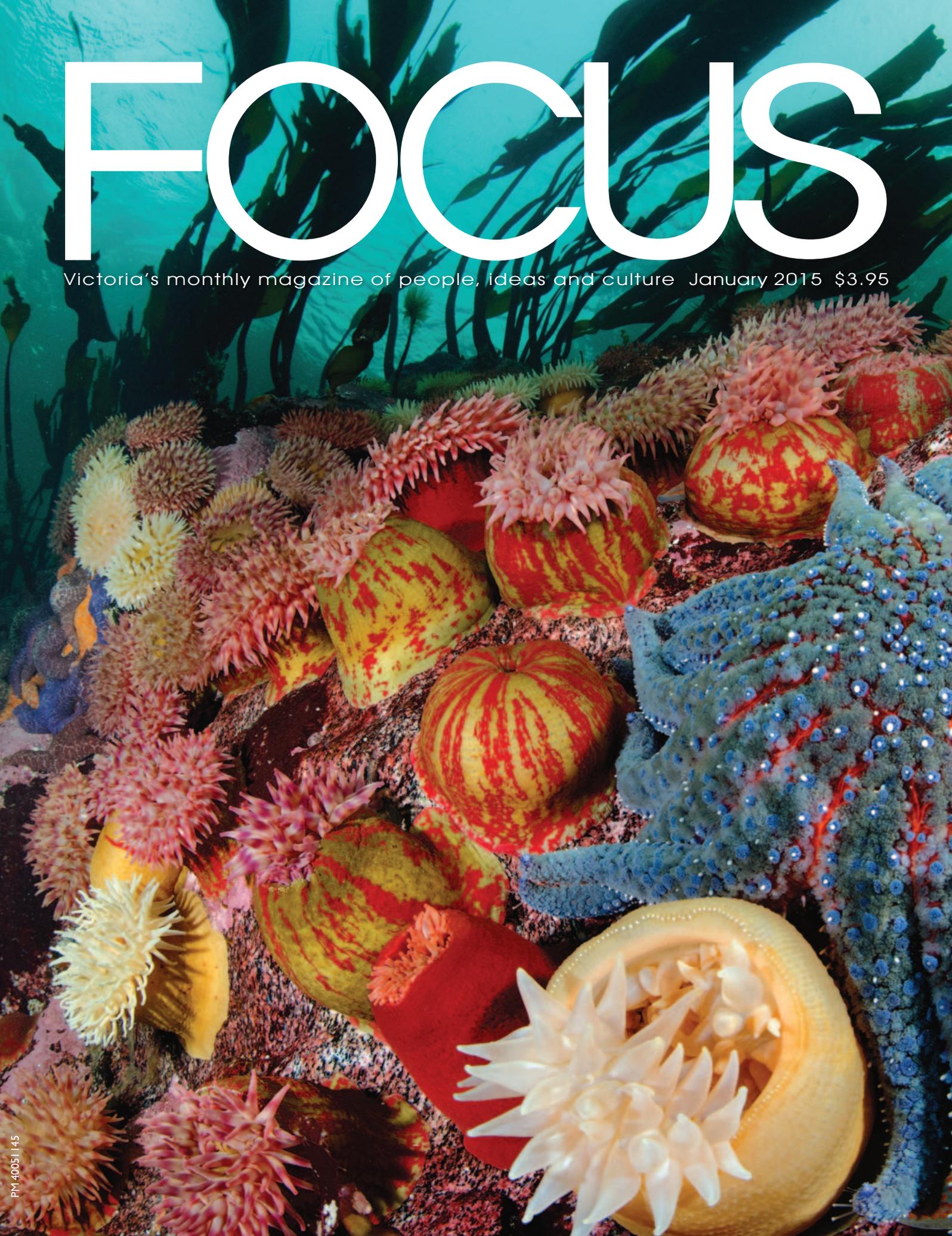


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Photograph by Ian McAllister of kelp, anenomes and sea star from his new book *Great Bear Wild: Dispatches from a Northern Rainforest*. See story on page 38.



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Can we trust our democracy?

LESLIE CAMPBELL

The use of robocalls and other “voter suppression” tactics suggests we can't.

One of my greatest joys as editor of *Focus* is talking to people who call to request a subscription or talk about an issue near and dear to their hearts. It's encouraging in all sorts of ways. I am always impressed by their intelligence, their concern for our community, and of course their heartwarming support for *Focus*' work.

One reader who called this past month was Dave Morgan, a retired lawyer who now runs a sheep farm on Galiano Island. He called after reading Briony Penn's story on voter suppression techniques used in the 2008 and 2011 federal elections and the new film on the subject that's being previewed on January 28 in Victoria (see below). Mr Morgan wanted to share his own story from the 2008 election.

He told me that he usually voted NDP. “My dad was an old CCFer,” said Mr Morgan. He wasn't thrilled about voting Liberal, but since the NDP candidate had withdrawn from the race, it seemed necessary, in his mind, to avoid a worse fate: Conservative Gary Lunn's re-election. He was particularly turned off by the way Lunn, as minister of natural resources in 2008, had fired the head of the Canadian Nuclear Safety Commission for shutting down a medical isotope-producing reactor due to serious safety concerns.

Shortly before the election, Mr Morgan says, he had a call—not a robocall as many have complained of—but from a “live” person urging him to vote NDP. Knowing the NDP candidate had withdrawn, he was confused, at least momentarily, and when he said something that made it obvious he knew a vote for the NDP would be wasted, the caller hung up. Mr Morgan was able to retrieve the phone number and dialed it. It was answered, he says, by “Gary Lunn's” constituency or campaign office. “I was shocked—and then realized ‘that's what's going on.’” Lunn's office was attempting to get a known NDP supporter to spoil his ballot, knowing full well such voters would more likely vote Liberal than Conservative in the absence of an NDP candidate (timing issues meant the NDP candidate's name would be on the ballot despite his withdrawal). There is nothing to suggest that Lunn himself knew of the alleged call.

“I was absolutely enraged,” says Mr Morgan, who practiced law for 34 years in Vancouver, much of it as Harry Rankin's partner.

Soon after, he called others on Galiano whom he believed to be NDP supporters and therefore potential targets for such calls. Sure enough, some of them had got similar calls, he says.

Mr Morgan also called Elections Canada, and was assured they would look into it and report back. He gave them all the details including the phone number, he says. Despite subsequent calls to Elections Canada, he never did hear back.

He's not alone. In 2011 Democracy Watch revealed that Elections Canada did not report how it investigated and ruled on 2284 elec-



Michael Sona, convicted of election fraud

tion-related complaints it had received since 2004.

Unsurprisingly, Mr Morgan's ears have perked up every time he hears of an Elections Canada investigation. But nothing has ever come of his and many others' complaints in the 2008 election, an election that resulted in Gary Lunn winning against Briony Penn by a slim margin—in fact less than the spoiled votes for the withdrawn NDP candidate.

Penn and Green MP Elizabeth May view the Saanich-Gulf Islands riding in 2008 as “Ground Zero” of an experiment to test out both the effectiveness of then-new voter suppression tactics and whether they could be deployed safely. As May says in the new film, whoever did it wanted to find out whether “the RCMP and Elections Canada would drop the ball and never find out who

did it.” Which is exactly what happened.

The 2011 federal election gave rise to so many more complaints in so many more ridings that Elections Canada could not ignore the issue. Still, after three years only 129 of the 1700 complaints have been investigated. Mr Morgan has watched—with interest and disappointment—the investigations into robocalls which targeted non-Conservative voters in at least half a dozen swing ridings and directed them to the wrong polling stations—a classic example of voter suppression.

Only one person has been convicted. In early December, 26-year-old Michael Sona was sentenced to 9 months in prison, becoming the first person ever to receive jail time for breaking the *Canada Elections Act*. Judge Gary Hearn said he was “fully satisfied” Sona was *not* working alone. In mid-December, the Public Prosecution Service of Canada appealed Sona's sentence, arguing it was “demonstrably unfit and failed to reflect the gravity of the offense.” Sona is also appealing his conviction.

In a legal suit by the Council of Canadians that charged vote tampering had occurred in six ridings in the 2011 election, Judge Richard Mosley concluded that “widespread election fraud occurred” in which “there was an orchestrated effort to suppress votes during the 2011 election campaign by a person with access to the Conservative Party of Canada's Constituency Information Management System [database].”

As a former criminal lawyer, Mr Morgan feels it's important that all those responsible go to prison for such interferences with the democratic process. “The truth is prison doesn't work that well on your average criminal—they think they won't get caught. But it *does* work on middle class people. They really don't want to go to jail.” He's hopeful that Sona, the fall guy, might talk more now that he's been put in prison, and that his sentence will deter others.

Sona has proclaimed his innocence, claiming he never had access to the Conservative party database. In a video interview he said: “I think people need to know: how big was this... was it just Guelph, was it

ONLY ONE PERSON has been convicted: In November 26-year-old Michael Sona was sentenced to 9 months, becoming the first ever to receive jail time for breaking the *Canada Elections Act*. Judge Gary Hearn said he was “fully satisfied” Sona was *not* working alone.

wider than that?...we can't go into the next election with a question mark over this thing... We need to find out who was responsible, how much was coordinated or wasn't coordinated...”

MEANWHILE, DOCUMENTARY FILMMAKER Peter Smoczynski is working hard to complete his revealing film *Election Day in Canada: When Voter Suppression Comes Calling* before the next federal election. He has filmed numerous interviews, and will be presenting some of these in Victoria on Wednesday, January 28. *Focus* and Open Cinema are sponsoring the event at the Victoria Event Centre which will be “simulcast” at the Mary Winspear Theatre. Each presentation will be followed by its own discussion panel. (See page 37 for more details and ticket information.)

As Canadians, we face serious issues in 2015, many that will require federal government action: What do we do with an economy that has become ever more dependent on extraction of non-conventional oil and gas and is producing growing inequities between rich and poor—even while it is becoming increasingly clear that regulations limiting the dumping of carbon into the atmosphere are urgently required?

Such turbulent times will only be made more trying if Canadians can't trust their democratic institutions—chief among them fair elections. As *Globe & Mail* columnist Lawrence Martin states in Smoczynski's film: “You cannot get a worse violation of the democratic system than that—than with interfering with peoples' right to vote.”

It can and does skew election results. One of the speakers on the January 28 panel is SFU Professor Anke Kessler, who with Tom Cornwall of UBC, published evidence on the effect of voter suppression on turnout. There is, they argue “a statistically significant effect of demobilization efforts: In those ridings where allegations of robocalls emerged, turnout was an estimated 2.5 percentage points lower on average.” As Penn (another panelist) noted in last month's article, “For swing ridings, that magnitude of shift is all that's needed to change the outcome.”

They are referring to individual ridings, but enough of them and they add up—especially in our first-past-the-post electoral system—to the potential of a party forming a majority government with only 39.6 percent of the vote. In the case of the 2011 election, less than six million Canadians voted Conservative. That party has brought in the so-called *Fair Elections Act* which failed to do the most important thing to prevent robocall-type fraud from occurring in the future: giving Elections Canada more power to compel testimony in its investigations.

The event on January 28 will help us to safeguard our fundamental right to vote, as well as raise funds so others across Canada can see the film. Bring your friends to either the Victoria Event Centre or Mary Winspear Theatre—or throw a party and watch online (it's being webcast). Mr Morgan has already bought his tickets. Hope to see you at the movies!



Editor Leslie Campbell has never missed an opportunity to vote. She feels encouraged by the positive type of campaign run for Lisa Helps, as described by her campaign manager Sonia Th  roux in this edition, as well as by letter-writer Larry Wartel's comments.

Attaining the integrity of wholeness



What can you expect in a class at the Iyengar Yoga Centre? “During your first classes, you will be introduced to the basic postures, which include standing poses, sitting poses, and inverted poses. All the poses have Sanskrit names that the teacher will use—don't worry, you are not expected to pick it all up right away!” says Shirley Daventry French, founder of the Iyengar Centre. “Teachers will orient you to the fundamental shapes and actions of the postures and repeat them, so that you learn to know them. Gradually, you will learn more about the postures and about yourself, and this will allow you to do and understand poses better and receive more benefit.”

The various poses have different effects on the body. The basic postures taught at the beginning will build strength and stamina, and improve muscular tone, flexibility, and alignment. Practicing the postures reduces tiredness and soothes the nerves. It also trains and disciplines the mind so that concentration is improved.

The Centre makes it convenient for everyone by supplying all the yoga equipment, including mats, and your first class is free.

BKS Iyengar was born in southern India in 1918 and died at the age of 95 in August 2014. He is the author of the classic text *Light on Yoga*, and taught since 1936, after a childhood marred by poverty and illness. When he started as a teenager, his body was weak and stiff, but he soon found that the yoga postures improved his health.

Iyengar's gift as a yoga teacher has been to make yoga accessible, even to those with serious ailments, by the use of supports or yoga props. This approach has changed how yoga is taught everywhere. In his words, the practice is for everyone: “What most people want is the same. Most people want physical and mental health, understanding and wisdom, and peace and freedom. Often our means of pursuing these basic human needs come apart at the seams, as we are pulled by the different and competing demands of life. Yoga's goal is to attain the integrity of wholeness—oneness with ourselves and as oneness with all that lies beyond ourselves. Yoga allows us to find freedom that we may not have known existed. Freedom from being battered by the ups and downs of life, its pleasures and suffering.”

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From one election to another

"Why *do* we spend twice as much on prisons as we spend on young children?"

Changes the Clown makes an observation that I am sure has sailed over the heads of 99 percent of the population (mine included). But the answer is relatively simple: We spend twice as much on prisons as we do on children because we didn't spend the money in the right place initially. Like the war on drugs, we play a futile game of catch-up. Not only that, but the truncated thinking of our politicians demands results within one election cycle, and not the 12 to 20 years that raising a child takes.

Richard Weatherill

Twenty-five years ago Ed Broadbent rose in the House of Commons for his last speech before he retired. He moved that Canada eliminate child poverty by the year 2000, a laudable and possible objective. It passed unanimously. At the time there were nearly one million children living below the poverty level. The year 2000 came and went with no improvement; in fact, 25 years later there are even more children living in poverty in Canada today.

British Columbia has the highest incidence of child poverty of any province. The government ensures that this is so by going after deadbeat dads so their child support payments can be deducted from the single mother's welfare cheque. I'm surprised that someone hasn't assigned a value to the food bank contribution so that can be deducted also.

The government has moved to reduce poverty among senior citizens by introducing the guaranteed income supplement, a monthly top up to old age pensions based on one's income tax return. But there is no such guarantee for a child's income. Seniors vote, children don't.

In the 1970s, two towns in Manitoba were the focus of a federal government experiment for a guaranteed annual income. It replaced welfare and was based on family income tax returns. It was a success but no further action was taken. I believe that the Green Party has adopted the guaranteed annual income as policy and the Liberal Party has said they will "study" it when they come to power (code for "do nothing").

A guaranteed annual income would not even cost that much: provincial welfare and its bureaucracy would be eliminated. I know that the NDP has focused on a national daycare program but I believe that a guaranteed annual income program would address child poverty more quickly and effectively.

Strangely, former Conservative senator Hugh Segal has been the strongest proponent of a guaranteed annual income (he is now Master of Massey College).

Ernie Stigant

While Leslie Campbell's editorial doesn't propose a global amount to help with the issue of BC's child poverty, \$1 billion per year would surely help.

That's about the amount of annual revenue the Province gets from its sanctimonious carbon tax. And what's to show for it? Carbonless (or any) rapid transit? Incentives to buy electric vehicles? Strategies to reduce GHGs coming every second from a global population of some 7 billion that is on its way to 10 billion by 2050? Suggestions to advance understanding of the causes and management of global weather change?

You bet not.

While the Province likes to talk about having the lowest personal income tax rates in the country for incomes less than \$120,000 per year, wouldn't the less-heard corollary have to be that, for that income bracket, government services would also have to be the poorest in the country? Wouldn't the "revenue neutral" carbon tax, which reduces income tax (and services) to balance what it takes, simply be adding to the problem?

Given its social and tax priorities, BC's message to those who are aboard a leaky, listing ship seems to be *bon voyage*. In forthcoming elections, those who can't imagine

something better should be tossed out of elected office, or receive no votes at all.

Brian Nimeroski

Lisa's landslide & the Atwell attack

David Broadland's article referred to "the inevitably higher initial capital cost of distributed [sewage] treatment." Other things being equal, it would indeed cost more to build 10 or 20 small plants than a single large one. However, other things are not equal if the processes are not the same. If the distributed units treat to a tertiary level, the outcome will be clear water, reusable for lawns and gardens, and there will be no sludge because particulate matter is gasified.

Since there will be no need for a secondary treatment plant at McLoughlin Point, a biosolids facility at Hartland, or new pipelines from Clover Point to McLoughlin Point to Hartland, the distributed plan would save the hundreds of millions involved in that plan. Our existing mains will serve as backup while the distributed plants are being tested and will then continue to accommodate stormwater runoff.

The notion that a distributed system would cost much more than a centralized one was suggested in a report prepared for the CRD in February 2009. It has been chanted like a mantra ever since. The key point is that the distributed system contemplated was a low-tech secondary treatment system like Seaterra's. It was bound to be impossibly expensive, for it was assumed to absorb all the costs of Seaterra plus a cool billion for acquiring new distributed sites and buildings, often in expensive residential neighbourhoods.

Why was secondary treatment assumed rather than tertiary? Possible reasons would have included these: A secondary level of treatment was all that the federal and provincial governments ordered; as generalists, CRD board members are subject to sway by specialists and staff; and secondary treatment is popular with construction interests because it entails large civil works.

We must become persuaded that distributed tertiary treatment will give us the best results for the least cost. No more expensive consultants, please—let potential bidders present their credentials and display their pilot plants, while the public learns from the experience and contributes to the decision-making. Municipalities can suggest sites, engineering staff can focus on tie-ins with our existing system, and we can all take pride in the process and the results achieved.

David Bodenbergh

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Voter suppression comes calling

The Harper Conservatives picked the wrong person to mess with when they rigged the 2008 election against Briony Penn. The fact that she is very articulate and bright has come back to haunt them in the form of her sharp observations of their sleazy undemocratic ways, and this is the silver lining of what went wrong in Saanich-Gulf Islands in 2008. I, for one, hope to attend the *Focus/Open* Cinema film preview and discussion on this subject on January 28. Thank you *Focus* for all your dedicated, smart writers.

Mark Fornataro

Prime Minister Harper learned well from his US Republican political mentors. However, digital and legislated vote suppression tactics are not omnipotent. By 2008, presidential candidate Obama realized that while vote suppression would steal 3-5 percent of the vote, effective vote mobilization would add 5-8 percent, negating the suppression effect.

Vote mobilization means primarily one thing—dedicated and consistent volunteers going door-to-door to meet people in person with a very brief message. Nothing more complex than that.

It's also why Councillor Ben Isitt received a record breaking 14,000-plus votes. He had the most strategic get-out-the-vote effort among all the contenders, mobilizing volunteers to regularly knock on 10,000 doors at least once over 60 days. Social media played only a minor role, with our funding used to help our organizer-door-knockers. Through both calling and door-knocking more volunteers were found. Great dinners with beer ended many of our evenings.

The landmark book by Donald P. Green and Alan S. Gerber—*Get Out the Vote: How to Increase Voter Turnout*—explains how to transform voter suppression and non-participation.

Larry Wartels

Trans Mountain pipeline heats up

Pipelines are big news these days but as usual we are not getting the facts from the mainstream media. The protesters, when given airtime, also have not done a very good job of explaining why they are out there in the cold and rain facing lawsuits and jail time.

Kinder Morgan and Enron on the other hand have dipped into their lucrative oil profits to hire public relations firms and spin-doctors to promote their side of the story



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It seems to me, then, the main points are:

We are often told we live in one of the most seismically active zones on the planet and we can expect the “Big One” any minute, or sometime soon. The experts say it’s not a matter of if, but when, etc etc. So the better question is why would we build a big new pipeline or triple an existing one in such a high-risk area? After all, we are continually warned how we should prepare and act when the ground starts to shake violently and collapse around us. Pipelines, however, can’t get under desks. In the event of such a catastrophe the amount of oil that would rupture onto our coastlines and, most likely some local communities, would be impossible to contain or clean up, particularly as much of it would be heavy, unconventional tar sands bitumen.

The other major point is Canadians are currently on the hook for billions of dollars for toxic pollution cleanup and containment. Our well-paid, well-travelled, political decision-makers have allowed businesses to destroy the environment, leave toxic waste, and walk. A recent report identified tens of thousands of these sites throughout Canada, each with varying degrees of contaminants. Taxpayers must now pick up the tab.

The Yellowknife Giant Mine site alone, for example, is costing one billion of our tax dollars to contain the 237,000 toxic tons of arsenic trioxide that was left. The companies were allowed to leave after taking a record amount of gold. The ongoing annual cost to taxpayers is several million dollars to stop this toxic poison from leaching into the city’s soil, groundwater, the Great Slave Lake (deepest in North America), and Canada’s biggest river, the Mackenzie.

All this in the face of government reports that have warned we are not getting adequate compensation for our resources from foreign companies. They cite difficulties in determining how much is harvested by these firms and the cost of an adequate workforce to regulate them. If you also consider how much of our portion of the “profits” is going towards decontamination costs—we really are getting shortchanged.

So ignoring issues like legacy for Canadians, sustaining our oil supply, and losing the predicted future increased price the diminishing reserves will surely result in—the risk

to Canadians posed by pipelines is only going to get worse. This is because the Harper pro-business government wants to get the oil out as fast as possible after dramatically reducing environmental assessment protections for resource development.

Anthony Mears

We live on a small BC island, knowing all things are connected. In November we were present-in-spirit on Burnaby Mountain, applauding brave people who stepped over the line. We know from experience that this is not a step taken lightly, and we respect the decision to be arrested.

We are pleased to witness the growing community solidarity and much-needed media attention. We are glad for whatever success the actions represent in the big picture of efforts to protect ecosystems and life on Earth.

However, while glad on one hand, recent news makes me disappointed for arrestees who will not have their say in court. An opportunity for public comment has once again been arrested.

A CTV news report stated, “The judge also threw out civil contempt charges against dozens of protesters after Kinder Morgan admitted it provided incorrect GPS information in its original injunction request.”

I am suspicious that Kinder Morgan intentionally placed the line in the wrong place, because it didn’t want protracted trials and media attention at a later date. I have contacted lawyers to ask whether there is any basis for legal action(s) against Kinder Morgan, and if so, to recommend it.

Can it be proved the GPS error was intentional? How and why did that occur; when and why did the company report their “error”? (And if it was an “honest mistake” how can we trust this company to lay out a pipeline in difficult remote terrain?!)

Perhaps there should be a class action suit by the arrestees for unnecessary personal distress. It seems unfair for the company to put people to this test due to a stupid mistake—or a false pretense.

And maybe there should be additional public legal action for the extraordinary police and judicial costs of enforcing Kinder Morgan’s erroneous line. We all pay for the RCMP and a lot of British Columbians don’t like this use of limited police budgets.

Even if legal challenges fail, I believe the courts may be a good venue for shedding light on what’s going on.

Lannie Keller, Surge Narrows, BC

E&N: More red lights ahead?

I found the article by Roszan Holmen on the E&N Railway very interesting and well written.

The photo on page 37 showing a steel trestle is actually a picture of the Arbutus Canyon Bridge, approximately 2 kilometres north of the Niagara Canyon Bridge (photo attached). I have travelled this area on foot many times during my insulator collecting days. In later years we used the Niagara for rappelling practice.

Also a thank you for the excellent coverage on the Blue bridge fiasco.

Armin Sielopp



Niagara Creek Bridge at Mile 14 of the E&N

A united front for federal election

The letter on elections by Karyn Woodward urging federal opposition parties to collaborate to defeat the Conservatives in the next year struck a chord with me. From now on every time I get an email from a political party I am going to reply with the following:

“Will the Greens, the Liberals, and the NDP put Canada ahead of political ambition, prove that they value democracy, and unite to take back our country. We owe this to our children, and to our ancestors.”

Patrick Lawson

Open letter re Oak Bay’s deer cull

Dear Mayor and Councillors,

Congratulations for being (re)-elected to Oak Bay Council. The purpose of this email is to remind you of the official position of the BC SPCA regarding the proposed deer cull in Oak Bay.

BC SPCA’s CEO Craig Daniell wrote to Oak Bay mayor and council in June 2013. The following are, in my opinion, the most important statements from his letter:

“Decades of wildlife studies on culling activities show that removal of animals in

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such a transient system only creates a 'sink' territory for more animals to move into."

"An indiscriminate cull which neglects considerations for gender and age class is unethical and contrary to generally accepted principles of wildlife management."

"Based on lessons learned from other North American cities dealing with this issue for the past 20 years, the proposed cull actions are not a scientifically-sound or sustainable solution."

I spoke recently with Dr Sara Dubois, chief scientific officer of the BC SPCA. She assured me that the official position of the BC SPCA on this matter has not changed since the above letter was sent to Oak Bay mayor and council.

For a comprehensive review of the matter, please see my comment "The Deer Question" in *Focus* magazine of November 2013 (in archives at focusonline.ca). I analyzed the various points that deer cull advocates commonly make and refute each and every one of them based on facts and evidence.

Wherever a deer population reduction program has been carried out or attempted in BC (e.g. Invermere, Kimberley, Cranbrook), the emotional response has been very strong and has traumatized and divided residents, caused lawsuits, and traps have been systematically vandalized. I am afraid that we can expect a similar or stronger response in an urban environment such as Victoria municipalities, so we should take this factor into consideration very carefully before resorting to this barbaric and unnecessary action.

I urge you to do your own research on the deer issue before taking a final position.

Prof. N.R. Spogliarich

Correction

Re: "Lisa's Landslide and the Atwell Attack," *Focus*, December 2014, Richard Atwell did not make the parody sketch based on the movie *Downfall*, as suggested in the story. Says reader Tom Maler: "There is a pre-made script on the internet and one of us RITE planners typed in the subtitles based on the CRD boondoggle. The script then creates the video with the new subtitles. The only thing Richard Atwell had to do with it is that he 'liked' it on facebook, just like we all did. I think it was brilliant."

LETTERS
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Christina Truscott, Lauren Truscott, Julia and Jonathan Woensdregt.

For those of us feeling it's time to get serious about our fitness, Victoria offers some of the most highly-trained and effective fitness leaders imaginable—and now many of them are available in a convenient, pleasant new facility.

For over 30 years, Body Blueprint founder and director Christina Truscott has been involved in fitness education. She is a Trainer of Fitness Leaders and teaches every aspect of fitness education, including weight training, Pilates and group fitness. Her knowledge and dynamic presence make her courses enjoyable and informative. As a result, many fitness course instructors across Canada were once Body Blueprint Fitness students.

In recent years, Christina has been joined by her daughter Julia, a personal trainer and Certified Athletic Therapist, and son-in-law and business manager Jonathan Woensdregt.

Even more recently, Christina and her team renovated a roomy yet private-feeling fitness centre on Douglas Street from which they can help professionals and amateurs alike pursue their fitness goals. The team is thrilled with their well-equipped gym, consultation rooms, massage/treatment room and studio/classroom.

Body Blueprint does not sell memberships. This allows the Body Blueprint team to focus more on the type of education and one-on-one training and services they believe most benefit people.

For instance, Julia's training in athletic or rehabilitation therapy means she can help people recover from musculoskeletal injuries such as whiplash, chronic tendonitis, knee issues, even postural issues.

Another of Christina's daughters, Lauren, a certified Holistic Health Coach, offers herbal therapy. There's also a dietitian. Other wellness professionals offer massage, acupuncture, and spa services. "We want to offer a well-rounded, holistic type of fitness," explains Julia.

In keeping with their educational emphasis, the Body Blueprint team recommends people book some initial personal training to launch them on their path

to wellness. The team has also put together some great value-added packages, some geared particularly to the new year. One is a 12-week program aimed at weight loss, health and fitness—including an assessment (and follow-up) by the athletic/rehab therapist who will make recommendations for a home program and your personal trainer; 12 personal training sessions; and on-going nutrition counseling. There's also a 6-week version of this program. For only \$400 you can get a package that includes consultations with both the dietitian and athletic therapist, two personal training sessions, and a one-hour treatment of your choice. You can custom-build your own package as well.

Christina notes that Body Blueprint offers a no-cost consultation to discuss fitness goals and training options. "Whether you are an elite athlete or beginner exerciser we have a training program that will help you realize your potential," assures Christina. Goals can be as diverse as losing the first 50 pounds or the last 10, training for a 10K race, or recovering your health after an injury—it's up to you. "We can give you the tools to get you on a healthier path," says Jonathan.

In its new studio, Body Blueprint will also be offering fitness classes including Zumba®, mom & baby, 50+ men and women & weights. See the website for details on these as well as informative workshops for instructors and laypeople. As Jonathan points out, "Few people know how our bodies work—and how just simple small changes in our choices can make a big difference to our wellness."

Whether you're looking to lose body fat, correct an imbalance, prepare for a sport, or improve your general health, the Body Blueprint team is there to guide you safely and effectively towards your goals in 2015.

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How to win an election

SONIA THEROUX

Bring disengaged citizens back to the polls.

When I was first approached last May to run Lisa Helps' campaign for mayor of Victoria, I resolved that the motivation for giving up several months of my life needed to be about more than electing Lisa. I saw there was an opportunity to effect a less tangible but longer-term change: inspiring citizens who have been estranged from the political process to become engaged. I happen to believe that in order to ultimately shift governments to be more inclusive and respectful of the governed, this shift needs to be modelled in the campaigns that elect the governors.

Mobilizing a campaign requires choosing between either a fear-and-anger approach to motivating the troops, or accomplishing that with hope and inspiration. Guided by principles of respect and inclusivity, we chose hope and inspiration. In doing so, we did more than elect a new mayor. We brought together and activated a new constituency, one that's now determined to stay engaged and keep contributing to the community.

In the beginning, Lisa was the underdog. We knew that to overcome that, we would need hundreds of volunteers. The first decision I made, more from intuition than strategy, was that in order to raise the voter turnout and bring the disengaged to the polls, we needed to attract the disengaged to the campaign. If people see themselves reflected in the campaigners, they're more likely to get involved and vote. The typical war-like language and culture of politics, simplified to "us versus them," selects for who will and won't get involved. "I don't like being a brand ambassador, so it helped that Lisa was non-partisan," one volunteer said to me.

At some of the early meetings, of the dozens of volunteers at the table, Lisa, Jane Sterk and I were often the only women present. As well, Lisa and I, in our late 30s, were among the youngest. I was struck by the realization that we would need more youthful energy and ideas, more women, and more people willing to take on the often menial work of campaigning once we moved from strategizing to implementation.

At that time, many on the team were disenchanted with our incumbent mayor. There were legitimate misgivings about the handling of "the blue bridge," about open democracy



Helps and Thérroux (holding bottle) with supporters as the final vote count was announced.

and transparency, and about the perceived dysfunctions of City Hall's processes which were handicapping small businesses across the city.

My concern with adopting these issues as the *raison d'être* for the campaign was that they would not resonate with people who were disconnected from city politics.

This had to be about more than Dean Fortin or the Johnson Street Bridge. This needed to be about working with people and ideas across differences that speaks to a new kind of politics. Respect and collaboration instead of politics as "blood sport," as Lisa wrote in her "Heart-Centred Politics" blog.

Negative political campaigns anger and divide voters. They may get some votes, but they also perpetuate cynicism and disengagement by reinforcing the notion about candidates that "they're all the same; none of them are worth my vote." And so roughly half of Canadians are not inspired to take part in elections. Entire segments of the population have voluntarily disenfranchised themselves. I took this very much to heart in choosing our campaign's tone.

We chose to communicate what we were working for, as opposed to what we were fighting against. We shared Lisa's vision that placed people, community and respect at the core of political discourse, above parties and beyond dogmatic thinking. This vision embraced outside-the-box thinking and valued creativity and disagreement. One volunteer, who fancied himself very different from the rest in his opin-

ions, repeatedly marvelled at how welcome he felt, and about the lack of drama and conflict on the team. "What have other campaigns you've volunteered for been like?" I asked. "Not kind," he replied.

We were often dismissed as being overly optimistic and naïve, too beholden to hope, too young, inexperienced, arrogant. We were taking risks and breaking rules. You can't change anything without taking measured risks.

One risk was, dare I say it, running an unintentionally "feminine" campaign. We used words like "collaboration," "listening" and "love." Some critics of our campaign dismissed these as "soft." These words couldn't possibly reflect the true intentions of someone serious about running for political office, the critics suggested. But ultimately, these words resonated with—and inspired—many people who helped build the campaign.

Our campaign office was purposefully made to look homey from the street, in contrast to the typical austerity of a pop-up campaign shop. We chose to open the office quite early in the campaign to give the team a home and to welcome the community. We wanted passersby to feel they could walk in and ask questions. They did, and some became first-time volunteers.

At the core of our campaign culture was a goal to "capacity build," to initiate new volunteers to campaigning and give them opportunities to learn and take on responsibilities or situations that were relatively new to them. Conscious effort was made to address fears and to ensure

PHOTO: BILL WEAVER

WE CHOSE TO COMMUNICATE what we were working for,
as opposed to what we were fighting against.

all felt welcome and appreciated. Over half of the core team were doing their jobs for the first time, certainly within a political context, and they rose to the challenge.

Starting early meant we were running a marathon rather than a sprint, so we needed to keep the intensity and stress of campaigning in check. Keeping people at the centre of our focus meant taking care of each other. One volunteer initiated free yoga classes for volunteers—by volunteer instructors—twice a week. There also needed to be fun. As the campaign ramped up, I summoned the team upstairs most afternoons for “dance break,” which was exactly that: one or two songs’ worth of silly dancing to reset our brains during that lull in the day. Not to mention the team building involved in choreographing a group to do the chicken dance.

All of these oddities became a source of both criticism and curiosity as we actively used our social media channels to show the faces and tell the story of the campaign. That story, we felt, was our greatest strength. As election day drew near, more and more people offered to help, citing the positive culture of the campaign as what had attracted them.

In fact, our social media team was a group of amateurs insofar as they were not innately political animals. It took some bruising and educating for everyone to get up to speed about the common phenomenon of social media “trolls” on political campaigns. A “troll” is tasked with wasting a campaigner’s time, energy and morale on fruitless and often vitriolic exchanges. I found myself private messaging our social media supporters, advising them to disengage and reallocate their energy to genuinely curious, undecided voters. Avoiding distractions became part of the overall strategy. When other campaigns started attacking us we took a little time to digest the attacks but quickly returned to the work we planned to do: inspire Team Helps to connect with as many voters as possible. We kept to the knitting.

I had expected election day to feel crazy. Instead, it felt festive. With 20 to 40 people in the office at any given time, the spirit of positivity among the team was palpable. Yes, there was plenty of stress and adrenaline, and there were inevitably some glitches to work through as we systematically contacted every supporter we had identified on the campaign trail. But something else took over that day.

Maybe it was the sense that we’d done all we could, and we just needed to keep to the knitting for a few more hours. I’d like to think it had a lot to do with the fact that we had successfully built a community. And here it was, at work.

I was repeatedly moved by the efforts that so many brand new voters made to get their own community’s votes out. “I voted for the first time AND I texted every single person in my phone and reminded them to vote,” one volunteer told us. Information about polling stations and the importance of voting flooded social media from individuals and local businesses and organizations. Mission accomplished: voting was now cool.

All along, for me, this had been about elevating someone to office who much more closely reflected my values by gathering and empowering a community. It had not been about taking down the incumbent though, at times, I was inspired to take down “old politics”—a politics built on centuries of exclusive input, often as an answer to war, largely by privileged men. Ultimately, I was driven to elect a mayor who promised courage and authenticity in pursuit of a new, inclusive style of politics.

As we all now know, we won, and by only 89 votes. Though not the ideal outcome, this margin has sent the message to all those involved, and all who voted, that each of their efforts literally made the difference. As someone who has campaigned on the losing side many times, and ultimately felt unrepresented, I can personally attest to the galvanizing effect this has had on those who participated in the campaign. “One less volunteer could have made the difference. It’s always fun to be in the right spot to make an impact,” a first-time volunteer shared with me. “If I hadn’t done my little piece, an opportunity would have been lost.”

The impact of this experience on those hundreds of volunteers, and the momentum spurred by a dose of victory will no doubt carry to the 2015 federal election. Recently recruited as an organizer for one of the Victoria campaigns in that election, I am seeing that the enthusiasm to get involved that I witnessed on Team Helps is already in the air.

Sonia Th  roux, former campaign manager for the Lisa Helps campaign, is happiest when applying her “generalist” skills and passion toward positive social change.

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The case against McLoughlinism

DAVID BROADLAND

Will Oak Bay Mayor Nils Jensen and Victoria's Dwayne Kalynchuk lead the region's big issue back to a gunfight at McLoughlin Point?

The effort to locate a central sewage treatment plant at Esquimalt's McLoughlin Point has shifted into a new phase. After being temporarily shut down by Environment Minister Mary Polak's refusal to force Esquimalt to host the facility, the McLoughlinists now seem intent on a campaign to eliminate any other possibility.

By "McLoughlinist" I mean a person or organization that has repeatedly expressed the belief that any solution to Victoria's treatment deficit must include a large secondary treatment plant at McLoughlin Point. The McLoughlinist mantra is that anything else is "too expensive."

Before November's election campaigns began, the community's attention was riveted on the apparent failure of the CRD to locate a \$783-million central treatment plant on the rocky point at the entrance to Victoria Harbour. Pro-McLoughlin politicians and power-brokers in the region hoped the election would bring a broad repudiation of the Barb Desjardins-Richard Atwell-Lisa Helps-Cairine Green alliance. None of these mayoral candidates were McLoughlinists.

If that had happened it seems likely the CRD's plan for central sewage treatment would have been quickly reactivated and a delegation of re-elected mayors sent to Ms Polak to seek reversal of her April decision. Instead, Desjardins received a bigger vote and Atwell and Helps defeated two of the most powerful supporters of the McLoughlin plan. But a number of staunch McLoughlinists were re-elected as CRD directors, along with David Screech as mayor of View Royal. Screech has, in the past, supported the McLoughlin plan.

Indeed, at the first CRD board meeting attended by newly-elected mayors and councillor-directors, McLoughlinist Nils Jensen, the re-elected mayor of Oak Bay, defeated Desjardins in a secret-ballot election for chair of the board. In an interview with CBC's Gregor Craigie the following day, Jensen outlined his idea of a process to find a solution to the sewage treatment issue. He said the CRD was encouraging "people to come forward if they have a proposal for their community for a single plant. That's one track. The other track that's being contemplated is eastside and westside committees looking at a two-plant solution." Jensen, who famously missed most of the CRD's sewage committee meetings in his first term, subsequently anointed himself chair of that committee.

The fundamental difference between the region's two sewage factions is based on two factors. First, whether or not the burden of hosting sewage treatment should be shared equitably: the McLoughlinists say the burden should be forced on Esquimalt, but Esquimalt says it will take them to court if they try. Secondly, the quality of treatment—should it be lower quality secondary treatment or higher quality tertiary treatment? The McLoughlinists say tertiary treatment is too expensive, their opponents say that has never been proven. Mixed into both positions are claims of potential resource and energy recovery. But neither position depends on including or excluding that possibility.

The westside mayors (Esquimalt, Colwood, View Royal, Langford), along with First Nations participants, have begun a public engagement process to consider their options. The fact those mayors have agreed there might be an option to McLoughlin Point eliminates them as McLoughlinists, at least for now.



If Oak Bay was asked to provide a location for a sewage treatment plant, the southwest corner of Windsor Park, with easy access to existing sewage conveyancing, would be high on the list of practical, available sites. So far, Oak Bay Mayor Jensen hasn't offered any locations in his municipality.

But on the eastside, there's been no real progress toward a non-McLoughlin solution. A shout-out from the CRD last September for all communities to put forward a possible site for a treatment plant in their community produced no response from Victoria, Oak Bay or Saanich. Victoria decided in October to at least go through the motions of considering a plan B, but a December 18 meeting of its council suggests that process has been designed to lead right back to McLoughlin Point.

At that meeting councillors received a progress report on the engineering and public works department's exploration of a sub-regional treatment system. Urban Systems has been awarded a contract to design a public engagement process that will allow the public to make its preferences about sewage treatment known. Invoking the example of the Johnson Street Bridge, Councillor Pam Madoff suggested council should make it clear to the public that councillors would not necessarily act on those preferences.

After addressing the issue of how to politely ignore public input, councillors voted to initiate investigation of potential sites for sewage treatment. In doing that they seemed not to have comprehended that Director of Engineering and Public Works Dwayne Kalynchuk had already outflanked any move to a non-McLoughlin solution by appointing a proven, reliable soldier to kill that possibility at the outset.

Here's how that happened: Last October, after the apparent failure of the CRD's McLoughlin plan and the splitting off of the westside group, the City of Victoria realized it might need to find its own way. Overseeing exploration of that fell to Kalynchuk's department. It issued an RFP for an engineering study that would make recommendations on the City's treatment options. The RFP cited a 2009 Kerr Wood Leidal study and instructed responding engineering companies to use *the same costing assumptions* that Kerr Wood

HISTORY NOW SEEMS to be repeating itself. There's little doubt that a new Kerr Wood Leidal study that uses the same costing assumptions as their 2009 study will lead to the same recommendation: a central plant at McLoughlin Point.

Leidal had used in 2009. At that December 18 meeting councillors learned that the contract had been awarded to Kerr Wood Leidal. That should have triggered an alarm in council chambers and here's why:

Back in 2009, Kalynchuk was at the CRD heading the effort to develop regional sewage treatment. Under his leadership, the engineering firm Kerr Wood Leidal (in partnership with two other engineering firms) undertook a study of distributed treatment plants. Its findings have provided the entire basis for the pro-McLoughlin origin story that claims, as a recent *Times Colonist* editorial put it, "The CRD's waste-treatment committee did extensive professional studies into the options, including distributed treatment, which was deemed to be too expensive, and came up with the proposal for the central plant."

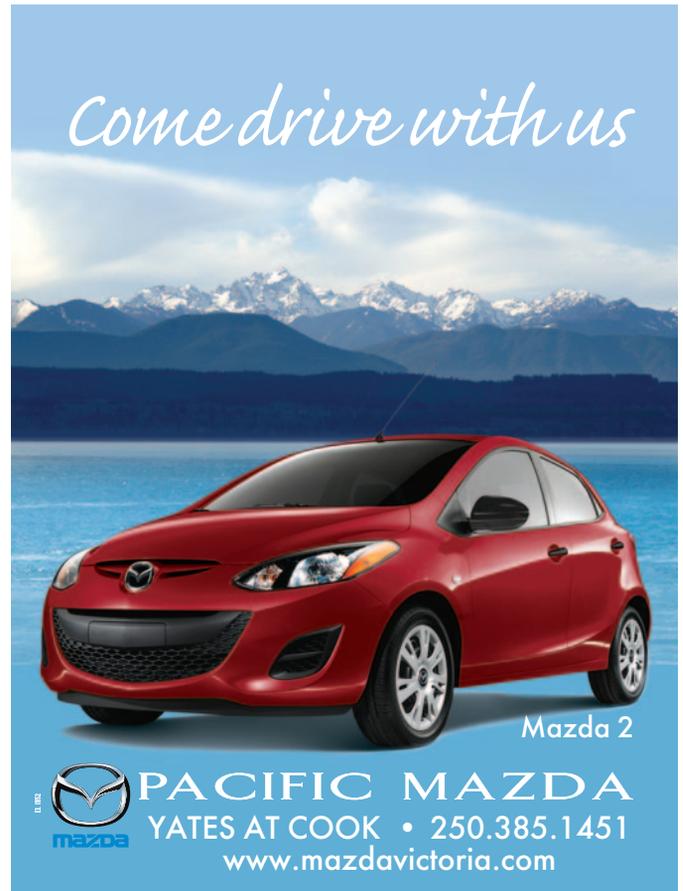
The Kerr Wood Leidal study's findings, though, have been dismissed by the Sewage Treatment Action Group and other knowledgeable critics as having little or no applicability to the network of tertiary treatment plants STAG envisioned in its RITE Plan. Some of the criticisms are easy to understand. The Kerr Wood Leidal study's cost estimates, for example, were for secondary treatment. That form of treatment would have required construction of nine new marine outfalls, but a system of strategically-located tertiary treatment plants could use existing outfalls. Another criticism has been that Kerr Wood Leidal used population growth projections that have since proven to be too high, and so its cost estimates were based on building plants that would provide greater capacity than is currently required or even projected. RITE Plan proponents want a cost estimate based on addressing current capacity requirements, and suggest small plants could be added later as needed.

One finding of the study that's hard to comprehend involves the energy recovery estimates it developed. Kerr Wood Leidal used a methodology and assumptions that led it to conclude there would be more demand for energy in both Colwood and Royal Bay than in downtown Victoria. Since the study produced a result so transparently flawed, its critics say, it can't be trusted. Yet the study has been used by the *Times Colonist*, CRD bureaucrats—in fact all McLoughlinuts—as proof that any form of distributed treatment would be "too expensive."

Was the 2009 study designed to produce a predetermined result, that distributed plants would be too expensive?

This appears to be what happened with another pricey infrastructure project, the Johnson Street Bridge. Soon after Kalynchuk left the CRD and became head of the City's engineering department, a study was done that compared the cost of rehabilitation of the bridge with the cost of replacement. That comparison was fudged to favour replacement. Unrealistic assumptions were imposed (a repaired bridge *must* last 100 years) that seemed designed to deliver a predetermined outcome.

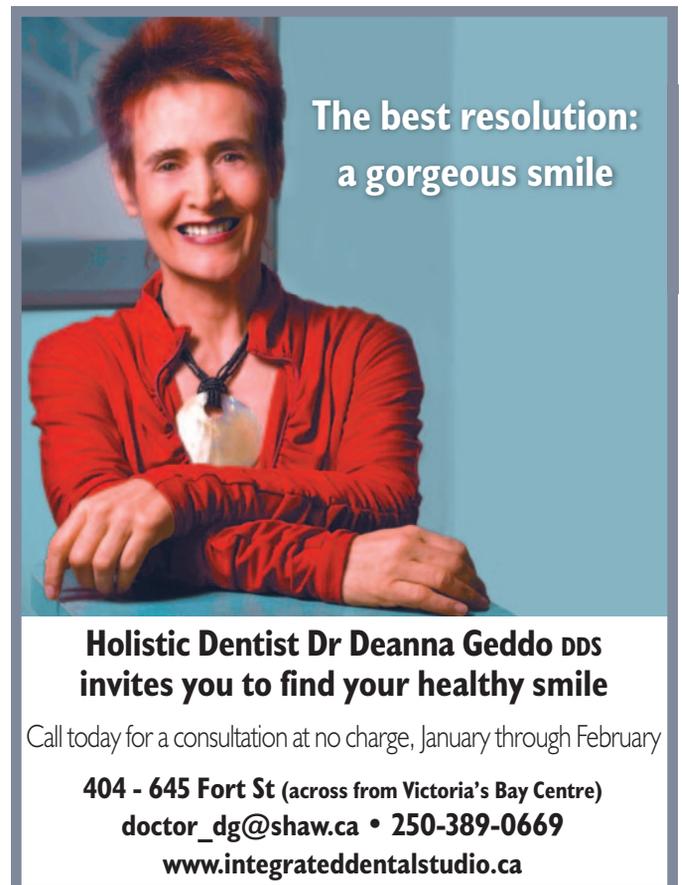
History now seems to be repeating itself. There's little doubt that a new Kerr Wood Leidal study that uses the same costing assumptions as their 2009 study will lead to the same recommendation: a central plant at McLoughlin Point. That property is owned by the CRD, is large enough and has the required zoning in place for a secondary sewage treatment facility that would serve Victoria, Oak Bay and a portion of Saanich.



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Some Victoria taxpayers might experience fainting spells at the thought of the City's engineering department overseeing development of a sewage treatment project whose starting price is likely to be in the neighbourhood of \$300 million. The department, under Kalynchuk's



A high tide flooded the bridge project's bascule pier cofferdam on December 20

leadership, has taken the new Johnson Street Bridge project from an original estimate of \$63 million to a currently unknown cost—estimated by *Focus* at about \$108 million.

Ironically, the December 18 council meeting was scheduled to include a quarterly update on the bridge project. That report, dropped from the agenda without explanation, would have included a

synopsis of the project's legal problems, an updated cost estimate and a new completion date. Construction of the main elements on the project's critical path—the bascule leaf and the bascule pier—was halted last July and October, respectively. That long-anticipated update has been “delayed until the New Year for a fulsome and complete as possible report,” according to Mayor Helps.

On December 20, a high tide unexpectedly flooded the bascule pier cofferdam (photo above) raising more questions about the planning and execution of the project. Yet the same folks who shepherded this project are now in charge of sewage treatment.

Victoria residents who wish to be politely ignored might want to mark their calendars. Councillors requested that a public engagement strategy for sewage treatment options be ready by the end of January.

FOR INQUIRING MINDS that would like to know if the McLoughlin might be wrong, let me introduce you to Oscar Regier. A retired civil engineer, Regier has some 40 years' experience in the investigation, design, construction and project management of municipal and industrial infrastructure projects. He was the design project manager on the award-winning Docksider Green wastewater treatment plant and he has been giving technical advice to Richard Atwell on the potential for a distributed enhanced-tertiary sewage treatment system for the Victoria region.

Regier's tertiary-level sewage treatment plant at Docksider Green sits below Café Fantastico and Foi Epi Bakery between Tyee and Harbour roads. A visit will confirm there's no odour produced by the plant and water it reclaims circulates to a series of lush water gardens immediately adjacent to Docksider's residential towers (see photo above right).

The Atwell-Helps-Desjardins alternative to a central plant at McLoughlin Point—or anywhere—would rely on adaptation of the Docksider Green technology to a larger scale, which the brain trust at the CRD has convinced the majority of its board members isn't possible.

The CRD dismissed Docksider's potential with a simple calculation: multiplying Docksider's cost per unit of treatment capacity by the total treatment capacity the CRD needed. It decided that simple calculation was proof enough it would cost \$2 billion to use distributed tertiary treatment.

No one at the CRD has ever spoken with Regier. Perhaps someone should. He recently researched the costs of some 40 tertiary treatment facilities built in North America during the last 10 years, and adjusted their final costs so they could be compared with the estimated cost of



Docksider Green's water gardens are supplied with reclaimed water from its tertiary-level sewage treatment plant.

McLoughlin Point's treatment plant. He says, “Several tertiary treatment facilities with a wide range of capacities have unit costs in the same range [around \$2 million per million litres per day of maximum sustained capacity] as the McLoughlin Point proposal, which provides only secondary treatment. These are existing plants so the costs are real and final—not class C estimates.”

Let me give you a sense of what that cost translates to for Jensen's municipality, Oak Bay. The CRD says Oak Bay would need treatment capacity to process about 12 million litres of sewage each day. Using Regier's figures, that would cost \$24 million. That's just for the treatment plant and doesn't include conveyancing or biosolids treatment. By comparison, Oak Bay's share of the expected construction cost of a secondary plant at McLoughlin Point is about \$14 million.

Regier's research shows that a 12-million-litre-per-day tertiary treatment plant would require a site area of about 4500 square metres, roughly equivalent to the area occupied by 6 tennis courts. Oak Bay's Windsor Park, for instance, has three tennis courts at its west end that occupy roughly the area required to treat half the municipality's sewage.

There are two other large costs associated with sewage treatment for both the CRD's McLoughlin secondary treatment scheme and distributed tertiary treatment: conveyancing (pumps and pipelines) and biosolids treatment—the process that reduces the solids the treatment plants take out of the sewage. The CRD's McLoughlin plan would spend hundreds of millions on each. What about distributed tertiary?

Again, let's look at Jensen's Oak Bay and use Windsor Park as an example. Right across Currie Road from the tennis courts, the CRD owns two residential properties that house a sewage pumping station disguised as single-family homes. To hook up a 12-million-litre-per-day underground tertiary plant that could treat the equivalent of Oak Bay's daily production of sewage, the CRD would need to run two pipes under Currie Road; the current input to the Currie Road pumping station would become the input to the Currie Road café-bakery, er, sewage treatment plant, and the output from the plant would go back under the road and be pumped to the Clover Point outfall, exactly as is now.

Oak Bay's share of conveyancing construction costs in the McLoughlin scheme is about \$4 million. That compares with an estimated cost of \$500,000 to connect an underground Windsor Park treatment plant with the Currie pumping station. The extra cost of constructing tertiary treatment for Oak Bay is now less than \$7 million above secondary treatment. For the 50-year life expectancy of these plants, that crunches down to an extra cost of \$140,000 per year. That works out to \$20 per Oak Bay household per year. Is that “too expensive”?

The other big cost, biosolids treatment, would require either an on-site gasifier or a truck pulling into the café once a day to remove solids to a gasifier located where plenty of energy could be used. Saanich Councillor Vic Derman showed his fellow sewage committee directors years ago that using gasifiers instead of pumping everyone's poop 18 kilometres to a biodigester at Hartland Road would save the CRD "\$200 million plus \$3-4 million in annual operating costs."

Would it be possible to execute a systematic adaptation of distributed tertiary plants to the CRD's existing system of forcemains and pumping stations—like that suggested above for the Currie Road pumping station? "Yes, I think so, at a number of locations along or near the trunk mains leading to Clover Point and Macaulay Point, including some of the pump stations," Regier said.

He described to me the differences between a system that utilized "independent" plants compared to one with "inter-related" plants and outlined how that might work. When I expressed difficulty in understanding what he meant, he said, "Think about a big picture puzzle. If you only have one or two pieces of the puzzle without the picture, you have no idea what you are dealing with. If you have most or all of the pieces, you can start sorting them out and get a much better idea of what the final result will look like."

So choosing actual locations for plants in a larger system is difficult until decisions have been made about how the larger system will work. Of course, when it comes to sewage treatment plants, no one—except the folks who live in Docks Green—wants one built near them.

Regier was cautious on this issue: "I hesitate to name specific sites because there will be an instant knee-jerk uproar and rejection without sober thought and analysis." Pressed, though, he provided some possibilities: "Penrhyn, Currie and Marigold could be suitable for larger DT [distributed tertiary] plants; Trent for a smaller DT plant. Clover and Macaulay should probably have DT plants to serve the adjacent areas and possibly some backup/standby capability in case of failure at an upstream DT plant, instead of pumping their sewage back up to another DT. If the 'westside' develops something on their side then Craigflower might become redundant and it could be modified to pump reclaimed water to Central Saanich to irrigate a large agricultural area."

Even though these numbers suggests a distributed tertiary system could break the siting stalemate in which the region is now locked, there are two good reasons why CRD bureaucrats and local politicians don't want to see a cost estimate for such a system.

For one thing, CRD bureaucrats decided a distributed system would cost too much and then went on to spend over \$85 million preparing for a central treatment plant. A study that demonstrates Regier's distributed system would cost less would show that those bureaucrats screwed up. Why would they risk that? They could lose their jobs.

For the politicians, there's the problem of the "knee-jerk uproar." Once a few possible locations are named—like Windsor Park in south Oak Bay or Clover Point in Victoria—only elected officials with great personal courage would be able to stand up to the blow-back. No one in either Saanich, Victoria or Oak Bay has yet shown they possess that courage.

McLoughlinism *depends* on no politician having that courage. But to go ahead with a central plant at McLoughlin will likely mean a protracted legal battle between the CRD and Esquimalt, and taxpayers losing all promised senior government funding. The solution? Jensen ought to visit Café Fantastico and stroll through the water gardens.

David Broadland is the publisher of *Focus Magazine*.

Storage for small spaces

SINCE STARTING MY BUSINESS in 1997 it has evolved from primarily installing custom closets in dream homes to specializing in helping boomers and others to successfully adapt to smaller homes. Together we've found that proper storage is key to successfully transitioning to the next stage of their lives.



Janet Young

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Uncharted territory

KATHERINE PALMER GORDON

Failure to protect First Nations graves on Grace Islet may lead to the first aboriginal title claim on private property in BC.

On November 10, Chief William Seymour of the Cowichan Tribes wrote a polite letter to Premier Christy Clark. Attached to the letter was a formal notice of claim to aboriginal title over Grace Islet, a three-quarter-acre rocky knoll located in Saltspring Island's Ganges Harbour.

It's not unusual these days for the provincial government to receive claims of aboriginal title over Crown lands in British Columbia. But this one is different from all the others: the claimed property, Grace Islet, is privately-owned.

The claim states that prior to European contact, Cowichan people exclusively occupied Grace Islet as a burial ground. Its conversion to private property in the mid-twentieth century was a breach of Cowichan's aboriginal title, and therefore invalid. Seymour requested that the government therefore take immediate action to repurchase Grace Islet from its current owner, Alberta businessman Barry N. Slawsky, and return it to the First Nation. Otherwise, wrote Seymour, Cowichan Tribes will proceed with legal action.

The implications of the claim, if it proceeds, could be profound. How will a court balance constitutionally-protected aboriginal title against bedrock principles of private property ownership?

"If it goes ahead, this will break completely new legal ground," observes Professor John Borrows, Canada Research Chair in Indigenous Law at the University of Victoria Law School. "An aboriginal title claim over private property is uncharted territory."

It's a risky step for a First Nation to take, notwithstanding the increasingly robust case law affirming aboriginal title in the province. A court could decide that the conversion of the land to fee simple status extinguished Cowichan's aboriginal title. On the other hand, as Borrows points out, the court will have a blank page to fill. Given the facts related to Grace Islet, the balance could just as easily swing in Cowichan's favour.

Based on his legal advice, Seymour firmly believes that Cowichan will win: "If we are forced to go to court, Cowichan has a very strong history here and a very strong case so I think we'll succeed."



The First Nations burial ground (now known as Grace Islet) before construction began

But Seymour also strives to quell fears about what a case like this could mean to private property owners in BC. "It's important to understand that we're not going after private lands in general here. We're not interested in that." The claim is all about Grace Islet: "It's completely exceptional."

He also emphasizes that going to court is a strategy of last resort: "I really hope we don't have to go to court," he says. He says the First Nation has had little choice but to take this dramatic step: "We've been forced to this point."

GRACE ISLET HAS BEEN REGISTERED as a provincial heritage site since 1974. Archaeologists have identified at least 18 burial features clustered on the islet. First Nations who share the territory in which Grace Islet lies—Cowichan Tribes, Penelakut, Halalt, Tsartlip, Tseycum and others—have made it clear that the sanctity of such group burial sites—cemeteries in all but regulatory name—must be respected.

But in 2014, with provincial government permits in hand allowing him to do so, owner Barry Slawsky began construction of a 2300-square-foot home on the tiny islet. Room to build is very limited, and the home

incorporates two of the graves into its crawl space. When First Nations learned that construction was proceeding, despite their protests to the government that no construction of any kind should take place on Grace Islet, they were aghast.

Building a house in a cemetery is a breach of customary laws and cultural practices governing the care of the dead in these places. Cowichan lawyer and negotiator Robert Morales says cemeteries like Grace Islet are considered "dangerous, powerful places that are to be strictly avoided by the living...it is unthinkable to knowingly build a house on top of a cemetery."

In an August 2012 letter to Minister of Forests, Lands and Natural Resource Operations Steve Thomson, Penelakut Chief Earl Jack wrote: "The disturbance of the dead is dangerous to the living, who may suffer sickness, poor fortune or death. For this reason, the dead were placed in cemeteries, such as burial islets, distant from village life. Only those persons who own the traditional ritual knowledge to deal with the dead may visit the cemeteries and care for the spirits through ceremonial practices."

But requests by Cowichan, Penelakut and other First Nations made to both the owner

“IF IT GOES AHEAD, this will break completely new legal ground. An aboriginal title claim over private property is uncharted territory.”

—Professor John Borrows, University of Victoria Law School



Tsartlip Chief Don Tom placed a “Stop Work Order” at the burial site in September

and the provincial government to leave the dead in peace on the islet have fallen on deaf ears. In July 2014, Minister Steve Thomson issued a public statement that the provincial government recognized its obligation to protect First Nations’ “archaeological sites,” but that the rights of private property owners must be respected. That, as far as Thomson was concerned, was that.

THE ROOT OF THE PROBLEM lies in the distinct forms of legislation applied to First Nations burials sites versus those of others.

Under B.C.’s *Cremation, Interment and Funeral Services Act*, it’s an offence to litter, play games or even drive over a nearby flowerbed in a cemetery—all activities disrespectful to the dead and their living descendants. But collective aboriginal grave sites do not receive the same level of sanctity under the *Heritage Conservation Act* (the *HCA*).

The *HCA*, says Robert Morales, is supposed to protect aboriginal graves. “It does state quite clearly that it is an offence to desecrate them,” explains Morales. There are two problems, however. “Unlike the cemeteries legislation, which is premised on respect for human remains, the purpose of the *HCA* is preservation of the scientific and historic

value of archaeological sites. First Nations human remains are the remains of real people, but the *HCA* treats them like artefacts.”

The second problem, says Morales, is the way the *Act*’s being implemented: “It’s more about facilitating development than it is about protecting heritage sites.” The *HCA* authorizes the Archaeological Branch to issue permits to do exactly what it supposedly seeks to prohibit—to alter (read desecrate and damage) heritage sites as part of a construction project or development. Hence a permit to build a house on top of graves on Grace Islet.

The provincial government has also never developed any policies or guidelines governing what amounts to desecration or damage in the course of construction, he continues. “There are no criteria, for example, governing when a site simply shouldn’t be developed at all, like Grace Islet.”

Gabriola-based archaeologist Eric Mclay, who has inspected Grace Islet, says: “There should at least be a minimum threshold that must be met before a permit can be issued. But BC won’t create any guidelines at all, and owners are taking advantage of that, as we can see. In my experience,” he adds darkly, “the Archaeological Branch will simply push

and push the limits on what can be done to sites until there are no more limits. It’s almost a rubber stamp process now. Grace Islet is a good illustration of that. Where are the boundaries?” he asks in frustration. “On a known burial site, with mass graves, how is it possible that a permit could be issued?”

No municipality or government would dream of issuing a building permit over a cemetery, nor would they be permitted to. Yet that’s exactly what has happened at Grace Islet under the auspices of the *HCA*. It’s an approach that Mclay describes as crass and appalling: “The *HCA* is supposed to protect these sacred sites from development. But the provincial government has instead chosen to allow a known cemetery to be developed [at Grace Islet]. There’s no morality in that whatsoever.”

EVERYTHING MAY CHANGE, HOWEVER, now that Cowichan Tribes have fired their aboriginal title shot across provincial government bows. A title case may be risky for Cowichan, but it’s a downright unattractive proposition to a government that stands to be held financially responsible if a legal precedent is set for aboriginal title on privately-held lands.

It’s therefore unsurprising that an urgent flurry of activity followed receipt of Cowichan’s November 10 letter. Minister Thomson promptly secured Treasury Board approval to fund the purchase of the islet, and tasked former provincial deputy minister Lorne Brownsey and experienced consultant Patrick Kelly with attempting to reach a negotiated settlement between all the parties.

Cowichan, encouraged by the prompt response, has put the title suit on hold while the negotiators meet with all of the affected First Nations and owner Barry Slawsky. “We see these negotiations as a positive step in the right direction,” says Seymour. His vision of a successful outcome is straightforward, and much the same as outlined in the title claim: “We don’t want a house built over our grave sites. It’s really that simple.”

He would much prefer to see that outcome happen as a result of reaching an agreement with the owner and the provincial government rather than being forced to resort to litigation just to get to the same place: “I hope we don’t have to go to court,” he repeats. “No-one wants that. But,” emphasizes Seymour, “that requires everyone to work together.”

At press-time, the negotiators had no comment to make and the provincial government could only say: “Discussions are going

slower than we would like.” Seymour was unsure whether anyone had had any luck getting hold of Slawsky, who was out of the country. The prospects for success of a negotiated settlement were anything but clear, and the likelihood of a court case proceeding—whether by Cowichan alone, or joined by their fellow First Nations with shared interests in the islet—is entirely possible.

WHEN THE POSSIBILITY OF A TITLE suit was made public in December, Slawsky’s lawyer John Alexander told the CBC in dire tones that with burial sites scattered all over the Gulf Islands and coastal BC, title claims posed a huge threat to property owners: “This is going to ignite a firestorm of controversy if now private land is no longer something you can buy with any certainty.”

But Seymour doesn’t agree that the Grace Islet case will set a precedent of that nature. “I hope it doesn’t do that. It shouldn’t. First Nations have never been after private land.” Cowichan haven’t asked for private property to be expropriated as part of their treaty negotiations, and Seymour notes that the Tsilqhot’ in specifically excluded private land from their recent successful title claim.

Grace Islet, however, is different. It may in fact be unique. Burials are found from time to time on private property but in most cases, an arrangement can be made with the landowner to deal respectfully with the remains, either by moving them or by moving the proposed construction to a different part of the property. In their experience, say Seymour and Morales, in almost every case this is the mutually satisfactory outcome.

But when it comes to Grace Islet, First Nations have consistently emphasized that the entire islet is a burial ground, filled with grave sites. Eric Mclay says that given the tiny area of the islet, its steep and rocky topography, and the sheer number of burial features, it’s impossible to build a house without affecting them: “It’s clear there is not enough physical space on the islet to put a house without impacting the burial cairns.”

Saltspring resident Joe Akerman, who is of Cowichan descent, agrees: “There’s simply no room to build on a different part of the property.” Because of this unusual situation, Akerman also dismisses fears that all private property would be at risk if a lawsuit should succeed. “That’s just not true. We aren’t here to kick everyone off their properties. This is just a matter of basic respect and decency when it comes to Grace Islet.”

“IT’S A GREAT exaggeration to say all private property would be affected, whether this is a negotiated settlement or a court decision. I just don’t buy the fear-mongering. This is an exceptional situation.”

—Robert Morales

Robert Morales agrees: “It’s a great exaggeration to say all private property would be affected, whether this is a negotiated settlement or a court decision. I just don’t buy the fear-mongering. This is an exceptional situation.”

Even if aboriginal title over Grace Islet is established and a court orders the return of the land to its prior occupants, it may choose to limit the impact of the decision to the almost unique set of facts that Grace Islet represents, setting concerns to rest that the decision will have general application to other private property in the province.

Professor John Borrows points out that as the law stands, the government could argue that the alleged infringement of the aboriginal title—the granting of fee simple title by the Crown to an individual property owner—is justified. But the test for justification has been set high by the courts. “The Crown would have to demonstrate that the benefits of the grant of land to a private owner outweigh the detriment to the First Nation,” says Borrows. While it’s possible, it’s hard all the same to imagine that the building of a house would trump the protection of 18 graves in this situation.

Cowichan isn’t the only First Nation with an interest in Grace Islet, of course (despite stating in its draft claim that it exclusively occupied the islet). That doesn’t necessarily pose a barrier to a grant of title, says Borrows; the courts have consistently taken the view that First Nations can have shared title to land to the exclusion of all others.

“If Cowichan are serious about going to court they may want to talk about how to approach shared exclusivity with their neighbours and amend the statement of claim,” suggests Borrows. William Seymour agrees:

“For Cowichan to claim totally exclusive use wouldn’t be right. Our neighbours used Grace Islet too. We will definitely talk to them and deal with that aspect if we go to court.”

In its notice of claim, Cowichan asks for the return of the entire property. Borrows believes that if it does come to that, fair compensation by the Crown to the disenfranchised party must be embedded in the decision. “That could actually be a good thing for property owners. Right now, private property rights aren’t constitutionally recognized in the way aboriginal rights are. So if the Supreme Court ultimately decides that compensation should be a bedrock principle in a case like this, that would be a good outcome too.”

Borrows acknowledges that money may never be enough compensation for people whose emotional and cultural attachment to a piece of land goes to the core of their identity and being. “Sometimes it isn’t just about the law and about rationality. You have to consider the emotive aspect and the connection to the land as well. You can get all this right on paper but if we don’t address those issues everyone still loses in the end.”

Eric Mclay agrees with that assessment, saying Grace Islet simply needs to be protected from development like any other cemetery: “We have to recognize that the graves take priority.” Whether that’s through a negotiated settlement, says Mclay, or by establishing in court that aboriginal title and rights take precedence over private property rights in a case like Grace Islet, “BC needs to purchase that land back.”

Ultimately neither litigation nor a last-minute, expensive and one-off desperate attempt at negotiation is an ideal way to address this issue. Things wouldn’t have got to this pass, say all the players, if the law already effectively protected First Nations cemeteries and burial sites. Future title litigation could be avoided if this aggravation were finally to be remedied.

“The law needs to be strengthened so that situations like this don’t arise in the future,” concludes William Seymour. “It’s just crazy that we have to fight so hard to protect our burial grounds this way. No-one should have to do that to take care of their people.”



Katherine Palmer Gordon worked for more than 15 years as a contracts lawyer and First Peoples’ land claims negotiator and facilitator, both in New Zealand and BC.

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Kinder Morgan's fairy tale

JUDITH LAVOIE

The Houston-based pipeline company says it's a good corporate citizen but its record in Canada doesn't support that claim.

The complexities of corporate tax law rarely make compelling reading, but Robyn Allan believes British Columbians will be fascinated and outraged if they take a close look at her analysis of how Kinder Morgan is sucking money out of Canada and paying minimal taxes.

Allan is a thorn in the corporate paw of Kinder Morgan, which wants to twin the Trans Mountain pipeline and triple the flow of bitumen from Alberta's oil sands to Burnaby. While opposition to the planned pipeline has been strong, what sets Allan apart is a background that makes it tough for critics to discount her in-depth financial investigations.

The independent economist is a former president and CEO of the Insurance Corporation of BC and her many private and public sector executive positions have included a stint as senior economist for BC Central Credit Union and financial vice-president of Parklane Ventures Ltd.

The path tracing how Kinder Morgan avoids paying Canadian taxes is labyrinthine, but the nub is that Houston-based Kinder Morgan was set up in the US as a Master Limited Partnership, an entity that does not exist in Canada.

"It's a different kind of company...it's traded publicly on the stock exchange and you could buy a unit and then have the right to receive income from its activities, including the Trans Mountain pipeline," Allan said in an interview.

Instead of creating net income, a Master Limited Partnership creates cash flow, which is distributed to unit holders and, as a bonus, avoids most US taxes because it derives its income from the development and transportation of minerals or natural resources.

Kinder Morgan consolidated its tax position in August by restructuring, something that the company announced to investor analysts in Houston would "realize over 20 billion dollars in cash tax savings over the next 14 years."

Allan believes Kinder Morgan's corporate culture of minimizing taxes spills over into the company's Canadian dealings and she discovered from poring over documents that, despite the company's profits and sizeable Canadian interests, Trans Mountain has paid an average of only \$1.5 million annually over



Robyn Allan

the last five years in federal and provincial taxes and received Canadian tax refunds in 2009 and 2011.

For example, Trans Mountain generated \$167 million in distributable cash flow in 2013, but received a Canadian tax refund of \$4.2 million, Kinder Morgan Canada president Ian Anderson told analysts in Houston.

Allan points out that represents a siphoning off of resources from the Canadian economy to be given to US shareholders. "And that flies in the face of the fairy tale they want to tell us about how much they contribute to the economy," she says. "They suck money out, which is why I asked Revenue Canada for an audit. I have serious concerns that this tax planning they are engaged in may not be appropriate under the law or in the spirit of the law...I have a feeling they are making decisions on avoiding taxes,"

Calls from *Focus* to Trans Mountain were referred to Kinder Morgan Canada external relations, but there was no response before our deadline.

Meanwhile, Allan has not heard whether Canada Revenue Agency will agree to conduct an audit and CRA spokeswoman Colette Turgeon said in an emailed response to *Focus*' questions that confidentiality provisions of the *Income Tax Act* prevent the CRA from confirming if an audit is planned or ongoing. Turcotte noted that individual cases relating to Master Limited partnerships cannot be

discussed, but Canadian legislation has a basic requirement of a 25 percent withholding tax on certain payments to non-residents. "A tax treaty may reduce the amount, but not to zero."

The oil and gas sector is considered one of Canada's significant industry sectors, Turgeon wrote. "To effectively manage the tax-related risks of the sector, the CRA has established an Oil and Gas Industry Coordinating Office, where industry specialists provide technical advice to oil and gas specialized auditors."

Corporations can claim federal and provincial tax credits if they meet the criteria, which helps make Canada an increasingly attractive place to do business, Turgeon said. "Corporate tax credits are part of this system."

Kinder Morgan, with an enterprise value of more than \$100 billion, has a history linked to Enron Corp, best known for its massive accounting fraud and subsequent bankruptcy. Founder and CEO Richard Kinder is a former Enron president, who left in 1996 after he was passed over for the position of CEO—a job handed to Jeffrey Skilling, who is now serving a 24-year prison sentence after being convicted in 2006 of multiple federal felony charges related to Enron's financial collapse.

Kinder Morgan was formed in 1997 when Kinder and William Morgan acquired Enron Liquids Pipeline for \$40 million. The company, relying heavily on Master Limited Partnerships, grew rapidly and, through numerous partnerships and subsidiaries, now owns or operates 180 terminals and about 83,000 kilometres of pipelines, including more than 4000 kilometres in Canada.

Kinder takes a salary of only \$1 a year, but, according to financial journals, collected \$380 million in dividends from his companies in 2013.

Allan believes it is common for energy companies that want to build pipelines or terminals to overestimate the amount of taxes they will be contributing to the local economy, but she is convinced Kinder Morgan is taking the exaggeration to levels that amount to misinforming Canadians.

"Here's what concerns me most, as an intervener at the [National Energy Board] hearings, that they say they are great contributors to the fiscal purse when the exact opposite is

“THEY SUCK MONEY OUT, which is why I asked Revenue Canada for an audit. I have serious concerns that this tax planning they are engaged in may not be appropriate under the law or in the spirit of the law...”

—Robyn Allan

true. It's most troubling,” she said. “It doesn't make sense to me whatsoever that a company that pays that kind of benefits to US shareholders can have such a minimal [tax] obligation in Canada.”

The Province failed to ask economic questions at the hearings and the lack of information was exacerbated by the National Energy Board, which, operating under new rules, refused to order Kinder Morgan to answer Allan's economic questions.

“Kinder Morgan said they were irrelevant and the board said it agreed with Kinder Morgan. I was shocked,” said Allan, who then went to other sources to obtain information about the company's finances and tax plans.

“It shows the absurdity of the National Energy Board process. The public thinks the NEB is looking at something and they're not,” said Allan. She believes policy changes brought in by the Harper government, including time restrictions, mean the NEB process favours companies rather than a fair and balanced review.

Allan worries that, especially with the backdrop of arrests of pipeline opponents on Burnaby Mountain, once people discover they are being given misleading information about financial benefits, they will start to distrust the system and that could undermine civil society.

One of those who believe the public trust has already been undermined is Nathalie Chambers of Madrona Farm in Saanich, whose activism is usually centred on protecting farmland and the Agricultural Land Reserve.

Chambers, who was among those demonstrating on Burnaby Mountain, said she has come to believe that energy and farmland issues are linked. “Everywhere I turn, big oil is coming up. The ALR is being dismantled because the regulations are getting in the way of oil and gas development,” she explained.

Chambers feels that with 2015 being a federal election year it is extraordinarily important that Canadians educate themselves about how the Harper government is supporting tar sands development and the major energy companies while muzzling scientists.

“We need political reform. We need to be able to trust the science and we need to be able to finance [opposition]. We are up against the deepest, deepest pockets,” said Chambers.

Adding to public suspicion of Kinder Morgan is the company's history of accidents and critics have accused the company of focusing on increasing dividends for shareholders rather than spending resources on pipeline maintenance.

Burnaby Mayor Derrick Corrigan, an implacable opponent of the pipeline twinning, told Vancouver council last year that the company's reaction to a 2007 spill that damaged 50 houses and dumped 250,000 litres of crude oil into Burrard Inlet convinced him that Kinder Morgan is not a good partner. “They underestimate risks, they constantly trivialize risks, they continually talk about the remoteness of odds in those risks and then they work to limit their own liability,” Corrigan told council. “If you look at research on them, Kinder Morgan has a history of pipeline accidents all over North America.”

In addition to the 2007 pipeline rupture, Kinder Morgan has seen several smaller spills in BC. In June 2013 a small spill near Kingsvale forced a shutdown of the Trans Mountain pipeline; a 2012 spill at the Sumas terminal in Abbotsford infuriated residents, although the company said the 110,000 litre spill was completely contained; and in 2009 crude oil spilled from a tank at Kinder Morgan's Burnaby Mountain terminal.

For those who oppose the Trans-Mountain twinning, a temporary respite may come with dropping oil prices, which is forcing energy companies to look carefully at expensive capital projects.

But Allan wants Canadians to take a more philosophical view and question why they have to expend energy fighting the company.

“It's bad economic strategy, so we should not have to waste time and effort asking about what it will do to the environment. The pipeline expansion will not bring financial or economic benefits to Canada,” she said emphatically.



Judith Lavoie has won four Webster awards and has been nominated for a National Newspaper Award and a Michener Award. Twitter @LavoieJudith.

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The Great Bear: worth more alive than dead

BRIONY PENN

Will adventure tourism and forest stewardship trump logging, pipelines and hunting in the Great Bear Rainforest?

The Canadian Embassy in Beijing recently opened its doors to the Chinese public to showcase Canada's natural resources in big glossy photographs. Visitors shouldn't expect pictures of oil rigs, LNG plants, mountains of coal or stacks of timber. Instead there are pictures of bears from the Great Bear Rainforest, orca in the Salish Sea, and sockeye salmon in the Adams River. The Chinese wildlife photographer Xi Zhinong, commissioned by the Canadian Tourism Association, told the *China Daily*, "Everyone yearns for magnificent nature and stunning animals. There are endless seas and forests in British Columbia. Various animals, including black bears, grizzly bears, whales, bald eagles and salmon can be found everywhere. In British Columbia, you can see the world as it first appeared."

Meanwhile, in November, Destination BC—the Province's re-minted Tourism BC—launched its own branding video for BC, *The Wild Within*, wherein the narrator takes you through a stunning array of wild BC landscapes, much of it in the Great Bear Rainforest, and declares: "The exhilaration of BC that reminds you of what it feels like to be alive. The wild within. Supernatural British Columbia."

Yes, it is now official; we can talk again about Supernatural BC as BC's brand. Destination BC's hip new "virtual experience" show, a 3-D view created through Oculus Rift technology, is hitting all the trade shows this month. Viewers, relying on virtual reality goggles, get immersed in images from the Great Bear Rainforest. Manager of Trade Media Relations Janice Greenwood-Fraser tells the viewer in a promotional Youtube video that they picked the region because "The Great Bear is such an iconic representation of what BC is: the towering mountains, the untouched forest, and the beautiful coastal wilderness is so much what British Columbia is about."

Meanwhile, back in Victoria, Jens Wieting, Sierra Club BC's forest and climate campaigner—one of the steadfast hundreds up and down the coast slogging through negotiations for the last decade to see our iconic representation stay iconic—is feeling cautiously optimistic that the final ratifications to the Great Bear Rainforest Agreement are being given some priority and resources by the Province. This agreement started with the market campaigns of 1999, reached a tentative agreement with interim measures in 2009, and was supposed to be finalized by the close of 2014. The agreement is still not in place, but there are signs things are moving past the deadlock.

Wieting, at press time, expressed concern with the ongoing delays that have dogged the process the whole way, but noted, significantly, "We have seen a difference in terms of the BC government just in the last few weeks with a little more leadership."

Are the tourism initiatives helping? "Hard to know," says Wieting. With the relaunch of Supernatural BC's *The Wild Within*, perhaps the provincial government has finally connected the dots. You cannot have iconic landscapes of untouched forests when you cut them down.



Grizzly bear, Great Bear Rainforest. Photo by Ian McAllister (see story page 38).

You cannot have beautiful coastal wilderness when you have oil tankers fouling coastlines. You cannot have tourists paying the big bucks when you destroy the very thing they are paying for—what makes them feel alive—and that isn't a clearcut or an LNG plant.

With Petronas putting its plan for developing LNG on hold and plunging oil prices transforming pipelines into pipedreams, the Province may now want to turn some of its attention to sustainable tourism. As Wieting comments: "In some cases it just takes a little longer for this current government to see there are priorities other than LNG." For the Great Bear agreement, according to Wieting, "It appears that they have a little more resources for the outstanding steps."

What are the outstanding steps to finalize this agreement?

First are the new land-use objectives (or, in old-speak, new logging regulations) based on ecosystem-based management, which increases the preservation of old-growth forest to 70 percent in the Great Bear.

Second is a new legal framework for long-term timber supply that will determine how much companies can take and when.

The most complex component of the plan, though, is negotiations with First Nations. They want job training, the end of the commercial grizzly bear hunt, a restored ferry service, and shared decision-making.

Astonishingly, neither the provincial nor federal agencies have done any research into the economic values generated from this region, nor have they kept up any baseline information on the landscapes that generate this wealth.

We do know, however, from international sources like the *Adventure Tourism Market Study* completed last year, that this market, world-

ADVENTURE TOURISM, worldwide, has had an annual yearly growth of an astounding 69 percent since 2009 and generated \$263 billion in 2012.

wide, has had an annual yearly growth of an astounding 69 percent since 2009 and generated \$263 billion in 2012. The provincial government's 2012 report on tourism, *Gaining the Edge*, reported that BC's tourism industry generated \$13.4 billion (in 2011) in revenue and that consumers cite the natural environment as the greatest motivator in choosing a trip to BC. Perhaps most important, tourism's contribution to BC's gross domestic product (GDP), according to the ministry website, "[exceeds] other primary resource industries, including forestry, agriculture and fisheries, and mining and oil and gas extraction." As the CEO of the Canadian Tourism Commission states, it is "Canada's spectacular beauty that attracts visitors from across the globe."

Although there has been little data gathered by anyone on the region's adventure tourism potential, a bear-viewing study conducted by the Center for Responsible Travel out of Stanford University determined that 53 local companies were taking people out to see grizzly and spirit bears in the Great Bear. This generated over \$15 million in one season, 15 times what was generated from killing bears. That is direct revenue going straight into the pockets of local communities, guides, small travel operators and professional services. If you extrapolate to all the businesses catering to all forms of nature and adventure tourism along with indirect revenues, the wild within begins to have substantial and numerous hairy legs.

Wieting thinks the new draft logging regulations and the management framework for the region should be going out for 60 days public comment in mid-January, and could be signed and sealed by March 31, together with the agreement on conservation and human well-being initiatives for First Nations communities.

The biggest dots that Premier Christy Clark still seems unable to connect, however, are those of the Great Bear and climate change. These forests constitute the largest land-based carbon sink for emissions on the planet. The lowland rainforest captures more carbon per hectare than anywhere else in the world, a fact that hasn't escaped First Nations. They are generating a new kind of revenue in carbon offsets for stewarding their forests that—like bears—are worth more alive than dead.

Clark missed the point again recently when she tried to quell critics of her government's expansive LNG dreams with promises to purchase carbon offsets from places like the Great Bear to balance her carbon budget. As Wieting points out, "good forest carbon projects don't sell to businesses that are expanding their fossil fuel emissions; they sell to businesses that are in the process of reducing emissions." Clark needs to understand this final point, "because," as Wieting notes, "if we don't get a handle on our emissions and protecting our sinks, there won't be a Supernatural BC."



Briony Penn PhD has been reporting on the environment since her first article in *The Islander* in 1975 on Garry oak meadows and has been a columnist in Victoria publications since 1993. She is currently working on a biography of Ian McTaggart Cowan.

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AAREN MADDEN

Jeremy Herndl's landscape paintings push visual representation into a multisensory realm.



Jeremy Herndl

PHOTO: TONY BOUNSALL

When working *en plein air*, the painter contends with many variables. Among them are wind, weather and the shifting light of the sun. These things inform not only the composition, but the nature of the oil paint which creates it.

“If it’s plus 30 Celsius, the paint is thinner and more slippery. I put some paint on [the canvas], and if I want to put more paint on top, it sort of drags through and blends with it. But let’s say it’s a cold day, like today. If I put paint on a canvas and I wanted to paint over top of that, because the paint is thicker, and more viscous, I can just paint wet over wet without moving the paint underneath,” explains Victoria painter Jeremy Herndl. It informs the painting process and, to the careful viewer, offers clues as to conditions in the space when painted.

Rain can also be an opportunity, since its tendency to bead off oil paint can have intriguing results. “I have dragged paint through the rainwater on the palette, and then painted onto the canvas and sometimes it will sort of slide over where there is water, then stick where there isn’t.” Once it has dried, the evidence of time and

place remains and offers a sense of immediacy to the painting, a phenomenological fragment that adds to the whole. It becomes yet another component of Herndl’s greater fascination with the multisensory nature of representation.

“I think we are accustomed to seeing, say, a landscape or scenery as a moment or a capture, but my specific interest is trying to make a painting of the sum of appearances,” he offers, immediately asserting there is more to it than that: “There is also the experience of being in the space. Then you can avail yourself of the fact that what you hear, what you smell, the relative gravity and humidity of the place, the temperature, all of those things influence your perception,” he says.

So does the passage of time. Herndl painted “Pond” over the course of three days in Francis King Park, letting the changing environment find its way onto the canvas. There is no shoreline nor foreground to orient the viewer, just overhanging branches and reflections of trees and sky in water. It shimmers with highlight and shadow, verging on abstraction. “Here it was dark at first, and then I saw light,” he



“Pond” 22 x 20 inches, oil on canvas



“Arbutus Vista” 36 x 48 inches, oil on canvas

Mary-Jean Butler

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IN SESSION - ONE

Megan Dickie | Laura Dutton | d. bradley muir | Tara Nicholson

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says, indicating dappled sun on the right side of the canvas. Foliage that flits between dark moss and acrid green show Herndl’s response to the changing light in a temporal conflation that communicates his experience of the space over time. Delightfully, the windy day—the viewer might imagine the clouds sailing overhead—is depicted not just in the colours of paint, but in the choice Herndl made to let bits of cedar, flung by the wind, remain where they landed in the thick paint.

For Herndl, the painting itself is a way of creating empathy for the space; not just visually representing it, or entering into an experiential dialogue with it, but becoming that space by reigniting the multiple conditions present over time: the rain, the wind, the stillness, the feel of the paint, the solitude or bustle contained within, the warmth, the chill. “I am not really interested in the project of paintings,” he shares. “I am more interested in the project of painting. If I make a good painting, the viewer gets to have that experience of space that I had. My son calls them short movies, the good ones, because they kind of shimmer; they kind of move; you recognize it as a picture but at the same time it implicates you as physical space,” he says.

“Hopefully the viewer will get this vicarious sense of the space,” he adds, as the painting itself becomes the artist’s experience of the space. “The space and the painter coalesce in the painting,” he suggests. “That’s what representation is to me.”



Left: "Mason Street Farm (Lounge)" 34 x 30 inches, oil on canvas

Herndl will further explore his ideas around representation in January, along with four other artists (Todd Lambeth, Rick Leong, Neil McClelland and Jeroen Witvliet) in the group show "Realities Follies" at Open Space. Curators Lynda Gammon and Wendy Welch will highlight how, "through the practice of painting, the artists in this exhibition, each in their own way, are re-presenting and interrogating the meaning of representation, and in turn, questioning our ways of perceiving reality."

Clearly it's a deep interest of Herndl's. He has been painting for 25 of his 42 years, and though he began by exploring notions of experiencing space, he moved away from them for some time. "I always wanted to go back to painting outside because I always felt accountable to that," he says. After studying at Nova Scotia College of Art and Design in Halifax and the Ecole Nationale Supérieure Des Beaux-Arts in Paris, France, he worked as a scenic painter for a company based in Calgary, travelling to fulfill contracts as far afield as Tokyo. He then embarked on a one-year self-directed residency in Poland, then returned for one at the Banff Centre for the Arts. Wishing to be near family on the Lower Mainland, where he was born and raised, he attained a Master of Applied Arts at Emily Carr University in Vancouver. For the past few years he has been living in Victoria with his wife and two children and teaching at the Vancouver Island School of Art. Winchester Galleries carries some of his work.

Here in Victoria, Herndl can fully explore his original interests. This city offers intriguing spaces, both urban and natural, though he prefers to make no distinction between the two: "We are not distinct from nature," he states, "we are it...human spaces I find really interesting because they exemplify this intertwining, this intersubjective mix of things."

"Mason Street Farm (Lounge)," painted over a week's time, exemplifies this. The same collapsing of time is evident as in "Pond." Leaves on a fruit tree are at once cloaked in late day shadows and bathed in pink sunlight. Impasto leaves invite touch, if not taste. Chairs, doors, a fireplace, hanging towels indicate human activity, but the ghost of a jug on a table indicates its fleeting nature. The jug was placed there one day for a short time and then removed. "I acknowledge it but don't get into it too much," Herndl says. "I am trying to paint this mutability."

Herndl is attracted to this urban farm, and shares his plan to start another painting there on a December afternoon. "I like the anarchy of what the people do in the space: being self-sustaining, growing organic food in this prime real estate in downtown Victoria," he says. This January at Open Space, it will be among the multisensory experiences of place offered up in Herndl's paintings.

Jeremy Herndl's work, along with that of four other Victoria-based artists, will be part of Realities Follies at Open Space, January 9-February 21. 510 Fort St, 250-383-8833, www.openspace.ca. Realities Follies opens Friday, January 9, 7 pm. The artists and curators will meet in a panel discussion on Saturday, January 17 at 2 pm.



What with its quick, intermittent whisking of cloud and sunlight and ability to recreate the landscape in mere minutes, Aaren Madden finds this blustery time of year particularly thrilling (though perhaps hard on the *plein air* painter).

Make good health a priority in the New Year

Triangle Healing Products owner Diane Regan invites you to visit their booths at the Victoria Health Show at the Pearkes Rec Centre on January 24-25 to learn how to enjoy optimum health and to see the latest in health products. All of the products Triangle sells are endorsed by their four decades of research, and Diane and her staff are happy to share this expertise with you.

Start by enjoying a sample of structured water, as you learn how to clean and structure your own water. Then step up onto the Bellicon Rebounder, to experience weightless total body exercise on the world's finest mini-trampoline, nicknamed the Porsche of rebounders for its German-made high quality.

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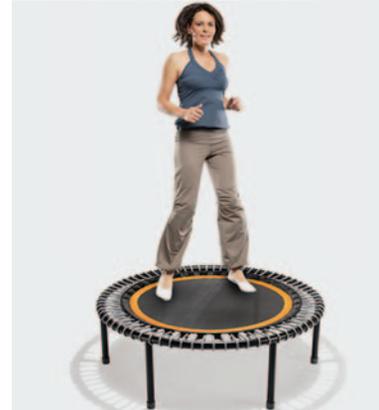
Another very popular product, the Amethyst BioMat, is the high-tech result of collaboration between scientists, medical professionals and engineers. A space saving alternative for detoxification, it's like having a sauna without ever having to get undressed. The Amethyst BioMat emits negative ions and far infrared rays, encouraging healing with its gentle warmth. It also provides an overall massaging effect, so you feel rejuvenated and restored in body and mind as your nerves and knotted muscles are soothed.

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Top: Amethyst BioMat

Bottom: Bellicon Rebounder



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visual arts

Continuing to January 10

PERPETUAL SALISH

Legacy Art Gallery Downtown

Work by Maynard Johnny Jr, lessLIE, John Marston, Susan Point and Dylan Thomas. Wed to Sat, 10am-4pm. 630 Yates St, 250-721-6562, www.legacy.uvic.ca.

Continuing to January 11

HIRAKI SAWA

Art Gallery of Greater Victoria

The first comprehensive exhibition of Sawa's work in Canada, featuring intimately scaled and monumental video works from throughout the artist's career. 1040 Moss St, 250-384-4171, www.aggv.ca.

Continuing to January 15

BIRD QUARTET

Commercial Alley

Painter, performance artist and poet Roy Green's commissioned works feature a four-panel quartet of birds both iconic and indigenous to Vancouver Island: the great blue heron, the pileated woodpecker, the rufous hummingbird, and the red-winged blackbird. Outdoors between the 500 block of Yates Street and Bastion Square. www.openspace.ca.

Continuing to January 25

SHIN HANGA

Art Gallery of Greater Victoria

Prints by artists of this "new print movement" built on the foundations of the ukiyo-e school, appropriating new designs and subjects from the modern age. 1040 Moss St, 250-384-4171, www.aggv.ca.

Continuing to January 28

CHINESE BRUSH PAINTING

Goward House

Show and sale by the Chinese Brush Painters group. Hours Mon-Fri, 9am-4pm. 2495 Arbutus Road, 250-477-4401, www.gowardhouse.com.

Continuing to March 9

CONVERSATIONS

Art Gallery of Greater Victoria

Austrian-born British potter Lucie Rie's work, as well as works by contemporaries and artists from subsequent generations whom she influenced, including Hans Coper, Bernard Leach and Stephen Andrews. 1040 Moss St, 250-384-4171, www.aggv.ca.

January 3–February 5

MOJOS, FAMILIARS & FETISHES

Martin Batchelor Gallery

Hornby Island's Ted Goodden, Jo Lechay and Ann Newdigate present new work in mixed media. Opening reception Jan 3, 7-9pm. 712 Cormorant St, 250-385-7919, www.martinbatchelorgallery.ca.

January 5–February 28

GALLERY ARTISTS SALON

Eclectic Gallery

The gallery's first 'Salon' style exhibit, featuring over a dozen gallery artists whose work is fluid, expressive and abstract, often contemplative yet site specific. Reception Jan 8, 6-8pm. 2170 Oak Bay Avenue, 250-590-8095, www.eclecticgallery.ca.

January 6–24

ANYTHING BUT GREY

Gage Gallery

Members of the collective live up the winter season with a group show of visual art in a variety of two- and three-dimensional mediums. Opening reception Jan 9, 7-9pm. 2031 Oak Bay Avenue, 250-592-2760, www.gagegallery.ca.

January 9–February 21

REALITIES FOLLIES

Open Space

Surveying the work of Victoria-based painters Jeremy Herndl, Todd Lambeth, Rick Leong, Neil McClelland, and Jeroen Witvliet, all of whom challenge notions of perception and representation. (See Story on Jeremy Herndl, pg 24). Opening reception Jan 9, 7pm. Panel discussion January 17, 2pm. By donation. 510 Fort St, 250-383-8833, www.openspace.ca.

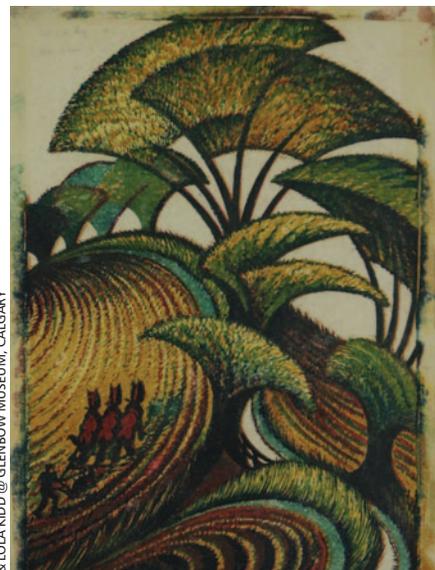
January 16–April 19

DEFINICIONES (DEFINITIONS)

Art Gallery of Greater Victoria

Carlos Colín, a Mexican artist working in Canada, presents a series of definitions in English and in Spanish to generate dialogue around human rights and established power structures by questioning what a democracy means and how we can reclaim language that is inherently colonial. Opening reception Jan 23, 8pm. 1040 Moss St, 250-384-4171, www.aggv.ca.

"FALL OF THE LEAF", SYBIL ANDREWS, 1934, 39 X 29 CM, LINOCUT ON PAPER, GIFT OF GEORGE & LOLA KIDD @ GLENBOW MUSEUM, CALGARY



January 17–April 12

A STUDY IN CONTRAST

Art Gallery of Greater Victoria

Sybil Andrews (1898-1992) and Gwenda Morgan (1908-1991) both developed their printmaking skills at the progressive Grosvenor School of Modern Art in London, one of the few British art schools of the time that exposed students to avant-garde European art. Yet their personal styles were very different. This exhibition provides insight into each artist's work. Andrews' early work (see image above) reveals traces of Futurist, Cubist and Vorticist styles. She immigrated to BC in 1947. 1040 Moss St, 250-384-4171, www.aggv.ca.

visual arts



"LIQUIFIED BY LIGHT" JILL SHARPE, OIL ON CANVAS

January 17–31

JILL SHARPE: BONE WIND FIRE

Madrona Gallery

This series of paintings is based on imagery from the artist's award-winning film *Bone Wind Fire*. They act as portals into the worlds of iconic artists Emily Carr, Frida Kahlo and Georgia O'Keeffe. Sharpe's work as a filmmaker and artist has been presented in major galleries around the globe including the Georgia O'Keeffe Museum, Dulwich Picture Gallery, McMichael Collection of Canadian Art, Museum of Fine Art (Boston), Musee des Beaux Arts (Montreal) among others. 606 View St. 250-380-4660, www.madronagallery.com.

January 17–March 28

IN SESSION – ONE

Legacy Art Gallery

Featuring artists who work as sessional instructors in the UVic Visual Arts Department, including Megan Dickie, Laura Dutton, d. bradley muir, and Tara Nicholson, who work with photography, video, and digital media arts. Opening reception with artists in attendance Jan 17, 2–4pm. 630 Yates St, 250-721-6562, www.legacy.uvic.ca.

January 24–May 31

IN ANOTHER PLACE, & HERE

Art Gallery of Greater Victoria

Eight local, national, and international artists explore the relationships between geography, politics, identity—and photography. Opening Jan 23, 8–10pm (members preview 7–8pm). 1040 Moss St, 250-384-4171, www.aggv.ca.

January 27–February 14

PACIFIC RIM REFLECTIONS

Gage Gallery

Paintings, multi-media and photography by Deirdre Kelly inspired by travels in Japan, Long Beach, and Victoria. Opening reception Jan 23, 7–9 pm, 2031 Oak Bay Ave, 250-590-1277.

January 29–February 28

LOVE YOU TO BITS

The Makehouse

A collage exhibition by artist Helga Strauss, who has been creating a heart a day for the past year. Opening celebration Jan 29, 7–9pm. 833 Fort Street, 778-432-2294, www.themakehouse.ca.

January 30–February 25

ALL YOU NEED IS heART

Goward House

An exhibition by members of the Oak Bay Art Club, a diverse and inclusive group that has been in operation since 1944. Reception with artists in attendance Feb 1, 2014, 1:30–3:30pm. Hours Mon-Fri, 9am–4pm. 2495 Arbutus Road, www.gowardhouse.com/shows. 250-477-4401.

Throughout January

JOANNA DRUMMOND & ROGER BELLEY

Gallery at Mattick's Farm

Drummond's acrylic and mixed media on clay "Village Series," and Belley's unique watercolour landscapes. Reception Jan 10, 1–4pm. 109-5325 Cordova Bay Rd, www.thegalleryatmatticksfarm.com, 250-658-8333.

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"Mallards on Ice" by Robert Bateman

12 x 24 inches, oil on board

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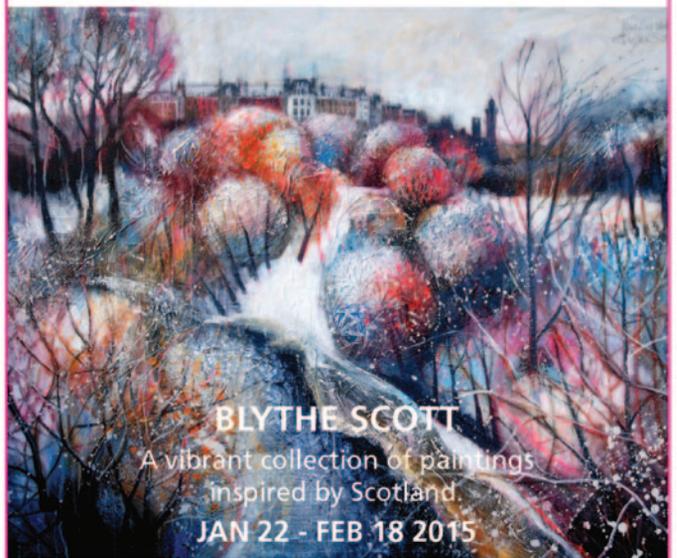


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"West End Winter" by Blythe Scott, 48 x 36 inches, acrylic and mixed media



LIMA SERIES, JEFF GOODMAN STUDIO, BLOWN GLASS

Throughout January
INTRODUCING JEFF GOODMAN
STUDIO ART GLASS
The Avenue Gallery

Growing up on Canada's west coast, the mountains, trees and ocean inspired Jeff Goodman's imagination. While studying art, he was seduced by glass, particularly blown glass, beautiful but unforgiving. By mastering the physical demands of the art form, transforming primitive form into ethereal designs, he built a reputation as one of Canada's preeminent glass blowers, one who pushed the boundaries of designs in glass. Though Jeff has passed, the Jeff Goodman Studio lives on and continues the experimentation for which he was known. 2184 Oak Bay Ave. 250-598-2184, www.theavenuegallery.com.



"FRENCH COUNTRY DINING" RICHARD MCDIARMID, 16 X 20 INCHES, OIL

Throughout January
RICHARD MCDIARMID
Peninsula Gallery

Says the artist: "Although drawing was a favourite pastime during childhood, my early education and much of my adult life was spent working in a technical and industrial environment. More than 40 years have passed since starting a study of painting and art history in 1970. In spite of endless hours in the studio and thousands of paintings later, I am still driven to pick up a brush and push some paint around, to improve and fulfill what seems to be an ever elusive pursuit." See more of Richard McDiarmid's work at www.pengal.com and 2506 Beacon Ave, Sidney, 250-655-1282.

"SOUTHSIDE STROLL" BLYTHE SCOTT, 12 X 12 INCHES, MIXED MEDIA PAINTING ON BOARD

January 22–February 17
BLYTHE SCOTT: A DIFFERENT LIGHT
couch* Gallery

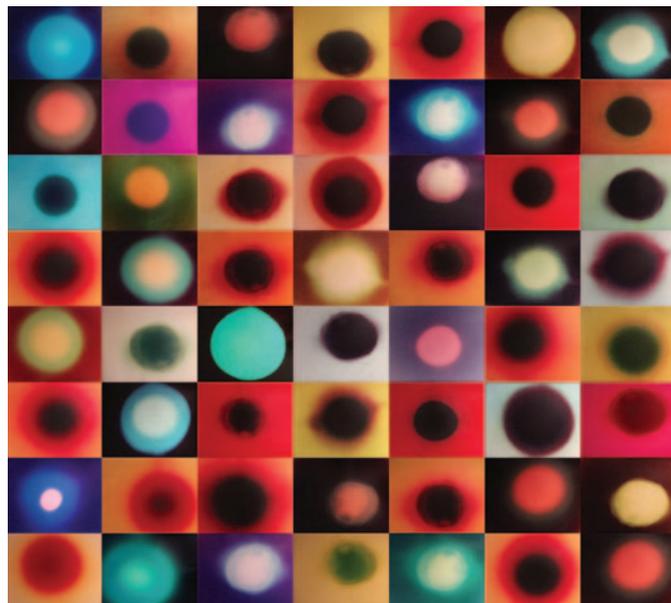
A selection of work by couch* artists will run until January 10. The gallery will then be closed until reopening January 22 with "A Different Light"—a solo show by Blythe Scott, featuring new mixed media paintings inspired by the harbour villages, cityscapes and sensuous landscapes of Scotland. Scott's work employs intriguing surfaces and an uplifting, exaggerated palette in her whimsical and personal interpretations of iconic scenes. Opening (with a Robbie Burns theme) 7pm, January 22. 1010 Broad Street, 778-432-4777, www.couchartgallery.com.



"SUNSPOTS 2014" LAURA DUTTON, 20 X 24 INCHES, C-PRINTS TRANSMOUNTED TO PLEXIGLAS, SINTRA BACKING

January 17–March 28
IN SESSION—ONE
Legacy Art Gallery Downtown

In Session—One celebrates the significance and power of photo-based art in an age where social media and advertising threaten to inundate and numb us with visual overload. Four artists—Megan Dickie, Laura Dutton, d. bradley muir and Tara Nicholson—also investigate themes including the relationship between the photographic image and its physicality as an object, light as a material presence, and the time/space/memory relationship of digital media arts. Reception January 17, 2-4pm. 630 Yates St. Wed-Sat, 10am-4pm. 250-721-6562, www.legacy.uvic.ca. Free.



"Immersion in Floating" by Jill Sharpe, 28 x 48 inches, oil on canvas

 MADRONA
GALLERY



Jill Sharpe

BONE WIND FIRE

January 17 – 31, 2014

Opening reception January 17, 1 - 4pm

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"The Harbour Authority Building from the North" 16 x 16 inches, acrylic

GAGE GALLERY
ARTS COLLECTIVE



Pacific Rim Reflections

Japan, Long Beach and Victoria

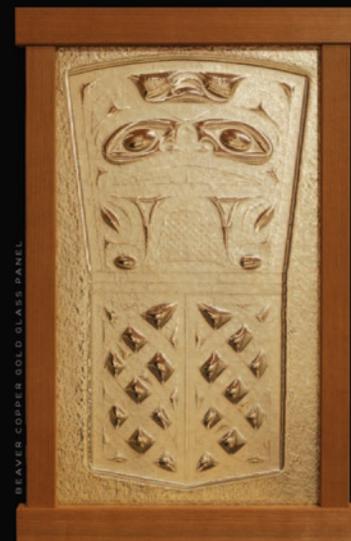
Paintings & Photography by Deirdre Kelly

January 27 - February 14

Opening reception January 30, 7- 9 pm

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music

January 1
A VIENNESE NEW YEAR
Royal Theatre
Victoria Symphony, conducted by Alain Trudel, with tenor Adam Fisher, soprano Leslie Ann Bradley, and dancers from Ballet Victoria for an afternoon of romantic music, dance and song. 2:30pm, 250-386-6121, www.victoriasymphony.ca, www.mts.bc.ca.

January 4
THE LONDON BACH'S SALON
Church of Truth
Les Amusements de la Chambre performs chamber music written by brothers Johann Christian Bach (aka the London Bach) and Carl Phillip Emanuel Bach. 7:30pm, 111 Superior St. \$10-25 at Ivy's Bookshop, at door, or www.amusementsdelachambre.com.

January 10
FACULTY CHAMBER MUSIC SERIES
Phillip T. Young Recital Hall
A program of rarely performed music selected by Louis Ranger in celebration of his 36 years of teaching and performing at the UVic School of Music. Featuring Benjamin Butterfield, Susan Young, the Lafayette String Quartet and the UVic Chamber Singers. 8pm, MacLaurin. \$18/\$14 at 250-385-9771, www.tickets.uvic.ca, www.finearts.uvic.ca/music/events.

January 17
ALL AROUND THE CIRCLE
Phillip T. Young Recital Hall
An evening of Lieder and song presented by the Vancouver International Song Institute and the UVic School of Music. 8pm, MacLaurin. \$20 suggested donation. www.finearts.uvic.ca/music/events.

January 18
INTERNATIONAL GUITAR NIGHT
Farquhar Auditorium, UVic
Acoustic guitar luminaries from around the globe. 7:30pm, 250-721-8480, www.tickets.uvic.ca.

January 19
MIDSUMMER NIGHT'S DREAM
Royal Theatre
Narration and choral voices add to Mendelssohn's score to bring Shakespeare's story to life. 8pm. From \$30 at 250-386-6121 or www.mts.bc.ca.

January 22-24
GLORIOUS GERSHWIN
Royal Theatre
Pianist Ian Parker joins Victoria Symphony to perform classic Gershwin tunes. Jan 22: 2pm; Jan 23, 24: 8pm, 805 Broughton St. From \$30 at 250-386-6121, www.victoriasymphony.ca.

January 11
EUGENE DOWLING SCHOLARSHIP CONCERT
Phillip T. Young Recital Hall
The inaugural concert with proceeds benefiting the Eugene Dowling Scholarship Fund for Tuba and Euphonium. 2:30pm, MacLaurin. \$18/\$14 at 250-385-9771, www.tickets.uvic.ca.

January 14
AN ENGLISH SUITE
Phillip T. Young Recital Hall
The Galiano Ensemble of Victoria performs this Charles Hubert Parry work and others by British composers. \$33/\$30 at Ivy's Books, Munro's Books, 250-704-2580. 8pm, MacLaurin Building. www.finearts.uvic.ca/music/events.



January 16
RICK VITO & THE LUCKY DEVILS
Upstairs Cabaret
With special guest Billy Burnette in a blues and rockabilly show. 8pm (doors 7:30pm), 15 Bastion Square. \$32 advance/Victoria Jazz Society Members at VJS office, 202-345 Quebec Street, in the Harbour Towers Hotel, Lyles Place, 250-386-6121, www.mtc.bc.ca, or \$35 at door. www.jazzvictoria.ca.

January 23
NO FRACKIN' WAY
Norway House
Singer/songwriter and social justice activist David Rovics performs in concert in support of First Nations challenges to pipelines. Rovics tours regularly on four continents, playing for audiences large and small at cafes, pubs, universities, churches, union halls and protest rallies. He has had his music featured on Democracy Now!, the BBC, and Al-Jazeera. Opening with drummers and spoken word by Jeremy Loveday. 8pm (doors 7:30pm), 1110 Hillside Ave. \$15/\$12 unwaged at vicc@telus.net.

music

January 24 & 25
VIC BAROQUE PLAYERS
Two venues

Baroque violinist Kati Debretzeni joins the Victoria Baroque Players for two performances of "War, Folly and Leisure," featuring orchestral works for flutes, horns and strings. Jan 24th: 7:30pm, St John the Divine, 1611 Quadra St. Jan 25: 3pm, Church of St. Mary of Incarnation, 4125 Metchosin Rd. \$27/\$24, \$5 students at Munro's Books, Ivy's Bookshop, Long & McQuade, and at door. 250-590-0452, victoria-baroque.com.

January 25
JACK AND THE BEANSTALK
Royal Theatre

The retelling of this classic tale has the audience following the adventures of unlucky Jack in a family friendly concert. 2:30pm, 805 Broughton St. From \$20 at 250-386-6121, www.victoriasymphony.ca, www.rmts.bc.ca.

January 29
EMILY CARR STRING QUARTET
Phillip T. Young Recital Hall

One of BC's finest music ensembles performs George Crumb's Black Angels, Warblework by Cassandra Miller (B.Mus '05), Tenebrae by Osvaldo Golijov, and Dimitri Shostakovich's String Quartet No. 7, Op. 108. With Müge Büyükcelen and Cory Balzer (violins), violist Mieka Michaux (B.Mus '98), and cellist Alasdair Money (M.Mus '03). 8pm, MacLaurin Building. \$18/\$14; free for UVic Alumni with valid ID at 250-385-9771, www.finearts.uvic.ca/music/events; www.tickets.uvic.ca.

January 30
DANCY ACADEMICS
Farquhar Auditorium, UVic

The University of Victoria Orchestra featuring Keenan Mittag-Degala, marimba (UVic Concerto Competition winner) and Ajtony Csaba, conductor. Works by Beethoven, Ney Rosaura, Jean Sibelius, and Johannes Brahms. 8pm, University Centre. \$15/\$10; \$5 students at 250-385-9771, www.tickets.uvic.ca, www.finearts.uvic.ca/music/events.

January 30
MARCUS ROBERTS TRIO
First Metropolitan UC

Formed in 1995, the Marcus Roberts Trio, with Roberts on piano, Rodney Jordan on bass and Jason Marsalis on drums, has become known for its signature democratic style and dynamic performances. 8pm. Presented by Victoria Jazz Society. 932 Balmoral Rd. \$41.50 at 250-386-6121, www.jazzvictoria.ca, www.rmts.bc.ca.

January 30 & February 1
STARLIGHT POPS
St Aidan's United Church

Victoria's 75-voice choir presents their winter concert, "British Invasion," featuring hits from The Beatles, Adele, The Rolling Stones, Petula Clark, Manfred Mann, Elton John, Sting, U2 and others. Fri Jan 30: 7:30pm (doors 7pm); Sun Feb 1, 2:30pm (doors 2pm). \$20 at the door (cash only) or www.starlightpops.com.



Michael Burgess

January 31
MICHAEL BURGESS
Victoria Conference Centre

A performance of favourites by the acclaimed Canadian tenor who's had roles in *Les Misérables*, *Blood Brothers*, *Man of La Mancha*, the Stratford Festival, etc. 8pm, 720 Douglas St. \$49.75 at 250-386-6121, www.rmts.bc.ca.

January 31 & February 1
GOODYEAR PLAYS BRAHMS
Royal Theatre

After playing with the New York Philharmonic, Stewart Goodyear returns to perform Brahms' Piano Concerto no. 2, with a solo by principal cellist Brian Yoon. Beethoven's 8th Symphony concludes the performance. Jan 31: 8pm; Feb 1: 2:30pm, 805 Broughton St. From \$30 at 250-386-6121, www.rmts.bc.ca.

Throughout January
SCHOOL OF MUSIC CONCERTS
Phillip T. Young Recital Hall

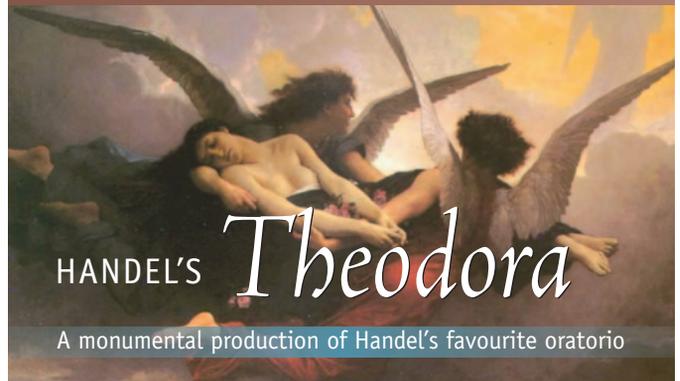
Concerts of varied repertoire featuring School of Music students. Most Tuesdays and Fridays at 12:30pm, MacLaurin Building. By donation. Additional free or by donation music lectures and concerts at www.finearts.uvic.ca/music/events.

Sunday nights in January
FOLK MUSIC CONCERTS
Norway House

Jan 4: Joe Jencks; Jan 11: Peter Brunette & the Lake Hill Band; Jan 18: Flora Scott Trio; Jan 25: Tribute to Utah Phillips concert. \$5/under 16 free, doors and sign-up for open stage 7pm, 1110 Hillside Ave, 250-475-1355, www.victoriafolkmusic.ca.



The Early Music Society
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HANDEL'S *Theodora*

A monumental production of Handel's favourite oratorio

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film & media arts

January 14

THE CLEAN BIN PROJECT

Edward Milne Comm School, Sooke

Awareness Film Night presents this film in which a Vancouver couple swears off consumerism and producing waste. Post screening discussion on steps towards zero waste, starting with plastic bag usage, plus a free store table and upcycled reusable produce bags. 7-9pm, 6218 Sooke Rd. By donation. www.awarenessfilmmight.ca.

January 17

SCOTT AMOS ARTIST'S TALK

Flux Media Art Gallery

MediaNet presents Scott Amos, showing several of his short experimental films and discussing his use of found footage, hand processing and chemical alteration of film stock. Free; wheelchair accessible. 7pm, 110-2750 Quadra St. Info www.medianetvictoria.org or 250-381-4428.

January 24

QUANTUM ZEN

Flux Media Art Gallery

Filmmaker Peter Sandmark will present his *Quantum Zen* film in the form of a film loop gallery with 8 mm film projectors. A prelude to MediaNet's Handmade & Analogue filmmaking program in February. Free; wheelchair accessible. 7pm, 110 - 2750 Quadra St. Info 250-381-4428, www.medianetvictoria.org.

January 28

ELECTION DAY IN CANADA

Victoria Event Centre

Award-winning journalist and documentary filmmaker Peter Smoczynski will preview his new film on the worst electoral fraud in Canadian history. *Election Day in Canada: When Voter Suppression Comes Calling* examines the dramatic rise of voter suppression in Canada during the 2011 Federal Election, and the aftermath to the present day *Fair Elections Act*. Post-screening discussion with Briony Penn, Andrew McLeod (journalist), Anke Kessler (Professor of Economics, SFU), Micheal Vonn (BC Civil Liberties Association) and Elizabeth May (on Twitter). Presented by Open Cinema and *Focus Magazine* (see pages 4 and 37 this edition, and longer story in *Focus*' December issue, www.focusonline.ca). Includes a concurrent 'Connect the Docs' event at Mary Winspear Centre in Sidney. Doors 5:30pm, 1415 Broad St. \$15 at door/\$12.50 advance (recommended; limited seating) at www.opencinema.ca. See also www.thescrptfilmco.com.

January 31

FILM ARTIST SCREENINGS

Flux Media Art Gallery

MediaNet presents the *Dante Quartet* and other films by experimental filmmaker Stan Brakhage and works by American film artist Phil Solomon. A talk by Marilyn Brakhage will follow the screening. Free; wheelchair accessible. 7pm, 110 - 2750 Quadra St. Info 250-381-4428, www.medianetvictoria.org.

Mondays in January

MOVIE MONDAYS

Eric Martin Pavilion

Screenings at 6:30pm, Fort St. by Lee Ave. By donation. Check listings at www.moviemonday.ca.

film & media arts

Throughout January

MOVIE SCREENINGS

Vic Theatre

Run by the Victoria Film Festival Society, most screenings at 7pm, 808 Douglas St. Listings at www.thevic.ca.

Coming in February

VICTORIA FILM FESTIVAL

Various venues

This year's festival of local, national and international features, documentaries and short films is February 6-15. New membership benefit packages available. For membership, festival info or to volunteer go to www.victoriafilmfestival.com.

dance



January 29 & 30

ODC DANCE

Royal Theatre

The program from this San Francisco-based, award-winning dance company includes "Triangulating Euclid," inspired by the discovery of a rare original edition of Euclid's Elements, perhaps the most influential work in the history of mathematics; and "Waving Not Drowning," an exploration of the role of fashion and its implications for women. ODC is known for its athleticism, passion and intellectual depth. From \$29 at 250-386-6121, www.dancevictoria.com, www.mts.bc.ca.

January 31 & February 1

THE BITING SCHOOL PERFORMANCE

Metro Studio

"The Melon Project" and "The Righteous Floater" are two short works by Vancouver based Arash Khakpour with his brother Aryo. Jan 31: 7pm; Feb 1: 9pm, 1411 Quadra St. Part of Dance Days 2015, a performance series presented by Dance Victoria Jan 31-Feb 7. Individual tickets (\$26) and 3-performance passes (\$68.50) at 250-386-6121, www.dancevictoria.com, www.mts.bc.ca.

January 31 & February 1

AERWACOL

Metro Studio

Aerwacol is a play by Toronto playwright Sean Dixon. Originally produced by Theatre SKAM in 2000, performances ran indoors at the Belfry Studio, outdoors at an abandoned railway platform in Toronto and under Vancouver's Burrard Street Bridge. For "SKAM Remixed", the group commissioned Paul Destrooper of Ballet Victoria to adapt *Aerwacol* under the roof of contemporary ballet. Jan 31: 9pm; Feb 1: 7pm, 1411 Quadra St. Part of Dance Days 2015, presented by Dance Victoria Jan 31-Feb 7. \$26 or 3-performance passes \$68.50 at 250-386-6121, www.dancevictoria.com.

readings & presentations

January 7 & 10

LIVE @ LUNCH

Royal BC Museum

Dan Savard, former audio/visual anthropology collections manager of the Royal BC Museum, will discuss milestones in the history of photography illustrated with examples from the vast anthropological collections of the Royal BC Museum and Archives. 12-1pm, Newcombe Hall. By donation. www.royalbcmuseum.bc.ca, 250-356-7226.

January 14

JOSÉE DROUIN-BRISEBOIS

UVic Visual Arts Building

A talk from the Senior Curator of Contemporary Art for the National Gallery of Canada, responsible for the collections of Canadian and international art, and organizer of Canadian participation in the 2013 & 2011 Venice Biennales. 8pm, room A162 of the Visual Arts Building. Free. 250-721-8011, www.finearts.uvic.ca/visualarts.

January 17

THEATRE SKAM'S BIRTHDAY BASH

The Atrium

The company's annual fundraiser. \$20 admission includes one entry into the door prize raffle; \$100 admission includes 20 entries. Tickets at ticket rocket (1609 Blanshard St), 250-590-6291, www.ticketrocket.org.

January 19

RESOLVE TO TELL

1831 Fern Street

The Victoria Storytellers Guild invites you to hear and tell stories. Doors at 7:15pm, stories start at 7:30pm. \$5/ students \$3. Refreshments. 250-477-7044, www.victoriastorytellers.org.

January 22

EMILY CARR IN ENGLAND

James Bay New Horizons

Kathryn Bridge of the Royal BC Museum presents topics from her new book. 7:30pm, 234 Menzies St. www.victoriahistoricalsociety.bc.ca.

January 22-25

EPIPHANY EXPLORATIONS 2015

First Metropolitan United Church

Four days of learning, laughter and music. Participants have stated it offers "awe, inspiration, affirmation of gifts and insights and a progressive understanding of Christianity in the world." Live online streaming of sessions available. Presenters include: Lois Wilson, Siobhan Chandler, MLA Andrew Weaver, Peter Rollins, provocative Irish writer and lecturer; David Felten, co-creator of the popular "Living the Questions" program; and other speakers, workshop and musical presenters. Full regular registration \$325; students and low income \$50; individual sessions \$30. 932 Balmoral Rd, 250-388-5188, www.epiphany.firstmetvictoria.com.

January 31

THE ISHAYAS' ASCENSION

Discovery Coffee

Learn about this meditation practice based on praise, gratitude, love and compassion. 3pm, 664 Discovery St. More info: 778-977-8269, surya@ishayas.net.

theatre

January 9–17

THE INCOMPLEAT FOLKSINGER

Metro Studio

Adapted by Ross Desprez and Mark Hellman from the book of the same name, this production shares folk songs and activist Pete Seeger's music, inspirations, and conflicts. Presented by The Other Guy Theatre Company. Weekend matinees 2pm, evening shows 8pm, 1411 Quadra St. \$15-25 at 1609 Blanshard St, 250-590-6291, www.ticketrocket.org.

January 15–31

PEOPLE

Langham Court Theatre

Dorothy considers selling off her belongings or turning her lovely manor into a museum for the National Trust, but "people spoil things... She can no longer manage her aging manor house, so when an offer comes to shoot a film on site, she jumps at the chance. Preview Jan 14, 8pm. 805 Langham Court, 250-384-2142, www.langhamtheatre.ca.

January 25

DERWIN BLANSHARD

Victoria Event Centre

Derwin Blanshard's Extremely Classy Sunday Evening Programme is a "real pretend TV talk show" featuring celebrity guests and musicians. 8pm (doors 7:30pm), 1415 Broad St. www.derwinblanshard.com.



Itai Erdal

January 27–March 1

DOUBLE BILL

The Belfry Theatre

How to Disappear Completely: Blending his love for lighting design and the true story of his mother in her final days, Vancouver's Itai Erdal and his collaborators have created a loving and compelling story.

The Best Brothers: Daniel MacIvor's touching new comedy wherein a freak accident at Toronto's Gay Pride Parade leaves Bunny Best's sons to mourn her, to celebrate her and to ponder the big questions like "who did she like best?" and "who gets the dog?" 1291 Gladstone Ave, 250-385-6815, www.belfry.bc.ca. (Watch for story in February's *Focus*.)

January 31

MALADJUSTED

Songhees Wellness Centre

Directed and Joked by David Diamond, and performed by a talented cast of patients and caregivers who know the mental health system, *Maladjusted* is 2.5 hours of riveting, ground-breaking forum theatre. 7:30pm, 1100 Admirals Rd, \$12/15 at www.eventbrite.ca. Presented by VIHA & Hultian Family Services.

WEEKEND WORKSHOPS WINTER 2015

January 18 COLLAGE: STUDIES IN COMPOSITION

February 8 NOTAN DESIGN 2, IMAGE TRANSFER, CONTEMPORARY BOTANICAL

February 15 WATERCOLOUR PLAY, WRITING JUMPSTART

February 22 DRAWING AS MEDITATION, PHOTOSHOP

February 28 & March 1 PHOTO-LITHOGRAPHY

March 1 ISLAMIC DESIGN 2, DRAWING WITH SCISSORS

March 8 DECORATIVE INK DRAWING, PINHOLE PHOTO

March 22 DISCOVER YOUR COLOUR PALETTE

March 28 & 29 EXPERIMENTAL PHOTOGRAPHY

March 29 MAP AS ART, WIRE WEAVING

April 12 WATERCOLOUR PATTERN, FABRIC COLLAGE

April 19 CREATIVITY JUMPSTART: 50 DRAWINGS

Refer to website for cost, times and detailed descriptions

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Best on stage

MONICA PRENDERGAST

The "Spotlight Critics Choice Awards."

In December, local theatre critics shared their picks for best designs, direction, performances and productions from the previous season. The Spotlight Critics Choice Awards have no ceremony or trophies to hand out (we really should try to make a party of it sometime!), but it does give the theatre community a sense of how their work was valued by the reviewers who cover this particular cultural beat.

Below is the list of nominees and awards as determined mostly by Adrian Chamberlain (*Times-Colonist*), David Lennam (CBC Radio) and myself (CBC Radio), with some picks also provided by review blog The Marble. I offer brief comments on each category that are, obviously, my opinion alone. Winners are in bold.

Set Design

***A Tender Thing*, Christina Poddubiuk, Belfry**
Ignorance, Old Trout Puppet Theatre Ensemble, Blue Bridge
Unity 1918, Allan Stichbury, Phoenix
Marriage of Figaro, Cameron Porteous, Pacific Opera Victoria (POV)

There were a number of excellently designed shows last season, but the mirrored set created by Poddubiuk really resonated with the themes of the play.

Costume Design

Falstaff, Leslie Frankish, POV
Marriage of Figaro, Cameron Porteous, POV
Cabaret, Di Madill, Langham
***Picnic*, Pauline Stynes, Phoenix**

Again, some fine work in this category but we were won over by the detailed period accuracy of the 1950s' costumes designed by Pauline Stynes for William Inge's *Picnic*.

Direction

Skin of our Teeth, Linda Hardy, Phoenix
***True West*, Britt Small, Blue Bridge**
Rosencrantz and Guildenstern are Dead, Keith Digby and Cynthia Pronick, Langham
The Collected Works of Billy the Kid, Clayton Jevne, Theatre Inconnu

Britt Small's production of Sam Shepard's *True West* was the standout of the Blue Bridge season. She pulled excellent work out of the two main actors, Jacob Richmond and Paul Fauteux, as alienated brothers whose relationship goes from bad to worse.

Sound Design

Glass Menagerie, Brooke Maxwell, Blue Bridge
Skin of our Teeth, Brian Linds, Phoenix
***Ignorance*, Trevor Leigh, Old Trout/Blue Bridge**

In *Ignorance* the sound was a key element that supported the onstage action throughout.

Light Design

***A Tender Thing*, Robert Thomson, Belfry**
Ignorance, Cimmeron Meyer, Old Trout/Blue Bridge
Equivocation, Alan Brodie, Belfry
Unity 1918, Allan Stichbury, Phoenix

Thomson's lighting design allowed Poddubiuk's set to work in the effective ways it did by creating varying spaces on the mostly bare stage and varying moods that reflected the emotional changes of the two characters.

Performance, Community Production

Kyle Kushnir, *Cabaret*, Langham
 Ensemble, *Picnic*, Phoenix
 Clayton Jevne, *Falstaff*, Inconnu
 Jason Stevens, *Rosencrantz and Guildenstern are Dead*, Langham

This award was a lock for Kushnir, who nailed the role of the Emcee in *Cabaret* (as he also did playing the Man in Chair in *Drowsy Chaperone*). His work and that of seasoned actors Susie Mullen and Alf Small were the highlights of Roger Carr's sellout production.

Performance, Professional Production

Clare Coulter, *A Tender Thing*, Belfry
 Victor Dolhai, *Glass Menagerie*, Blue Bridge
Jacob Richmond, *True West*, Blue Bridge
 Ensemble, *Terminus*, *Outside the March*/Belfry

This role was a great fit with Richmond's talents and he was riveting to watch as the mercurial and ultimately dangerous Austin.

Musical/Opera Production

Cruel Tears, Blue Bridge
Cabaret, Langham
***Marriage of Figaro*, POV**
Falstaff, POV

Perhaps it's not fair to put musical theatre up against opera, as the latter has much bigger casts and budgets to play with than the former. But that said, our nod went to Pacific Opera's youthful and energetic production of Mozart's *Figaro*.

Overall Production (Community)

Skin of our Teeth, Phoenix
Rosencrantz and Guildenstern, Langham
Picnic, Phoenix
Boeing, Boeing, Langham
 Directors Keith Digby and Cynthia Pronick scored a home run with their solid production of Tom Stoppard's smart and funny play.

Overall Production (Professional)

A Tender Thing, Belfry
True West, Blue Bridge
Home is a Beautiful Word, Belfry
***Terminus, Outside the March*/Belfry**
 This is likely to be the most contentiously choice this year, as *Terminus* was a touring show that had a short run during the Belfry's Spark Festival. But as much as we want to (and do) support local work, for the majority of us this production was the most thrilling time we spent at the theatre last year. A total roller-coaster ride of monologue storytelling by three actors, the play by Irish playwright Mark O'Rowe left me breathless and wanting to sit there and have them perform it all over again.

Best of the Fests

Winners and Losers, Theatre Replacement/Intrepid
When it Rains, 2B Theatre/Belfry
 Another touring show, *Winners and Losers* was brought in by Intrepid Theatre. Chris Abraham ably directed the two Vancouver actors, James Long and Marcus Youssef, through an entertaining yet ultimately unsettling joust of masculinity.

It is always a fascinating conversation when we reviewers determine shortlists and winners each year. Often we don't agree and so the challenge, supported by beer from a local pub, is to find nominees and winners we can settle on. But the real fun is when we remember back to a show that really knocked our socks off for whatever reason. The chorus of "Yes, yes, yes!" is a strong indicator of the lasting power of theatre, that it is archived in the minds of audiences long after the show closes.

Monica reviews theatre for CBC Radio's *On the Island* and teaches and researches drama/theatre education at UVic.

Will your vote be stolen?

Coordinated voter suppression anywhere in Canada could affect the outcome of the next federal election. Journalist and filmmaker Peter Smoczynski is creating a documentary that examines the dramatic rise in voter suppression that occurred during the 2011 federal elections, and the subsequent three-year investigation by Elections Canada. FOCUS Magazine is joining with Open Cinema to host a preview of Smoczynski's work-in-progress film "Election Day In Canada, When Voter Suppression Comes Calling." The preview will be followed by discussion with Briony Penn (writer and naturalist), SFU Professor Anke Kessler, Micheal Vonn (BC Civil Liberties Association), and Andrew McLeod (journalist). Discussion will be moderated by Sebastian Silva. MP Elizabeth May will participate online via Twitter. Follow hashtag #ElectionFraud.

Wednesday, January 28, 7pm, doors open at 5:30pm

Victoria Event Centre, 1415 Broad Street

\$12.50 at www.opencinema.ca

\$15 at door (advance tickets recommended given limited seating)

More info at www.opencinema.ca

ELECTION DAY IN CANADA **WHEN VOTER SUPPRESSION COMES CALLING**

PUBLISHER'S DISCLAIMER

(this notice does not appear in ad published in January 2015 FOCUS)

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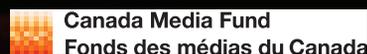
THIS AD WAS CREATED BY FOCUS MAGAZINE TO SUPPORT PETER SMOCZYNSKI'S DOCUMENTARY FILM.

PRODUCTION OF THE ADVERTISEMENT AND THE SPACE FOR THE AD HAVE BEEN PROVIDED AT NO COST TO ANY ENTITY INVOLVED IN THE FILM OR THE EVENT.

—David Broadland, publisher of Focus Magazine

The Mary Winspear Centre in Sidney is hosting a webcast of the event followed by a live post-screening discussion. See www.marywinspear.ca for tickets (\$12.50).

With thanks to OPEN CINEMA Connect the Docs Presenting Partner





Of the coast and its creatures

AMY REISWIG

Ian McAllister's latest book immerses readers in the magic of the Great Bear Rainforest, as well as the threats to its health.

As rain drives sideways against my bedroom window, I burrow deeper under the covers and think somewhat enviously of the bruins cozily hibernating in their eponymous Great Bear Rainforest. And I think, not enviously but with awe, of conservationists like Ian McAllister who, while the bears snooze through the cold, is heading out for another weeks-long research and diving trip to explore the rough, winter-clear waters of the north-central BC coast. If just for that, he's a hero in my books.

But it's not just that. The Victoria-raised McAllister has been working in and for the Great Bear Rainforest over the last 25 years with a truly heroic commitment to his adopted home. It's also become home base for Pacific Wild, a conservation organization he co-founded that's focused on studying, protecting and raising awareness about the region, a mission at the core of this versatile writer-photographer's latest book, *Great Bear Wild: Dispatches from a Northern Rainforest* (Greystone, October 2014).

The Great Bear Rainforest, covering about 70,000 square kilometres from the northern tip of Vancouver Island to southern Alaska (more than half of Canada's Pacific coast), is one of the richest, most biodiverse areas on Earth. It's home to many iconic BC species—like orcas, salmon, the white-coated spirit (or Kermode) bears, grizzlies, sea lions, eagles and the genetically unique coastal wolves—as well as thousands more you've likely never seen, heard of or know anything about.

Did you know, for instance, that the roughey rockfish can live up to 200 years? McAllister, meeting one on a dive, tells us: "This small mandarin-coloured fish...could well have been defending this same patch of rock when Lincoln gave the Gettysburg Address and Canada was still working on Confederation. It could also have been alive half a century before the first barrel of oil was ever pulled from the ground in Texas."

The Great Bear is a pristine place, where rare species can find refuge and can start to rebound—as have sea otters, humpbacks and fin whales. It's also a place of great human history and diversity, and the First Nations communities of Bella Bella, Bella Coola, Klemtu, Hartley Bay, Prince Rupert and Kitimat are interconnected, integral parts of the ecosystem. As McAllister writes, "There is life simply everywhere."



Ian McAllister

It's this life McAllister celebrates and honours in his book, which is deeply immersive both from his perspective and ours. But all of this big life is smack in the middle of some big plans. Enbridge's dream of piping diluted bitumen from Alberta's tar sands and shipping it to the US and Asia hinges on a proposed terminal in Kitimat. If the Northern Gateway project goes ahead, as has been recommended by the National Energy Board (with 209 conditions), this ecologically fertile yet fragile region will see a huge increase in sea traffic. This in turn means threats such as underwater noise, pollution, whale strikes and, worse, the risk of spills as the massive tankers navigate an area ranked by Environment Canada as among the most dangerous sea passages in the world.

McAllister sees *Great Bear Wild* not as politically charged but, as he explains to me, as "telling the story of a beautiful coast and the people who live here." Part well-researched journalism and part diary, the book

carries us virtually in McAllister's backpack watching and listening with him. Passages often start "On this day" or "Today," and while he's tracking coastal wolves foraging for herring eggs, almost getting caught by humpbacks bubble-net feeding, or visiting a Gitga'at matriarch as she laughs over Enbridge's idea of steering tankers around whales, McAllister's simple, personal writing and gorgeous photographs (about 100) ensure we share in his physical and emotional experience.

Reached by phone between a book tour and an upcoming diving trip, McAllister explains that much of his writing happens "under trees waiting for bears to show up," but that other times, things happen so fast he's scribbling something on the back of a chocolate bar wrapper that ends up in a pile. "Then I have to go through it all and try to figure out what I was thinking," he laughs.

Despite random acts of note-taking, McAllister is an incredible observer and compiler. From the majestic grizzlies he's watched grow up to the "tubby torpedoes" of tufted puffins, McAllister applies an equally loving eye: "Popping in and out of their deep burrows, they look like trusting old men wobbling about before launching into the powerful updrafts coming off the ocean." McAllister admits that he can even watch sea slugs for hours. As the daughter of a marine biologist dedicated wholly to glass sponges, I get where he's coming from, and I know that McAllister's level of admiration for the world around him is as precious as some of the species he observes.

Left: Steller's sea lions move effortlessly through the offshore kelp forest.



Always attuned to how he can reach others by telling a story through words or image—whether of individual animals, hard-working people or how whole systems fit together in what he calls “ancient relationships”—McAllister sees more than just the beauty. And so he includes less heartening but important information: about the legality of killing female grizzlies in the trophy hunt; that in 2013, 50 seine boats discarded 300 metric tons of non-target chum salmon in order to catch 600 metric tons of pink salmon; that reduced salmon stocks and other environmental degradation seems to have a direct relation to the extinction of First Nations languages; that the Hartley Bay residents who came to the aid of the sinking *Queen of the North* have been left unable to harvest sea products around the oil-leaking wreck.

He writes: “All of the safety standards in the world can’t mitigate unpredictable human behavior.” Threats to the area are therefore not just industrial but rooted in basic human nature and error, including poor research and management and a lack of integrated understanding.

One of McAllister’s messages in showcasing the region’s diversity is, therefore, how little we ultimately know about it all—both a great opportunity and a danger. Noting that we have more understanding about the solar system than our oceans, McAllister cautions that we are at a critical point of learning about our environment, and the ways we depend on it, just as decisions are being made that can irreparably affect it.

Thus, many of the photos feature a split frame, with the camera lens half above and half below the water. The waterline becomes a thin, silvery false edge, indicating not separation but interface. They are striking images and a moving message of how everything is connected.

Photo to left: McAllister says, “A mother bear successfully catches a coho salmon while her cubs encourage her from above. Salmon may be the reason for the spirit bear’s evolutionary adaptation of a white coat, as it acts as camouflage against a bright sky.”

Photo below: “Waiting for rain, these pink salmon are part of just one of over two thousand distinct runs of wild salmon found in the Great Bear Rainforest. After spawning, their decaying bodies will nourish their future offspring, the forest itself, and over two hundred species that rely on their return to the rainforest each year.”



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It takes a village to keep us healthy

Of photo to left, McAllister says, “The environmental impact of tar sands oil being spilled in the waters of the Great Bear Rainforest is the main reason coastal communities are opposed to tanker traffic.”

Humble about his abilities, both written and photographic, I can almost hear McAllister shrug over the line as he says: “It’s just stuff I do, I guess.” But he then adds: “Part of the beauty of working in the conservation world is it allows for so many kinds of expression. I go to meetings and people ask: ‘What can we do?’ None of us knows. You just have to do what you do best.”

And he is doing just that. A member of the International League of Conservation Photographers who has won the North American Nature Photography Association’s Vision Award, McAllister has published five other books, including the award-winning *The Great Bear Rainforest* (with his wife, Karen) and *The Last Wild Wolves*, as well as several books for younger readers. For their ongoing environmental dedication, the McAllisters were dubbed “Leaders for the 21st Century” by *Time* magazine in 2010.

Reading *Great Bear Wild* is a gorgeous, intimate encounter and an education. It’s also a testament to what the world stands to lose, and McAllister sees it as a way of giving back for all the amazing experiences he’s had in the Great Bear Rainforest. As I imagine McAllister again slipping into the cold ocean with his camera, I think of his comment on the transcript of testimonies at the National Energy Board hearings that so inspire him. He says those voices are part of the public record revealing “the level of commitment to protecting this coast.” Behind this book is the story of McAllister’s incredible level of commitment, and that’s a story as inspiring as any he tells in text or picture.

Great Bear Wild: Dispatches from a Northern Rainforest, by Ian McAllister, with a foreword by Robert Kennedy Jr, is available at most bookstores. Go to www.pacificwild.org to learn more about Ian McAllister’s work and to see videos and other stunning photos.



For the new year, writer, editor and diver’s daughter Amy Reiswig commits to being less of a wimp and spending more time in BC’s beautiful water, cold or not.



Fernwood Urban Village Cohousing supporters celebrate Victoria City Hall’s approval of the development.

Cohousing offers interaction, support, and sharing among neighbours, with the autonomy and privacy of strata-title home ownership.

It turns out that daily, in-person social connections are a life-or-death issue. As Canadian author Susan Pinker identifies in her latest book, *The Village Effect*, medical research has confirmed that substituting face-book for face-to-face is as deadly as smoking cigarettes. Our drive for independence is hard on the planet, too, because when we don’t share, we consume exponentially more resources.

Our very homes may be the primary impediment to connecting with each other and thriving. Separateness is built right into our menu of housing options. Privacy is given primacy. We don’t really know our neighbours. It’s getting harder and harder to see the people we *do* know—who has the time?

In a culture that demands autonomy, yet requires more social connection and sustainability, cohousing offers an inspiring alternative. Fernwood Urban Village Cohousing in Victoria is offering homeowners this option, and still has a few homes available. Construction will begin in 2015.

A cohousing community typically consists of 25-35 private, efficiently-built homes sharing a “common house” (minimum 2500 square feet), gardens, and amenities like guest suites, workshops, commercial kitchen, office space—whatever the community wants, because the community designs it.

Along with extra amenities, cohousing offers interaction, support, and sharing among neighbours, with the autonomy and privacy of strata-title home ownership.

Instead of a traditional “strata council,” cohousing governs itself by consensus, and is organized around working groups that are tasked with various responsibilities to keep things going. This requires the

willingness to participate and consciously develop self-awareness and communication skills.

Susan Smith, who currently lives in a small condo

in Oak Bay, is part of Fernwood Urban Village Cohousing and looks forward to a life where the stimulation and diversity of community is right at her doorstep. “I grew up in a small English village, and I think I’ve

always craved that kind of life again,” she says at a pot-luck gathering of future residents. “My children are grown, and I have a grandson, but I don’t see him a lot. I love having relationships with the children in this community.”

Christy Jackson, mother of two of the youngest members, says it works for her family as well. “I’m a much happier person when I have the company of others, and I can see that my children are too.”

Mollie Kaye says that at every stage of her adult life, she has longed for more inter-dependence. “Once I became a mother, I felt it acutely. My kids need other adults. I need other adults. We weren’t meant to do this in isolation.” She looks forward to weekly shared meals in the common dining hall, the foundation of social life in successful cohousing communities.

“Even as we’re building the buildings, we’re building community,” she says, gesturing to the large group of all ages at the gathering that follows each monthly business meeting. “Just being part of this group has already added so much to our lives. When we are neighbours, it will be the icing on the cake.”

To learn more: www.FernwoodUrbanVillage.ca or call 250-588-0813. Schedule a visit and explore whether cohousing might be your best option to live a healthy life rich in daily social connections.



The 90-minute solution

GENE MILLER

If we're going to invest in a pricey new McKenzie Avenue intersection, let's charge commuters for stop-reduced driving.



To put you in the mood, I'd like to unload some overwrought consumer trivia about the price of English muffins. On Saturday, last November 29, a bag of six Dempster's English muffins at Thrifty's was \$4.19, or 70 cents each. At Oxford Foods on Cook Street, a bag of six (a competitive brand of equal quality) was \$1.88, or 31 cents apiece. A jumbo-pak of 24 at Costco was \$6.49, or 27 cents the muffin. A 12-pack at the Wholesale Club on Viewfield Road in Esquimalt (a find in every way, if you haven't visited before) was \$1.97, or 16.4 cents per. To flip this around, had you bought 24 muffins at each store, you would have paid, respectively, \$16.76, \$7.52, \$6.49 and \$3.94. And it's not like the Thrifty's muffins were produced to the sound of Panpipes with south-slope-grown, artisan-milled, first-pressing, cruelty-free wheat. Same damned English muffins.

And from teaching days, a lifetime ago, I remember an intellectually gifted student, Jeffrey, who, at 14, was endomorphically chubby, had an egg-shaped head, and wore thick glasses with one unhinged earpiece tenuously Scotch-taped to the lens frame. His nose ran constantly, and a bubbly archipelago of spittle sat perpetually at the corner of his mouth. He would laugh in noisy, otherworldly gulps at his own esoteric jokes. Classic bully bait, but the other kids loved him. What set him apart was not just these physical qualities, but also his tendency toward startlingly original expression. In his presence, you felt yourself a witness to the actual physical assembly, the coalescing architecture, of his thought. With

no preamble, or any clue as to how long it had been in the making, or the *why* of it, out might come: "What if the bird in your hand is a sparrow, but the two in the bush are peacocks?" Such thoughts emerged from some tunnelling maze-work; were expressed with a precocious complexity; and, for a 14-year-old, bordered on the profound. It seemed an open question whether he would, in his adult life, go on to create the Z-Bomb or cure cancer.

Keeping Jeffrey and English muffin value-shopping in but at the edge of the frame, let's ponder the notorious congestion at the Trans-Canada/McKenzie Avenue intersection and its alleviation.

The *Times-Colonist's* Jack Knox acidly opened a November column: "It took 35 minutes to drive a 10-kilometre stretch of the Colwood Crawl on Wednesday morning."

Which, incongruously, reminds me of the definition of a "kilometer"—five-eighths of a mom.

To call it the Colwood Crawl may evocatively title but mis-describe it—akin to calling a different collection of human behaviours "teen pregnancy" or "domestic violence." That is, let's not give the event a label without highlighting the choices—residential, lifestyle, mobility—of the people who are driving the many thousands of vehicles that actually *cause* the Colwood Crawl during each morning and evening commute.

Presently, the Trans-Canada/McKenzie intersection is the whipping boy, but if we spend something on the order of \$80-100 million (provincial Transportation Minister Todd

Stone's numbers) for a fix, only to move the bottleneck a half-mile south to the next traffic light at busy Douglas and Saanich Road beside Uptown, what then?

Let's look at some creative responses other than big-dollar infrastructure spending.

For example, people could quit their government jobs and take up organic farming in their Langford front yards. Or stay home and telecommute. Or government commuters (a significant percentage of the on-road total) could work 2 pm to midnight and drive counter-flow.

Or we could take the view that it's only a problem if you call it a problem. We don't call gravity a problem, just a fact of life. What's wrong with people having to devote 20-30 minutes of their day inching along in bumper-to-bumper traffic, not as some form of moral shaming (nothing wrong with that, of course), but as a simple expression of how choices have consequences? I mean, if you move to the middle of the desert and then petition the government to deliver water, expensively, to your door, no one shows any sympathy. Everyone thinks you're crazy and selfish.

Remember the old-style car-wash through which your vehicle advanced on a creeping chain of casters? Maybe those could be installed in a one-mile stretch of the highway roadbed, north and south of the McKenzie intersection, thus providing a distraction from the crawl and freeing drivers' minds and hands for texting, cell phone games, the crossword puzzle, masturbation, knitting, computer work, or reading *Focus* cover-to-cover.

Alternatively, if we're going to invest in pricey infrastructure, let's charge commuters for the pleasure of a stop-reduced driving experience. Every car has unique DNA—a license plate—and I assume some road-embedded plate-reader or other programmable whiz-bang technology exists. Buck a trip, one way. Half the cost of a Tim Horton's coffee. \$10/week times 50 weeks times 50,000 vehicles (80-90,000 is the current count, including non-commuters) comes to \$25,000,000/year.

Your gas isn't free, daily parking isn't free, even the air in your tires isn't free anymore; why should your trip be free? We don't think of other car-related expenses as punishment or sin taxes, but simply the costs of driving. So, why distinguish?

CHOICES HAVE CONSEQUENCES. If you move to the middle of the desert and then petition the government to deliver water expensively to your door, no one shows any sympathy. Everyone thinks you're crazy and selfish.

Revenue could be used first to repay the interchange construction cost and after payout be re-directed toward eliminating regional homelessness, which it would do in jig time.

I'm getting excited about this idea! Here we are, possibly the luckiest people on Earth, in count-your-blessings Victoria. Via this revenue plan, we could produce a funding structure for thousands of the most needy and least employable people in the region, allowing them to survive less off unpredictable community good will, state largesse, and the limited and uncertain income flow from refundable beverage containers, and more off the income generated through such a program of—dare I call it—wealth redistribution?

The provincial Liberals would be all over this ideologically. It's their kind of thing.

But if we go for pricey highway infrastructure upgrades, we have to discuss unintended consequences. A decade ago, you could quip about Victoria's "rush minute" as cars streamed in and out of town during the commute. No longer true. Jim Hindson, a now-local semi-retired transportation and infrastructure professional who spent almost 30 years as traffic engineer and systems department head for the Hamilton region, has explained to me that while Ground Zero may appear to be the Trans-Canada/McKenzie nexus, under the same pressure is a much larger and highly stressed road "eco-system" featuring Saanich/Boleskine Road, Tillicum Road, Admirals Road/McKenzie Avenue, West Burnside/Interurban, Carey Road, Craigflower Road, and more. This whole system of roads is choked because in the morning people are coming from one road and, seeking shortcuts, going to many. And in the afternoon coming from many and going to one: the Trans-Canada Highway itself.

I learned the phrase "lane envy" from Hindson. He explains that if a road includes an underused transit/car pool lane, folks in the adjacent clogged lanes can barely control their frustration. They experience "lane envy" and they lane-hop, replacing morality with exigency—rules be damned and no mind the signage or the white painted diamonds. The empty transit lane takes on the persona of tone-deaf Marie Antoinette who, informed that the peasants have no bread, says, "Let them eat cake!"

Now, can we in essence package lane envy—that hatred of gridlock and love of the open road—and exploit and charge for it if we create expensive new infrastructure at the Trans-Canada/McKenzie intersection?

As you consider appropriate infrastructure responses, bear in mind that the daily problem at the intersection is really two 90-minute one-way problems, morning and evening. At all other times, the existing road capacity and traffic signalling is adequate to meet traffic needs.

So, is there a three hour/five weekday solution? Would an Admirals/McKenzie overpass with ramps down to and up from the Trans-Canada in appropriate places make enough of a difference? Might there be an elevated reverse-direction two-laner running above the median of the Trans-Canada with ramps as needed that could, with signalling, allow inbound morning and outbound evening thru-traffic to utilize the same two lanes to cruise over the McKenzie intersection?

How about we add extra lanes on grade? As Easterners can tell us, that works extremely well on Toronto's 401 and many other highways where traffic volume quickly expands to exceed the added road capacity. Oh, and as the spaghetti interchange "postcard" included with this column suggests, you could get really jiggy with an infrastructure response and bankrupt the region.

I close by acknowledging I'm not a transportation professional, so I can't competently answer these questions. But Minister Stone, as you study and weigh various scenarios, I implore you to keep the masturbation option on the table.



Gene Miller, founder of Open Space Cultural Centre, *Monday Magazine* and the Gaining Ground Conferences, is currently co-writing *50 by 20* with Rob Abbott. The two are also about to launch *50x20.com*—a companion website dedicated to championing exceptional North American sustainability initiatives and accomplishments.

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Here's to an innovative new year

TRUDY DUIVENVOORDEN MITIC

Lucky for us there are folks taking initiative on some ingenious and beneficial ideas.

Last fall the Dutch town of Nuenen unveiled a kilometre-long stretch of bike path that was inspired by the iconic Van Gogh painting “Starry Night.” Bike paths are nothing new to The Netherlands but this particular section, through the town where Van Gogh once lived, takes the cycling experience to a whole new height.

More than 50,000 “stones” incorporating glow-in-the-dark technology and solar powered LED lights were inlaid in a dreamy, swirling pattern intended to evoke a ride along the Milky Way. The result is genius, not only for its beauty but also for the triple win it scored for the community: In one fell swoop Nuenen acquired a public work of art commemorating its most famous artist, a well-lit, carbon-neutral bike path for commuters riding home after dark, and—bet on it—the next big tourist attraction. This is innovation at its very best.

The wheels of innovation turn here too, powered as they are by thinking people who, fortunately for us, happen to be plentiful in our neck of the woods. Take geography grad student Chris Krasowski, for example. He’s the impetus behind the City of Victoria and the University of Victoria’s partnered effort to develop a map that will help gauge how feasible our rooftops might be for solar energy production. It’s a timely project, given Victoria’s commitment to reduce greenhouse gasses to 33 percent of 2007 levels by 2020.

Using irradiance measurements currently being collected by an instrument he installed last April on the rooftop of City Hall, plus Light Detection and Ranging (LiDAR) data for the region, as well as data from the University of Victoria’s School-Based Weather Network, Krasowski is creating a solar map that will eventually enable residents to zoom in on their own roof and check out its potential for generating solar energy. Later this year the solar map is to be integrated into Vicmap, the City’s online interactive mapping tool.

Then there’s the Plastic Bank, the ultimate enabling venture founded just two years ago by Victoria-raised entrepreneurs David Katz and Shaun Frankson. The way we mindlessly waste plastic is abhorrent. Every year the world produces almost 300 million tons of this petroleum-based product, much of which ends up swirling in the oceans everywhere and clogging the shorelines of the world’s most impoverished countries.



ILLUSTRATION: APRIL CAVERHILL

But plastic is 100 percent recyclable, and in that fact Katz and Frankson saw an extraordinary opportunity to benefit the world in untold ways: Not only could full-scale recycling virtually eliminate the need for producing new plastic, it could also provide sustainable work for impoverished people, restore marine habitats, and prevent the anguished deaths of millions of ocean creatures every year.

In a nutshell, the Plastic Bank buys plastic from local collectors and turns it into good-as-new pellets to sell as “Social Plastic” to corporations interested in supporting ecological and social sustainability while enhancing their own image in the process.

Last year it opened its first collection centre in Lima, Peru, where the plastic pollution is pandemic, and also devised a ground-breaking method for making 3D printing filament from multiple grades of waste plastic. This filament will eventually use onsite plastic to feed onsite 3D

printers, to which plastic collectors can buy access for making new products (such as cell phone covers) they can then sell in their own micro-businesses. It’s a brilliant, close-looped system with beneficiaries every step of the way. Little wonder the Plastic Bank won the Recycling Council of BC’s Innovation Award last year.

Michele Paget, marketing director for Hillside Shopping Centre, also acted on a great idea that connected many dots. Last summer the mall was in the throes of a major renovation and expansion that included a completely upgraded food court. All the old tables and chairs—seating for 400—were earmarked as waste but Paget opted to recycle them instead. She painted up a set to show people the potential and posted it on Facebook. Buyers streamed in and soon everything was sold. Then she donated the entire proceeds, \$4300, to the local chapter of the SPCA. Her assessment of the experience: “There is a way to be successful and also sustainable.”

Whether it’s a bike path extraordinaire, new resources harvested or old resources repurposed, good things are happening and innovations abound. That’s a great starting note for 2015.



Trudy wishes everyone good health, happiness and good ideas in 2015. She also wishes she’d snagged one of those bistro sets Michele was selling.

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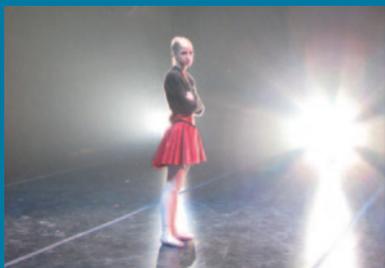
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