," Helps responded. "The entirety of the TRC Report suggests the complexities that will challenge government at every level as they strive to take actions that are meaningful and make a real difference in relationships between Indigenous and non-Indigenous communities."

Helps also quoted some of the opening lines of the TRC Report, which linked Macdonald to Canada's residential school system for Aboriginal children. She also listed three of the principles of reconciliation developed by the TRC, but made no attempt to show how those principles were interpreted by the City Family to support removal of the statue—a conclusion Sinclair does not support.

There is no record of the monthly City Family meetings, held in the mayor's office, that's available to the public, so we are unable to examine its decision-making process using the methods by which the actions of municipal governments are normally monitored. But one would think that if the City Family was intent on building on the foundation created by the TRC, there would be a record of the City moving to implement the specific recommendations of the TRC—the ones that don't need any interpretation. The most specific of these was this: "We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal-Crown relations."

I asked Helps if the City of Victoria had acted on that specific call to action. "Staff are considering how best to provide this education in a formal programmatic way," Helps said.

So, three years after the City committed to adopt the TRC recommendations, it has done little more than "consider" the most specific of the TRC's recommendations to government.

In the City's defence, Helps pointed to two events it held related to reconciliation: "Five employees from the Mayor/City Manager's office attended a seven-hour learning event 'Reconciliation—Journey of our Generation' in April 2018 presented by Dialogue and Resolution Services. Many staff also attended a City Hall Lunch Time Lecture Series on December 4, 2017: Speaking our Truth: A Journey of Reconciliation with Monique Gray Smith."

Helps also listed a number events involving local First Nations and the City of Victoria, but it's clear from what's missing in her response that the City has made little effort to create even the educational program for City employees called for by the TRC. Why, then, was a largely unaccountable committee that included three City councillors allowed to free-range around First Nations' issues?

As I mentioned above, Helps and Alto recommended to City council that any public reporting of the City Family process should be at Helps' discretion. Had the mayor ever released any information about what the Family was considering? The only evidence Helps offered was an op-ed penned by her in the *Times Colonist* in September 2017. While her op-ed mentioned a debate on social media about Macdonald, Helps implied there would be no removal of the statue without first engaging with the larger community. Her op-ed noted: "It's in this deeper context that we'll be able to have a conversation about Macdonald's future at the doors of city hall." That conversation, of course, never happened.

Helps' *Times Colonist* op-ed raises questions about her own understanding of the role municipal governments have in First Nations issues. In it she conflated "reconciliation" with non-Aboriginal support for First Nations' land claims. Helps wrote, "As part of the [reconciliation] process, we need to understand as a council and as a community what role city hall and local settlers played in removing the Songhees and Esquimalt Nations from their lands upon which the city was built… Once we understand the role of the city and local settlers in dispossession and decolonization [sic], we can acknowledge our wrongdoing, provide appropriate restitution and make an apology."

Helps no doubt meant "colonization," not "decolonization." But her stated intention of extending "reconciliation" to include consideration by Victoria City council of First Nations' traditional territories and "restitution" is striking.

Helps seems to be venturing well outside her area of responsibility as mayor of Victoria and intruding into the legal domain of the provincial and federal governments, which are responsible for making final treaties with First Nations.

Ironically, after committing to the TRC's principles of reconciliation in 2015, the first gesture the City made to the Esquimalt and Songhees people was the removal of the derelict Checkers Pavillion on top of Beacon Hill. That place has historic, cultural and sacred significance to First Nations. Chief Andy Thomas of Esquimalt Nation had openly requested that the City give back the small area occupied by the pavillion so the Songhees and Esquimalt Nations could build a longhouse on the site. The City agreed to the longhouse; however, it did not agree to transfer title of any land. The process of deciding to remove the pavillion was conducted in full public view as municipal governments are required to do. There was no uproar.

When Helps was running for mayor in 2014, she told *Focus* one of the three main planks in her platform was greater public engagement. "I think there's a real disconnection to City Hall right now because of the lack of meaningful public participation on a whole raft of issues, big and small," she said then.

The exclusion of the public from her consideration of the statue's fate—which turned out to be a really "big" issue—brings into question the sincerity of Helps' commitment to public engagement. What has the experience taught her?

"I understand that this process didn't feel good to the public and I wish we had known or thought to keep the public and council more in the loop about the work of the City Family, in a way that also feels true to the Family's process," she said. "That is the big lesson learned from this—the hunger the community has to participate in reconciliation and the feeling that this process somehow took that away from them."

But Helps' "I wish we had known..." is at odds with a statement made to local media by Janice Simcoe, one of the First Nations members of the City Family. Simcoe told the *Times Colonist*: "We expected there would be opposition, uproar…I think it was the only process that could have taken place without all this coming to a screeching halt… I don't have any regrets."

So Helps must have known, too, that she was short-circuiting public process. Yet that didn't keep her from acting.

The mayor's timing on the removal—a little more than two months before the October 20 civic election—and her inability to explain how the City Family was building on the TRC's recommendations warrant some skepticism about her leadership and motives. It's noteworthy that Helps' re-election campaign played up the predictable backlash on social media and sought donations for her campaign to fight against the "hatred" that was directed at her. According to an email circulated by Helps' campaign, that backlash helped raise "thousands of dollars."

Let's move on to another difficult moment in Helps' first term.

ON DECEMBER 4, 2015, MAYOR HELPS was asked by a Global TV journalist whether Victoria Police Chief Frank Elsner was being investigated. Helps responded: "No. The [Police] Board has full confidence in our chief. He's the best thing that's happened to this town and Esquimalt in a long time."

But news reports over the following days quickly proved Helps (and Esquimalt Mayor Barb Desjardins) had misled journalists. An investigation of Elsner *had* been conducted under their disciplinary authority as co-chairs of the Victoria Police Board.

Then, on December 18, 2015, Police Complaint Commissioner Stan Lowe released

Former Victoria Police Chief Frank Elsner

a report on the mayors' investigation of Elsner's conduct. Lowe's report confirmed that Elsner had been accused of exchanging "inappropriate" tweets with the wife of another member of the Victoria Police Department (that person is referred to below as "the Member"). But the real substance of his report was its examination of the conduct of Helps and Desjardins.

Lowe's report provided a step-by-step account of how an internal investigation into Elsner's conduct was initiated, the ways in which the investigation was flawed, his rationale for stripping Helps and Desjardins of their authority to discipline Elsner, and an order for an external, public-trust investigation of Elsner's conduct.

Below, I'm going to focus on just one aspect of Lowe's report, which was Helps' and Desjardins' failure to abide by two important preconditions that Lowe had stipulated before allowing them to do an internal investigation. An internal investigation meant Helps and Desjardins would make the determination as to whether or not Elsner would be disciplined. In order not to completely overtax the reader's patience, I'll consider the mayors' failure to abide by just one of Lowe's preconditions. Lowe had stipulated: "There had to be disclosure of the allegations to the Member serving under the command of Chief Constable Elsner, and the Co-Chairs should obtain the Member's informed views as to whether he wished to initiate a complaint or request a public-trust investigation under the *Police Act*."

By that Lowe meant that the mayors had to accurately explain to the Member exactly what Elsner had done. Once they were sure he understood what had transpired, he was to be asked whether he wanted the mayors to proceed with an internal process or if he wanted the process turned over to Lowe's office as a public-trust investigation.

Lowe's report states that Helps and Desjardins agreed to his preconditions in late August 2015.

Lowe's report picked up the story a few weeks later: "…our office was advised by counsel for the Co-Chairs… that the affected Member did not wish an investigation. On the understanding that my two conditions had been satisfied, I supported the decision to proceed with this matter as an internal discipline matter. It was my expectation that if the investigation revealed evidence of conduct that could constitute a disciplinary breach of public trust, the Co-Chairs would raise the matter with our office."

Lowe's oversight of the Elsner investigation might have ended at that point had it not been for the aforementioned media reporting in early December 2015 in which Desjardins and Helps claimed there had been no investigation of Elsner.

Prompted by Helps' and Desjardins' false claims, Lowe requested the records of the mayors' investigation. In his report, Lowe made many highly critical observations. Here we will consider just one.

About the mayors' report, Lowe stated: "[T]he Member is described as advising the Co-Chairs of his meeting with Chief Constable Elsner and the information the Chief provided to the Member. It appears that the Co-Chairs did nothing to correct the Member's misguided appreciation of the circumstances, despite the Co-Chairs knowing the information provided to the Member was false and misleading. In advising our office that the informational pre-condition had been met, no mention had been made that the Member had received false and misleading information from Chief Constable Elsner. Given the circumstances as contained in the report, it is clear that the Member's decision was influenced by misleading information; therefore, the pre-condition had not been fulfilled."

Note in particular Lowe's statement "… *despite the Co-Chairs knowing the information provided to the Member was false and misleading…*" Lowe is saying, in effect, Helps and Desjardins consciously omitted telling the Member the truth. That is, they lied.

I asked Helps for her version of what took place. "We were instructed by our lawyer

that the Office of the Police Complaint Commissioner [OPCC] required us to do four things: meet with the Member whose wife was involved in the matter and advise him generally of the investigation, meet with the Chief and advise him that there was going to be an investigation, advise the Board of the matter and hire an independent investigator. Although we were most uncomfortable meeting with the Member who was impacted, we reluctantly agreed to meet with him after the OPCC insisted that we do so. After we had done each of the four things we were directed to do, the investigation proceeded without our interference."

Helps agreed that Elsner had added to his problems by not being forthright with the Member: "It has now been determined by another discipline authority in an external discipline process that former Chief Elsner provided false information to the Member whose wife was involved in the matter. That is very serious misconduct and worthy of significant discipline. The apparent providing of false information to the Member by former Chief Elsner was something completely beyond our control," Helps asserted. "Further, it was not part of what the OPCC had authorized Mayor Desjardins and I to pursue through the internal discipline process. Our mandate, as authorized by the OPCC, was very limited. We were authorized to deal only with the issues of whether Elsner had engaged in an inappropriate relationship with the wife of a VicPD member and whether Elsner had improperly used police social media accounts."

Helps' version of events differs with Lowe's in one significant way. Lowe concluded that Helps and Desjardins knew Elsner had provided the Member with false and misleading information and they did nothing about it.

Who is a voter to believe?

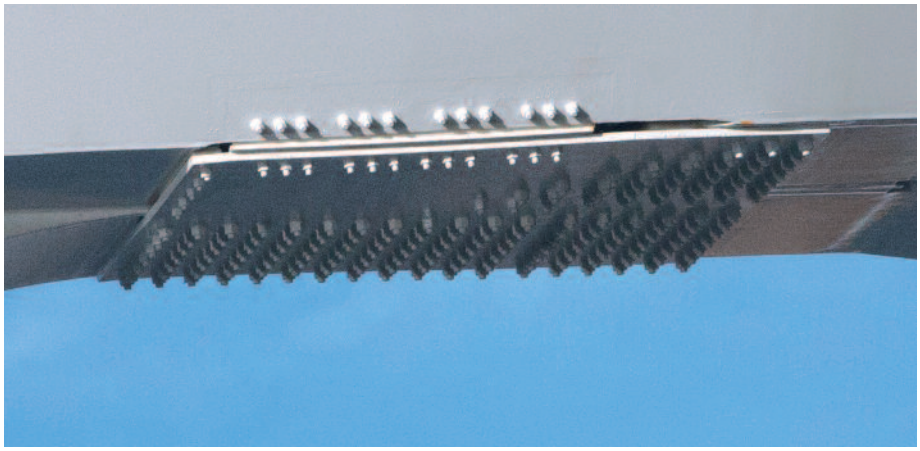
Let me return to where we started, on December 4, 2015, when Helps was asked by a journalist whether an investigation had taken place. Even though one had, Helps said: "No. The [Police] Board has full confidence in our chief. He's the best thing that's happened to this town and Esquimalt in a long time."

In trying to decide whether to believe Lowe or to believe Helps, it's hard to get past the fact that the mayor lied in public to a journalist about the Elsner situation.

It's evident that Helps' and Desjardins' intention was to protect Elsner. If we believe Lowe, then they protected Elsner even though they knew he had provided false and misleading information to the Member. Helps now describes that as "very serious misconduct

and worthy of significant discipline." She was in a position to make that judgment back in 2015. Yet she participated in a cover-up of Elsner's misconduct anyway (other allegations about Elsner surfaced latter). Helps allowed her enthusiasm for Elsner's fresh approach to community policing to overwhelm her responsibility as an elected official to side with the truth.

The OPCC's public-trust investigation was completed in 2017. Legal maneuvers by Elsner (at City taxpayers' expense) have prevented release of the report, but in April 2018 the BC Court of Appeal ruled that Lowe's action to remove the mayors as the disciplinary authority and conduct a public-trust investigation had been a reasonable interpretation of the *Police Act*. Now it's time for voters to make their ruling on the mayors' conduct.



The undeniable six-foot by six-foot repair on the south ring. Helps blamed the reporter.

LASTLY, LETS REVISIT HELPS' RECORD on what the City has called "the largest infrastructure project in Victoria's history." You knew I would get there, didn't you?

In January I wrote about the surprising appearance of two six-foot by six-foot steel plates that had appeared on the steel work of the new bridge. There was one plate bolted onto the underside of each of the bridge's signature rings, and they amounted to a physical defacement of what had been promised to be an architecturally significant structure. They seemed to me—and many others—to be an obvious insult to the design integrity of the bridge that the City promised would be "world class" and "iconic."

Naturally, I had questions that only the City could answer. The City's official spokesperson, on everything, is the mayor. That policy is contained in the City's written guidelines on how employees, including the mayor, should respond to media.

So I emailed Mayor Helps a few questions—the first questions I had posed to her in the first three years of her term. Was she aware of the plates? When did she find out? Was the City given any options to consider?

These were not difficult questions to answer, but the mayor didn't respond to five emails.

After my story was published, Helps issued a statement through her Facebook page. In that statement she claimed the article contained "a number of serious factual errors and inaccuracies," but didn't specify what those were.

I sent the mayor more questions, including a request to make public what those "serious factual errors and inaccuracies were." Normally, a public official that makes such a claim would have proactively provided that information without being asked. That's the process: If we make a mistake, the subject tells us about the mistake we made, and if they are correct, we acknowledge our error and publish the correct information. So I requested that the mayor make those mistakes clear.

Then something peculiar happened. Mayor Helps' inadvertently copied me on a "proposed response" to my questions that she had meant to send only to acting City Manager Jocelyn Jenkins and private engineering consultant Jonathan Huggett. "Do you see any downfalls in this approach?" the mayor asked Huggett and Jenkins. Later, realizing what she had done, Helps emailed me: "David there you have my response. Sent before my morning meditation and copied to you inadvertently. But truth may walk through the world unarmed. So please feel free to use what I have said."

She had written: "I trust all of the reporters at the *Times Colonist*. I trust all of the reporters at *Vic News*. I trust all of the reporters at CBC and CFAX. I trust all of the reporters at CTV, CHEK, and GLOBAL. This trust has come through hard conversations, good reporting and relationship building. I do not trust you. As such I feel that however I answer your questions you will use the answers to suit your own needs, not to serve the public good." Mayor Helps made no attempt to identify any errors or inaccuracies in my story.

In almost 30 years of community reporting, I had never experienced such an evasive response from an elected official. It was very Trumpian: First, accuse the messenger of spreading fake news. Then lock him up in solitary confinement.

Mayor Helps has still not provided those alleged "factual errors and inaccuracies." And no wonder. Six months after I wrote about the plates, the City, in response to an FOI, handed over to *Focus* the communications between the various engineers involved in adding those steel slabs to the new bridge. The communications showed they had been judged necessary to beef up a structural weakness that had been built into the bridge. The engineers had decided the juxtaposition of four "weld-access holes" in each of the rings could lead to fatigue cracks forming in the fracture-critical steel of the rings. The shape and nature of the holes should have been controlled during fabrication by properly executed fabrication drawings, but detailing in the drawings was inadequate. Ensuring that those details were adequate was ultimately the responsibility of the Engineer of Record on the project.

The problematic holes had been created over a year before any effort was made by the project engineers to find a solution to the potential fatigue problem. The records obtained by *Focus* showed engineers had misled the City about when the problem was discovered, who was involved in considering options, and who was ultimately responsible for creating the problem in the first place. The engineers' explanation that "schedule" had figured into their decision to add the plates neglected to include the fact that they had done nothing about the problem for over a year, and during that year, additional work on the rings had made it more difficult and costly to properly address the problem.

Those communications also answered all the questions I posed to Helps. Nobody at City Hall had been informed. Helps first learned about the plates when I sent her my first set of questions. Moreover, the records obtained from the City showed Helps had been misled by the very engineers who had told her our story was inaccurate.

For this article, the one you are reading now, I pointed out to Helps that the engineers she

had trusted had actually misled her on important facts about the story. Would the City lodge a complaint with the engineers' professional association? Her response was confusing. She misremembered how one of the engineers had come to be employed by the City and concluded that the only thing that mattered was that the Engineer of Record had signed off on the project. The Engineer of Record was one of the engineers that had misled the City.

What does this story say about Mayor Helps' record? It shows that she learns from experience. When confronted by a journalist about whether or not Elsner's conduct was the subject of an investigation, Helps chose to lie in order to protect Elsner, whom she clearly admired for his enlightened approach to community policing.

But when Helps was presented with my questions about the bridge, there was no denying the existence of those six-foot by six-foot, 1500-pound plates. She wisely clammed up and let someone else do the lying for her. And her trusted engineers—whom she no doubt admired for their project management expertise and powers of persuasion—obliged. By publicly accepting their misrepresentations, she protected them, too.

We might also conclude from her record on the bridge, on Elsner, and on the Macdonald statue that Mayor Helps doesn't trust ordinary people in the community, and what they have to say about these issues, unless they share her own point of view or those of her advisers. Genuine dialogue might have brought movement in the direction she wanted to go—in each case—to a screeching halt.

THIS IS FAR FROM A COMPREHENSIVE examination of Mayor Helps' first-term record. She played a prominent role in many other issues for both the City of Victoria and the CRD. But as thin a slice as this is, what should be evident to readers is the immense complexity and pressures facing any would-be mayor of Victoria these days.

Helps has taken on that complexity with enthusiasm and energy, and the three examples above barely capture the extent to which she has had to spread her efforts. Had she tried to do less, it's possible she wouldn't have made the misjudgements I've outlined here. But her enthusiasm for participating in government, and her definite position on contentious issues, has driven her to be fully engaged. That has had both costs and benefits for the City.

David Broadland is the publisher of *Focus Magazine*.

What you should know about Meningococcus:

- Meningococcus is a family of germs (bacteria) that can cause meningitis, which is an infection of the surface of the brain.
- Meningitis is rare, but it can be life-threatening or lead to permanent disability.
- Common groups of meningococcus that can cause disease are A, B, C, W and Y.

We are looking for:

Healthy adults up to 40 years of age, who have not previously received any meningococcal vaccine, to participate in a research study.

The study involves:

- 2 visits and 3 follow-up phone calls
- 2 blood draws
- 1 vaccination
- participants will receive either a licensed or investigational Men ACWY vaccine

You will receive:

Reimbursement for your out-of-pocket expenses related to the study, such as travel and parking.

For more details, contact:

Amy, RN, BScN

PerCuro Clinical Research

250-382-6270 ext 2484 info@percuro.ca

Just below the surface

ROSS CROCKFORD

Will Crystal Pool become an election issue? Candidates say "Yes."

Like the rest of us, Jeremy Loveday seemed confused. "Has council—did we decide to—not?" asked the City of Victoria councillor, at a July 19 update on the Crystal Pool replacement project. "I know we were going to do a referendum, and then we didn't need a referendum. Did we make a council motion not to do a referendum?"

The confusion was understandable. In June a letter had surfaced, from provincial Minister of Municipal Affairs Selina Robinson to Mayor Lisa Helps, suggesting the City hold a referendum if it wanted the best chance at securing federal-provincial infrastructure money for a new pool. "[L]arge-scale projects that demonstrate both public and financial support through a referendum (or some sort of public approval process) are identified as lower risk under the program assessment," wrote Robinson. Then on June 20 the *Times Colonist* editorialized that the City should put the pool project to a vote. "Even if a referendum has no effect on government contributions, City officials would know whether they really do have backing from taxpayers," the *TC* concluded.

That led some to think the City might add another question to the October 20 civic election. (There's already one seeking approval for a citizens' assembly to discuss amalgamation with Saanich). But when councillors met on July 19, they seemed determined to keep the pool off the ballot.

Lawyers said the City would have to hold a referendum to build affordable housing atop the new pool's parking lot, because housing would be an unusual use for a dedicated park. Councillors quickly abandoned the housing idea, and asked staff to design a smaller lot with "no net loss" of green space. As for getting actual voter approval for the new pool—to borrow money, for example, as required under provincial law—there was no talk of that at all, until Loveday asked about a referendum.

"Council's direction was to explore the grant opportunities first, and then report back on options for how any remaining funding gap could be filled," replied Tom Soulliere, the City's parks director. The funding strategy would be discussed at the next update—in November, after the election.

The new, larger design is already $8.8M more expensive than originally calculated

And with that, the councillors moved on to other worries, like bicycle parking at the new pool, and whether it would have a coffee shop.

Nobody mentioned Minister Robinson's letter. Wouldn't failing to hold a referendum jeopardize the grants needed to build the pool in the first place?

That was a "misunderstanding," Soulliere told me later. The Province was only concerned that the City had enough money to cover any gap between a grant and the final project cost. He was right: even though Robinson's letter recommended showing both public and financial support, her office told me that "if an applicant does not need to borrow externally to cover their share of costs, then elector approval is not required."

The City is hoping to get money from the next phase of the federal government's 12-year, $180-billion Investing In Canada Plan. Under the plan, the feds will pay 40 percent of approved projects, and the provinces at least 33 percent. The pool is currently budgeted at $69.4M —although that's sure to increase, as you'll see below—so the City would have to come up with $18.7M, or 27 percent. Since the City has already allocated $10M from its financial reserves for the project, it would only need another $9M, which it can easily find in reserves. No borrowing, no referendum.

But what if the City doesn't get that grant?

THE CITY NEEDS AT LEAST $45M from the federal-provincial plan. Getting all that might be a long shot, however. Such a grant would be the largest in the City's history, bigger than the $37.5M the feds allocated, from two separate funds, to the Johnson Street Bridge. To date, the largest federal grant ever given for a rec centre is $18.8M, for Ryerson University's facility in the former Maple Leaf Gardens in downtown Toronto. The City will be asking for 16 percent of the approximately $276M the feds and Province are jointly allocating for community and recreation projects, even though it has 1.8 percent of BC's population.

If the City doesn't get all that money, the next council may face some hard choices. So I asked the incumbents and declared candidates three questions:

1) If the City does not get ANY of the $45M it needs to build a new pool, what should it do?

2) If the City only gets a FRACTION of the $45M, what should it do?

"WE CANNOT IN GOOD CONSCIENCE allow [the pool] to proceed until a comprehensive review has brought to light all the facts that would inform all future decisions with regard to project management, procurement, organization, and all aspects of undertaking large-scale infrastructure projects in the City of Victoria."—*Stephen Hammond, candidate for mayor*

3) If the City has to borrow money, how should it get voter approval—by referendum, or the Alternative Approval Process (AAP), whereby the borrowing is deemed "approved" unless 10 percent of voters sign petitions against it?

Mayor Lisa Helps admitted that if the City doesn't get any of the money, it can't simply drain its financial reserves to build the pool. "If we get no money we would need to go to referendum or AAP," she wrote. But she's confident the City will get a substantial grant. "There is more infrastructure money than has been historically available for some time," she noted, and said the City can make up any balance from reserves or "internal borrowing" against them. If the City had to borrow externally, she'd prefer to get voter approval via AAP, although she's "open to hearing other opinions." (The respondents' complete answers are attached to the online version of this story, at www.focusonvictoria.ca)

Challengers for the mayoralty hold different views. Gary Beyer said that if the City doesn't get any money or only a portion, it should repair the existing pool: "The project should never have gone as far as it has. Refurbishing is less expensive, and fits with core values of Reduce, Reuse and Recycle." Sean Leitenberg also said the City should repair the pool if the shortfall is too great: "Let's take care of our facility and see what the Y comes up with in the next few years." And Stephen Hammond, speaking for the newcouncil.ca slate, called for a halt to the project until a third-party audit is conducted on the Johnson Street Bridge: "We cannot in good conscience allow [the pool] to proceed until a comprehensive review has brought to light all the facts that would inform all future decisions with regard to project management, procurement, organization, and all aspects of undertaking large-scale infrastructure projects in the City of Victoria."

The three incumbent councillors who responded also believe the City should take a different course if it doesn't get a substantial grant. Ben Isitt said the City should repair the existing pool. Chris Coleman and Geoff Young favoured pursuing a partnership with the YMCA-YWCA, which hopes to build a new facility downtown with a smaller, 25-metre pool, although that could risk the union jobs of current Crystal employees. All three favoured using a referendum if the City had to borrow externally.

Among the contenders for council seats, Darlene Archibald said that if the City gets only a fraction of the grant it needs, it should reduce the scope of the project but continue pursuing a new facility, to provide greater accessibility for all users: "I don't think it is a good idea to wait any longer to replace the pool." Laurel Collins, Sharmarke Dubow and Sarah Potts, running together under the banner of Together Victoria, said they want a new pool, too; if the City doesn't get a full grant, they would "proceed with the project as designed only once there is a solid plan to fill the funding shortfall." Marg Gardiner said the public has lost confidence in the City because of the bridge project, its "almost casual" discussion of putting housing in a park, and its failure to survey taxpayers about how much they're willing to pay for the pool. She said she'd need assurances of funding before continuing the project as is; otherwise, she'd reduce the scope of the project, or partner with the Y if there was no loss of City jobs. Grace Lore favoured collaborating with the Y, to build a flexible facility with space for needed services like childcare. Jordan Reichert favoured reducing the scope and cost of the project if the City doesn't receive a grant. If it only receives a partial grant, his decisions would depend—as many respondents said—on how big a funding gap the City has to fill.

IN SHORT, THE FATE OF CRYSTAL POOL hangs not just on a federal-provincial decision, but also on who sits on the next council.

And candidates aren't the only ones questioning the project. The Victoria Friends of Central Park have posted signs around the neighbourhood, calling for a complete plan for the park, and preservation of all its existing amenities, before pushing ahead with a new pool. Crystal Pool For All, the group that introduced the idea of housing atop the pool's parking lot, has argued on Lisa Helps' campaign website that the new pool suffers from "significant omissions and missed opportunities" by failing to include other amenities needed in the area, such as child-care facilities and a gymnasium.

Budget watchdogs also fear that the cost is bound to increase. On July 19, City staff warned that the $69.4M budget presumed that construction would start by next February—and the Province has said it won't make grant decisions until the spring of 2019 at the earliest. If construction doesn't start until next October, staff said, the "likely incremental cost" of the project will be $3M higher.

The budget is also based on a 2016 estimate that a new 50-metre pool's construction cost would be $35.1M of the overall project cost. In June, however, the City unveiled a more detailed design, larger by 500 square metres, with a new leisure pool, a second hot pool, and a "lazy river," all inside a curved, glass-walled "natatorium" bulging into the park. The City hired two firms, Advicas and Ross Templeton, to estimate the cost of this new design, but didn't present their reports to councillors. Grumpy Taxpayer$ of Greater Victoria obtained the reports (posted online with this story), and it turns out Advicas said the new design would cost $43.9M to build, and Ross Templeton said it would cost $46.2M—$8.8M to $11.1M more than the $35.1M used in the current budget.

"There is no change to budget, and we're working with all the consultants to ensure the detailed features and systems fit within the approved construction allowance," Soulliere wrote to the Grumpy$. "At this stage we can't confirm whether there will be a change to the shape of the building as this is just one of the components being analyzed from a cost perspective."

Such shifting costs are bound to raise arguments on the campaign trail. The City won't be holding a referendum on its next megaproject this October, but in choosing our next council, we will be voting on it anyway.

(Just before we went to press, Coleman announced that he is not running for re-election.)

Writer Ross Crockford loves swimming, but not at any cost.

Fish farm activists complain of intimidation

JUDITH LAVOIE

The battle of the Broughton continues with surveillance on the seas.

Biologist Alex Morton (centre) is getting plenty of attention these days from cameramen in boats with blacked-out windows

After more than three decades of running a whale-watching business out of Port McNeill, Bill Mackay knows the importance of understanding what is happening in the water off northern Vancouver Island and he does not take kindly to boats with blacked-out windows or people telling him he's not allowed to ask about it.

"On the ocean, with limited visibility and a high-speed vessel I want to know who the hell is coming at me. I don't want to be looking at blacked-out windows," said Mackay after a group of men on a dock in Port McNeill refused to tell him what they were doing. "One guy stood in my face and puffed his chest right out and hollered at the other fellow that he was not allowed to talk to me," Mackay said.

"That got me wondering what the heck is going on. There are at least three of these vessels with blacked-out windows. I asked if they were running drugs or doing illegal things, but they wouldn't answer," he said.

Part of the answer was revealed when one man opened his jacket, showing a Marine Harvest tee-shirt, but Mackay felt the incident was sufficiently strange that he wrote out a full report for Port McNeill RCMP.

"I know a thug when I see one," he said. "I know Marine Harvest is paying the bills, but who are these guys on board?" he asked.

The ongoing battle over 20 salmon farms in the Broughton Archipelago has taken on a new twist with Marine Harvest Canada leasing vessels and hiring crews to follow independent biologist and wild salmon advocate Alexandra Morton.

First Nations and activists such as Morton are strenuously opposed to salmon farms in the Broughton, claiming the farms are responsible for killing wild salmon runs. Over the last year, Indigenous protesters occupied two farms in the area for 290 days.

Amid growing tensions, BC Supreme Court last month granted Marine Harvest an interim injunction to block activists from boarding its farms or docks and established a buffer zone around the farms. However, an exception was made for Morton, who is allowed to enter the buffer zone to collect samples, provided she is in a boat of no more than 2.6 metres.

Morton, who is currently travelling on the Sea Shepherd Conservation Society's research vessel *Martin Sheen*, is collecting samples of feces and fish tissue close to the fish farms. The samples will later be tested for piscine reovirus (PRV), a pathogen that is central to two lawsuits against Marine Harvest.

The Namgis First Nation is suing Fisheries and Oceans Canada (DFO) and Marine Harvest to stop the transfer of PRV-infected farm fish into their territory. Morton is suing DFO and Marine Harvest for failing to screen farm salmon for PRV before they are transferred into ocean pens. Both cases will be heard together in a case starting September 10.

Morton has studied transfer of PRV to wild fish and links to heart and skeletal muscle inflammation, which can be fatal in wild salmon populations. This spring, Strategic Salmon Health Initiative, in research led by DFO scientist Kristi Miller-Saunders, found PRV causes red blood cells in chinook salmon to rupture. (The research is a joint effort between Fisheries and Oceans Canada, Genome BC and the Pacific Salmon Foundation.)

However, nothing is simple when it comes to salmon farming disputes, and that research has been challenged by a BC Centre for Aquatic Health Sciences study which concluded the virus "acts in a benign fashion in BC."

Adding to the legal wrangles, the Dzawada'enuxw First Nation has filed a title case against DFO, Cermaq and Marine Harvest—the latter two being Canadian branches of Norwegian companies—for operating in their territory without permission.

Meanwhile, nation-to-nation talks between First Nations and the provincial government are continuing while the Broughton leases are being renewed on a month-to-month basis after expiring June 20.

In addition, throughout BC, new rules requiring all fish farms to have an agreement with First Nations in whose territory they operate, will click into place in four years.

Morton believes Marine Harvest is feeling threatened by the upcoming court cases, in addition to uncertainty about whether

> "THIS STALKING BEHAVIOUR in territories where First Nations are trying to evict them suggests that Marine Harvest is more aggressive than smart." —*Alex Morton*

licences in the Broughton will be renewed, and that is why she is being followed. The constant shadowing has provoked her to complain to the RCMP that she is being stalked.

"They follow us everywhere. They sat there when we were visiting people along the way, and one of the days I went out in my boat to do the sampling, and I tried to do a little fishing on the way home and they were following me there," she said. "I turned around and went right up to their boat and they closed all their windows and doors and they took off, so I followed them and I circled them a couple of times asking why they were following me," she said.

Morton, who has been told that the company has extensive equipment, is concerned that the surveillance will extend to her home and she fears recent computer problems were caused by cyber-hacking. It is difficult to know where the company will draw the line, Morton said. "In my opinion, this stalking behaviour in territories where First Nations are trying to evict them suggests that Marine Harvest is more aggressive than smart," she said.

"If this was happening on the road and you had a car with blacked-out windows following you, you would definitely call the police," said Morton, who added that the surveillance will not stop her taking samples.

Adding to the spy-thriller scenario, the company hired to do the surveillance is Safety Net Security, affiliated with Corrado Ventures Incorporated (CVI). Director Peter Corrado was given a Campbell River business licence in June for Black Cube Strategies and Consulting Ltd.

That put up alarm signals for Morton and others, as Black Cube is known internationally as a group of former Israeli intelligence specialists, with offices in Tel Aviv, Paris and London, who, according to their website, "specialise in tailored solutions to complex business and litigation challenges." (The firm was hired, for example, by Harvey Weinstein, to deter his accusers.)

Corrado, Black Cube and CVI spokesmen did not return calls, but Shawn Hall, spokesman for BC Salmon Farmers Association, said there is absolutely no relationship between the Israeli-based company and the Vancouver Island firm.

Member companies hired a local health and safety firm to ensure the safety of employees on the farms following the lengthy occupation of two Marine Harvest farms by First Nations protesters, he said.

"There were some boardings last year that created an unsafe work environment, and companies want to ensure the health and safety of employees in a peaceful and appropriate manner," Hall said. Employees felt threatened by the boardings, and companies are now ensuring that comprehensive services are available to support them, he said.

"We are Canadian, so we support the right to peaceful protest for anyone, but our members have a responsibility to protect employees," Hall said. It's unclear why Morton would be viewed as so physically threatening to employees of Marine Harvest that she is being surveilled. Hall dismissed claims that blacked-out windows, sunglasses, long camera lenses and men ducking into the cabin when challenged present an image of a covert operation.

Morton's lawyer Greg McDade said he finds the surveillance concerning, and it appears to show that Marine Harvest is getting desperate. "I think the fact that Marine Harvest is hiring this quite scary security firm is problematic in and of itself. This is a foreign company that wants to do business in BC waters, and then it goes and hires security people to try and deal with a respected biologist who has been doing research for 20 years in these waters," he said. It is troubling that the company would try and harass Morton, but it is uncertain whether it's illegal, as no one owns the ocean, and people have the right to go where they wish, McDade said.

"But, this is just not what we do in Canada. It seems completely out of proportion and out of whack to what they are trying to do, so you can only conclude they are trying to scare Alex off, and it won't happen," he said. "It just seems very nefarious and un-Canadian. It should be troubling to most Canadians."

Meanwhile, Bill Mackay has come up with his own way of showing displeasure at the blacked-out boats.

Recently, with a full load of whale watchers on board the *Naiad Explorer*, Mackay saw the long camera lenses pointing from behind the windows. "So I asked my passengers politely if they would please give them a round of applause, which they did, and then [the men in the boat] all went and hid behind their blacked-out windows," Mackay said.

"Now, when we encounter them, I ask all my passengers, who come from all over the globe, to get out even bigger lenses, and we point those at them as they go by and they all disappear. I can tell you they don't want their pictures taken, but we are firing away like crazy," he said.

Judith Lavoie is an award-winning journalist specializing in the environment, First Nations, and social issues. Twitter @LavoieJudith

A false dichotomy

RUSS FRANCIS

As LNG Canada's Final Investment Decision looms, a fatal error sits stubbornly at the heart of the government's case for LNG.

This spring, the BC government told us of its innovative plan to save the planet: Burn more fossil fuels. After what Premier John Horgan openly admitted were extensive consultations with the big players in the Liquefied Natural Gas (LNG) industry, his government announced reduced carbon tax and electricity charges, kiboshing the LNG export tax, and providing a temporary exemption from provincial sales tax.

These cuts were worked out in consort—"jointly conducted," a so-called backgrounder assured us—with the biggest still-active player, LNG Canada. The consortium is made up of wholly-owned subsidiaries of five foreign companies (Petronas, Royal Dutch Shell, PetroChina, Mitsubishi, and Korea Gas Corporation). The March 22 backgrounder added that this financial analysis "corroborated evidence and information from internationally recognized LNG analysts that BC has a competitiveness issue."

Internationally recognized LNG analysts? Anyone from the Canadian Centre for Policy Alternatives? David Suzuki Foundation? Navius? Pembina Institute? Sierra Club? Pacific Institute for Climate Solutions? The document didn't say. More likely a bunch of corporate carbon-heads who can't see the future through the haze of thick forest fire smoke that now almost routinely covers large parts of the province every summer.

It isn't hard to imagine that the "joint financial analysis" went something like this:

BC Government to LNG Industry: What do you want?

LNG Industry: We'll take no LNG export tax, a sales tax holiday, reduced carbon tax, and hydro at half what the hoi polloi pay!

BC Government: Done! And thanks for the insightful analysis!

What the March 22 government release called a "new framework for natural gas development [that] puts [the] focus on economic and climate targets," BC Green Leader Andrew Weaver referred to as giving away BC's Crown-owned natural gas. "There's no doubt in my mind that the BC NDP will do anything the industry wants to get LNG here," commented Weaver in an interview. "They have taken 'sellout' to a whole new level."

An "Update and Technical Briefing" on the framework presented March 22 by Don Wright, Premier John Horgan's deputy minister, claimed that economic development, climate action and First Nations reconciliation are "parallel and mutually dependent priorities." The thrust of the presentation was that economic development necessitates creating huge carbon-intensive LNG plants.

The rule of thumb for government briefing notes is to provide three options. The first is the status quo: Do nothing. The second and third list possible actions to deal with the situation at hand. There are few issues for which there is only one active option.

But Wright's 35-page PowerPoint briefing offered just two choices. Slightly paraphrased, they were:

1. Don't give away the climate farm to a group of multinational fossil fuel companies. But, as a result, accept that First Nations reconciliation will stall, BC's climate action will become inaction, and we'll all be in the poorhouse.

2. Turn over taxpayers' fossil resources to foreigners for next to nothing, so we can make nice with First Nations, get really, really tough on climate change, and start rolling in money.

An LNG plant in Australia

The outcome?

Concluded the presentation: "After extensive analysis and deliberation, government has elected to proceed with Option 2."

One doesn't have to look far to spot the false dichotomy in Wright's presentation. Lynda Gagné is a University of Victoria economist with a longstanding interest in the environment. Economic development should not be about producing and consuming more resource- and energy-intensive goods and services, said Gagné, who teaches in the School of Public Administration.

"Our economic system already draws far more out of the Earth than it can sustain," she said in an emailed response to questions, "and more business-as-usual development can only worsen the situation and eventually lead to a crash."

Meaningful climate action is widely regarded as incompatible with a large LNG facility. Marc Lee, senior economist with the Canadian Centre for Policy Alternatives, pointed out that the facility will make it far more difficult for BC to meet its emission targets. In an August 2, 2018 submission to the BC Government's Climate Solutions and Clean Growth Advisory Council, Lee estimated that LNG Canada's emissions from fracking, processing, transportation and liquefaction for the Kitimat project will add from 9 to 12 megatonnes (Mt) of CO_2 annually to BC's emissions (in 2015, 63 Mt).

The government claims the facility, when it's finally built out with four units, called "trains," will emit 8.14 Mt. Yet in 2015, BC's existing oil and natural gas industry emitted 12 Mt (mostly from natural gas-related activities).

> "THERE'S NO DOUBT IN MY MIND that the BC NDP will do anything the industry wants to get LNG here. They have taken 'sellout' to a whole new level." —*Andrew Weaver*

Here's the problem: The Province's renewed climate targets are for 13 Mt of total emissions in 2050, just when LNG Canada would be humming along at full tilt, in all its 8+ Mt CO_2/year glory. That 13 Mt target is for everything: heating, transportation, industry, mining, deforestation, cattle burping, human breathing—the works. Yet 8 + 12 = 20, therefore the emissions from natural gas production and the one LNG facility alone are 54 percent above the 13 Mt target for everything.

Concluded Lee: "Any way you slice it the rest of BC's economy would have to fully decarbonize very quickly in order to accommodate emissions from LNG Canada and stay within the new legislated targets."

Nor is it received truth that First Nations reconciliation and fossil fuels are inextricably linked. While a number of First Nations support TransCanada's Coastal GasLink pipeline, needed to ship gas to LNG Canada's facility, several Wet'suwet'en hereditary chiefs, in contrast to the elected Wet'suwet'en band, oppose the route. Unist'ot'en protesters plan to block the pipeline construction at their camp, which their website refers to as indigenous re-occupation of Wet'suwet'en land.

UVic's Gagné questions the government's connecting First Nations reconciliation with more carbon-intensive development: "Reconciliation and addressing climate change can only be done by recognizing the limits we face."

A new report by a 16-strong international team of experts bolsters Gagné's concerns. "Trajectories of the Earth System in the Anthropocene," published August 9 in the *Proceedings of the National Academy of Sciences*, pulled together ten climate change processes—such as the reduction of northern hemisphere spring snow cover that amplifies regional warming, and CO_2 release from boreal forest dieback, including through forest fires. The researchers suggested that when such positive feedback loops are considered together, the longstanding glacial-interglacial cycle might be replaced with a runaway "hothouse earth" beyond human control. To avoid this, said the researchers, we may need to act on multiple fronts, including decarbonizing the global economy.

SO WHY DID THE NDP MAKE SUCH GENEROUS CONCESSIONS, ones that boost the risk of an uninhabitable planet?

One reason might be the current seat distribution. The NDP's presence in the legislature is concentrated in the Lower Mainland and Vancouver Island: It holds just four seats outside BC's southwest corner. The NDP-Green government's 44 seats versus the Liberals' 42 means we are just a few heartbeats away from a different government. The Liberals could even add to their seat count following this fall's municipal election, in which New Democrat MLA Leonard Krog is expected to win the October 20 Nanaimo mayoralty election. Krog would then resign his legislature seat, prompting a by-election. Though the Nanaimo riding has been traditionally NDP-safe, the Greens have promised to run a strong candidate, possibly splitting the non-Liberal vote. A Liberal win in Nanaimo would put the NDP-Green alliance and the Liberals in a 43-43 dead heat. Depending on how independent Speaker Darryl Plecas rules, there is a real threat to the NDP-Green government in the months ahead.

Horgan's solution? Continue to impress Islanders and Lower Mainlanders with vehement opposition to the unpopular Kinder Morgan project, while simultaneously regaling the pro-resource-development Hinterlanders with cries of "Jobs ahead! Damn the GHGs!" And because the Liberals will likely vote in support of LNG development, the NDP doesn't have to worry about the Greens being opposed.

To hear the NDP government tell it, the proposed LNG Canada facility at Kitimat will have as many as 10,000 construction jobs in 2021. (Though permanent jobs would be only "up to 950.") And LNG Canada has agreed that local residents will have first dibs at that work, promised Deputy Minister Wright.

But some of those 10,000 jobs may already be disappearing.

David Seaton, the chairman and CEO of Texas-based Fluor Corporation, one of the two main contractors, has boasted to investors that his company has cut on-site jobs for the LNG Canada contract by more than one-third: "[W]orking with the client, we were able to leverage our supply chain and fabrication capabilities, allowing us to reduce needed on-site [labour] by over 35 percent, which is probably the largest risk on that project," Seaton told an August 2 investors conference call, according to a company-edited transcript. Seaton added later that the LNG Canada contract was a "big win" for his company.

Veteran Earth scientist David Hughes is the author of *Canada's Energy Outlook*, a 180-page report recently published by the Canadian Centre for Policy Alternatives. He has also analyzed in detail BC's prospects for LNG. Asked which of the two estimates of LNG Canada construction jobs is more credible, Hughes replied: "I would tend to believe Fluor."

In Lee's submission, he pointed out that greening the economy can be job-intensive. For instance, a 10-year, $2.2 billion program to make homes—especially older homes—more energy-efficient would support 12,000 direct jobs. The Greens' Weaver dreams of a new BC economy that could even involve a Tesla Gigafactory in Kitimat, rather than an LNG plant. He adds that he has already spoken to the company about the prospect.

"It's not about saying 'no' to LNG," said Weaver. "It's about saying 'yes' to the new economy."

As well as the likely mayoralty win by Krog, several other events this fall may alter LNG's political landscape. LNG Canada said it is anticipating making a "final investment decision" in the next few months. About the same time, the government will release an updated BC climate plan. How the two work together—or don't—could shake things up as well.

Should the foreign-owned LNG Canada facility actually go ahead, us locally-owned British Columbians had better start eliminating our emissions. And take only very small breaths.

Formerly a political columnist and reporter, Russ recently returned to the fold after a stint as a BC government analyst. During his 10 years with the government, he worked in strategic policy, legislation,' and performance management for a number of ministries.

Media and medical independence

ALAN CASSELS & JIM WRIGHT

Can we trust health-related media to deliver clean, clear health advice?

Frequently the media does a fabulous job of informing the public on health-related matters. Many Canadians trust health journalists to deliver factual and important assessments of new drugs and other medical treatments. But sometimes they miss the mark by a wide margin and deliver messages that threaten to turn more people than ideal into patients.

The most recent example comes via one of CBC's house doctors, Dr Peter Lin, who frequently appears on CBC radio talking about medical matters. A few months back, he spoke about a new trial around blood pressure-lowering which suggested that there were millions of Canadians who needed to be working even harder to bring their blood pressures down. He was referring to a trial which generated a lot of media coverage called SPRINT, which examined this question. In our assessment, his interpretation of that study was completely backwards.

A quick search of the medical literature revealed that Dr Lin is not only a CBC regular commentator on medical affairs, but also consults with several drug companies—18 to be exact. His online bio discloses that he has consulted with Astra Zeneca, Bristol Myers Squibb, Takeda, Purdue, Boeringher Ingelheim, Bayer, Eli Lilly, Amgen, Jansen, Forest Laboratories, J&J, Merck, Novartis, Pfizer, Servier, Sanofi, Abbott, Mylan, and that he also does continuing medical education for the companies. These drug companies pay him.

It is common for researchers or physicians to have financial conflicts of interest related to the pharmaceutical industry. We know that those conflicts can affect drug recommendations. In fact, most high-quality evidence on this issue comes to the same conclusion: compared to non-conflicted commentators, those with ties to the drug industry have much more positive opinions about the good effects of drugs, and tend to ignore or downplay the adverse effects of those drugs. Furthermore, they are more likely to recommend more costly, branded drugs rather than cheaper generic or non-drug options. These facts are supported by decades of research on drug marketing, and are at the heart of the drug industry's return on investment (ROI) analyses.

COMPARED TO non-conflicted commentators, those with ties to the drug industry have much more positive opinions about the good effects of drugs and tend to ignore or downplay the adverse effects of those drugs.

Those ROI analyses demonstrate that investing in key opinion leaders, such as Dr Lin, is a useful strategy that delivers high returns: more prescriptions and more revenues.

When I (Alan) complained in an email to the CBC Ombudsperson about the CBC not dislosing Dr Lin's conflicts of interest, a managing editor at CBC News acknowledged the importance of the issue, but stated, "The issue is not, then, whether Dr Lin has relationships with private companies. It's whether those relationships create a conflict by influencing the medical decisions he makes—and in particular whether they affect the advice he gives our listeners. To that point, we are not aware of any such conflict affecting the work he has done for us. If you have a specific such instance to flag for us, we would be happy to look into the circumstances."

My follow-up letter will address the SPRINT example.

One of the most contentious areas of drug utilization is the use of pharmaceuticals to lower blood pressure. It is true that high blood pressure can raise the risks of stroke and heart attacks, an association that has been known for years. The question anyone with high blood pressure might have is this: How low do I need to go? In other words, what optimal target blood pressure should I be aiming for if I want to maximize the length and quality of my life?

In a city like Victoria, with many older adults who have been told they have "high" blood pressure, or hypertension, this is not a moot point. Too aggressively lowering blood pressures in older people can be serious because it can lead to dizziness, falls and fractures. Our research found that most of the trials of blood pressure medications are on younger, healthier populations, and so cannot be extrapolated to older, more frail people where slightly higher blood pressure is normal.

The largest trials in an older population suggest being very conservative with treatment. One Swedish study of individuals over 85 said that the ideal systolic blood pressure is in the range of 140 to 160 mmHg. In other words, the sweet spot of ideal blood pressures changes as you get older, and doctors should not try to treat your grandmother's blood pressure like she was 20 years old.

On this subject, Dr Lin quoted on CBC from the SPRINT trial, a trial designed to answer the question of the optimal blood pressure target. He discussed how this study showed that aiming to get blood pressure levels to a lower target (say around 120 systolic, the upper number) is a strategy that would save more lives. Urging those with "moderate" high blood pressure to do what they can—sometimes taking three or even four different antihypertensive drugs—to achieve these lower targets is a message the pharmaceutical industry would appreciate.

What he didn't mention is that the best answer to this question doesn't come from a single study, it comes from examining the global body of studies designed to answer the question. He failed to mention there was a published Cochrane Review on this question of blood pressure targets. That review, which summarizes the best available evidence, concluded "treating patients to lower than standard BP targets," (that is, less than 140-160/90—100 mmHg), "does not reduce mortality or morbidity."

Our researchers with the Therapeutics Initiative at UBC have analyzed the SPRINT trial. Contrary to Dr Lin's opinion, that analysis found that the benefits of lower blood pressure targets do not outweigh the harms. In fact, in the SPRINT trial, the magnitude of the harms was greater than the magnitude of the benefits. (ti.ubc.ca and search for "SPRINT.")

The main thing you should know is that we are not alone. Hundreds of researchers around the world are involved in deeply analyzing drug trials as part of groups like the Therapeutics Initiative, and the Cochrane Collaboration. They work independently from pharmaceutical industry funding, and cautiously examine the evidence of drug effects. If physicians want to be credible, authoritative and trustworthy media commentators about drugs, they need to refer to the best, least-biased information possible, looking at the totality of evidence, not single trials that are islands unto themselves.

Is it even reasonable to expect an unbiased view of drug therapy effects from spokespeople who have multiple close ties to pharmaceutical companies? We would never expect this in other domains: think about an expert from the oil and gas industry talking about global warming, or a judge deciding the merits of a case, but not telling anyone he was married to the defendant, or owed the defendant money. Certainly you would call those flawed, potentially-biased situations.

The same is true with the pharmaceutical industry, where funded experts with financial ties are more likely to see the evidence a certain way. When physicians or other media spokespeople speak about medical matters, we should expect nothing less than full disclosure about any ties to makers of drug products. Medical media that might be skewed towards the private interest of companies instead of the public interest of citizens has the potential to hurt the people it is intended to help.

Alan Cassels' disclosure: "I have been an independent pharmaceutical policy researcher for 25 years and have never taken any money from the pharmaceutical industry. I currently work for UBC's Therapeutics Initiative, which is funded by the BC Ministry of Health, and have, in the past, been paid on contract as a contributor to CBC Ideas and CBC Syndication. I have also authored a book about the Cochrane Collaboration."

Dr Jim Wright's disclosure: "I am the founder and Co-Managing Director of the Therapeutics Initiative at UBC and the Coordinating Editor of the Cochrane Hypertension group. Hypertension reviews can be found at www.cochrane.org."

This article represents the opinion of Alan Cassels and Jim Wright, and should not be construed as an official viewpoint of the Cochrane Hypertension Group or the Therapeutics Initiative.

Focus presents: Dr. Fei Yang DTCM

ADVERTISEMENT

A wise, caring guide for your journey to health

As a longtime Doctor of Traditional Chinese Medicine, Dr. Fei Yang has many stories of healing achieved through relatively simple lifestyle adjustments. That's why she asks a lot of questions about her patients' lifestyle early in their healing journey.

One Colwood couple, for instance, came with a number of issues. Gary had been diagnosed with COPD; wife Inger was overweight and suffering from a frozen shoulder. They had both been to all sorts of doctors and practitioners.

When Dr. Yang learned they were drinking a lot of wine each evening, she asked them to try 10 days without any. After 10 days without alcohol, Gary reported he could now go up stairs without getting out of breath; Inger lost 10 pounds and her pH level improved. (And they now enjoy one glass of wine daily.)

"Alcohol is processed through the liver, and it turns to fat and sugar," explains Dr. Yang; "Some people's livers can handle more than others."

Coupled with the emotional stress many live with, and the aging process, those of us over 55 can have difficulty properly processing high dosages of sugars, and also highly concentrated protein. Dr. Yang coaches her clients on how to include protein in their diet so that the body can break it down properly. "So much meat is injected with heavy doses of hormones and antibiotics," she notes, and this just makes them more problematic.

"I like to help people come to an awareness of what they are putting into their body," says Dr. Yang, who glows with health herself.

When Dr. Yang learned that another patient, who was pregnant and suffering from ongoing bacterial infections, ate only raw vegetables, she asked her to cook them (at least bringing them to a near boil) for a couple of weeks. The infection was soon gone.

Other dietary and lifestyle changes that can make a big difference, says Dr. Yang, include intermittent fasting (helpful for losing "big stomachs"), fermented food (it breaks down gluten), and reducing supplements, which can often be part of your problem. "Simple changes can make a world of difference," assures Dr. Yang.

Dr. Yang also uses acupuncture to treat many of her patients, especially those with pain in their shoulder, neck, back, hip, knees, or solar plexus. "Acupuncture helps the body release stress and inflammation. It also corrects emotional imbalance. Patients tell me they feel normal again," says Dr. Yang. She recently helped a young man who couldn't stop crying for a couple of years due to a death in the family. Though seemingly strong physically, his core energy was too weak to hold his emotions. After a few treatments, his core energy was back and his emotions manageable.

Dr. Fei Yang DTCM

Another patient, realtor Marie-Claire Janke, had acupuncture performed by Dr. Yang on her badly sprained ankle. She reports, "It was extremely swollen and I was unable to put even the slightest bit of pressure on it without causing severe pain, even in an air cast. I assumed it would be a while before I could walk or drive. Within 24 hours of the acupuncture, the swelling was reduced by about 85 percent and I was able to walk without the cast and drive my car. Dr. Yang is amazing at what she does and she is an absolute pleasure to visit. She goes above and beyond for her patients."

Much of her work involves assisting the body to fight inflammation. "Most conditions, from cancer to bone deterioration, are caused by inflammation and the body knows what to do," says Dr. Yang. It just needs a little guidance.

As a sixth-generation Doctor of Traditional Chinese Medicine, Dr. Yang is trained in herbs, nutrition and acupuncture. She is also trained in Western medicine, though no longer practices it.

Dr. Fei Yang DTCM
2050 Winnipeg Road, Sooke
250-888-6633
www.drfeiyang.ca

Taking back control of resource extraction on public land

BRIONY PENN

Can we undo, or fix, the 17-year-old Professional Reliance Model used to regulate BC's resource industries?

An August roundtable meeting to discuss the future of BC's public forests is held in the Cedar Room of the Legislature. It seems appropriate, as the threatened western red cedar is one of the victims of 17 years of a failed regulatory model for our public forests—at least according to most of the people seated around the table. It is also the first time in 17 years that this type of citizen engagement about the future of public forests has been convened in the Legislature.

Sonia Furstenau

The person responsible for spearheading this conversation is Sonia Furstenau, Green MLA. She introduced one of the four conditions in the NDP/Green Supply and Confidence Agreement: a commitment to review the professional reliance model (PRM) of forest management in British Columbia.

The seemingly innocuous request "to ensure the legal rights of First Nations are respected, and the public's expectations of a strong, transparent process is met," understates the huge significance of PRM in the lives of British Columbians. It has affected the security of our drinking water, the viability of wildlife populations, the exacerbation of forest fires, the occurrence of disasters like Mount Polley, and the failure to uphold indigenous rights.

PRM, put in place by the provincial Liberals, is at the heart of how 95 percent of British Columbia is managed and regulated. Fifty-four million hectares are in public ownership; half of that is under forest management agreements. Most British Columbians had never heard of PRM—before the last provincial election sent everyone scurrying to look it up. But that is all changing.

No one is better qualified for the task of defining the slippery term than the publicly-appointed reviewer, lawyer Mark Haddock, whose experience with an independent review in 2015 made him the obvious candidate to lead this huge task. PRM is "the regulatory model in which government sets the natural resource management objectives or results to be achieved, professionals hired by proponents [e.g. forest companies, mining companies] decide how those objectives or results will be met, and government checks to ensure objectives have been achieved through compliance and enforcement." At least that's how it is supposed to work.

One of the attendees at the August conference, John Irving, CFO of the SIMS Group, a construction firm in Prince George—and no fan of PRM—refers to it as "the fox guarding the chicken coop."

Haddock's review, which came out at the end of June, contains 121 recommendations stemming from the 4,600 submissions. Those submissions lined up along citizen vs corporate interests "with fully 88 percent [of citizens] believing that the PRM does not strike a good balance between environmental protection and resource management," Haddock reported.

The two roundtables convened by Furstenau this August to gauge response to Haddock's recommendations roughly reflect the same citizen vs corporate split. The citizens opposed come from every corner of British Columbia, whether rural or urban, white or First Nation communities, resource or tourist towns, Mackenzie or Metchosin.

Alan Martin of the BC Wildlife Federation, a 40,000-member organization of hunters, fishers and trappers, and Torrance Coste of Western Canada Wilderness Committee, both call the model "an abject failure." Pat Crook, mayor of Mackenzie, representing a northern resource town that wouldn't normally sing from the same song sheet as southern environmental groups, describes the current forest management in the north as "sloppy and poor. There is little regard for other users on the land, or for the other values such as water and other riparian features."

Irving, who routinely works on public projects under PRM, argues that the public are not getting value from the model. "The economics are not better under professional reliance." Also invited to the roundtable were emerging alliances like the Coalition of Forestry Reform that includes 16 (so far) small communities like Clearwater, Shuswap, Clinton, Juan de Fuca, etc; and the Professional Reliance Working Group of Concerned Citizens, a coalition of the Professional Employees Association, Ecojustice, Organizing for Change, BC Wildlife Federation, BC Government Employees Union, Fraser Watershed Initiative, Evidence for Democracy, and others.

With smoke from forest fires permeating the Cedar room at the August 21 meeting, stakeholder groups express the urgency for action. Stories are shared of corporate mismanagement under the regulatory watch, or lack thereof, of PRM. Examples include the accumulation of burn piles on cutblocks exacerbating already critical fire conditions; exceeding 400 percent of the recommended cut level in the largest Timber Supply Area; playing "stumpage bingo," a type of fraud through stumpage in an unmonitored environment; ignoring guidelines on the movement of spruce beetle-infested wood and thereby spreading the beetle through the region; and failing to take into account the increasing effects of climate change and other cumulative impacts.

Attendees share their frustration that district managers have no legal authority to protect local communities' drinking water—or habitat for moose, mountain caribou and other threatened wildlife. Citizens have no ability to review roads or cutblocks, or protect culturally important sites, old-growth forests, or recreational and tourism opportunities. Union representatives attribute this to the loss of 1,700 public employees who were the boots on the ground providing the science, inventory and oversight—but were laid off since PRM came into effect.

Furstenau had invited all stakeholders to provide feedback to guide the next steps by government, but there are two noticeable absences. Corporate and professional associations, like the Association of BC Forest Professionals and the BC Council of Forest Industries, haven't turned up, even though it is billed as a collaborative opportunity. Instead, the Forest Professionals are expressing concern that the principle of self-regulation is "undermined" in Haddock's recommendations. The Council of Forest Industries writes in a press release that they are disappointed with the report "drifting well beyond [Haddock's] terms of reference to propose unjustified changes to the forestry regulatory regime unrelated to professional reliance."

The top two recommendations in Haddock's report are on governance, due to be implemented by the government in the fall sitting of the legislature. The first recommendation calls for the creation of an Office

> "THESE ARE PUBLIC FORESTS, not private. We need to return accountability and transparency to the public sector and hold government accountable for their work."—*Pat Crook, Mayor of Mackenzie*

of Professional Regulation and Oversight that would monitor and direct forest (and other) professionals. The second calls for the passing of legislation to make this work. There was a clear mandate from the roundtable to proceed with this as an essential and urgent first step, but the 119 other recommendations must not slip through the cracks.

The lone logging company at the roundtable, Timberwest, offered an opening gambit to government: If it wants the companies to protect values other than timber, government has to set those objectives clearly.

Independent forest professional Martin Watts has been calling for clear forest policy that includes management objectives with measurable performance benchmarks that can be monitored over time, along with strengthened forest legislation. "These are public forests, not private. We need to return accountability and transparency to the public sector and hold government accountable for their work," Watts says. He has filed a lawsuit against the government on this issue, and the pending case has highlighted the critical importance of governance recommendations that enable professional organizations to regulate firms, and provide whistleblower protection and competency requirements. "If these had been in place, I probably would not have had to resort to the courts," Watts observes. Mackenzie's Mayor Crook went further: "We need regulations to *save* the resource industry in the north." The need for modernized land use planning was a stipulation by all.

Van Andruss from the Coalition for Forestry Reform tells *Focus*, "This is just the beginning and we won't go away until drinking water is safe in every community. We are in this for the long term." Bob Peart, representing the PR Working Group, states: "I had no idea how bad it was out there. Forest practices are terrible and we will push for every recommendation to be implemented." Watts sees the restoration of science and funding for wildlife management as the top priority to return a level of public trust to government. Megan Scott, representing the BCGEU, is calling for the restoration of professionals in the ministries as key to public health, safety and trust. She points to the loss of 25 percent of staff in compliance and monitoring as the cause of much of the failure of the system.

The key question for everyone attending is: How far will Furstenau and the Greens push the NDP if they don't implement the recommendations? If the NDP cave to industry, will the Greens use the Agreement to push back? As Peart states: "Horgan has been given a silver platter by Haddock's report. He should take it."

Furstenau is adamant that she is not going away either. This is the issue, as played out at Shawnigan Lake, that drove her into politics and got a review of PRM on the agenda in the first place. With the majority of BC citizens supporting reform of public land management in some form, it seems impossible for Horgan not to run with it, especially with the smoke from forest fires still lingering in our lungs.

Briony Penn is currently working with Xenaksiala elder, Cecil Paul, Wa'xaid on *Following the Good River*, due out in 2019. She is also the author of (the prize-winning) *The Real Thing: The Natural History of Ian McTaggart Cowan*.

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What does my neighbour's car mean?

DAVID BROADLAND

The distance travelled in autos each day by CRD residents continues to grow, but there is a surge in the uptake of all-electric cars.

The region's latest examination of how people here currently choose to get from point A to point B as they go about their daily lives has been released by the CRD. And, no surprise, the Origin Destination Travel Survey, based on the participation of 7,159 households last fall, shows that about 84 percent of the total distance travelled by CRD residents takes place in private automobiles. And, in 2017, we collectively drove—or were driven—an additional 50,000 kilometres each day in private autos, compared with 2011.

Victorians' overwhelming preference to travel by automobile isn't much different from, say, residents of London, Ontario, the Canadian city closest to ours in population. There, 88 percent of the total distance travelled each day is done in private automobiles. Victoria's slightly lower level of auto reliance is made up for by a higher rate of transit usage.

My neighbour's Nissan Leaf. The 2018 version has a range of about 150 miles on a full charge.

One of the most interesting findings in the CRD's $330,000 survey was a 19-fold increase—since the last survey in 2011—in the number of battery-electric vehicles (BEVs) in our region. You read that correctly: a 19-fold increase. My neighbour, who now drives a Nissan Leaf, is part of a growing trend.

Perhaps the most intriguing aspect of this trend is that it wasn't highlighted in any way by the CRD. Why is that intriguing? Think about it. The dominant preference for travel in our region is by private automobile, and that preference is essentially stable. At the same time, there is an accelerating uptake of all-electric private automobiles. Our strong preference to get from A to B in our cars, along with the growth in electric vehicle ownership, suggests an obvious pathway the CRD could encourage to reduce transportation-related carbon emissions. Yet the CRD chose not to highlight this emerging pathway in its own analysis of the survey's results. Why?

I'll address that question later. First let me outline why lack of leadership from the CRD on the electrification of regional transportation could slow down the uptake of electric vehicles—the most obvious pathway for reducing transportation emissions.

It's well known that the shift from gasoline-fuelled automobiles to BEVs is being driven by public policies that assist that shift. Financial incentives to purchase BEVs have made a significant difference in those jurisdictions where the shift to BEVs is advancing—like Norway. In BC, the Province has financial incentives in place—currently up to $5,000 against the purchase price of a BEV. But other incentives make a difference, too, like allowing BEVs to travel in HOV lanes, and free parking. Public charging infrastructure will be required, and unless local governments move quickly and visibly to provide that, they are telegraphing hesitation and doubt to potential early adopters.

That infrastructure needs to be out on the streets, funded with public money. If the 19-fold increase in BEVs measured by the CRD's latest survey holds up for the next five years, there could be as many as 30,000 BEVs in use by then. That would knock a significant hole in the region's daily emissions.

If the CRD's analysis of its survey didn't promote the surge in electric vehicle use, what did it emphasize? That's best illustrated in a June 26 article in the *Times-Colonist* headlined "More people in capital travelling by bus, bike and on foot." The paper quotes Oak Bay Mayor Nils Jensen, chair of the CRD's Transportation Committee: "As we see the trend—slowly we're moving toward more people walking, biking and busing… So I think it's very positive."

The most attention-worthy word in Jensen's statement is "slowly." After all, the CRD's survey shows that the distance travelled in autos each day by CRD residents has actually increased since the last survey. In other words, the single largest source of emissions produced locally—travel in fossil-fuel-powered automobiles—is getting larger. Why, when there is an urgent need to reduce emissions, would any politician describe the trend of increasing emissions as "very positive"?

Perhaps the reason is that the CRD's official transportation plan focuses on increasing the level of "active" modes of transportation, like cycling and walking—and running to catch the bus. As long as some increase in those modes can be detected—no matter how small their contribution is to overall travel—politicians like Jensen can claim that the CRD is meeting its objective. Don't worry, we're on it.

Let me push your be-very-worried button for a moment.

> "WE WOULD NEVER GET ON THAT PLANE with a 1-in-20 chance of it coming down but we are willing to send our children and grandchildren on that plane." —*Dr Veerabhadran Ramanathanb, Scripps Institute of Oceanography*

In the CRD, the uptake of cycling is too slow to make any real difference in efforts to reduce emissions.

Last year, climate scientists at Scripps Institute of Oceanography published a study in the peer-reviewed journal *Proceedings of the National Academy of Sciences*. The study found a five-percent probability that there will be a three-degree-celsius increase in average global temperature (above the pre-industrial era average) by 2050. That level of increase would lead to what the scientists termed a "high impact" on human and natural systems. They reckoned such a scenario could lead to "catastrophic" effects on human civilization.

Five percent? Why worry? On that question, one of the study's authors, Dr Veerabhadran Ramanathanb, noted, "When we say a five-percent-probability high-impact event, people may dismiss it as small but it is equivalent to a 1-in-20 chance the plane you are about to board will crash. We would never get on that plane with a 1-in-20 chance of it coming down but we are willing to send our children and grandchildren on that plane."

Humanity has, sort of, collectively decided not to get on that plane. Canada gave up its boarding pass when it signed on to the Paris climate agreement. As a consequence, the federal government has set a target of 150 megatonnes for *total* emissions by 2050—just over 30 years from now. But Canada's transportation sector alone accounts for 173 megatonnes right now. Here's how hard that's going to be to meet: Victoria drivers of fossil-fuelled cars would have needed to reduce the total distance they travelled each day by 15 percent since the last CRD travel survey in 2011. Instead, the distance we travelled went up.

Moreover, the CRD's travel survey misses a significant portion of vehicle use by residents of the region. Commercial truck use and trips made for commercial or business purposes are not included in its survey. Given these undercounts, it's prudent to assume that the effort and money spent on moving more people toward walking, biking and busing has not significantly impacted regional transportation emissions.

By the way, if you are hoping that increases in fuel efficiency for internal combustion engines will allow us to keep buying gasoline-powered vehicles, consider this: A 2015 study by the University of Michigan showed that between 1991 and 2015, US vehicle fleet fuel economy increased by only 6 percent.

Let's go back to the question of why the CRD didn't bother to emphasize that 19-fold increase in the use of BEVs.

I asked John Hicks, the CRD's transportation planner in charge of the survey, why that shift hadn't been highlighted. Hicks said, "the number of BEVs themselves are still very small and the 19-fold increase came off of a very low base of only 100 in 2011. It is therefore not possible to identify any concrete trends based on the limited data that we have available."

Hicks is right about the danger of using small numbers to predict trends, but shouldn't that apply to changes in the use of, say, bicycles, too. In 2011, CRD residents used bicycles for 1.7 percent of the total distance they travelled each day. By 2017 that had risen to 3.0 percent. That 1.3 percent increase over 6 years is a small number too, about 0.2 percent per year. But that hasn't prevented Jensen and others from assessing it as a "very positive" trend.

Besides, the CRD needs to pay attention to what's happening in other progressive places—like Norway—as the number of manufacturers and the driving range of electric vehicles grows, and lower-cost models become available. In the last month for which data is available (April 2018), BEVs accounted for 37 percent of new car sales in Norway. Why is that happening? Norway's federal transportation plan calls for all new passenger cars and vans sold in 2025 to be zero-emission vehicles.

That's where we are headed. The CRD can either facilitate that, or dither over whether it's really happening.

As it turns out, the CRD *is* waking up. Last June it quietly (no local media covered it) sought public input for its "brand new Electric Vehicle and Electric Bicycle Infrastructure Planning Project." The survey sought "to better understand regional interest in—and opportunities for—new charging infrastructure across the region." The CRD's Nikki Elliott told *Focus* that nearly 700 responses were received. Results were not available at the time of our inquiry.

David Broadland is the publisher of *Focus Magazine*.

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Under the big sky

KATE CINO

Brent Lynch aims to capture fleeting moments of special grace.

"Spirit in the Sky" by Brent Lynch, 48 x 96 inches, acrylic on canvas

Looking at "Spirit in the Sky" by Brent Lynch puts the viewer in a magnificent setting. The painting, a diptych, is large, four by eight feet, and the vista shows Long Beach near Tofino. The sun is setting over the Pacific Ocean. A slow swell moves across the calm sea. Golden light from the setting sun reflects in the glassy ocean and catches fire in the clouds. Narrow bands of showers skirt the horizon. Their vertical lines lift our eyes into the swirling blue above.

The big sky is turbulent, alive with stormy colours and twisted cloud shapes. This eerie expanse of blue-green infinity roils with winged creatures, Olympian gods and dragons descending. The mysterious celestial show captures our attention and we wonder: Will the clouds coalesce into thunderheads and spawn great sheets of lightning? Or perhaps sweep our way, pelting us with wind and rain? It's easy to understand why "Spirit in the Sky" brings to mind the lyrics of Norman Greenbaum's 1970 hit song: "Going up to the spirit in the sky, that's where I'm gonna go when I die..."

"Sentinels of San Josef"

Lynch found himself humming tunes and recalling poems as he painted his recent series Under the Big Sky, on exhibit in Victoria in October. The memories and emotions kindled by these songs and poetic words worked their way into the paintings. "A good painting is like a metaphor," he says, "it suggests a link to something else, but leaves the meaning totally open." At 65, Lynch's formative years were the late 1960s and early '70s. Many of the songs that inspired Lynch came from this era. Others came from classical themes and literature, including fantasies and fugues by JS Bach, poetry by William Blake, and writings by Dylan Thomas.

Lynch was born in Vancouver and spent his adolescence in Ladner, a small fishing and farming community on the banks of the Fraser River. His successful career began in the 1970s. He studied printmaking, painting and life drawing at St. Martin's School of Fine Art in England. During an exchange week at Bath School of Fine Arts, he discovered the applied arts program. "After that I never looked back," he says. "I knew this was what I wanted to do."

Using images to tell stories allowed him to make a living as an illustrator. As a busy freelancer in the mid-70s, Lynch worked for an advertising agency in London, England. Back in Canada, his clients included the *Vancouver Sun*, where he illustrated short stories with hand-painted sketches. "I quickly learned how to cope with deadline pressures," he says. His award-winning designs included book illustrations and posters for corporate and cultural events.

> “A GOOD PAINTING IS LIKE A METAPHOR; it suggests a link to something else, but leaves the meaning totally open.” —*Brent Lynch*

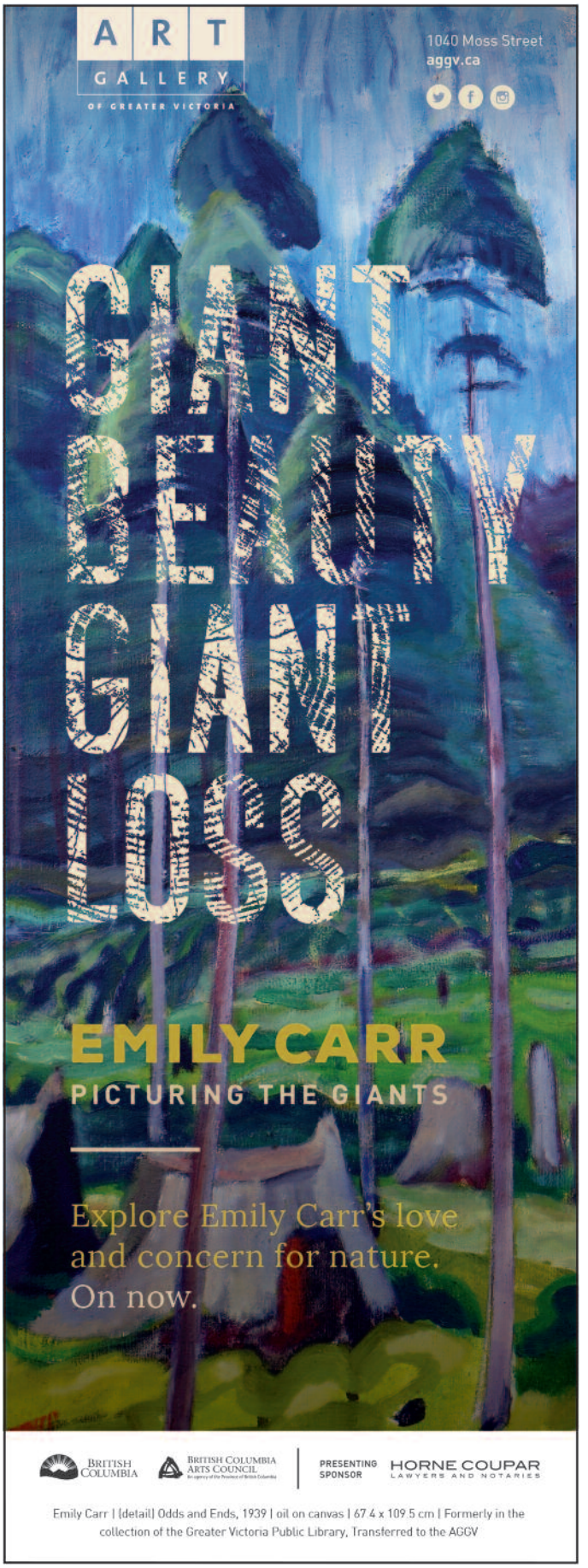
Brent Lynch

Lynch now focuses his impressive skills on fine art painting. A popular instructor at workshops, one of the first things he tells his students is: “What you don’t see in a painting is the most important part.” As a storyteller, he allows colour, texture and form to evoke emotions and memories in the viewer. “A good painting has to stand on its own,” he says, “and burn a pathway into your psyche.”

Large paintings like “Spirit in the Sky” are labour-intensive undertakings. He begins by sketching out the composition with a brush. “In a successful painting, all the design elements are balanced,” he explains. “It’s an essential skill for artists to learn.” Large-scale skyscapes require careful placements of line, shape and form. The initial sketch takes a few hours, whereas completing the painting takes a few months. “I have to live with them a while,” he says, “to fine-tune the tints, tones and colour relationships.”

Lynch employs a variety of brushwork. Dry strokes with hard edges define movement and turbulence in the cloud patterns. Soft-edged horizontal strokes suggest the liquid feel of water. The artist favours oil paint for the organic liveliness of the medium. Oils promote more spontaneity than acrylics, and the longer drying time suits Lynch’s artistic process. “Wet-on-wet offers all kinds of possibilities and effects,” he says.

“Spirit in the Sky” evolved from a smaller diptych, each panel measuring 12 by 12 inches. These *en plein air* panels are painted outdoors, completed in under one hour. The aim is to capture the fleeting moments of special



grace that inspired the artwork. "Mother Nature is always changing and moving along," he says, "so each minute is precious."

Lynch loves to be outside and to explore new places. His home in Nanoose Bay looks out on the beautiful Ballenas Island group, and his bench out back is always waiting.

Lynch's October exhibition at The Avenue Gallery includes 24 framed plein-air paintings, each 12 by 12 inches. Larger artworks inspired by these *plein air* gems complete the exhibition.

For *plein air* work, the artist uses a lightweight outdoor painting kit. It comes stocked with basic oil colours: cadmium red, cadmium yellow, ultramarine blue, raw umber, black and white. From these primaries, all other colours can be mixed. While painting "Tyger Tyger," the artist invoked the poetry of William Blake. The poem "Tyger" first appeared in *Songs of Innocence and Experience*, a 1789 collection of original etchings and text by Blake. The poem's opening lines are famous: "Tyger Tyger, burning bright, In the forests of the night; What immortal hand or eye, Could frame thy fearful symmetry?"

To illustrate the fiery sunset, the artist had to make some quick drawing decisions. His choice of shapes and textures allow him to capture the drama of the setting sun. To make the window of light jump forward, yellow and red predominate. The same hues highlight the gray-blue clouds, painted with loose gestural brushwork. An ethereal green sky emerges from smoothly blended red and yellow.

"Tyger Tyger" 12 x 12 inches, oil on prepared board

"Stack in Rainstorm" 48 x 48 inches, oil on canvas

The artist enjoys the challenges and uncertainty of *plein air* painting. "Successful ones kind of paint themselves," he says. "You just get out of the way. Other times you bring home a mess. That's what makes *plein air* work so exciting." The artist is forthcoming about the dynamics of his artistic temperament. "My heritage is Irish," he says. "I have an acceptance of the dark and the light. That's just the way it is. Everything is in flux and constantly changing." His Catholic upbringing instilled a reverence for visual symbolism. On good days he's thankful the images and visions come easily; on bad days he wonders why and waits for better times.

At age 21, Lynch explored the great museums and galleries of Europe. The photos of paintings he'd seen in books came alive. "Walking into a room with an 18-foot-long Jackson Pollock is a total sensory experience," he says. "You need to view the original to understand the artist's intention." Viewing a Rembrandt up close, he suddenly understood why the "red and gold guy" is one of the world's best painters. For this artist, great art vibrates with molecular energy and radiates a powerful force field. Painting large under a big sky is one way to capture this experience and stay connected to the natural world.

Under The Big Sky, *featuring paintings by Brent Lynch, runs at The Avenue Gallery at 2184 Oak Bay Avenue, October 11-21, with an artist's reception on Saturday, October 13, 1–3pm. 250-598-2184, www.theavenuegallery.com.*

Kate Cino writes about the arts for Victoria publications and her own website www.artopenings.ca. She has a History in Art degree and Public Relations certificate from the University of Victoria.

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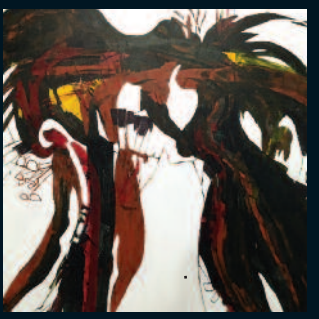

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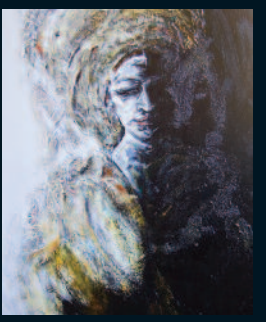

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Film arts in FLUX • September 13-18

FIVE CANADIAN MEDIA ARTISTS will show their work as part of a series of free, Victoria-themed, on-location projection events in September. Medianet is organizing the series as part of the launch of their brand-new exhibit space, FLUX Media Art Gallery on Fort Street.

The series, says programming director Catlin Lewis, is for everyone; each projection event will start around 8:30pm. There will be a public map of all the locations, and explanations of each piece and how it relates to the history of Victoria. For example, an Ontario artist who calls themself Cooper will be projecting work onto the front of Emily Carr House; Alison Moore from Montreal is choosing material and a location to address one of the ghost stories in Victoria. "All of the pieces look at the cultural and social history in Victoria," Lewis explains.

Vancouver artist Paul Wong is offering one of the more intriguing nights in the series, looking at the early Chinese community here. "It's his first time exhibiting in Victoria," Lewis explains, and he's chosen the Chinese cemetery in Oak Bay to screen imagery in conjunction with work he's shown internationally, including a piece called "Chinaman's Peak: Walking the Mountain." The work deals with death, remembrance, and history, and was conceived as a memorial to the Chinese workers who died building the Canadian railway through the Rocky Mountains. The projectors will run off of a generator, and "work will be projected after dark onto the surface of the chimneys" at the seaside cemetery.

Paul Wong

Two other artists will present their work at other locations, looking at Victoria's Indigenous presence.

Lewis can't tell me the name of the free series, as it is still "in flux"—but one of the pieces will be projected in FLUX, Medianet's new gallery space. "We've moved, and opened up the only gallery devoted to media arts," Lewis says. Everyone in the series, she says, will be projecting outdoors, except one, who will utilize surfaces at FLUX to show imagery of salmon swimming.

FLUX Media Art Gallery, 510 Fort Street, is open Tues-Sat, 12-5pm. Projection events run September 13-18, 8:30pm, all free. For more information: medianetvictoria.org or 250-381-4428.—MK

"EAGLES ON THE BEACH" CAROL EVANS, 19 X 12 INCHES, WATERCOLOUR

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Carol Evans loves this land, and as a master watercolourist captures every nuance of its power and grace in her marvelous paintings. Her watercolours are almost photographic in their detail, but her work goes far beyond being representational. Her trademark is her ability to portray the depths of colour, light and shadow, but perhaps most important are her love for the subject and the soulful feeling she projects in her paintings. Evans lives on Salt Spring Island. 100-2506 Beacon Ave, Sidney, 250-655-1282, www.pengal.com.

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JASON STOVALL: TRICEPHALOS

Xchanges Gallery

Having grown up queer in Fort McMurray, Stovall says, "The unresolved feelings I harbour toward a place and group of people I belong to influences the paintings I create…I manipulate figures using the formal capacities of paint to create a tension that does not always rest well on a viewer's eye or conscience." Stovall, who has a BFA and an MFA, won the 2017 Joseph Plaskett Award, and these works were done in Europe while completing the requirements for it. Opening reception with artist: Sept 7, 7-9pm. 2333 Government St, Suite 6E, 250-382-0442, www.xchangesgallery.org.

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MARY CONLEY: THE ARTISTRY OF ART DECO

Fortune Gallery

Mary Conley's new book, *The Artistry of Art Deco: An Illustrated Selection of Buildings in Greater Victoria*, will be launched with an exhibit of 30 prints of the 91 illustrations in the book. When Conley discovered Don Luxton's 1984 catalogue, she knew she wanted to document the buildings as works of art. Says the artist: "The drawings of the buildings and landscapes are simplified. I wanted to remove the visual noise so the beauty of the design could be seen the way it was envisoned by the architect." Opening Oct 4, 5-8 pm, 537 Fisgard St, www.fortunegallery.ca, 250-383-1552.

"THE GRAVITY OF THE SITUATION" SEAN YELLAND, 48 X 60 INCHES, OIL ON CANVAS

October 13–27

SEAN YELLAND: THERE ARE NO WORDS

Madrona Gallery

In his second solo exhibition with Madrona Gallery, Yelland explores how we fit into an ever-changing urban landscape. Known for taking a high realism approach to his often gritty or humorous subject matter, Yelland has exhibited across Canada and was shortlisted for the Kingston Prize in 2011. After graduating from the Ontario College of Art & Design (1989), he worked as a studio assistant for famed American artist Frank Stella. Opening reception with artist: Saturday, October 13, 1-4pm. 606 View St, 250-380-4660, www.madronagallery.com.

"ILLEGAL: LET US LIVE" (FILM STILL), MARIEL BELANGER, 2016

September 29–December 22

TESTIFY: INDIGENOUS LAWS + THE ARTS

University of Victoria Legacy Downtown

Testify is a celebration of Indigenous laws as expressed through art. This ongoing project is a curated pairing of artists/legal thinkers, working in conversation with each other to create an art work and written work about Indigenous laws. The dialogue invited by Testify puts the idea of reconciliation into practice by creating a space for Indigenous and non-Indigenous Canadians to dream a way forward which respects and reflects the diversity, strength and hope embodied within Indigenous traditions. Check www.legacy.uvic.ca for performances and events. 630 Yates St, 250-721-6562.

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West End Gallery

Flotsam, 22.5 x 30.25 inches, watercolour on paper

Journeys with Colour

Irene Klar

September 15-27, 2018

1203 Broad Street Open Daily

250-388-0009 | westendgalleryltd.com

"CLOUDSCAPE" ALANNA SPARANESE, 16 X 16 INCHES, ENCAUSTIC

September 24–October 28

KYLEE TURUNEN & ALANNA SPARANESE

The Gallery at Mattick's Farm

Shown here is work by Alanna Sparanese, who is drawn to the extraordinary in the ordinary. She finds the encaustic medium exciting and versatile to work with, using collage, transfer, photographs, drawings and written material. Oil paints, dry pigments and oils sticks are also used to create the desired colour palette of choice. "From here… molten layers of pigmented wax are fused onto a substrate, rendering a luscious depth and transparent luminosity….speaking to both the visceral and tactile senses," Alanna explains.

She finds her muse with a heightened awareness of all that nature offers, from the glorious enveloping sky to the statuesque trees reaching as though full of hope, faith, strength…to the intricate nature of the birdlife, here on Vancouver Island, in constant flow.

"My artwork aims to reveal the beautiful in the everyday, the strength in the fragile, the perfection in the imperfection, and the connection between the human spirit and the natural world."

Kylee Turunen's work will also be on exhibit. Living in Port Alberni, she shows her work in a number of Vancouver Island galleries. She completed the Fine Art program at Toronto's Centennial College in 2009. Since then, she has continued to develop her skills as a fine artist working primarily in acrylic and oil paint and focused on nature, stylistically ranging from realistic landscapes to more abstract paintings.

Reception Oct 14, 1-4pm. 5325 Cordova Bay Rd, 250-658-8333, www.thegalleryatmatticksfarm.com.

Frankenstein • Sept 25-Oct 3

IT'S HARD TO FATHOM that the gruesome tale of tortured scientist Victor Frankenstein's ill-fated experiments in resuscitating the dead was teenager Mary Shelley's entry in a friendly contest with Lord Byron and Percy Shelley to see who could write the best horror story. I guess she won.

Hearing the "F" word usually conjures images of Karloff grunting and lumbering, but few have read Shelley's book. Theatre Inconnu's dramatic staging this fall of local playwright David Elendune's award-winning version is "a fairly faithful adaptation of the original novel" and focuses mainly on the scientist, director Ian Case explains. "What we see in a lot of adaptations is a desire to put the focus…on the grotesquerie of the monster."

The play, says Case, is really about "Victor and what drives him, and how that obsession, in the end, destroys him and all that he loves." I ask him if we'll see much of the monster, and Case laughs. The reanimated creature is "something that presses on Victor's mind" before the halfway point, and he is "a presence rather than a central character." Then, after the wily subject of the experiment begins to interfere in Victor's family life, there is a confrontation between them, where the monster demands a mate.

Three men and three women will cover the roles, including a character Elendune created, a woman dressed as a man "who has convinced her father that it's the only way for her to get ahead in the world; she wants to study as a surgeon, as Victor has, so she dresses as a man and follows him," Case says. There will be some doubling, he adds, saying, "Most of the cast will be required to play more than one role in some form or another."

Because Theatre Inconnu is a small space, Case says, his staging approach intends to make the audience intimate witnesses. "I think the play delves into obsession [and] consequence of choices. Victor is very much a lonely person who doesn't understand his connection with other people; these are universal feelings that I want the audience to feel close to, and staging in the round will do that."

Theatre Inconnu is at 1923 Fernwood Rd. Tickets $7 - $14 at ticketrocket.co, 250-360-0234, www.theatreinconnu.com.—MK

Performance
& opening reception
Friday, Sept 7
7-10pm

Artist talk
Saturday, Sept 8
2-4pm

La Monte Young Projects
David Khang
Sept 7-Oct 20

OPEN SPACE.CA

"OAXACA RETREAT" RICHARD MCDIARMID, 8 X 10 INCHES, ACRYLIC ON CANVAS

Throughout September/October

RICHARD MCDIARMID

Peninsula Gallery

Richard McDiarmid's many award-winning paintings have been exhibited in solo and international shows including The Royal Institute of Painters in Watercolours, and can be found in commercial galleries and corporate and private collections in many countries worldwide. Working in oils or acrylics and other watermedia, the artist uses various forming processes and an explorative start in developing the visual image. A love of paint and creative processes is evident in the energized surfaces that result. 100-2506 Beacon Ave, Sidney, 250-655-1282, www.pengal.com.

"EAST MEETS WEST" EUNMI CONACHER, 42 X 42 INCHES, ACRYLIC ON PANEL

Throughout September/October

EUNMI CONACHER

The Avenue Gallery

Eunmi Conacher began her artistic journey in Korea where she graduated with a BFA degree. She continued her artistic studies at the University of Sydney, Australia earning her a post-graduate Diploma in Visual Arts, and then as part of a research program in Japan. Since settling in Nanaimo, she became an active member of the Federation of Canadian Artists in 2008, and an elected member of the Society of Canadian Artists in 2013. She received her AFCA designation in 2015. 2184 Oak Bay Ave, 250-598-2184, www.theavenuegallery.com.

"PATRICIA BAY MORNING" KEN FAULKS, 20 X 30 INCHES, OIL ON PANEL

October 20–November 1

KEN FAULKS: LAND, SEA AND SKY

West End Gallery

Victoria-based artist Ken Faulks unveils his much anticipated collection of new paintings. Ken starts "en plein air," then back in the studio expertly goes big–with lush brushstrokes, a bold palette and a keen compositional sense to render the grand skies and log-strewn beaches of Van Island. Reception with artist and painting demonstrations Oct 20, 1-4pm and Oct 21, 2-4pm. Coinciding with **Victoria Gallery Walk** Oct 20, 10-5:30 & Oct 21, 12-5pm–also at Alcheringa Gallery, Madrona Gallery, and Legacy Art Gallery. 1203 Broad St, 250-388-0009, www.westendgalleryltd.com.

SERPENTINE RHYTHM (DETAIL), LAURA PIASTA, DIMENSIONS VARIABLE, CERAMICS

September 7–October 6

LAURA PIASTA: SERPENTINE RHYTHM

Deluge Contemporary Art

The work of Laura Piasta considers the agency of objects through a conceptual exploration of their materiality. Based in Vancouver, Piasta received her BFA from the Emily Carr Univ of Art and Design and an MFA from the Umeå Academy of Fine Arts in Sweden. Her work has been exhibited in New York and Europe. She has been an artist in residence at Fabrikken for Kunst og Design (Copenhagen), Sikås Art Center (Sweden) and the Banff Centre. Exhibition hours: Wed to Sat, 12-5pm. Opening Sept 7, 7-10pm. Artist Talk on Sept 8, 1pm. 636 Yates St, 250-385-3327, www.deluge.ca.

Exhibition

September 29th - December 22nd

TESTIFY

a Project of the INDIGENOUS LAWS • the ARTS Collective

Legacy Art Gallery 630 Yates St. Victoria, BC
250-721-6562 legacy.uvic.ca

University of Victoria | Legacy Art Galleries

MADRONA GALLERY

Sean Yelland

There Are No Words

October 13 - 27

606 View Street • 250.380.4660 • www.madronagallery.com

September 8-23

Jason Stovall

"Tricephalos"

Opening reception:
Friday September 7, 7-9pm

October 6-21

Aileen Penner

"The Promise of Something Grand"

Opening reception:
Friday, October 5, 7-9pm

Xchanges Gallery

2333 Government Street
250.382.0442
www.xchangesgallery.org
Open Saturdays & Sundays, 12-4

Xchanges Gallery gratefully acknowledges the financial support of the CRD

Book Launch & Exhibit

The Artistry of Art Deco:

an illustrated selection of buildings in Greater Victoria

Bellevue Road

91 illustrations and descriptive text by **Mary Conley**
Prints of 30 of the illustrations will be on exhibit
October 3 - 14
Opening Reception 5-8 pm on October 4

Fortune Gallery • 537 Fisgard Street

Artyom Dervoed, Classical Guitar • Oct 10

"TSAR OF THE GUITAR" ARTYOM DERVOED—a Russian classical virtuoso who has won 18 international competition awards and has a reputation as one of the world's great masters of the instrument—makes his Victoria debut this October, courtesy of the passionate efforts of the recently reincorporated Victoria Guitar Society (VGS).

Attracting performers from the world's highest ranks to play here is one of the main goals of VGS, now headed up by Alexander Dunn, who directs the guitar program at UVic. Dunn, who has toured the world himself for over 30 years, is well known as a performer, arranger and instructor.

He and former student Natasha Pashchenko, along with classical guitarist Marissa Kitson, formed a board of directors and re-launched the society last July. They came out roaring, with a concert series that brought the best of the best to town, and this year, they're doing it again. The October VGS date serves as the West Coast's only opportunity to see Dervoed play live.

Little old Victoria is, surprisingly, "an intense centre of classical guitar," laughs Pashchenko, yet "a lot of people who don't study classical guitar still don't know it." Outside of the large circle of players and instructors here, "it gets a little quiet."

VGS is on a mission to invite everyone to experience the excitement and range of the guitar. "This beautiful instrument is like an orchestra," she says. "It's got immense colour possibilities, dynamics, and articulation," even more so than the piano, she asserts, whose loud, booming voice nudged guitar out of the spotlight centuries ago.

"Classical guitar is actually becoming more powerful acoustically now," Pashchenko informs me. "The instruments are being engineered for a bigger sound." Dervoed, she says, certainly needs no amplification as a performer; his huge and engaging stage presence and incredibly energetic musicianship electrifies the hall and holds audiences rapt. "He is a very passionate and emotional performer, a pleasure to watch. He doesn't just sit and play, he lives it and breathes it and expresses."

The 2018-19 VGS International Concert Series includes four classical guitar concerts, September through May. Other activities include youth masterclasses with visiting artists, monthly open mics, a guitar ensemble, and free public outreach performances.

Artyom Dervoed performs October 10, 7:30pm, Phillip T. Young Recital Hall at UVic. Advance tickets $20-$25, 4-concert season subscription $75 - $95, www.victoriaguitarsociety.ca.—MK

"LISTEN" DANA IRVING, 48 X 36 INCHES, OIL ON CANVAS

October 6–18

DANA IRVING: WHAT MOVES ME

West End Gallery

At once whimsical and serene, Irving's paintings create a sense of wonder and quiet in the viewer, inviting them to guess at the stories that unfold in her unique landscapes. By exploring the musicality of motion and stillness in nature and weather, Dana's dancing trees and rolling waves are suggestive of an overall lyrical context. Her work has been compared to both Emily Carr and Dr. Seuss, and both hold true in her incredibly creative approach to capturing to the Canadian landscape. 1203 Broad St, 250-388-0009, www.westendgalleryltd.com.

Bringing musicians home

MOLLIE KAYE

Performance venues are desperately needed—what about your place?

A house concert

In November 2004, I was new in town, and needed a favour. I approached a couple I'd recently befriended at a James Bay Irish music jam and asked if they could provide overnight accommodation—and host a concert—for international Irish music stars John Doyle and Liz Carroll. Their lovely home had a spacious living/dining area, under-utilized in-law suite, and close proximity to acres of free parking. I knew it would be the ideal venue for a house concert, but I had to talk them into it. Fourteen years, dozens of concerts, and many a snack tray later, they're still hosting shows and developing personal connections with some of the best folk and roots musicians in the world.

Because they now have far more requests from musicians than they can accommodate, I've changed their names for this piece; I'll call them Stu and Claudette. It wasn't just their house that made them ideal hosts: sociable, upbeat, generous community-builders, they were avid music fans who were eager to connect their own young, aspiring roots musicians with world-class players (it was fortuitous, Stu says, that my initial "ask" was to host Liz Carroll, who just happened to be one of their kid's major idols; Carroll also provided some free lessons).

Claudette's altruism, though, is the main reason she and Stu open their home for house concert parties—up to a dozen a year—while making zero money from the effort. "I think about the costs for musicians to do any kind of live touring. It's nuts. We all take vacations; we know what that costs. Accommodation, food, travel, ferries, cars…if I can give a little back, that's why we're doing it."

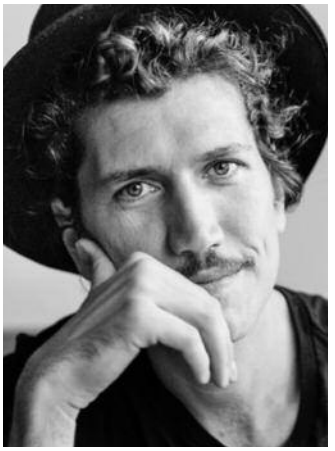
She enjoys having musicians stay overnight, and finds the whole experience, on balance, quite fulfilling. "Once the concerts are in process, it's pretty magical, to have live music like that in our house. People do talk about how it's imbued these walls with warmth." She looks back on the years of connections and friendships made, the music they've enjoyed, and is glad I "spotted" them as a venue. "We are so fortunate to have a big house that we can do this in, with parking nearby. We had never even thought of it; we didn't know these things happened."

They happen, but they need to happen more. Acoustic musicians are suffering from a desperate lack of places to play. Victoria bassist, vocalist, and songwriter Oliver Swain, who performs throughout Canada, confirms this. Are there enough venues? "God no. It's devastating. It's so bad in Victoria. It's crisis times. House concerts aren't necessarily going to fill the void…but it could definitely be part of a solution," he says, and tells me that house concerts now make up a full 30 percent of his live performing schedule. "I think there are a lot of people who would love to do this, but it's just getting the word out."

A 2016 Music Canada report warned, "No one can predict how long BC's pipeline of young talent will persist when it is so hard for them to earn a living." Just google "live

"IT'S DEVASTATING. It's so bad in Victoria. It's crisis times. House concerts aren't necessarily going to fill the void…but it could definitely be part of a solution."—*Oliver Swain*

music venues disappearing" and you'll see that cities in BC, across Canada, and throughout other countries are all sounding the alarm. In their heyday, live music clubs were the hotspots here; even a small city like Victoria supported dozens of them. Now Hermann's, the last club of its kind here, teeters on the brink of extinction. In this era of Netflix and youtube, high rents and restrictive licensing, the numbers just aren't crunching in their favour.



Oliver Swain

Enter house concerts. "They're some of my favourite environments," enthuses Swain. "My music naturally lends itself to that intimacy. I bring my own small PA…I set it up, and I'll have impeccable sound, beautiful sound, in a small place." The fact that the musicians get 100 percent of the proceeds means the income generated by a 30-seat house concert at $20 a head is sometimes more than playing a larger venue where there are rental, sound, and promotion costs.

Victoria-based guitarist and songwriter Stephen Fearing relies on touring for the bulk of his income, now that streaming music sites have eradicated the predictable income CD sales once generated. House concerts, he says, account for maybe a fifth of his shows. "It's a gig, CD sales, they feed you, and they put you to bed. Win, win, win, all around," he says. Early-week fill-in house concerts are lucrative for him. "The net is greater than you would have made at a club, which is bizarre. It's a very old tradition that's coming back into vogue: performing for the gentry. It's been there for generations."

Like Swain, Fearing enjoys the intimacy of these shows, but acknowledges drawbacks for performers too, especially those accustomed to the professional distance created by a brightly lit stage. "You can make a really strong connection with the [hosts]…because you're literally in their house—with all the good and bad that goes along with that," he says. "The connection with the audience can be intimate, or it can be awkward. There's no smoke and mirrors. It's stark as stark can be…sometimes it's negative, with annoying distractions to overcome. It can be a very positive or a very tiring experience."

To mitigate the awkwardness, Winnipeg-based Home Routes offers house concert touring support services for both musicians and hosts across Canada. Tim Osmond is artistic director and a co-founder. "There's so much talent in this country, and hardly any places to play," he explains. "We started this non-profit to represent artists and try to get them more work. We line up 12 living rooms or community spaces over a two-week period; we offer artists a block of work, not just one show." Hosts are vetted, and sign up for a season of six concerts over eight months. "You invite your friends, your crowd, your neighbours; it's all people you know in your house," Osmond explains.

Now that I have a larger place again, I could experiment with offering my living room as a venue for musicians—take a little overflow from Stu and Claudette, perhaps. I grew up as the daughter of a cellist, and our house thrummed with live, professional music; I realize I've been longing to have that conviviality, community, and culture in my own home again. And although they will always maintain a certain aura of privacy, house concerts are coming out of the closet, as evidenced by this item on a January 2018 *Vancouver Sun* "things to do this week" list: *House Concert—VSO musicians performing a wonderful evening of violin and piano music in a cozy living room at UBC, location to be revealed after ticket purchase.* Or in *Focus* last November, when Karel Roessingh was promoting his latest CD, *Birdsong in the Parkade*, via house concerts.

Writer and musician Mollie Kaye encourages others to consider hosting. To connect with musicians, contact Oliver Swain at oliverswain.com or visit homeroutes.ca.

THE GALLERY AT MATTICK'S FARM

"Cutting to the Chase" by Natasha Miller, 24 x 36 inches

Natasha Miller & Allison Brodie

August 27 – September 23

Opening reception
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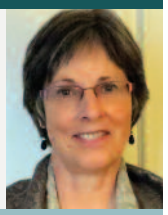

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The Rocky Horror Show • October 17 - 28

SOME PEOPLE SEEM BORN TO CERTAIN ENDEAVOURS. Jimbo (James Insell), Chinatown-based production designer, costume wizard, and creator of some of the most outrageous drag and performance art characters ever to grace a stage, definitely seems destined to be part of *The Rocky Horror Show*.

Happily, he is. Collaborating with Atomic Vaudeville, several talented local musicians, and even his own Toronto-based actor brother, he's designing the look of this campy, glam-horror 70s cult classic—for the fifth October in a row. Whether you're a *Rocky Horror* veteran or virgin, you're in for a wildly entertaining romp.

The happy marriage of Jimbo and Atomic Vaudeville goes back a decade, starting with *Ride the Cyclone*, the original musical that went on to establish itself off-Broadway and is still touring the US. "I've been their go-to designer for all their workshops and different productions," Jimbo says. "I work with them whenever I can."

This year's *Rocky* gets a fresh take on the set design, featuring something "that looks more like a castle or spaceship…using rock textures, metal textures—creating a large, grand castle in an abstract way," Jimbo explains. The costumes? "It's an abstract mix, a clown carnival vibe, with a sexy undertone…gender identity and sexuality, we play with that a lot in the show…it's fun, exciting, nostalgic, with a darkness and a creepiness about it."

Tradition is a big part of the *Rocky Horro*r phenomenon; having the show anchored at the Metro is important, as is raising the bar each time. "The idea is to put it on in this community in the same spot every year, to have a repeat audience…and to have people's expectations exceeded every time they come to see the show."

Jeff Insell, an actor and model, is playing conservative-turned-kinky-hero "Brad," a role he took on last year. "It's pretty awesome to design and be part of a show with my brother," Jimbo says. "We hadn't been able to do that, living in two cities." And while the outrageousness of the gender-queer garb is old hat for professional actors, the live musicians are another matter. "The band is always a bit nervous when I show them what they're wearing…lace panties and bras." Like the hero in the show, who starts out straight but ends up quite bent, the band relents, and gets right into it. Jimbo laughs, "It's like Brad. 'Oh, I could never! …Okay.'"

Presented by Atomic Vaudeville, directed by Britt Small, designed by Jimbo. Metro Studio Theatre, 1411 Quadra St. Tickets: www.ticketrocket.co.—MK

"WANDERING WINGS" MADELEINE WOOD, 30 X 24 INCHES, OIL ON CANVAS

September 8–22

MADELEINE WOOD: DREAM ON

Madrona Gallery

Madeleine Wood's paintings evoke a sense of intimacy. In this latest series, Wood finds inspiration in the surreal, incorporating multiple layers of imagery to create a tactile and dreamlike experience. Wood studied Fine Arts at Emily Carr Institute of Art and earned an MFA from Concordia University. Her work has been collected extensively in Canada, the United States, Hong Kong and Europe. She paints full-time from her home studio in Fanny Bay, BC. Opening Reception with artist in attendance: Saturday, September 8, 1-4pm. 606 View St, 250-380-4660, www.madronagallery.com.

Treat your right brain.

October Art Events
Sponsored by ArtSea

Artisans

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Mary Winspear Centre, Sidney
October 12 to 14
Since 2003, a world-class juried art show for serious artists, patrons, and those who appreciate art. Featuring 400 pieces of art, the show includes everything from painting and photography to fibre arts and sculpture.

Saanich Peninsula Studio Tours

Studios in Sidney, North and Central Saanich
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Details at artsea.ca

ArtSea
COMMUNITY ARTS COUNCIL

Moving beyond the (dead) white man syndrome

MONICA PRENDERGAST

A gender equity and diversity report card for local theatre companies' 2018-19 productions.

It has been three years since I last took a look at what was on offer for the Victoria theatre season with an eye to how well local theatre companies are fostering gender equity and diversity in their programming. Studies show that less than a third of Canadian professionally-produced plays are by women, or are directed by female directors, or appear in companies led by women artistic directors (the latter determine seasons of plays). The stats are worse in the US; less than 20 percent of plays produced there are written by women.

Thus, it remains important to keep a close view on the equity we have on Victoria stages. Diversity is another area that needs improvement in Victoria, including increased programming of plays by international, minority and Indigenous playwrights, hiring directors with a view to diversification, and using more actors from multiple backgrounds with the principle of colour-blind casting in place. So how well are we doing for the 2018-2019 theatre season?

Let's begin with Victoria's only full-time professional theatre company, the Belfry Theatre. Artistic Director Michael Shamata has had a good track record in staging plays by women, and a number of plays by Indigenous playwrights. This season features two plays by women, Kat Sandler's quirky and surreal comedy *Mustard* in the fall, and Amy Herzog's intergenerational dramatic comedy *4000 Miles* next spring. Shamata is also bringing in the Indigenous musical *Bears* by Matthew MacKenzie, produced by Alberta Aboriginal Performing Arts and Punctuate! Theatre (Edmonton) Productions. I do note only one woman director for the season, Anita Rochon, who will direct *4000 Miles*. Overall, Shamata gets top marks for programming 60 percent of the mainstage season with gender and diversity in mind.

The spring Spark Festival at the Belfry includes a solo play, *The Ex-Boyfriend Yard Sale*, by talented actress Haley McGee, and one by Vietnamese-Canadian playwright/performer Franco Nguyen, *Good Morning Viet Mom*. Halifax's 2B Theatre brings us Hannah Moscovitch's *Old Stock: A Refugee Love Story* about Moscovitch's Jewish grandparents' emigration to Canada from Eastern Europe, their courtship and marriage. I saw this show in its off-Broadway run in New York this year, where it gained six Drama Desk Award nominations, including for Best Musical. Victoria audiences are in for a treat, and the theme of diversity is very present in this one. Alongside popular local comedian Mike Delamont's new show *Mama's Boy*, there is something for everyone at Spark next March.

> LESS THAN A THIRD of Canadian professionally-produced plays are by women, or are directed by female directors, or appear in companies led by women artistic directors. Diversity is another area that needs improvement in Victoria.

Turning now to our very well-established community theatre, Langham Court, how well does its 2018-2019 season stack up? It is Langham's 90th season, a remarkable achievement and a testament to all of the volunteers who make the company work so well. Program Chairs Alan Penty and Pat Rundell have picked six plays and musicals, only one of which is by a woman playwright. *That Elusive Spark* by Victoria's Janet Munsil is also being directed by one of two women directors for the season, Mercedes Bátiz-Benét. Shauna Baird is set to direct David Wood's *Goodnight Mister Tom*. I also note that a couple of shows are based on books by women (*Goodnight Mister Tom*, *25th Annual Putnam Spelling Bee*), but overall I have to give Langham a middling grade. Although I know that the company is consciously working on diversity issues, in terms of both membership and casting, I would still like to see some plays by international and/or minority playwrights included in their season planning.

The University of Victoria's Phoenix Theatre season programming is hampered by the need to produce plays from the dramatic canon for the sake of students' theatre education. Most often these plays are by (dead) white men. This season, however, although three of the four plays are written by men, we do have an alumni play written and performed by Nicole Nattrass, *Mamahood: Bursting Into Light*. And in 2019, Euripides' *Trojan Women* and Morris Panych's *7 Stories* are directed by faculty members Jan Wood and Fran Gebhard. So this 50 percent for women directors and 25 percent for one play by a woman gives the Phoenix an above-average grade compared to many past years. I have been seeing a welcome growing diversity in the student body at the Phoenix; it would be good to see equal attention paid to plays by women and minorities.

Theatre Inconnu programs their season by the yearly calendar, so is already halfway through its 2018 season. Artistic Director Clayton Jevne has done better in past years with programming of plays by women and more women directors than is in evidence here. Only one of the four plays is being directed by a woman, Wendy Merk, and all four plays were written by men. I do note, however, that Jevne's wife, writer Ellen Arrand, has written and will be performing her play *Water People* for the Fringe Festival, directed by Jevne. While overall, I am not seeing a level of gender equity that approaches 50/50, the diversity of the season scores very well, with plays from Chile (*Neva* by Guillermo Calderon) and Israel (*Tenant Haymovitch* by Ariel Bronz). Jevne often programs international plays that would otherwise not be seen by local audiences; this aspect of his season planning is always a strength.

Blue Bridge Repertory Theatre stages its shows throughout the spring and summer at the Roxy Theatre. Artistic Director Brian Richmond tends to program modern classics, so the dead white man syndrome can prevail in this company's seasonal fare. This year we saw one-act plays by Anton Chekov (arguably a diverse choice for his Russian ethnicity), Arthur Miller's *All My Sons*, Canadian classic *The Drawer Boy*, and my all-time favourite musical *Sweeney Todd* by Stephen Sondheim.

All four shows this season were directed by Richmond or by his son Jacob Richmond. It would be good to see some plays by women in future seasons, along with more women directors invited on board. And although Blue Bridge has a challenging mandate in terms of increasing its diversity, I still believe it is possible to find national and international plays in translation that would add to our understanding and appreciation of 19th and 20th century theatre.

I am going to conclude this column by highlighting what, in my experience, offers one of the most diverse casts and women-centred production teams in the city. William Head on Stage cast members reflect the harsh reality that Indigenous and minority men are incarcerated at higher rates than the white majority population in Canada. In my time spent as a mentor actor on two shows with WHoS, I was struck many times by the diversity of my fellow actors, who were Asian-Canadian, Indo-Canadian, African-Canadian, African-American and Indigenous. And this fall's production, an inmate-devised show called *The Crossroads: A Prison Cabaret*, is once again directed by Kate Rubin, in her fourth show for this long-running and unique prison theatre company. Rubin is working with a large production team made up of a majority of women: set designer Carole Klemm, stage manager and sound design mentor Carolyn Moon, writer and actor Kathleen Greenfield, actors Anne Cirillo and Jeni Luther, choreographer and costume design mentor Ingrid Hansen, and lighting designer Poe Limkul. They are joined this year by local musician and musical director Alfons Fear along with a number of other artists helping in different capacities.

The irony that one has to trek out to a federal prison in Metchosin to see the kind of diversity and gender equity I am calling for is not lost on me.

Monica is spending this fall on a welcome study leave from her faculty position at the University of Victoria. Her travel plans will take her to a number of international destinations where she plans to enjoy some theatre.

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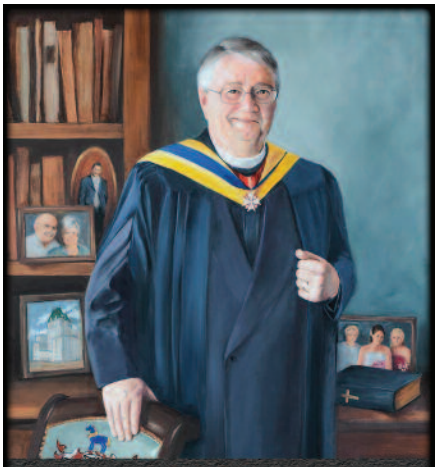

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Unprecedented Crime

AMY REISWIG

Authors Elizabeth Woodworth and Dr Peter Carter see climate change in terms of a planetary emergency needing global mobilization.

PHOTO: TONY BOUNSALL

Elizabeth Woodworth

While many of us were cooling our feet at the beach this summer, much of the world was burning. Sometimes literally. Heat records were broken around the world, wildfires grew so big they created their own weather systems, and drought areas were visible from space.

So how far would you go to protect your child's or grandchild's life and future? How far should we all go to protect the lives of children we've never met or who won't be born for generations, who share not our blood but our right to life on a healthy planet?

For world-renowned climate scientist and activist Dr James E. Hansen, it's all the way to federal court. Hansen has been warning the world about climate change since the 1980s and is now one of the co-plaintiffs in the landmark *Juliana v. United States* lawsuit, alongside his granddaughter and 20 other young people. They're suing the US government for knowingly promoting a climate- and future-damaging fossil fuel industry, thereby violating constitutional and public trust rights.

Hansen has also thrown his support behind a new book by two local researchers inspired in part by the groundbreaking legal case.

In *Unprecedented Crime: Climate Science Denial and Game Changers for Survival* (Clarity Press), in which Hansen writes the foreword, Victoria-based writer Elizabeth Woodworth and Pender Island's Dr Peter Carter refocus the way we look at climate change. As concerned citizens, we might follow news of international conferences producing mostly unimplemented promises, and we might even take our own eager steps in response to calls for individual action and technical innovation. But for these two longtime climate activists, the alarm still needs to sound louder, wider.

Seeing climate change in terms of a planetary emergency needing global mobilization, they also look at the various kinds of government and industry action and inaction in terms of prosecutable crime: state-corporate crime, bank crime, even crimes against humanity. "Climate change," they write, "is a crisis of systems—ecosystems and social systems."

Woodworth and Carter have each been working to raise awareness about climate change danger for years. A writer, researcher and former BC Ministry of Health librarian, Woodworth co-authored *Unprecedented Climate Mobilization: A Handbook for Citizens and their Governments* and was one of the producers of the Paris COP21 video *A Climate Revolution for All*. Carter, a retired medical doctor, has been following the NASA and NOAA climate stats for decades, which he publishes on the website stateofourclimate.com. Founder of the Climate Emergency Institute, he served as an expert reviewer for the IPCC's 2014 climate assessment, and he has presented nationally and internationally on topics including environmental health policy, air pollution, sustainable development, and food security. He's also one of the founders of CAPE (Canadian Association of Physicians for the Environment) and, back in the days of the nuclear scare, was part of International Physicians for the Prevention of Nuclear War and Physicians for Social Responsibility. Yet he wants to do more.

On a sunny day at Clover Point, Woodworth tells me about finally meeting and starting to work with Carter, whose work she has long admired. "At one point I said to him: 'Peter, when you stopped being a medical doctor, it's almost as if you expanded your doctoring to include the world.' He said that was about right. He sees the whole world as a kind of patient that needs solutions."

It turns out Woodworth also worked in the anti-nuke arena, writing the book *What Can I Do? Citizen Strategies for Nuclear Disarmament* in the late 1980s. That shared background speaks to what's at the heart of this new collaborative volume: their mutual deep concern for the health of humanity and our planet and a belief that it's still possible to make the changes we need to protect the future for those too young (or not yet alive) to take a stand for themselves.

What these two also share, and another part of what drives the book, is a certain amount of anger. "I would never have imagined, in my wildest nightmares, that we wouldn't have solved this many, many years ago," Carter tells me by phone. Because we've known. Governments have seen the science, as signatories to the IPCC's summary reports, since 1990, and yet they "allow the global climate catastrophe to unfold…But worst of all they have failed to protect their citizens—now and for future generations. This," they write, "is the crime of all time."

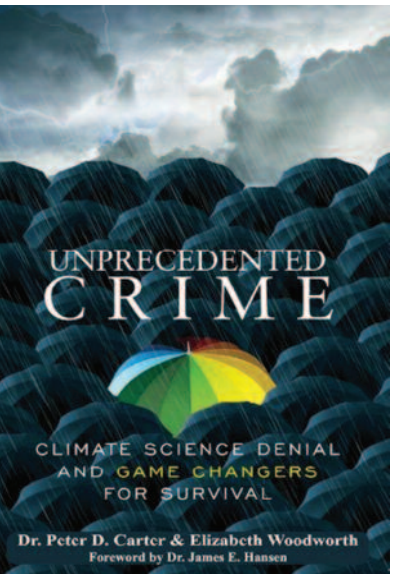
The book's first half, "Crimes Against Life and Humanity," details just some of last year's extreme weather—a catalogue of floods, fires, hurricanes, heatwaves, and the lives displaced or lost. "The images of what climate change looks like no longer belong to the future."

They then look back to the beginnings of global climate warnings, including the way those warnings have been ignored or manipulated. Most eye-opening, though, is their analysis of the various international

AFTER MONTHS OF FAILED GOVERNMENT attempts to delay and dismiss, Juliana v. United States has finally been rescheduled for trial on October 29. It's being billed as the "trial of the century."

regulations and legal mechanisms under which GHGs should be controlled and polluters punished. Chapters on corporate media and the role of independent sources, the history and importance of the public trust doctrine, and patterns of information denial, suppression and deliberate misinformation mirror what the world went through in the fight against deep-pocketed Big Tobacco.

If Woodworth and Carter share anger, they also share hope. "It's exciting, actually," Carter explains. "People say it's negative and depressing, but the work is the most positive work" for it allows him to focus on ways to spur the kinds of big cultural shifts that are painstaking but possible.



So while the book's first half is a chronicle of dangers and criminality, the second half is solution-oriented, running the gamut from energy subsidies and tax reform to environmental law and current court challenges, civil disobedience, the power of investors, and some of the technical innovations already underway. We're pointed to companies and organizations around the world—in Ireland, Morocco, Spain, Australia, Germany, Italy, India, Uruguay, Iceland and more—and I spent many subsequent hours exploring online, discovering surprising initiatives, whether it's options for renewable energy powerful enough to meet the needs of heavy industry (a big missing piece right now), single companies turning waste methane into bioplastic, NASA's development of electrical propulsion for aircraft, or larger social plans like the Solutions Project, proposing how we can transition to 100 percent clean energy by 2050.

It's easy to be cynical about government commitment to addressing climate change when they invest billions of taxpayer dollars in a new pipeline without consultation or, down south, put a climate change denier in charge of the Environmental Protection Agency. But in *Unprecedented Crime*, Woodworth and Carter remind us that action is happening and that new avenues of legal pressure can be pursued—another arena that's heating up for the better. Indeed, after months of failed government attempts to delay and dismiss, *Juliana v. United States* has finally been rescheduled for trial on October 29. It's being billed as the "trial of the century," and I know I'll be watching.

Writer and editor Amy Reiswig continues to ride her bike and her clunky 10-year-old electric scooter but knows it's not enough.

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Fresh out of domani

GENE MILLER

Rome imploded because of a loss of purpose, identity and moral vigour. What are we doing to avoid that?

Blue hair! Green hair! And all those stupid goddamn tattoos, these days! Why, when I was young, we…we… well, we grew our hair down to our asses, but we didn't dye it purple, for Chrissake. For us, it wasn't some vacuous fashion statement, or herd thing; it was ideological: we were Protesting Against the Establishment and Fighting for Principles. I can't remember which principles at the moment, but important ones, like freedom. And getting laid.

Between last column and this, I turned 75—three-quarters of a century!—a meaningful and shocking age that propels one ever closer to the looming horrors of The Watch Out Years: "Did you turn off the stove?" "Let me help you with that carton." "No, you got it backwards: your ophthalmologist's on Fort, your knee guy's on Hillside." "You can't make a coffee date with Ezra. Remember? He died last year." "Do you need a new battery for your hearing aid?"

Life's arc: from ever-hopeful to Eveready.

I'm a so-called "war baby," born in '43 in New York City—a year and place made ever more legendary when Horowitz, with Rodzinski conducting, performed a never-to-be-equalled Rachmaninoff 3rd Piano Concerto before an enthralled and rapturous Carnegie Hall audience of 3,000, including my grandfather, Mendel, who, backstage post-concert, shook Horowitz's hand—the defining event of his (my grandfather's) life. I'm sure my violinist mom would have been there too, even pregnant with me-to-be, but, with patented self-concern, I decided to pop out in August, well before the November concert, thus imposing home-stay on both of us. Unrelated to this story, my mother declared me "a handful" from the day I was born.

A world war was raging, then: a time of near-global mayhem and clear moral demarcations. I gallop across history to remark that this urgent international moral partnership (our guys) lasted as long as it could post-war, then waned in increments, squandered in Cold War "red menace" paranoia, insensitive and ill-planned geo-political realignments, bumptious American cultural and economic hegemony. Faint hopes of post-Depression egalitarian social activism were overwhelmed by market ideology and culture, which, in turn, made a deep home for itself in the American soul. (Ahhhh, Pete Seeger, friend, where are you now? Looking down, I'm sure.)

"THE SACK OF ROME BY THE VISIGOTHS" BY JN SYLVESTRE

And today, we have a collapse of illusion about American national purpose, a Make America Great Again sociopath/narcissist in the White House (in every worrying sense, the right man for his times, scarily canny about the American mood), and tough-guy political autocracy spreading globally like some poisonous rash.

Humans will soon be replaced by robots in almost all work (couples counselling the possible exception) and in two generations all human systems will be taken over by self-aware AI…if other social, economic, political and environmental catastrophes haven't pre-empted complete technological annexation.

And waiting impatiently in the wings is a novel and final form of human-orchestrated planetary suicide called global warming, concerning which, do not miss Gwynne Dyer's mesmeric and terrifying disquisition "Geopolitics in a Hotter World" (available via Youtube).

Such events and consequences will unfold within the span of our remaining years; yes, us—me writing and you reading these words. If a question hangs over our age, it asks, meekly: "Are things getting worse slow enough for us to survive?" Such a question invites an obscure calculus, but with no possible answer on the happy side of the ledger.

Evan Osnos, in a *New Yorker* piece last year, "Doomsday Prep for the Super-Rich," profiles the uber-wealthy's very real fears—not cocktail chatter, but palpable, act-upon worries—of imminent civilizational crackup. He catalogues their preposterous, sane/crazy survival strategies, their attraction to and investment in remote properties, islands, gigantic stashes of food and water, hardened bunkers, guns, hired security, rockets to some distant planet, cryogenic hibernation, brain preservation awaiting some future all-clear, etcetera—in other words, me, me, me in Tomorrowland, none of it social innovation and problem-solving now. Mind, it drinks at a rich pool of irony and sounds like the setup for a Twilight Zone episode: walls of canned food, but "I thought you packed the can opener," or bird crap suddenly blinding the all-clear/we-can-come out-now periscope lens.

Here's the above in shorthand: a number of staggeringly wealthy, intelligent, thoughtful, analytical and resourceful first-raters are making immediate on- or off-planet plans to survive imminent civilizational cataclysm and complete collapse.

Near the finish of the piece, Osnos offers the gossamer comment: "contemporary life rests on a fragile consensus." Gosh, there's a sleep-well turn of phrase.

"Gene, you're way doomy at 75. You know the red pill/blue pill thing? Well, you're like the black pill."

Me? Come on! Predicting $15 for a tub of Haagen Dazs, that's doomy.

I have just finished social historian Morris Berman's *Dark Ages America*, an informative and gnawingly pessimistic telling of the American story roughly from the post-World War years to now: from rabid, Cold War anti-communism to the current nation-destroying merger of corporate money, the right-wing political agenda, resurgent racism-tinged religion, and the ever-amplifying mutter of frustrated, futureless, fulminating Middle America.

Likening the US now to the Roman Empire at the time of its collapse, Berman reminds us

VICTORIA STILL MANAGES, if haltingly, to convey a message of safety and continuity in a world increasingly poised for conflict and eruption. For the city's land use thinking or policies to fail to honour this essential fact about the place is, or would be, a tragedy.

that Rome wasn't defeated in battle by an enemy; it imploded because of a loss of purpose, identity and moral vigour, that strange pre-collapse combo in which a people can no longer answer the question: "What are we doing?"

So, can we talk about Victoria or, possibly, Lifeboat Victoria?

I believe the world needs more Victoria, but the state and fate of this place is so parlous, so up for grabs, these days, its unique qualities, values and ability to regenerate community so at risk, that I'm unsure about wishing more Victoria on the world. I have never felt like this before about my city. I worry that the conditions, skills and tools for sustaining existing communities and forging new ones are weakening, breaking, and that the city is on the verge of turning into just another goddamn place.

If it's not too much of a sideways jump (this column's a string of them), let me explain why I have no warm-fuzzies for communitarian simulacra like LUVs, Large Urban Villages, or companion small ones—SUVs, that the City of Victoria has thought up. You can tell intuitively that it's just lingo, a technocrat's wet dream, the kind of mechanistic abstraction devised by people or organizations that favour script over story or authenticity.

The real sin of LUVs and SUVs is hidden deep in social code: it reduces any and all other reasons for or possibilities of community to footnotes. How? By highlighting the self as a shopping unit instead of a citizen engaged in expressions of neighbourliness and the transactional potentials of community.

There is an accelerating drama playing out within our Victoria communities, a cultural battle about how to live, with strong implications for land use. Look, urban design is really social design—prettified language, in other words, that asks the questions: "How shall we live?" and "How can we fashion our city and our communities to create and sustain coherent, cooperative, successful social connections and relationships?" and even "What's important?" "What do our choices mean, and where do they lead?"

"Story is more important than policy," wisely notes the *New York Times* columnist David Brooks. Story comes first (Who are we? What do we want and need?) Policy (How do we achieve that?) flows out to try to make story come true.

Victoria inspires an unusual emotion from visitors and residents alike: yearning. Why? At its best, it is one of a diminishing number of places that still projects the possibilities of social sanity, which is to say, rootedness, coherence and continuity in a time when everything seems tossed in the air. Visitors have little trouble picking up this rootedness in its hundred tiny coded expressions: public courtesy, merchant honesty, cars stopping for crossing pedestrians, lack of litter, unmolested parks, a sense of neighbourhood order, civil greeting between strangers, past and present connected, and so on. It isn't, or isn't just, that we have held on to a lot of our old buildings, but what this holding-on means: a respect for scale, proof of the great accomplishments of modesty, to word it paradoxically.

However imperfect the results, at least we're still trying here. In a world that has lost such things and has little idea where to find them, that counts for a lot. You don't want to treat such qualities carelessly.

To put this another way: Victoria still manages, if haltingly, to convey a message of safety and continuity in a world increasingly poised for conflict and eruption. For the city's land use thinking or policies to fail to honour this essential fact about the place is, or would be, a tragedy.

How, then, to put Victoria on alert about such matters, how to initiate community-wide conversation about our invaluable social assets and atmospherics, how to prepare to sustain community in the unfolding battle for the future?

Such concerns pose a deep challenge not just for the city's leadership, but all of us. We're in the middle of transition times in Victoria, headed somewhere either by design or default, capable either of embodying a living story or obliged, with a shrug, to prepare for nostalgia.

Founder of Open Space and co-founder of *Monday Magazine*, Gene Miller is currently promoting ASH, an affordable housing concept.

STRUGGLING WITH LIFE?

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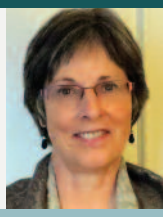

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Marion Cumming's indomitable spirit

MALEEA ACKER

One woman's commitment to de-colonization.

Some people in the world serve as profound role models. They embody our species' best qualities—care, patience, empathy, tenaciousness, optimism—and they focus on doing "right work" that acknowledges the importance of all beings, that tries to decolonize settler relationships to the land, and that seeks justice and fairness for all. This column gives me the opportunity to meet a lot of these kinds of people.

Marion Cumming, however, is one who comes frequently to mind, not least because I spent two years working as her gardener on her wild Oak Bay property at the foot of Walbran Park. Gardening involved copious tea drinking and cookie eating in her kitchen, while we caught one another up on our projects. Now that I no longer work for her, I thought it time her achievements came to light.

PHOTO: TONY BOUNSALL

Marion Cumming

Cumming, who calls Oak Bay a miniature Disneyland, is known for her ability to gently, persuasively, and relentlessly achieve miracles for ecosystem protection, heritage conservation, and First Nations reconciliation. The latter is earning her a place in history. Born in 1936 in Toronto, Cumming completed a BA in visual art, and then spent two years as an exchange student at the Universidad de Las Americas, in Mexico City. Living with Mexican families, she "became aware of the vast disparity between the rich and poor, and—even in Mexico—racial discrimination." After working for the Argentine Embassy and teaching high school art in Ottawa, she moved with her husband to a New Brunswick farm, where her lifelong dedication to First Nations took flight.

Decolonization involves the un-settling of the settler mindset, which has silenced First Nations, taken their land, and used violence to attempt assimilation. In 2014, the landmark Tsilhqot'in Decision awarded Aboriginal Title to 1750 square kilometres in the BC interior. It has set a precedent for future rights and title cases, and grounds the reality that, as Cumming argues, all settlers live on "stolen land."

But Cumming started on her mission well before the court case. In 1990, Cumming and her (now late) husband Bruce put their beliefs into action. After she was bequeathed a house by her aunt in Victoria, the Cummings donated their 288-acre New Brunswick property and home to the Wolstokwiyik Nawicowok Indigenous Sacred Land Trust, to become a healing and cultural centre. "We don't even think of it as a gift," she says. "It was land that was taken unjustly to begin with."

Cumming's daily work takes her in a dozen directions, as she petitions against development projects in the city that threaten many private parcels of the last remaining Garry oak stands by talking to mayors, councils, developers and landowners. Her sense of hope, her doggedness and her fearlessness can be awe-inspiring. In the 1970s, trying to fight development on the East Coast, she picked up the phone and asked the operator for journalist and activist Jane Jacobs' number, which was easier to find back then, she tells me, blithely. They spent several years in conversation, Cumming consulting her when issues arose.

High on her to-do list, she tells me during tea in her garden, is "encouraging Canadians to think about returning land to Indigenous Peoples. We're learning so much from them about respect for land and wildlife, and they deserve to feel that they're back on their own land, with their own culture once again."

Cumming also owns a small heritage cabin on land that fronts the Koksilah River. She and her husband agreed to give both it and her Oak Bay property, which overlooks the traditional Lekwungen village of McNeil Bay, back to First Nations upon her death. She wants both to "serve as a bridge for Indigenous Peoples and [settler] cultures." It is, she says, "my life's work." Their decision has been lauded by Mohawk UVic Professor of Indigenous Governance Taiaiake Alfred, and master carver and Tsartlip First Nation member Charles Elliot.

Locally, Cumming serves on the board of the Salish Sea Biosphere Initiative, the Oak Bay Heritage Foundation and its Commission. She was also one of the founding members of the Sea-to-Sea Green Blue Belt Society, which worked to secure the Sooke Lake Watershed Lands for protection, and had the vision to conceive of a swath of protected lands that now stretch from Sooke to Saanich Inlet, helping to limit sprawl and development past the Western Communities. The first meeting of the society was held in her living room. She and Bruce were also weekly speakers at the Water District board meetings, back when it was considering logging and developing large swaths of the now protected watershed.

Cumming is an accomplished pen and ink artist and painter, and has exhibited across Canada. It's a vocation she has used to prevent the demolition of heritage structures across the country, including the old Toronto City Hall, and the New Brunswick and the Stratford City Halls, as well as countless heritage houses. One way, she points

HIGH ON MARION CUMMING'S TO-DO LIST is "encouraging Canadians to think about returning land to Indigenous Peoples."

out, of counteracting the destruction wrought by gentrification, is to get publicity for particular structures that merit being retained. In Fredericton, four months of weekly articles in the local paper, along with accompanying local art depicting the city hall, helped turn the tide. Developers nicknamed her "the velvet bulldozer" for her ability to portray the beauty and value of heritage buildings and lands.

She sketches and paints every Sunday afternoon, seeking out "rambling properties in Oak Bay and Fairfield that lie on tiny lands, surrounded by towering Douglas-fir and which have been forgotten for a century, except by developers. It's a form of expression," she says, "the way that music is, and it can be so healing in some ways." Cumming volunteered in the "worst" mental hospital in Mexico, El Manicomio de Mixcoac in the late 1950s. She can still name the children she taught how to express themselves through art.

Her fight against development extends to the Juan de Fuca Lands, where her passion is leading her to campaign, along with Deborah Dickson, Stan Boychuk, Ray Zimmerman and Jacques Sirois, for the creation of a United Nations Biosphere that would encompass the CRD and the Salish Sea. Recently, the initiative received a $10,000 research grant to explore potential collaborations, including forming an Indigenous elders committee from the First Nations communities in the CRD.

"The Juan de Fuca lands are of major concern. When you look at the map, you can see the area is just laced with streams and lakes, and it really ought to be preserved." Cumming believes that those with a yearning to develop the area, if they thought deeply about it, would realize their actions "would devastate intentions of living up to our responsibilities where climate change is concerned," and have a change of heart. Her idealism still seems at once innocent and indomitable.

We bring the tea back inside. On her dining room table, which has become one of her desks, there are stacked books and pamphlets—on wolves, on the geology of Vancouver Island, on First Nations coastal art. She mentions the burial cairn she suspects lies in her garden, where a circle of boulders cradles a patch of bracken fern. She loads me up with two books on backyard birds and Tod Inlet and a handful of chocolates.

Her optimism in the face of dark times—the Trump administration, Trudeau's approval and recent purchase of the Kinder Morgan pipeline, and the construction of Site-C dam—might be what impresses most upon meeting Cumming. She does not falter; she simply recalibrates and continues to work behind the scenes. To her, hope "means striving to be more loving and more humble and less selfish—it's possible. If we're to be serious about climate change and concerns about the environment, in a way it's the only choice."

Maleea Acker is the author of *Gardens Aflame: Garry Oak Meadows of BC's South Coast* (New Star, 2012). She is currently completing a PhD in Human Geography, focusing on the intersections between the social sciences and poetry.

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The perplexing willingness to ignore reality

TRUDY DUIVENVOORDEN MITIC

Floods, fires and Summer Limb Drop are good clues as to what needs to be done. Yet…

It's early in the morning when I turn on the water. The hose burbles momentarily, then spouts forth a sparkling cascade that lands with a patter on parched foliage. The sun, posing as a farm-fresh yolk, has barely started its rise behind the maple tree but already it radiates a wicked heat.

Some plants wait stoically for their ration, the wandering squashes, sun-burnished berries, and burgeoning tomatoes. Others—mostly flowering plants and anything confined to a pot—are slumped like marionettes during intermission. Still others, including calendula, alchemilla mollis, and the cranesbill geraniums, shed all their beauty without giving a damn and rush instead to produce copious seed for the better times that will surely follow.

A fire tornado burned through a California town this summer

That's always been the gardener's operative too, to keep the chin up for more favourable seasons down the road. But now I'm not so sure anymore. It seems politicians are unable to see the creeping malevolence of climate change from their hallowed halls and chambers, their myopia no doubt aided and abetted by big-ticket corporate lobbyists specializing in singular persuasion. Oh sure, there are the increasingly common floods and fires that are impossible to miss, but these are often treated as independent "acts of God" with no connection to a bigger crisis. In fact, we could argue that they have political value because they provide government with a grandly heroic opportunity to pull out the stops and save the votes and the day (for now).

Come to my garden if you want to see the handiwork of a changing climate, or better yet, have a wee nosey around your own neighbourhood and favourite park. See all the mature trees looking droopy and stressed? Every year they're losing just a bit more ground. Last year our thirsty maple dropped a huge limb that was as dry as aged firewood. In California that phenomenon has a name—Summer Limb Drop—and is correlated to hot weather and prolonged drought. This year it started shedding desiccated leaves in July. I'm wary and have moved the clay birdbath to safer ground.

Summers have always been dry here, but now, with rising temperatures that last for days and linger well past dusk, you can't grow much anymore without copious watering. That's bad for home gardens, our farmers, and all of our green spaces. (The only good outcome is perhaps some modest curtailment in gormless weather broadcasting exuberance that touts every sweltering day as just another wonderful day for the beach, tra-la.)

I pull the hose to another parched bed and worry that we are slowly burning ourselves up. Every reputable scientist says we are. What really perplexes me is why we keep letting this happen. Why do we keep electing ultra-wealthy politicians who glibly and falsely profess to speak for the masses? Why do politicians with innovative and forward-looking vision go strangely soft and silent once they are elected? (And on the flip side, why can someone like Ontario's Doug Ford dismantle so much in such a short time?)

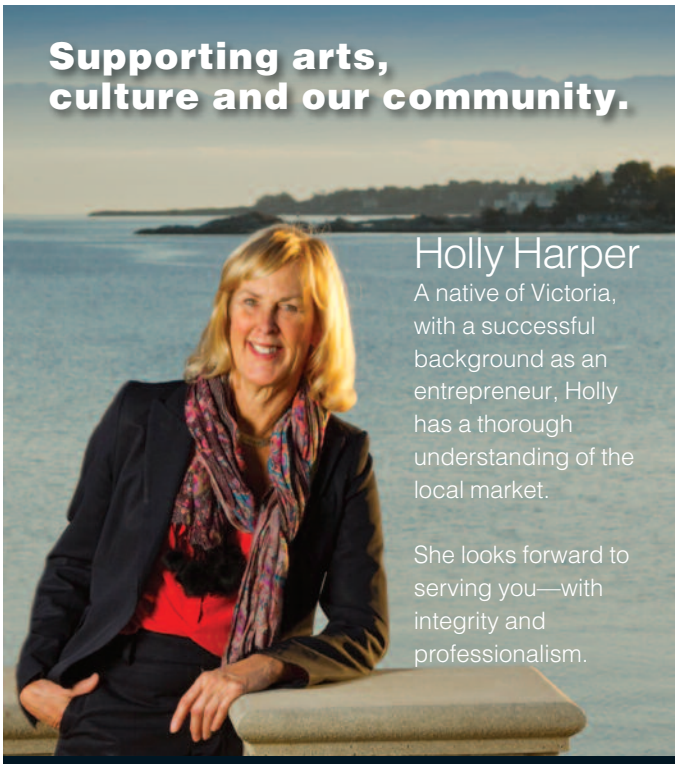
Why is industry now the go-to beneficiary of government decision-making, seemingly in almost every sector? Why are big decisions not first adequately scrutinized on connect-the-dots maps of our region, province, country and entire planet, including the oceans and atmosphere?

Why are our leaders so feeble that, in the face of so much urgency, the only resolution produced at a recent three-day, all-premier's meeting at one of the country's swankiest resorts was a piffle of a promise to "significantly increase" how much booze we can cart home from another province?

Canada is not back. Not even close. Our fresh-faced federal government crows on the international stage, then rushes home to the still-warm bed its predecessors shared with the fossil fuel moguls. Clearly that leaves us to take the real reins. We can do it. It has to be soon.

The towhee nags loudly in defense of its nest as I roll up the hose. I see a bumblebee busy on a flower, its leg baskets stuffed with bright pollen. Despite pesticides and parasites, here it is, still doing its vital and underappreciated work. Nature is resilient. It carries on. It always will, unless we let the day come that it can't anymore.

Writer Trudy Duivenvoorden Mitic is grateful to her garden for the amazing harvest it was still able to produce, albeit early and under duress.



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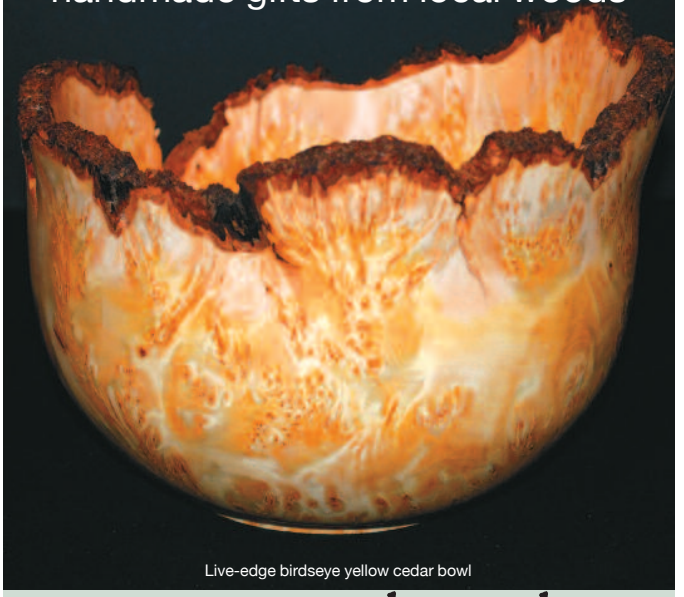

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