

April 13, 2022

Dear Chairman Gay,

I was deeply disappointed and surprised to learn that at the April RDEK Board meeting a last-minute item altering and accelerating the agreed upon timelines for the process surrounding the very important issue of private land rezoning for a proposed private development in an environmentally sensitive area was added to the agenda, briefly discussed, voted on and carried. The motion contradicts a previous Board decision to table the matter until much needed and asked for information was provided by the developer to the Board so that RDEK staff could then do their professional analysis and provide a proper and thorough report to the Board, followed by the required readings and a public hearing such that an informed decision could then be made by the Board.

The extended timeline and process for this important work was wisely agreed to by the Board earlier in the year having heard from such independent agencies as Interior Health, City of Fernie, BC Parks - all recommending more and detailed information be provided by the developer. That timeline and that process has been effectively highjacked, which I find very concerning and deeply disturbing. Vice Chair Clovechuk is quoted as saying that "additional information was provided". Hmmmmmm, if, if any new information was provided (and there appears to be considerable doubt around what genuinely new information was indeed provided) it appears incomplete, repackaged old information and the timelines are now woefully inadequate for the professional staff to then do their important work on behalf of the Board concerning such matters as road access, water supply analysis, wildlife and fire protection, satisfactory ongoing covenants and the management of same. These are very important issues on which the Board should be vitally interested in being fully informed, and is precisely why the Board wisely established a process, and timeline within which the developer was to provide this critical new information. As constituents we rely on and trust our elected officials to ensure this kind of diligence is done and done thoroughly by professionals independent of any party's interest - the integrity of such process-driven and diligence-driven decisions is paramount to sound and responsible land use planning.

Concerning to many, is that Director Sosnowski, who presented this accelerated and contradictory timeline, argues that the application was "taking too long" --- too long? Too long in who's mind, as measured against what schedule, who's planning timeline? And what are the negative consequences of a modestly slower timeline than the timeline anticipated by the developer?

Chairman Gay, there was a process and timeline which the RDEK Board created, debated and voted on. That timeline and that process was established for sound land use planning reasons by the Board not as the result of a hasty last minute addition to an agenda but rather as a properly agenda'd and thoroughly discussed matter, having been given the Board's full and rigorous attention.

If any developer thought that a project of this magnitude, on this parcel of land, affecting a watershed that in turn potentially impacts the aquifer impacting the Elk River watershed, access, wildfire hazards, etc, was going to be anything but lengthy and hugely challenging on these and every front, before a hole was ever dug, I would be very very surprised. Any experienced and more importantly, responsible developer, who has a history of undertaking significant projects (as this developer does), I have to assume understands that such legwork and input by ALL stakeholders, private and public alike, for large and significant land use decisions, involves a process and timeline which would seem painfully slow from their developer perspective but which I would have to assume they have built as a risk into the project timeline and financing model. That said, a project or developer of ANY size should expect that once the Board has debated and established a timeline, the planning process should then be adhered to and followed along that same timeline - fairness to all parties and the integrity of the planning process require it.

Yes, public engagement can be slow, fact finding and diligence can be slow, but in addition to reflecting good governance, it has proven over time that these are essential to good planning decisions. The community needs to be able to trust its elected Board to ensure that the publics' concerns are heard and not cut short or suppressed; that informed decisions are being made. Board Director McCormick says (Free Press article quote) that the RDEK Board represents both the community and the proponent. I personally, would restate that comment and say that the Board should represent good governance as such implies such representation, among other essential elements.

Director McCormick is concerned about objectivity (as publicly elected officials should be). What can represent the perception of objectivity better than simply following the agreed to timeline and process, which all parties were made aware of and which was publicly debated at a previous Board meeting?

It's concerning that good governance, particularly on significant matters such as this can be so easily ignored by so many of our elected RDEK officials.

I was relieved to see that you and Director McCormick opposed the motion. Shame on those that didn't.

Respectfully yours,

Gord Fache
Kimberley

cc RDEK Board members
RethinkGalloway