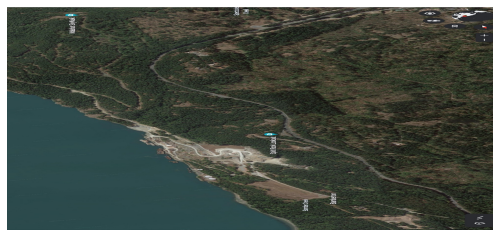




I am currently a member of the Advisory Planning Commission for Mill Bay and the head of the Mill Bay/Malahat and Bamberton Historical Societies but I am speaking to you today strictly as a concerned Mill Bay resident. Currently there are 3 major industrial developments at Bamberton that all of you should be aware of as they pose a massive environmental threat to the inlet and to this area.

Fortunately two of these haven't moved to the approval stage yet but are getting close to being approved due to lack of input from residents.

Google Map Bamberton (this is the land we are talking about)



I only became aware of these developments a few weeks ago when I walked up the old cement Haul Rd to the Bamberton highway exit .



I was absolutely shocked to see a large section of the mountainside, just off the highway, had been clear cut in preparation for blasting and quarrying.

As I was standing there, literally with my mouth open, an Emcon Road Maintenance Truck drove by and the driver yelled 'This is what the whole mountainside is going to look like..... its Rape of the Land''

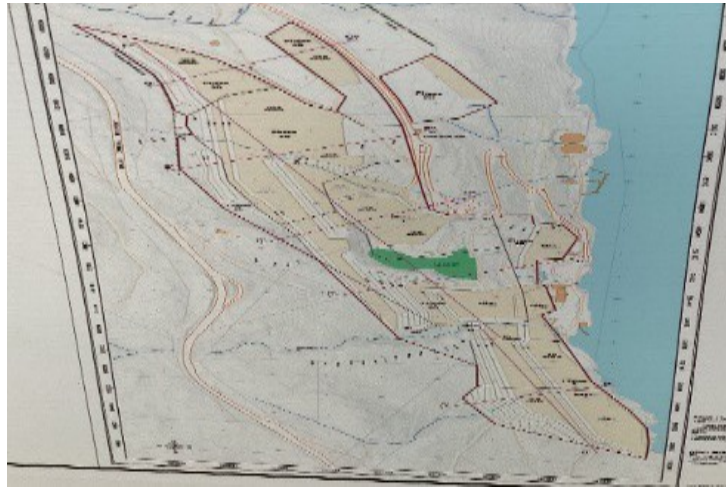
QUARRY APPLICATION

The driver pointed to a sign on the PRIVATE road leading down to the waterfront.



It stated that Malahat Investment Corp, which is the financial arm of Malahat Nation, had filed a quarry development application with the BC Ministry of Mines.

I knew that Malahat FN has Incremental Treaty Tenure through the BC Gov't Reconciliation Initiative but the land to be quarried is fee simple not part of the reserve so still under the jurisdiction of the province.



The map on the sign showed that the area they planned to log, blast and quarry is huge compared to the existing quarry. In fact it is a significant portion of what is currently a scenic mountainside.

The area encompasses ----480, 000 m² or 118 acres (that's about the size of 118 football fields), and

runs from below the highway towards the water and from south of the Split Rock View Point on the highway north to the Bamberton turn off. The application states that:

Mining activities will take place approximately 300 days per year.

Crushing, screening and pneumatic/hydraulic rock work, product sales and shipping will be 7 days a week 7 am to 7pm with 24 hour operation when necessary.

Total minable reserves are 19,000,000 tonnes

Estimate annual extraction is 479,000 tonnes/year

I know the Bamberton land quite well and I just couldn't envision that beautiful mountainside as a giant hole, completely bare of trees. But as soon as I realized what they were planning to do I was seriously worried about the very real threat of erosion and contamination of both the land and the water - especially since the hillside is very steeply sloped and has 4 streams flowing directly into the inlet.



This is what it looks like from the water. You can see they have already clear cut a section on the mountainside.

In a nutshell, this looked like an environmental disaster and I thought I've got to do something.

The sign did not include the required date of application or file number for reference but suggested comments could be directed to the BC Ministry of Energy and Mines Southwest Region. So I

phoned and asked if the quarry application had been approved. I was encouraged to learn it hadn't yet but that it would be soon because their office had received no questions or concerns. I then asked what Malahat Investment Corporation had done to make people aware of their intentions because I had spoken to dozens of residents, including the Mill Bay Director, and no one had any idea this was happening.

Apparently Malahat Investment Corp had not submitted any notice to the 'Cowichan Valley Citizen, our local paper, even though the land is part of the CVRD.

I was told they had placed a notice on page 35 of the 'Goldstream Gazette'. I had never heard of the Goldstream Gazette and I was surprised because Langford is not even close to Bamberton.

First Nation groups were apparently notified but there were no details.

In my opinion, the reason the Ministry of Mines hadn't received any input on this quarry application was because the public had not been adequately informed.

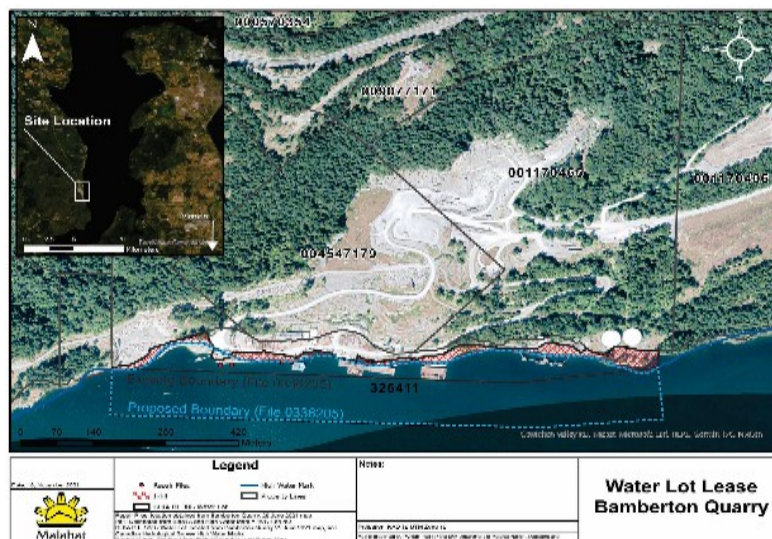
FORESHORE RENEWAL AND EXPANSION APPLICATION

As if the logging and quarrying weren't bad enough, the next day I spoke with a former Mill Bay Director and he informed me that there was even more going on. He had spotted a tiny notice in the

Cowichan weekly newspaper which read: 'Malahat Nation has applied to the BC Ministry of Forests for a Lease-Commercial General situated on Provincial Crown Land located at Saanich Inlet.'

I assumed because the application was to the Ministry of Forests it meant that it was a request for forested land but no, it is a request for part of Saanich Inlet. Aquatic Crown land is all the land, including the foreshore, from the high water mark out to the limits of provincial jurisdiction.

This brings me to the second potential environmental threat about to move ahead at Bamberton.



Currently MFN holds an aquatic Crown foreshore lease but this application was not only to renew but expand the current leased area over 100 metres into the inlet WHICH WOULD COVER 25

ACRES) for an additional 30 years. 30 years, Just think of how much more industry and marine traffic there will be in that time.

According to the document the proposed uses are as follows:

- Load and unload barges of contaminated soils, creosote piles, cement powder, scrap metal, aggregate and fuels
- Store hydrocarbons in the existing upland tanks
- Maintain piles, dolphins and shoreline armouring
- Conduct barge and vessel maintenance
- Moor vessels associated with the upland activities

The foreshore area being applied for is huge compared to the existing permit so I sent an email to the Ministry of Forests because I felt there were many environmental concerns that needed to be addressed in more detail.

SLIDE OF CONCERNS

1. Importing and exporting contaminated soil but there is no explanation as to the purpose or where this soil will be dumped or stored.
2. Hydrocarbon storage but no explanation of the quantity or the purpose. This could be a Tidy Tank or millions of gallons.
1. Conduct barge and vessel maintenance. Does this mean derelict boats or large ships would be anchored in the expanded space?
3. There is no mention of the fact Saanich Inlet is “a unique deep glacial fjord separated from adjacent waters by a shallow sill that restricts water inflow.

4. Pollution and contamination collect which has a serious negative impact on the entire marine ecosystem and the thousands of residents living around Saanich Inlet.

Elizabeth May (Green Party MP) has stated before: "Saanich Inlet is a globally unique ecosystem, and one that is simply too fragile to sustain this kind of contamination,"

I sent a message to Adam Olsen (MLA for Saanich North and the Islands) asking if anyone on that side of the inlet was aware of either application. He replied:

*I have spent a considerable amount of time on the water in the Inlet this summer and have been watching this operation pretty closely.
I have copied my constituency advocate William Kelly and Sonia's constituency advocate Cole Smith on this email.*

Cole Smith replied and said he would definitely investigate further.

Cole Smith (Constituency Assistant) cole.smith@leg.bc.ca

Tel: (250) 356-8510

At this point I felt I needed professional advice so I contacted the West Coast Environmental Law Society to ask for more information regarding both the Quarrying and the Foreshore Lease applications. I was told that even though both applications fall under the jurisdiction of the BC Government - local governments and groups that would be affected should have received notice.

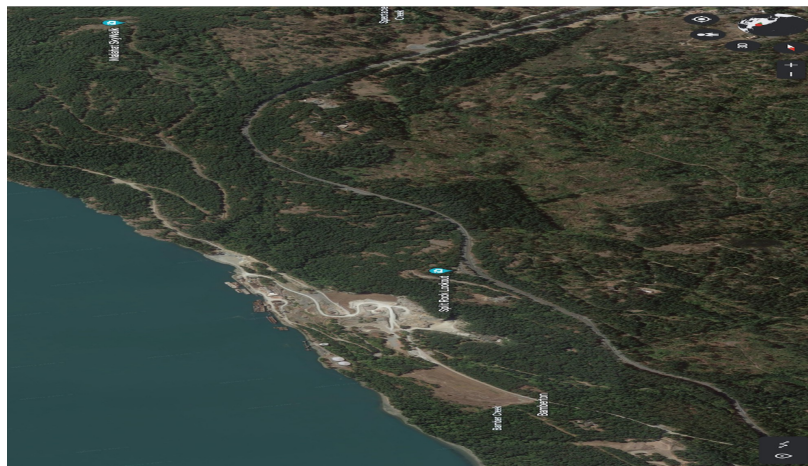
Other than the small notices in the publications I mentioned, no one

I spoke with, even the CVRD, have been aware of either of these applications.

SOIL DUMP

I felt like I had hit a dead end. The quarry and foreshore applications were already moving ahead so time was running out and I was finding the provincial bureaucracy impenetrable. So I turned my attention to the third potentially problematic industrial development, the soil dump which falls under the jurisdiction of the CVRD

Google map and located just off the first highway exit to Bamberton



A sign in front of the dirt confirmed that a dumping permit had been issued by the CVRD.

‘Knowing what an environmental nightmare the contaminated soil dump has been in our neighboring community of Shawnigan Lake, I wanted to know exactly what the parameters of this soil dump were...’

So I contacted the CVRD and asked for a copy of the application.

It stated in 2020 The CVRD received an application from Coast Mountain Resources on behalf of MICO (the same company doing the logging and quarrying) for soil deposits on 14 acres for 5 years.



This is a current picture. With 3 years to go.

The total quantity of soil to be deposited would be 400,000 cubic metres measured by volume so Imagine a 25 story building taking up a city block. If done by average weight it is approx. 660,000 tons that is the weight of about 1,355 Boeing 747 airplanes.



I couldn't believe this had been approved so I watched the video of the **CVRD Electoral services meeting where the application was voted on**

Blaise Salmon (Mill Bay Director) and Serra Acton (Shawnigan Director) opposed the application.

Director Salmon requested public input but the planner and CVRD Chair advised that *"a public meeting would likely serve no productive purpose and instead cause frustration for both the public and the applicant"*.

Frustratingly, at that point CVRD Staff recommended that the permit be issued given that the applicant had met all requirements of **CVRD Bylaw No. 4380**

The Application was then passed by all but the Mill Bay and Shawnigan directors



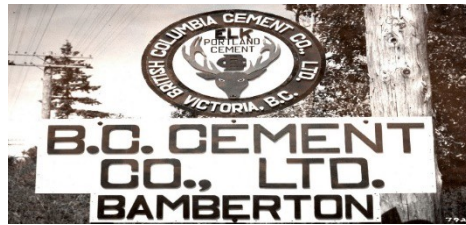
After seeing the application was approved I immediately phoned Devin Warwick (CVRD Bylaw Enforcement Officer) and asked how the soil was monitored because I knew that the foreshore lease application stated they would be transporting contaminated soil but no mention of where it would be stored.

To my disbelief Devin said Coast Mountain Resources (the company also doing the quarrying) monitors themselves under Professional SELF RELIANCE but he assured me the 1451 Trowsse Rd site was clean soil. Coast Mountain sends the log books to Devin once a month and he receives any other pertinent info.annually. He is not required to visit the site.

BAMBERTON'S ORIGIN

Now that you have an overview of the heavy industrial activity that's about to happen at Bamberton, let me just give you a bit of

background because I am sure you are aware this is not the first development to take place on the Bamberton land.



From 1912 to 1980 The BC Cement Plant occupied the land although the company didn't quarry on that site after 1930.

After the plant closed, ownership of the land changed hands multiple times and several development plans were proposed.

BAMBERTON'S

Previously Proposed Developments

David Butterfield's plans for a residential community came to an end and Concert Properties assumed control of the site, but did not proceed.

Before either of them, there was ARM Industries, who proposed a ferrochromium smelter. This proposal was shut down almost immediately due to the potential environmental impact.

In **2005** Bamberton Properties bought the land for a proposed residential development and spent \$35 million removing 850,000 tonnes of contaminated soil and placing it in a soil storage facility.

However despite their addressing the many environmental concerns their proposal was rejected in 2012.

So in 2015 they sold to the Malahat First Nation who financed the purchase through the First Nations Finance Authority. This resulted in the Malahat First Nation effectively tripling in size.



Malahat Investment Corp, then reached a deal with Steelhead LNG for a proposed LNG facility in Saanich Inlet. But in 2017 due to intense opposition, again for its potentially harmful environmental impact on the inlet, this plan was scrapped and the land reverted back to Bamberton Properties.

In 2018 the Province of BC purchased approximately 568 acres of the site for \$9 million which is intended to become part of Malahat

Nation's treaty lands when a treaty is concluded and comes into effect. As I mentioned earlier though this land is currently fee simple not reserve land

Every single proposal, whether proposed by developers or FN, from the early 80's, right through to 2017, has met public criticism mainly because of their environmental impact on the land and Saanich Inlet and as a result, all have been turned down.

Now we are faced with not one but three environmentally dangerous projects: logging/quarrying, dumping and foreshore expansion which are significantly detrimental and could do irreversible environmental damage to the land and the entire inlet...

Yet, there has been no public comments or opposition. Why? Well as you've just heard there has been virtually no information released and no opportunity for the public to review the applications. Consequently the government has absolutely no idea these projects would be met with opposition.

Something else to keep in mind is that the applications were all submitted to different levels and departments of government whose jurisdictions don't overlap. So the full extent, of this potential

destruction to the land and marine ecosystems, is not being recognized.

Before I go any further, I want to make it very clear that I understand MICO's desire to further expand their economic base. I sent emails to Malahat hoping to gain more information but I received no replies. It shouldn't matter who owns the land, any further expansion of the current leases should not be granted without an in depth explanation and public input. Because what happens to that land and ocean could have dire environmental impact on all of us.

The only reason all of those past development applications I mentioned, were turned down, was because the public spoke out in opposition.

To give you an example here is a letter from the Peninsula News Review Feb. 10, 2012. It states:

Some of us are property owners in South Cowichan regional district and we are all residents around Saanich Inlet. The entire process around the Bamberton properties has been very confusing, with little public information.

Residents the length of the eastern shore of Saanich Inlet on the Saanich Peninsula will be affected by constant intrusive noise and light pollution.

There are no barriers across the water.

There has been little respect or consultation with communities and jurisdictions affected by such a massive change in land use.

There seems to be little guarantee of sediment control, groundwater security, or contaminant control.

We have no idea of the impact of such a land use change on the viability of this jewel in our midst – the threatened, yet still viable ecosystem that is Saanich Inlet.

We find this unconscionable.

Saanich Inlet Protection Society

THE TIME TO ACT IS NOW

You objected to the activity at Bamberton in 2012 and I am asking you to raise your voices again and make the general public, the various environmental groups and especially the government agencies reviewing these projects, aware of your opposition to the sweeping clear cutting, quarrying, dumping and foreshore expansion, any of which will negatively affect not only Saanich Inlet but everyone living near it. I urge you to please call and email both the Ministry of Mines and the Forestry Ministry and get your friends

and family to do the same before it is too late. These applications are very close to going ahead so time is of the essence.

CONTACT INFORMATION

To help you with this I have compiled a list of people to contact. I have printed copies for you as well as some wording you may use.

I know issues like this can seem daunting, but speaking up against these developments is sometimes the only way to make a difference in how they are handled.

The more people that make their feelings known the better chance we have of preserving the integrity of that land and ocean, or, at the very least, helping ensure that any development that goes ahead is monitored more closely.

I'll close with this and then we can get to questions:

We all cherish this inlet, It's truly a magical place. But it's also a very small, very environmentally fragile place, and if we don't take action to help preserve it, before we know it there will be nothing left.

