

Corky Evans on Bill 11 – Jumbo Glacier – March 26, 2007

C. Evans: I think that it might be somewhat difficult for people watching this event in the gallery or at home to fathom what's going on here. So I would like to take a minute and try and explain what I think is actually happening. Events in this building are sometimes kind of arcane and somewhat stilted for people at home to understand, so I'd like to back up.

Today is Monday, March 26, 2007, and it's 19 minutes after four in the afternoon. We are debating what is called in this House a miscellaneous bill. It's Bill 11, called the Community Services Statutes Amendments Act, 2007. For the benefit of people at home, what a miscellaneous bill does is it tends to amend previous statutes to upgrade them or make them better.

You make a law, just like making a house. You make your house, and a couple years later you're living in the house. You find out that the plumbing doesn't work just the way you want it, or the electrical system, or you want to change the lights, so you upgrade your home. The same thing happens with legislation. We make laws. Then when we put them into effect, we find out there are flaws in the laws, so we fix them with a miscellaneous bill.

Historically, miscellaneous bills are often voted for by everybody in the House — both the government side and the opposition — because they're just fixing up legislation. Everybody agrees that it's good to make your legislation better, just like your home.

In this case, Bill 11 is 25 pages of, essentially, corrections to the community services statutes — quite a few statutes — on issues like hotel tax and the like. I and others who have spoken tend to support those miscellaneous statutes. What is traditionally not done and what is seen as poor form is to actually create public policy in a miscellaneous bill.

Public policy needs the exposure of the province, the people at home. They need to be able to see what's going on. Are those guys changing how we live? Are they changing the control of the land base? Are they changing my taxes? Are they changing who has power? They want to see public policy. In a miscellaneous bill you don't usually put points of public policy because it receives almost no oversight. People tend to vote for it.

What's going on here on this Monday in the Legislature — Monday, March 26 — is that we're debating an arcane and somewhat hidden, very large issue of public policy that was buried in the middle of a miscellaneous bill last Thursday afternoon. The member for Columbia River–Revelstoke is reading, as a good MLA would, the legislation. I would submit, hon. Speaker, that you know and everybody here knows that bills come before us with such speed and rapidity that most of the members of the Legislature don't actually read them word for word.

I think it's true that historically, year after year, on both sides of the House, the workload is such that you tend to think: "Well, if it's not public policy, let the research department tell me if there's something wrong with it." The member for Columbia River–Revelstoke, unnaturally, doing his job, discovers that in the middle of a miscellaneous bill — not at the beginning, not with the title, but in the middle — are sections 14, 15 and 16 that do something which is unclear. He thinks that the something has something to do with Jumbo Resort.

Hon. Speaker, you've been here quite awhile. I've been here quite awhile, which bears no comment about our age, but we've been lucky to work here for a long time. For the entire time that we've worked

here, ever since 1991 there has been an issue of public policy about whether or not to build a resort on top of a glacier in the hon. member for Columbia River–Revelstoke's constituency.

Historically, that subject, like others, has tended to be seen differently by the people who work here and the people who are at home. The people who work here work in a gorgeous marble building, a heritage building on an island, and the people who come to see us in this gorgeous building tend to be those who can afford to get here. They tend to be kind of the lobbyists, the developers, the institutional organizations and individuals who have something that they want from government.

The broad public don't tend to come here. Sometimes they bring their kids to show them government, but they don't tend to come here. Since 1991 the people who want to put a resort, essentially a town, on a glacier in Jumbo Creek have been coming here. They have tended to convince Premiers.

What's a Premier's job? A Premier's job is to lead, to create development and jobs and to try and create growth. It doesn't matter if they're New Democrats, Liberals or Social Creditors. It doesn't matter who they are. That's the Premier's job.

The Premier meets with the people who want to put a town, a Jumbo, and goes: "Wow, 500 jobs, and build a whole town. That's a pretty good idea." My friend Mike Harcourt is travelling around and meets a guy. The guy says, "Hey, Mike, you need some jobs? I'll build a town for you," and Mike goes: "Pretty cool." He says: "Come on over and meet everybody. Let's talk about it."

Well, talking about it means that it becomes not just the Premier's issue. It becomes available to the people at home. What happened for those of us who live in the Kootenays?

When the people at home heard about it, they said: "What a wacko idea. We don't want a town in Jumbo Creek. We've already got ski resorts all around, and we like those ski resorts. Our kids and our neighbours work at those ski resorts, and we don't want to compete with them and put them out of business. Besides, there is a bunch of grizzly bears up there. You're going to put a whole town where there's a grizzly population. What's going to happen? We don't think that's a good idea. Besides, it's right next to the Purcell Wilderness Conservancy. That's the largest unroaded part of the province where we live."

It's right on the east side of the Purcell. People on the west side are going: "Wait a second. You're going to put this huge resort, this big vacuum cleaner that sucks so that everybody from Calgary drives over on Saturday to visit their condo, on top of the glacier above the conservancy?" Then the developer said: "Yeah. Not only that, we'd like to put a road down the west side of the mountains, down into Nelson and Kaslo, and that's good for business. Everybody will drive down there, and they'll eat in your restaurant in Nelson."

The business community said: "Great." And the people of Nelson said: "Whoa. We don't want a road coming down through or next to the Purcell Conservancy." Then the developer said: "Besides that, it will be good for making jobs, because you guys like to build dams. We'll run a power line up to Jumbo — this new town — from the west side." The people said: "Whoa. We don't want a power line going up Glacier Creek from the west side to the Jumbo."

You had this strange thing going on when Mike Harcourt was the Premier where some of the people here wanted to build a town, and the people at home said no. So it got slowed down and debated and put on hold, and Mike Harcourt went off to go get a different job. Glen Clark came to be the Premier, and

then the developers came over, flew over in the helijet, went and sat in the big office and said: "Mr. Premier, we can make a whole bunch of jobs. Let's put a town in a glacier."

Glen Clark said: "That's a pretty good idea. I'm Glen Clark, and I'm for jobs." The people at home said: "Wait a minute. We don't want a ski resort on top of a glacier in Jumbo Creek." So once again we had somebody sitting in the big chair trying to drive a project opposed by thousands and thousands of people at home, and the project, instead of driving forward, started to be slow-walked. It went to environmental assessment.

Then when the developer saw that the government of the day — that I was part of — wasn't going to advance his project and put a town on a glacier and build a road and all that kind of stuff, he said: "Whoa. Let's slow-walk the project. Let's keep it in the environmental assessment process until we see if we can get a third Premier."

Actually, there was Ujjal Dosanjh in between. He was here for such a short time, I don't even think he had an opinion on the project.

A fourth Premier. "We'll wait. We'll slow it down until we see if we can get a fourth Premier to comment on the Jumbo idea, to see if he can get it past those folks at home, those people in the gallery, those people who don't work here but don't want the project."

The project was slowed down by the developer to the place where the environmental community was banging on my door saying: "Hurry it up." Imagine that — environmentalists saying to hurry up a development proposal on top of a glacier where grizzly bears live. Why did the environmental community want to hurry it up? Because they thought it would never survive.

The developer wanted to slow it down in order to get a fourth Premier over there who might find a way to build it. So then we got the present Premier, who had the wisdom. Good on you, Premier. Good on the Premier, who stood up and said: "We're going to let the local people decide." What a good decision.

This is me — opposition member, New Democrat — saying: "Good on the Premier, good on the cabinet, good on the people on the other side for deciding that local control was the way to resolve this problem." Didn't matter what kind of government you had. If they sat in this building and were susceptible to the pressure of money, of corporations, of developers and lobbyists, they were for it. If they were at home, they were universally against it.

Then the Premier said, just prior to the election of 2005: "I've got a solution. We'll let the local people decide." What a good idea. What a darn.... We've been arguing for local control in the rural areas for probably a hundred years in British Columbia, and a Premier said: "We're going to let the local people decide." What happened?

They actually managed to elect a member based on the Premier's promise. There's a nice guy who works here now. He was elected from Cranbrook, because the Premier said that we're going to have local control, and the people believed in that. That's where we were up until last Thursday afternoon, when this miscellaneous bill, these 25 pages, came in here.

Buried in the middle of the miscellaneous bill, it said: "Well, maybe we won't have local control." But it doesn't say that as clearly as that. It does not actually say, "This is the Jumbo Pass amendment," because it's not that honest. And it doesn't actually say, "We're taking away local control," because it's not that

direct.

In two pages out of 25, a lousy 200 words, without using any language that anybody on the outside could possibly discern, it essentially says: "We, the government, have the right to strip this decision." We said the regional district of East Kootenay could make this decision, and everybody at home loved that decision.

If they hated the project or if they were for the project, it didn't matter. Nobody could oppose local control. That's the right way to decide to flood a valley or log a watershed or build a town on a glacier. Let the local people have an opinion.

Prior to 2005 the regional district of East Kootenay was going to be allowed to make that decision. Unfortunately, the Premier and the developer and the lovely people that govern today discovered that the regional district of East Kootenay would not vote for the project that they wanted to build. Now they had a real problem. They had a promise for local control on an issue which tens of thousands of people have written in on.

When they were holding environmental hearings, they didn't want to come to Nelson. They just wanted to stay in the East Kootenay, which is kind of reasonable. The project was in the East Kootenay. The project was in Columbia River–Revelstoke, and hundreds and hundreds of people were coming out in Columbia River–Revelstoke.

Then they held a meeting in Nelson, and what happened? To my surprise... I'm a little bit shielded from reality because I work here in a bit of a fairyland. Reality in Nelson — the largest public meeting in history on a single subject. People came out to say universally: "We don't want Jumbo."

When it went to the regional district of East Kootenay, everybody held their breath, and then the regional district of East Kootenay blinked and said: "We're not going to vote for this." So the project has been in abeyance, as it should be, because local control is the way to go.

Then last Thursday in a miscellaneous bill with 25 pages amending such important issues as the Vancouver Charter, energy systems, the hotel tax... There are three sections — 14, 15 and 16 — and 200 words that essentially allow the government of the day to remove the Jumbo decision from the people of the Kootenay, from the regional district of East Kootenay and give it to any municipality of their choice.

They could give it to Fort St. John. They could give it to Dawson Creek. They could give it to Abbotsford. Winlaw, where I live, is not a municipality. They couldn't give it to us, but they could give it to Nelson. All they have to do is cruise the province, find some town somewhere that is for Jumbo and say: "Here. This is an extension of your municipality."

It doesn't even say that you've got to give Jumbo to the closest municipality. It would never say that because the closest municipality is likely to vote it down. It says that the Premier can pick any municipality he wants and attach Jumbo — just like England used to do to Asia, just like England used to do to the Caribbean. It'll attach it as a colony to the town of the Premier's choice, and if he can't find a town, he gets to attach it to himself.

The first time we had four Premiers that were all for this. New Democrats, Liberals — they were all for this. But they couldn't do it because the local people were opposed. Now we've got a Premier sitting

right over there and deciding it's okay if he decides — in three hidden amendments to a 25-page miscellaneous bill.

There are people over there who don't believe me. I'm going to stand here silently. I don't have a watch. I'll stand here silently, if I can, for 30 seconds. Let one member of the provincial council or the Premier shout out that they do not intend and promise not to use this legislation to make Jumbo Resort a done deal.

Hon. Speaker, did you notice the silence? Folks at home, did you notice the silence? You can't see it, but nobody in this room spoke up. Thirty seconds went by, and nobody spoke because they're honest people, and they don't want to lie. Because they're hon. members, and they don't want to lie. So nobody spoke up to say.... Nobody....

Interjections.

C. Evans: I didn't call them liars. I said they're not liars, so they didn't. They're honest people over there who didn't speak up for 30 seconds, when they could have shut me up and have me sit down and make all of the people of the province happy. They didn't speak up. Why is that? Because that's exactly what they intend to do. That is exactly what they intend to do, hon. Speaker. On a day when nobody's watching, some fall when they don't even a session, they intend to simply slip it through.

All of you folks at home: you can pound sand. You will have absolutely no way of affecting the outcome of this decision once this bill passes. Here's the sad part. At present the voting ratio in this room is about 40 to 30 — 40-some-odd to 30-some-odd. This bill, in some form, is going to pass. I am here doing my job, attempting to raise the public awareness of what is going on here, but I cannot win the vote. I and all of the people of my team will not win the vote.

You cannot look to the opposition to stop this Premier from doing this thing to Jumbo Resort. You can look to us to raise the issue, but the only way to stop it is for a huge upheaval of you folks at home. The people who are not in this room are now empowered to inform the government that you understand what they're doing, the secret is over, and you're not going to let them do it

It doesn't matter if you're for or against the Jumbo Resort. It doesn't matter if you've never heard of the Jumbo Resort. Folks at home — whether you live in Vancouver, Dawson Creek or Whistler; it doesn't matter where you live — if you want to manage the land base that you think you own, your patrimony, the land base that you think you're passing on to your grandchildren, and not have the Premier decide for you or turn chunks of the mountains of British Columbia into colonies for the well-being of developers, then you're going to have to speak up, because I can't stop it for you.

You're going to have to bury this building in e-mails over the next week, and convince the Premier and all those folks not that I'm right — because, of course, he has his own opinion of how correct I might be — but that you care about local control and that you think, because you live out on the land, that you or your elected representatives in your regional government ought to have a say and that it's not okay if the big chair takes it away.

It's only a matter of days since the member for Columbia River–Revelstoke, doing his job, discovered the hidden clause in Bill 11. Already, people out there have been burying the Premier's office in e-mails.

Because I think that this thing is about to happen, and it's the folks at home who are the only people that can.... We'll talk. We will slow this down as long as the rules allow, but the present administration has stripped us of the historical opportunity of filibuster. There is now a time limit to everything we do here, and we can't stop it long enough to stop this piece of legislation.

I'm going to read some words of the people at home into the record for the hon. members so that the people at home will know that at least they were heard before hon. members opposite did this thing. I am not sure how to pronounce all of your names. I might get it wrong, but I'll do the best I can.

Dear Premier:

I feel betrayed by you and your government because you promised that the Jumbo issue would be decided locally.

Marilyn Crevanger.

Dear Premier:

You have promised that the decision regarding this resort proposal would be left in the hands of our regional district, and we want to hold you to your word. Please support our local decision-making process.

Barry Giles, Windermere.

Dear Premier,

This move threatens the democracy which we cherish and work so hard to protect here in British Columbia. The cabinet has no right to remove decision-making capacity from those people whose lives will be impacted by local development.

Joleen Timco.

Dear Premier,

As a resident of Lumby and a member of local environmental interest groups, I find the very concept of stripping our local government of the right to represent their constituents completely absurd. We need, we deserve and we have a right to say what goes on in our own back yards. Most of all, we have a right to be heard. This is our Canada, our B.C., and it's our back yard. We need to maintain the influence and stewardship over it.

Tammy Parsons of Lumby.

Dear Premier,

I do not like the idea that land use decisions regarding resorts in rural areas of our province could be made by the cabinet in Victoria. This is especially troubling when it comes to the proposed Jumbo Glacier Resort. Your government has explicitly promised that the regional district of East Kootenay and the residents of the area that would be most affected by the resort will have the final say in this decision.

Suzanne Shoyen.

Dear Premier,

I am writing to voice my opposition to section 15 of Bill 11, which will permit cabinet to designate "resort regions." It flies in the face of the government promise that decisions respecting the proposed Jumbo resort would be made by local government.

Patricia Boyd, Invermere.

Dear Premier,

I am writing to express in the strongest possible terms my complete opposition to section 15 of Bill 11. This section would allow the provincial cabinet to make unilateral decisions on projects that should rightly require final approval by local governments representing the people who would be most affected by the projects. Robbing such people of their rightful decision-making power is a breach of democracy.

Robert Olenik, Vancouver.

Dear Minister,

I grew up in Windermere and spent a good part of my grade 12 year writing letters to have Jumbo Glacier protected from development, and here we are 15 years later and still the residents in the Columbia Valley are fighting to protect Jumbo. Do not break your promise to the people of the Columbia Valley, and ensure that section 15 of Bill 11 is removed.

Michelle Kirby.

She's of this town here, Victoria.

Dear Premier,

Do not — and this is in big black letters — pass or enact section 15 of Bill 11. Do the right thing. Continue to pursue green and responsibly environmental alternatives.

From Richard Collier of Calgary, Alberta.

Not even from our province. Remember that this gentleman in Calgary only had three days' notice to send an e-mail to the Premier. Imagine what could happen if your folks at home decided to tell all your friends to help the Premier understand what he is doing here.

Dear Premier,

Having very sensibly put the decision for the Jumbo ski resort project in the hands of the regional district of East Kootenay, why on earth would you try to get it back into the hand of the B.C. cabinet? If the regional district of East Kootenay wants to saddle their constituents with hundreds of millions of dollars of infrastructure costs, then that is their problem. But if you want to spread this across all B.C. taxpayers, it is an entirely different matter. It is a black hole into which an untold amount of taxpayer

money will swirl once it gets started. Please don't do this.

Maurice St. Jorie.

Dear Mr. Premier,

Please be advised that I'm strongly opposed to section 15 of Bill 11. Jumbo needs to be preserved, not ruined in the name of money.

Thank you,
Sylvia Walker.

Dear Premier,

With the pending Community Services Amendment Act, 2007, Bill 11, those of us who live in British Columbia's Kootenay heartland are once again being slighted. Section 15 of this legislation contravenes your commitment made in October of 2004 when you promised that the regional district of East Kootenay would decide the outcome of the Jumbo Glacier Resort proposal. Are political promises that hollow? Is it any wonder why many people have become cynical about the political process? Please do what is right and remove section 15 from this legislation. Keep your promise to allow the regional district to make the decision.

Ron Wellwood, Nelson.

That's my constituent.

Here's another constituent of mine.

Dear Premier,

I ask that you respect the wishes of the people of the Kootenays regarding Jumbo Pass. With global warming, ski resorts are not a good investment, to say nothing about the collateral damage to other values such as grizzly bear habitat and wilderness. Let Jumbo remain wild.

Susan Holland, Crawford Bay.

Dear Premier,

I believe section 15 of Bill 11 could be an unconscionable affront to the democracy of our province, and I ask your government to promise that it will never be used for Jumbo Glacier Resort.

Rachel Darville.

Well, Rachel, I just asked and for 30 seconds stood here and said nothing, and not a single member opposite raised their voice. I think you can know, Rachel, that that's exactly what this bill is about.

I have dozens more letters. For folks at home, I apologize. I'm limited to a certain number of minutes. I cannot read all of your letters, but we thank you, and I think it's going to have to escalate over Tuesday,

Wednesday, Thursday, Friday of this week, until this law is proclaimed. This building needs to be buried in paper. I'm sorry for all the trees that will consume, but we need to bury this building in paper and e-mails, and the Premier has got to understand that the people of British Columbia, regardless of what they think about Jumbo Pass, believe in local control.

I'm going to close, hon. Speaker, with a little bit of my understanding of what's going on here. Why is this happening? This cannot be happening because the government thinks that people will like it. I think this is happening as part of a long process that essentially expropriates from the people of British Columbia their land, private and public, and their heritage and turns them over to the corporate sector.

It's true if we're looking at B.C. Rail. It's true if you're looking at highways that are being built under P3s, and bridges, and they're going to charge tolls and some private corporation's going to take the money. It's true if they expropriate your land to build railroads or ports. It's true in the expropriation that's going on to dig coal or coal methane. It's true on ranches. It's true all the way from Fort St. John, with the oil industry, to Rock Creek, where people want to dig uranium.

The government of the day has essentially removed the protections that historically were in place for British Columbians to keep their public wealth, to make decisions over public land and to have some rights over their private property. In every case, private and public, they turned it over to the corporate sector.

I think somebody over there must owe some really big dues to be doing this in public, on a Monday, in the light of day, on television. I think there must be some heavy, heavy hand driving behind the scenes that we cannot see, that would make the Premier want to take this action in spite of the denigration that it will bring to his government.

I would encourage everybody in British Columbia.... Understand that we will try to slow it down, and we will try to stop it. We will vote against it, but we cannot make it disappear. You have to do it.