

AGRICULTURAL LAND RESERVE

NDP, Liberals tussle over ALR

Opposition MPs decry Agriculture Minister's amendments, continue to call for Bill 24's defeat

JUSTINE HUNTER VICTORIA

In response to vociferous protests over proposed amendments to the Agricultural Land Reserve, the B.C. government has offered up amendments meant to assure critics that the preservation of protected farmland remains a priority.

Bill 24 splits the province into two zones to allow more flexibility on farmland outside the prime producing regions. Agriculture Minister Norm Letnik, who inherited the bill when he was named minister three weeks ago, said the changes he introduced on Tuesday are a "substantive" response to the strong criticism he's heard since he took the job.

Moments after he laid out the changes in the House, the New Democrat opposition carried on as if nothing had changed. Nick Simons, the NDP agriculture critic, was on his feet calling for

the entire bill to be withdrawn. Outside the House, NDP MLA Lana Popham, who has led her party's "Kill Bill 24" campaign, said the amendments show that Mr. Letnik's consultations were a "sham" that ignored fundamental opposition from every corner of the province.

"We had hoped, because the new minister was respected by the agriculture community, that his consultation would have been authentic," she said in an interview. "It was false and unfortunately I believe the government will press ahead, the Agricultural Land Reserve will be split in two and it will be eroded."

Mr. Letnik had promised consultation on Bill 24 after he was sworn in to replace Pat Pimm, and said he was willing to scrap it if that was where his review led him. But the rookie cabinet minister quickly found himself at odds with Bill Bennett, the

minister responsible for a "core review" of government who had crafted the law. Mr. Bennett publicly established the pecking order when he dismissed the notion that there would be any fundamental changes or delays to the law.

The proposed changes are the first major overhaul of the land reserve, which was created by an NDP government in the 1970s.

In Zone 1, including Metro Vancouver, southern Vancouver Island and the Okanagan, the independent Agricultural Land Commission will continue to focus on protecting farmland. Those areas include 10 per cent of the land within the reserve but generate 85 per cent of total farm sales, according to the government.

In Zone 2, covering every other region, farmers would have more flexibility in land use, to allow value-added activities

such as food processing and potential oil and gas development.

Mr. Letnik told reporters his changes will ensure that the law clearly states that the preservation of farmland remains the top priority, even in Zone 2. "We wanted to make sure that the public knew our intent is to continue to support agricultural land in British Columbia."

Inside the House, Mr. Letnik introduced his changes on Tuesday afternoon after acknowledging the feedback he has collected in recent weeks. "The comments expressed are as diverse as the province itself," he said. Consensus wasn't possible, he added, but "I believe these changes improve the existing act, maintain the preservation of agricultural land as the number one priority, and continue to support farmers and the growth of the agricultural sector as was always intended."

KINDER MORGAN

Group disputes NEB hearing procedures

MARK HUME VANCOUVER

National Energy Board restrictions on who can participate in the Kinder Morgan pipeline review are being challenged by a group of people who say they have been robbed of their right to free speech.

In a notice of motion, the NEB is being asked to reject as unconstitutional recent federal legislative changes to the National Energy Board Act that limit public participation in hearings on Kinder Morgan's Trans Mountain pipeline expansion proposal.

"As a result, NEB hearings have lost their essential purpose. If the public cannot be heard, the public interest cannot be assessed," said David Martin, legal counsel to the applicants.

The project would twin a pipeline that has been in operation for 60 years. It would nearly triple, from 300,000 to 890,000 barrels per day, the amount of oil being shipped. If it goes ahead, tanker traffic will increase through Vancouver harbour and around the southern tip of Vancouver Island.

The motion was filed on Tuesday by eight individuals and ForestEthics Advocacy Association, an environmental organization. If the NEB rejects it, the applicants say they will take the case to Federal Court.

"The National Energy Board was established to conduct public hearings in order to assess whether or not an infrastructure proposal such as that made by Kinder Morgan is in the public interest, and in the past, it has done so," Mr. Martin said in a statement. "But in 2012, at the urging of the oil industry, the Harper Government amended the NEB Act so that its hearings would be completed in an unreasonably short period of time, and would curtail the public's right to meaningfully participate."

Mr. Martin said that in adopting the changes, the NEB has severely restricted the public's right to be effectively involved in the process.

Sarah Kiley, a spokeswoman for the NEB, said the board has not yet determined the process for considering the motion.

"As there is a constitutional challenge contained in the motion, the people who filed the motion were required to notify the Attorney General of Canada and of each of the provinces. As I understand it, this has happened," she said in an e-mail. "There is a notification period of 10 days during which we will wait to hear from the Attorney Generals' office. From that point we will determine the process for considering the motion and go from there."

The NEB received applications from 2,118 individuals and organizations seeking standing at the Kinder Morgan hearings. It advised 1,250 of those applicants last month that they could participate only by writing letters. Another 468 were told they could not even submit letters.

"The Kinder Morgan proposal, if approved, will have a fundamental impact upon Vancouver, British Columbia and Canada for the rest of this century and beyond," Mr. Martin said. "It is vital that there be a full public hearing as to the risks and benefits of this proposal so that the public interest can be properly assessed. This legal challenge will fight for the public's right to express itself and be heard."

In the notice of motion, the applicants ask for a declaration that the amended NEB Act "is unconstitutional as it violates the applicants' freedom of expression as guaranteed by ... the Charter of Rights and Freedoms."

The notice asks the NEB to re-open the application process to "allow all persons interested in and affected by the proposed pipeline to participate fully."

The application also seeks to have the NEB broaden its scope to hear submissions regarding the project's affect on climate change.

"This board cannot determine whether the proposed pipeline is in the public interest without a full consideration of the environmental effects," the notice of motion states. "The project is being proposed in order to increase pipeline capacity in support of growing oil production. Without acknowledging that increased production of oil sands is having a devastating effect on the environment, and resulting in climate change, this board cannot even begin to address the issues which it has deemed relevant."

NANAIMO

Red remembrances



Red shirts blow in the air Tuesday in memory of Michael Lunn, who was gunned down at the Nanaimo WFP Mill. Extra security was posted at the Nanaimo Western Forest Products mill as work resumed after a shooting spree on Wednesday, April 30. AARON HINKS/NANAIMO DAILY NEWS

VANCOUVER

Mayor cites urgency for Broadway subway

SUNNY DHILLON VANCOUVER

A subway along Vancouver's Broadway corridor would have 250,000 trips on its first day, new data suggest - and Mayor Gregor Robertson says it further strengthens the case to build the line as soon as possible.

Mr. Robertson, who is nearing the end of his second term and seeking re-election in the fall, told members of the business community at a downtown hotel Tuesday that building the Broadway subway is his top priority and the single best thing the city can do for its future.

"We've seen extraordinary demand on the Broadway corridor," he said. "... We need to get rapid transit through from Commercial and Broadway to the west.

"The corridor really is choked with cars and we'll basically sacrifice our livability and our economic future by not investing in

that as soon as we possibly can." Mr. Robertson said the Broadway corridor is the second biggest jobs hub in B.C. and the busiest bus route in North America.

Previous data had suggested a Broadway subway could expect 125,000 trips on its first day - half of what Mr. Robertson said is now projected. He said the 250,000 subway trips would outpace the figures for either a new Massey Tunnel Bridge or the Port Mann Bridge. The mayor said building the subway would also cut the number of car trips along Broadway by 50,000, reducing congestion and improving air quality.

The new data were compiled by city staff, who analyzed information released by regional transportation provider TransLink.

The subway would stretch from Commercial and Broadway to the University of British Columbia.

The university and city last year released a study, conducted by KPMG, that said rail-based rapid transit is necessary to meet the corridor's anticipated population growth and economic potential.

Mr. Robertson said it would take at least five years to build the line. The funding, however, remains elusive.

B.C.'s Liberal government has said there will be a referendum that asks the public what funding sources they're willing to support for transit improvements.

Mr. Robertson said transit referendums have about a 70-per cent success rate. Voters in Washington State last month voted against a transit tax increase, prompting cuts.

Mr. Robertson said it's unfortunate the province is going down the referendum path, adding that that it's critical to let the public know how important transit investments are.

"People are going to pay more if we don't invest in transit," he said. "It's actually more expensive to travel by car, and if you add a million people and you don't build more transit then people are going to be in more traffic and spending more money."

Mr. Robertson said Lower Mainland mayors will soon forward their 10-year transit plan to the province. Although he called the Broadway subway his top priority, he said transit upgrades are needed throughout the region. When asked if Vancouver should get the Broadway subway before Surrey gets its proposed light-rail transit network, Mr. Robertson said he sees a need for both.

"Our goal as mayors is to put together a cohesive plan for Metro Vancouver, and make sure that the whole region is served," he said. "... We need to make sure that the transit system serves all of us."

POSTAGE

Stamp marks 100 years since the tragedy of the Komagata Maru

OTTAWA

Canada Post has unveiled a stamp to mark 100 years since a ship full of mostly Sikh passengers was turned away from Canada and sent back to India, where many of the passengers were jailed or killed.

The Komagata Maru arrived in Vancouver's Burrard Inlet on May 23, 1914, carrying 376 British subjects, primarily Sikhs from India's Punjab region, as well as a number of Hindus and Muslims.

The ship was denied permission to dock, and only a handful of passengers were allowed to stay in Canada, with the rest remain-



On May 23, 1914, a ship full of Sikhs was denied permission to dock at Burrard Inlet and it returned to India where 19 passengers were shot and the rest were imprisoned. The federal and B.C. governments have recently apologized. Canada Post's new international-rate commemorative stamp marks the anniversary. CANADA POST

ing on the ship as it was escorted out of Canadian waters two months after its arrival.

When the ship arrived in India, 19 of the passengers were shot and the rest were imprisoned.

The international-rate stamp features an image of the Komagata Maru, with a group of men in Sikh turbans in the background.

Prime Minister Stephen Harper delivered an apology for the Komagata Maru incident in 2008, and the B.C. legislature passed a motion apologizing on behalf of the province the same year.

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