

Brief to Richmond City Council Concerning the Plan to Remove the Garden City Lands From the ALR so as to Facilitate Its Development.

by Otto E. Langer RP Bio
6911 Dunsany Place, Richmond BC

March 11, 2008

Here We Go Again.

In my 37 years as a home owner in Richmond I again find it disappointing to have to again line up in City Hall to again oppose the majority view of City Council to allow yet more non-sustainable growth at a cost to open space, green space, parkland, life style, quality of life and yet again the loss of potential food production lands..

Some 30 years ago some of us had to spend many days fighting the pro development Council of the day to keep high density housing off Garry Point and out of the river marshes. Council had sided with a real estate company to put high density housing on the entryway of the Fraser River into British Columbia. This ended up as a Supreme Court decision and in the Bourque et al vs. City of Richmond case, the citizens won and the area is now the heavily used Garry Point Park. Present users take this parkland for granted but it must be appreciated that if it was not for concerned citizen action, with a vision for future generations, this would have been just another high density development.

Some 20 years ago, Richmond Council in cooperation with another big developer supported the BC Government in pulling the Terra Nova lands out of the ALR for housing. The hearing went on for days and despite 95% of the citizens being against that development, it was approved. Housing was approved on much of this active farmland. The case again gave rise to a legal action that was not successful but it was fortunate that at a later date a new Council saw the wisdom in buying and protecting a bit of that large farm area and we now have Terra Nova Park.

I hope all Council here tonight will have an open mind on this issue. However, when I see the advertisement campaign (propaganda) issued by the City, Canada Lands and the Musqueam it is a great concern that the City majority have made of their minds and they are going through this procedural process of public consultations. Is this in the hope that the Agricultural Land Commission will be politically influenced to allow Richmond, the CLC and the Musqueam to have their way to exclude the lands from the ALR? This is despite the fact **that the basic reasons and facts related to the ALR Commission rejecting the Canada Lands Company exclusion application has not changed.**

Garden City Lands Agreement – A Bad Deal for Richmond.

This is not the first time City Hall has made up its mind and then went through the charade of consulting with the public. This consultation by the City was necessitated by the Canada Lands Company being absolutely clueless about public consultation and the need to do basic environmental and social studies to prove that this land is not worth saving as ALR lands. Instead questionable studies and shopping basket type legal opinions were found to rationale their second attempt to get the land out of its protected ALR status against the wishes of most of Richmond's citizens and their future needs.

Richmond is quick to rely upon the Canada Lands, Musqueam, DFO and the Garden City Lands agreement rationalize that they have no choice in what they are doing. What they are doing however; is acting against the majority public and implementing a poorly negotiated land transfer agreement that did not put the needs of Richmond first! Richmond continues to brow beat the public with our tax dollars and tries to create fear that if the City does not get its way, the land will be totally lost to the Musqueam Indian Band.

Newly created experts like the Mayor and shopping basket type legal opinions and the 'jump on the flat tire bandwagon' by the previous Mayor Halsey Brandt continue to quote part facts related to native rights to support the scare campaign - if you do not support this Richmond- Musqueam land use deal, you will get nothing.

Many facts and findings do not support this and this fear causing campaign is not an acceptable approach to advance a bad land transfer agreement as facilitated by MP Raymond Chan. The poorly conducted negotiations on our behalf by the City and its City Administrator has put our present open space needs in a mess and is not in the public interest of the Metro Vancouver region and the 200,000 people that now live in Richmond. It even does less for our population as it will grow to 300,000 people much more quickly than Council will admit.

The Need for Richmond Parkland.

We are stuck on Lulu Island that will not allow us to expand to find new parkland anywhere else except to buy and tear down more industry at great cost to the taxpayer and lost jobs or take ALR lands for parks. City actions to date, as in the past Gary Point and Terra Nova land use conflicts, have unfortunately caused bitterness and division in our community. Good leadership could have prevented that.

Further to the above, the City just acquired four acres of industrial job creating space for \$11.5 million and a \$1.5 million tax receipt. One Councilor says it was a "fair deal". Another says "anytime you can get waterfront property is a good deal". This thinking is irresponsible considering our taxpayer pocket books are not bottomless. Did we not just sell waterfront property around the Olympic Oval which was an ideal place for a park which we already owned? The Richmond plan is to develop the new Mid Arm waterfront

park into 35 acres. Will this require another \$20-30 million in property purchases? Does this not displace more industry, Richmond jobs and our tax base onto farmland or to Surrey?

It is especially bad to give us an unacceptable compromise deal when many of these very same Council members ignored the ongoing acquisition of a major parkland to support 'the grow forever' agenda in Richmond. Those same Councilors now have caused fear in the community. To get at least a piece of the Garden City Lands, you have to support this bad deal before us.

Why does Richmond Council not now reject their ALR exclusion motion and tell the Federal Government the deal before us will cause excessive high density development (as caused by poor planning over the past 20 years). Richmond must then petition Ottawa to hold on to the land for future considerations such as renting it to the City as parkland – as has been done by Vancouver to get Stanley Park. It should be noted that Central Park in Burnaby was also unneeded federal land and now it is a park jewel in Burnaby. Burnaby also rents other parkland from senior government.

Attached is a review of parks in Richmond, Vancouver, Burnaby and Coquitlam. In comparison to Burnaby and Coquitlam, Richmond has a great park shortage. In addition, Burnaby and Coquitlam have the option of expanding its park base into adjacent Crown lands – an option unavailable to Richmond. It is also key to note that north Richmond and south Vancouver have a park shortage.

Finally when it comes to more development over parkland acquisition, many of us do not trust City Council. Your past record is more than adequate proof that you have done a poor job. Indeed, when the Olympic Oval has finished its short life as an international sports venue, will there be pressure on us to tear down the Minoru rinks and sell that property for more high rise development so we can buy ourselves out of other park and cash shortage problems created by poor open space planning? Then do we sell the city work yards for more waterfront high rise development? Is the city really planning for us or are they just part of a real estate circus?

There are Valid Federal Uses for Garden City Lands.

The Federal Government can easily rationalize keeping the land for natural and climate change reasons and rent it to Richmond so as to retain as a natural green space to maintain biodiversity in the Fraser Estuary (to meet our international agreements) and to allow most of this area (including the adjacent DND lands) to continue to act as a carbon sink. This will complement the Nature Park and Burns Bog to mitigate global warming.

Global warming and other natural events have to be a greater concern in Richmond than it now is. The federal Government also has a international obligations to reduce global warming emissions. Why not showcase actions in our communities? Ottawa's promises for global warming controls (to begin years from now), is simply not adequate. It is your

job as politicians to remind them of that obligation and set an example how it can be done now and here in Richmond.

It is not acceptable just to carry on growing and hope the BC token carbon tax and a blue box in front of our homes will solve the problem. Richmond, BC and Canada has an ethical and moral responsibility to find carbon off-sets to address the excessive growth occurring here. The maintenance of Garden City Lands as an open space is an excellent move in that direction. Bogs and associated peat is an excellent storehouse of excessive carbon dioxide which is largely responsible for global warming. Further the development of this land, as planned by the City and the Musqueam, will release much of the carbon dioxide, which is now tied up in the bog soils, into the atmosphere.

The Musqueam Claim and Future Treaty Claims

Let's look at the Musqueam 'claim' and the deal to give them one half of the Garden City Lands. I would ask why this piece of land is so essential to the Musqueam after they just ratified a land-cash deal of about \$250M with the Province including lands in Vancouver and Richmond. In a few years this deal could be worth a billion dollars. Of course we realize that the Crown has a duty to consult and provide reasonable accommodation for the needs of First Nations. However, that does not give First Nations assurance that they have a right for their demands to be accommodated on every piece of surplus federal land. How far away are we from the Musqueam claiming at least part of Stanley Park? This is not a joke. A band in Tofino recently was able to obtain ownership of part of Pacific Rim National Park – a piece of well used federal land.

The reason there is no claim on Stanley Park is due to a quirk of history. A long time ago Stanley Park was no longer needed as DND lands and it was rented to Vancouver as a park. Why did Richmond not clue into this precedent in the early stages of the negotiations of the Garden City Lands? Despite missing the boat, it is not too late to do the right thing.

Some newly created First Nation's experts such as the Mayor and the ex Mayor Halsey Brandt argue that the Musqueam have rights that we must honor. Do those 'rights' have to be fully honored here with a proviso for high density housing? How does Richmond benefit in any way by the housing development using the remaining parkland to enhance the value of the Musqueam – CLC housing sales so as to make them greater profits? Indeed some of our part of the parkland specified in the agreement will probably be used to service the Musqueam development.

Also, where will the schools be built to service this new housing development? Land will be required for 2-3 new schools? Will Canada Lands Company and the Musqueam supply those lands?

Key to the First Nations rights issue is the issue of land claims is the Treaty Process. Is BC, Canada and Richmond not just appeasing native claims although we have yet to see

the axe drop in terms of future land claim treaty settlements? This Garden City deal does nothing to extinguish future Musqueam claims for Richmond lands. We can only remind ourselves how Delta City farmland and natural areas were taken from public lands in the Tsawwassen Treaty Agreement. Do you now offer up those lands outside a proper treaty process when additional claims may well be made at a later date? This is a terrible strategy in that it is your job as our elected officials to put Richmond citizens first! That should be especially clear to some Councilors associated with the political party with the name Richmond First! Their actions seem to put Richmond last!

Despite what the Mayor says about precedents, this argument of native claims was not accepted for the Chilliwack DND lands when they were declared surplus. Also, a large parcel of unneeded federal land was recently released in Winnipeg. The land was not given to the local Indian Band although they tried to claim it.

In that Richmond seems to be concerned over the welfare of the Musqueam people, where are the proactive programs in the City to get Musqueam workers into City Hall and into our city work departments? Why has Richmond not worked with Vancouver to jointly solve some of the challenges facing the band since they own land in Vancouver and Richmond including a parcel at Iona Island and now at River Rock?

In fact when the Band tried to develop their land at Iona a few years ago Richmond City Council strongly rejected any such development. Giving first Nations a better deal is more than just finding convenient land agreements to try and keep them happy with the cash that can be generated out of it. In fact, one should be most often concerned about the large infusion of cash into any First Nations community in terms of the longer term benefit to all members of that community.

One does not want to undermine the ambitions of any First Nation but any attempt to correct history can be largely ineffective if not negotiated with open consultations with all of us and fit into the best possible planning for the vast majority of Canadians. We should not and cannot feel guilty of actions of past generations. We cannot and do not live in the past. The fact is that Richmond did not even exist some 3000-9000 years ago. Here one has to determine how the needs of 200,000 (soon to be 300,000) Richmond citizens ranks against the expectations of a community of some 1200 people that largely do not live in Richmond.

Some Councilors and the Mayor seem to feel the Musqueam have a gun pointed at their heads. Council must, however: consider the unknown future Musqueam treaty claims. How can you accommodate future treaty land claims unless we give up on ALR lands. Do we then rent parkland from the Musqueam?

In terms of overall South Vancouver and Richmond park needs, Vancouver Parks has designated the areas adjacent to Richmond as some of the most park deficit areas in Vancouver. A central park in Richmond would become a regional park and will serve the needs of another million people. If the Musqueam insist that the deal to date was based on great cooperation, why can we not see that good will extended into a Musqueam –

Richmond Central Park and jointly administered? As the Band's community grows and considering their present land ownership in Richmond, they will want equal access and benefit in Richmond's open spaces and parks.

There are other Crown lands available that can be traded by the Feds to allow Garden City Lands to remain as an undeveloped and intact tract so as to eventually create a jewel central park from the Nature Park to Garden City Way – a park that would compare favorably with Stanley Park, Central Park in Burnaby and even Central Park in New York. It would be a half mile wide and two miles long. The opportunity to create such a legacy for future generations could be lost if select Councilors do not examine past struggles to get parkland for Richmond, save natural areas to address climate change and biodiversity and look a few years into our future park needs in the face of continuous growth - especially in Richmond Centre.

High Density Development in a High Risk Site.

Recently the Vancouver Sun again covered the issue of global warming and the threat of sea rise to Richmond within two or three generations. A few months ago the Vancouver Sun ran an article on geology that outlined studies showing that Richmond as a whole and especially the Garden City area was settling at a rapid rate. The building of high density structures on it will do little to reduce such settling and thereby aggravating the flood risks.

Having lived here for 37 years and being an aquatic scientist I continue to be amazed that City Hall seems to live in denial of the fact that we are below sea level and we are in an island with one of the most volatile rivers in the world all around us. The flood hazard is great and all climate models and experience indicates that storms will increase in intensity and possible frequency and this will be a double whammy for Richmond because as we sink, we see a constant increase in sea levels. If you can be concerned about our future, and you should, this is the early stages of a disastrous situation.

If that is not enough to wake up the City, consider that we also live on active tectonic plates that will cause mega thrust earthquakes and any structure built in Richmond is in eventual high risk of loss and flooding. Are those that vote for more growth in one of the world's worst building sites going to accept responsibly for harm to human life and billions of dollars of infrastructure loss?

Garden City Lands as Farmland.

The recently released BC Agriculture Policy seemed designed around what most citizens want for the Garden City Lands. It addresses the needs for local food, environmental concerns, First Nations role in agriculture, innovation and the need to bridge the urban-farm split we see in farm land – urban conflicts. For Council to ratify the exclusion application makes no sense considering **this recent agricultural policy of the Province**

that should drive the thinking of the BC ALR Commission and maintain the ALR status on Garden City Lands.

Despite all the quasi farm and soil experts CLC or others can find, the long growing season and the muck soils of the Garden City site make it some of the best farmland in Canada for many food crops. Limited garden farming on this property is more than viable as part of making Richmond a more livable place and will contribute to our long term food sufficiency.

One must recall the agriculture and soil experts that developers were able to pull out of the woodwork for the Terra Nova hearings. We were told that this ideal farmland was too wet and too cold for most crops. Are we again not seeing the selective doctoring and spinning of soil science. If one wants to see limits to farming, why do they not try to farm north of Fort St. John – land that is protected in the ALR and much of it is in forest and has never been farmed!

Protecting Garden City Lands is Council's Biggest Decision – A More Sustainable and Livable Future..

Council has allowed excessive building in Richmond. It is high risk from natural threats and is a threat to our lifestyle which is already over taxed by traffic, lack of services, rising taxes and lineups for police support and health care. The City argues that SkyTrain will make it all better. This is wishful dreaming. The truth is that rapid transit will continue to allow more and more non-sustainable growth and high risk development in Richmond.

This issue is one of the biggest issues that you will be voting on that will determine the livability of this city for future generations. This is also one of the bigger issues you will vote on to determine whether you have any vision of what sustainable growth is all about.

Your vote on the Garden City Land's issue is one of your last opportunities to reverse the excessive development in Richmond and all its inherent problems and seek a better win - win solution for your citizens and the Musqueam Band. It is only responsible for Council to address the environmental hazards and over development and leave this as open space to overcome the large park deficit and the erosion of farmland as allowed by Council decisions over the past many years. Your first step to move in that direction is to leave this land in the ALR.

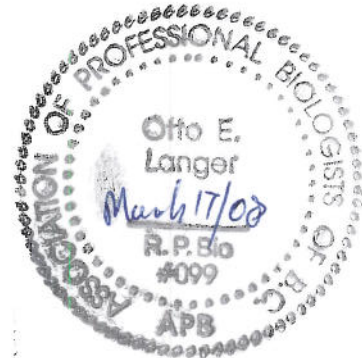
Once this is done with proper consultation with CLC and the Musqueam allow a cooling off period and then do your job as a politician – lobby Ottawa to reverse this bad deal and look for other options to satisfy Musqueam expectations and finalize the realistic basis of a large central park for all of us in Richmond including the Musqueam. Do what is right and not hide behind bad staff and consultant advice

and the court action posturing threats of the Musqueam. Show your leadership qualities and think of our future and a real legacy that some can just dream about. Here you can help make it a reality!

This will prove to be a much greater legacy to future generations than the Olympic Oval which probably will not exist in 50 years! Despite that, look how much effort you and staff have put into the Oval to address a shorter term need? When all the real bills are in to make it a community facility it will cost us at least \$250 million. It's time to now do something positive for environmental sustainability by protecting the undeveloped nature of this land that will be here forever, be used by many more than any sports facility and cost a great deal less.



Otto E. Langer RP Bio



Attachments:

- 1). Langer Review of Urban Parks as Related to Richmond Feb 2007
- 2). Langer Brief to the ALR Commission Aug, 2006.

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Park Comparisons

Richmond

- pop 188,000
- Total parkland - 1500 acres is parkland (includes schools)
- Standard – 7.6 acres /1000 Centre 3.25 acres/1000 people
- our central park – 65 acres (could be 470 acres)

Burnaby

- pop – 206,200
- Total parkland - 5488 acres (do not include schools)
- have 26.4 acres/ 1000
- Standard – 12 acres/ 1000 people
- their central park – 220 acres.

Coquitlam

- pop – 120,000
- Total parkland area – 2300 acres.
- Standard – 12.5 acres\1000 and 5\1000 people for playfields
- their central park 300 acres

Vancouver

- pop – 580,000
- Total parkland – 3200 acres
- 5.8 acres\1000 people
- their central park – 1000 acres.

Review of City Parks in the GVRD, Canada, and the USA and How That Compares to Richmond's Parks.

By Otto E. Langer February 4, 2007

Background:

The methodologies used to present park areas in a city is variable and the statistics that one city uses makes it near impossible to directly compare to an adjacent city. It's like comparing apples and oranges! The reason for this is – what is a park? Richmond and Coquitlam considers school grounds as part of their park area but Burnaby does not. Most governments have categories of parks (e.g. Provincial, Regional, City Wide or Neighborhood) and different levels of governments may have park areas in the same city. If those parks are Regional (e.g. Pacific Spirit), who do they belong to in that they are not really a Vancouver park. In Vancouver, they consider Stanley Park as 10% Neighborhood Park and 90% City Wide Park. One could easily argue that it is 10% neighborhood, 40% City Wide and at least 50% Regional!

GVRD Park Overview:

The GVRD (total of GVRD and all other parks) has 66,000h (165,000 acres - 258 sq miles) of parkland. This includes Provincial park areas that cross over into the GVRD. This parkland is 23% of the GVRD landscape area. The overall total of parkland gives rise to 33h ((82acres) of park per 1000 people. This may sound great but one has to realize that almost all of that parkland is in Provincial Parks (Alouette, Burke Mt, Cypress Bowl, Lynn Creek Headwaters Park, etc) well removed from 'normal' public use. In fact 80% of our total GVRD park areas are on the North Shore. If you delete those mountain parks, our total park ratio drops to about 6-7h per 1000 people. The Coquitlam Parks Director notes that the historic national city park standard indicates a need for 10-15 acres per 1000 people.

Richmond Parks

1. Population: 188,000
2. School grounds are incorporated into Richmond's parks (includes building areas).
3. Richmond's area is 32,044 acres and our **total park area is about 1500 acres**. Therefore, 4.8% of Richmond's land base is parkland. The parkland figure does not include the dyke trails (except in City Centre), road row trails, Iona Regional Park nor Sturgeon Bank (intertidal). 38% of the city area is ALR (that includes Garden City Lands).
4. Park Standards: 7.66 acres per 1000 people. City Centre is 3.25acres\1000.

Richmond seems to have a complex park classification of Neighborhood Parks (Pocket Parks, Tot Lots, Urban Plaza, Core, and Athletic and Private open sites such as Toyota Park). We then have Community Parks (South Arm) and then City-Wide Parks such as Minoru, Garry Point and the Nature Park. Then there are Trails and Greenways, Natural Areas, Medians and Boulevards, Specialty Parks (e.g. Go Kart or Pitch and Putt), Artificial Sports Fields and then Regional Parks.

Our central park is Minoru Park which is 65 acres (including 6 acres of active playing field). The new waterfront park for the City Centre (in planning) is to be 35 acres.

Parks Goal: Not clear other than to achieve stated standard.

City of Burnaby Parks:

1. Population 206,200
2. School grounds are not in park calculations. However, green space at elementary schools is 198 acres. Secondary schools have 77 acres of green space.
3. Parks. Divide parks into Neighborhood and District Parks (do not include GVRD parks like Burnaby Lake)
Neighborhood parks ----408 acres
District parks-----435 acres

TOTAL park area (includes areas like Burnaby Lake Regional Park)-----5448 acres
(includes water areas and 152 acres leased parkland, and 59 acres of tidal parkland that the city owns)

4. Park Standards
Do not include schools or conservation areas in standard. District parks are multi-neighborhood parks.

Neighborhood parks----2.25acres\1000 people
District parks-----1.50\1000
Major parks-----8.25\1000

Parks Goal-----12.0 acres per 1000 people

When all parkland is considered in Burnaby, they have 26.4 acres per 1000 people.

Burnaby was the most helpful in providing this information and it was all provided by a park researcher in one telephone call.

City of Coquitlam Parks:

1. Population 120,000

2. School grounds are included as neighborhood parks.
 3. Parks. **City has about 2300 acres of total park area.** Of that about 1650 acres is in protected natural areas and 650 acres is active park areas. Do not see conservation areas as true parkland in that the City should try and keep people and activities out of those areas.
 4. Park Standards: There can only be a maximum of 500m between neighborhood parks i.e. walking distance or it's not a neighborhood park.
- Parks Goal: 12.5 acres\1000 and 5\1000 as active park area.**

Vancouver Parks:

1. Population: 580,000
 2. Schools: Do not include schools, golf courses, Van Duesen Gardens, Spirit Park as Vancouver parkland.
 3. Parks: Divide parks into neighborhood and city wide parks.
Have a total of 1515 acres neighborhood parks.
1685 acres city wide parks. **Total park area – 3200 acres**
- They consider 10% of Stanley, 50% of Hastings and 25% of QE Park to be neighborhood park areas. Vancouver allocates 41% of all Development Cost Charges to park acquisitions.
4. Standard: Neighborhood ratio of 2.75 acres per 1000 people. Have maintained that standard over the years and as population increases they buy new parkland to maintain it. Some of their greatest park deficits are in East and South Vancouver (e.g. Marpole) which are adjacent to the Richmond City Centre.

In a draft Park Acquisition Strategy for Vancouver, the park planners note that densification gives rise to a continual loss of open space. The more backyards you lose in single family dwelling areas, the more green area and recreational area you lose and therefore the more park space you must acquire. Modern industry wants to locate near livable\park areas and parks are a solid base to a strong city economy.

North American Review of Park Statistics: (numbers rounded off by O. Langer).

Rating of select cities as related to the percent of land set aside for parks

Ottawa	23%
Calgary	21%
San Francisco	18%
Manhattan	17.5%
Vancouver/UBC	16%
Montreal	15.5%
Portland	15%
Toronto	12.5%

Vancouver	11%
Seattle	10%
Richmond	4.7% (5% with Garden City) (5.3% with Iona Regional Park).

Rating of select cities as related to acres of park per 1000 people.

Calgary	11 acres of park per 1000 people.
Portland	8
Ottawa	8
Richmond	7.6
Vancouver/UBC	3.9
Seattle	3.8
San Francisco	2.4
Vancouver	2.2 (note this is lower than the 2.75 standard!).
Montreal	2.1
Toronto	1.9
Manhattan	0.8

Parks Trivia:

Statistics on central type parks in various cities and how Garden City Lands could relate to that.

1. Central Park in New York City:

843 acres. 6% of the area of Manhattan. Includes 150 acres of water, 250 acres lawn and 136 acres of wooded areas.

2. Central Park in Burnaby: - about 220 acres.

3. Stanley Park in Vancouver:

1000 acres.

4. Richmond:

Our City Centre Park – Minoru – 65 acres – including playfield.

If Garden City converted into parkland, 140 acres, add DND lands to the east (about 130 acres) more and attach that to the Nature Park (200 acres) and we would have a Central park of 470 acres – a very respectable park considering that the city is growing beyond

our bitches (present zoning and building rate will allow population growth to 300,000 in foreseeable future). This is our only chance for a significant jewel within the centre of the Richmond developed area. Obtaining all of the Garden City Lands and the DND site is Richmond's only option available to acquire reasonably priced parkland to make up present deficits and address the open space needs associated with an excessive growth rate which will make parks a greater premium in the future. The only alternative to that is to buy expensive housing or industrial lands(which will displace jobs) or exclude more lands from the ALR to compensate for past inaction on procuring parklands.

Park Office Approachability and Helpfulness:

Of my calls to GVRD, Richmond, Coquitlam, Vancouver and Burnaby Park's offices, Burnaby gave the best service. The switchboard immediately transferred me to a parks researcher that could answer all my questions from spread sheets. Coquitlam and Vancouver were able to return my calls within 3-4 hours with good information. The GVRD did not return my call. Richmond was the only office that had an answering machine as the main parks contact and after three messages including naming the person I wanted to talk to, I did not get a return call until over a week had passed. I then had to send an email to get material from them. Richmond refused to release the names of parks staff or their email addresses due to privacy concerns.

Otto E. Langer R.P. Bio

South Coast Panel
Agricultural Land Commission
Burnaby, B.C.
[emailed to the Commission on August 28, 2006]

August 28, 2006

Dear Chair and Panel Members:

Brief by Otto Langer Concerning the Application by the Federal Government to Exclude the Garden City Lands From the ALR in Richmond, B.C.

It is my understanding that the ALR Commission and/or South Coast Panel will be reviewing the application by the Federal Government [Department of Fisheries and Oceans (DFO) and the Canada Lands Company (CLC)] to remove the Garden City Lands in Richmond from the B. C. Agricultural Land Reserve. I did make a presentation at your Richmond public information meeting; however, I feel that meeting was confused in its intent and purpose and the public had little opportunity for proper input. An official transcript of the meeting was not even recorded. Many at the meeting even felt that this was an exchange of information and a proper and legally constituted hearing would be held at a later date. The Commission should not be doing their final review based on such an informal information meeting.

In that the removal of ALR lands from the Reserve should be seen as a very serious issue that relates to the food needs of all of BC and Canada and not just Richmond, I found the Richmond public meeting to be less than adequate for the panel to undertake a proper review of this matter and make a proper decision that must ignore the local politics of the day. Also the proper panel, that was to hear the evidence and make the decision, was not properly constituted at the time. It indeed had fallen apart.

I also disagree with the comments of the ALR Chair who has made comments that sends a message of bias over the proper deliberations of the Commission to indeed protect farm land. Several months ago the Chairman stated on CBC Radio that the removal of a large amount of ALR lands from Abbotsford was the proper decision because this loss was insignificant and locals should make the decisions that is best for their community.

The panel and the Chair should reflect upon what is the 'community' that is covered by the intent of their legislation i.e. the need to protect agricultural land to produce food now and in the future. This intent should not be subordinated to vocal part of the local community that will always have a short term need of making more money in developing the lands and to keep various sport groups happy. Once this is done certain politicians hope they can again get re-elected. Where is the concept of think global and act local?

I offer the following comments that opposes that application to remove the Garden City Lands from the ALR for the following reasons.

1. The City of Richmond has for many years negligently ignored acquiring lands for parks and playing fields and instead planned on getting the Garden City Lands from the Federal Government free or at fire sale prices. The lobbying directed at the federal government to acquire these lands to make up for a shortage of long term planning by the City picked up greater momentum over the past few years as the City promoted more growth. The local MP championed this transfer and it did much to get him elected in the past Federal election. The City's pro growth stance has indeed put more and more pressure on the on the viability of farmland in Richmond. Trails have been built that allow the public to steal farmer's crops and harm farm equipment . The City even allowed the location of a private school on ALR lands and then approved the removal of ALR lands around school to buffer it from conventional farm practices. The City, in its wisdom allowed many churches, temples, etc. to be build along No. 5 road with the feeble unenforceable condition that the churches farm their properties. Those properties are now sprouting schools and parking lots and have almost been totally lost as farm lands. The longer term sincerity of Council in truly protecting farm land and the viability of farming will continue to get a lower priority as the planners and Council rushes to develop the city for more industry and residential development needs. In fact many industrial \ commercial lands are now being rezoned into residential lands and force industrial relocation that will put more industrial pressure on ALR lands. **Why would the Commission now make a decision to reward Richmond for its inept planning over the years?**

2. One of the more negligent moves by Council was to plan and rezone the lands around the Garden City Lands and now say it is not viable to farm because of development on three sides of the site. Councilors also say that major roads on all side of this large piece of land makes it impossible to farm. If these same Councilors could learn to think in a balanced manner, I cannot think of a better buffer to protect this farmland from public trespass than such non-stop highways. **Once again, if the City gets away with this lame excuse, the future of farmland in many other areas could be removed from the ALR** eg. the farm land between the East-West Freeway and Westminster Highway. Much key farm land in the Lower Mainland is in this situation and is successfully farmed. You have to question if Richmond purposely attempted to make the land non-viable to farming so it could be converted into less than best use capability. Housing and sports fields and convention centers are most often not the best uses of farmland. Despite local City staff and Council thinking, this land is much more than just a development and economic commodity.

3. During the past few years the 'farmers' in the No. 4 Road to No. 6 Road have lobbied to have their lands removed from the ALR. In the recent municipal election the political signs of two local pro development political parties (and strongly support the Garden City land exclusion from the ALR) had their election signs sprout up on countless farm lands in East Richmond like a new found cash crop. The removal of the Garden City Lands which is often more viable piece of land in the Richmond ALR will send out the message that you can buy farmland and profit by getting it out of the ALR i.e. the ALR is for sale. **You have a moral duty to send a strong message to the Mayor and the developer Councilors that the ALR is not for sale.** We are at a cross roads in

protecting farmland in BC and Richmond. Despite the Mayors claims that little has been lost in Richmond over the years, much has been lost by non-agricultural interests buying up estate sized ALR lots and effectively removing that land from agricultural production once their mansion or place of worship is built in the middle of the acreage.

4. The City of Richmond, in an agreement with the DFO and CLC have more or less conspired to insure that no environmental review of this exclusion of this land from the ALR for development would take place. The public was not fully made aware of this application and most were not aware of this move until a sign announcing this application was noticed (on a fine print deadline on inaccessible signs on the property) months after a deadline for comments had passed. DFO has stated that the public could have gone to the City hearings or the Richmond Advisory Committee on the Environment (ACE) for input. This was not possible in that these matters were not referred to ACE for review and comment. The sign as prepared by DFO and CLC advised the public if they had any concerns they were to forward them to the City. However, when the City voted in favor of the finalization of the land deal and the removal of this land from the ALR at a November 2005 Council meeting the public input was ignored in that the Richmond City Administrator advised Council that the City had no responsibility to conduct any Canadian Environmental Assessment Act type review related to the transfer or development of this land. Was this a well designed catch 22 or just ineptness by those governments entrusted to look after our public interest? Why would the Commission ignore such irregularities and be party to such a conspiracy by folding to the political needs of the Federal government and the City of Richmond.

The CEA Act and regulations clearly spells out that such a land transfer, especially associated with a development project (i.e. a City Convention Centre is to occupy these lands as approved in an in camera Council meeting), is legally subject to a CEAA review. The CEAA offices in Vancouver and in Ottawa have advised me that what DFO and CLC have done is improper but they do not have the power to enforce the provisions of CEAA. However, when the Chilliwack DND lands were divested by the Federal Government a few years ago, that land transfer was registered for a CEAA review. Why this contradictory approach between Chilliwack and Richmond Federal properties?

Why did Richmond specify that the Federal Government had to have the land removed from the ALR as a condition of the sale? Is this because provincial requirements are subservient to Federal actions? How can the Commission force the Federal Government to abide by their decisions? Clearly this was a conspiracy to ram through this removal from the ALR with as little possible input and review. The Federal government was responsible to remove the land from the ALR and they said that if the public has any concerns direct them to Richmond. Richmond then advises the public that they are not legally responsible to address those issues. This was deceitful and prevented a proper CEAA review that would have identified public concerns and would have required a proper study. This study would have reviewed the environmental and agricultural issues related to this land and its development. Such a review is essential before the ALR Commission attempts to review this application. Now there is little factual information to enlighten your considerations and what is there is clouded by lobby group demands and

local politics to allow a community with limited lands to again dip into the ALR lands to again allow ever more development to gnaw away at the ARL land base. After all, the new rapid transit system into Richmond requires a much higher population base to make it viable! The Commission should not have to base decisions on the short sightedness of the City and its claim on this cheap piece of green space with a high agricultural potential. **Until a proper public process is followed to satisfy the needs of the public good and the intent of Canadian legislation, why would the Commission allow the removal of such lands from the ALR at this time?**

5. The mandate of the ALR is clear but in your deliberations you should take into account the collateral damage of allowing peat bog to be destroyed especially when Canada has signed on to international agreement on greenhouse gas emission controls. This peat moss has sequestered a great deal of CO₂ over the past 3000 years and continues to be able to fulfill that function. **The development of these lands will allow additional global warming.**

6. The City of Richmond keeps making the bogus claim claim that this land is not viable for farming. They say its never been farmed and will never be farmed. They have according made decisions to insure that their self fulfilling prophesy becomes reality. **Richmond City staff and Council must be made to appreciate that it is their moral responsibility to make ALR land viable farms to produce food for future generations.** If they need a lesson in viability why do they not look at the intensively farmed truck gardens on even smaller pieces of land in Burnaby Bend?

7. The ALR heard many arguments from the City, commerce, sports and cultural groups about the need of the land to develop convention, art, cultural centers, ball fields, etc. etc. It is simply not the purpose of the ALR and of the Commission to allow ALR lands to be a developer's land bank to overcome a municipality's short sightedness and solve its inability to plan its land uses for the future as they develop other public open spaces for a larger city. The ALR must put out the message that they do not run a land bank for future development. The Commission has started to slip in its mandate by falling into this trap such as in the Abbotsford removal several months ago. I am certain that the Gordon Campbell government tinkered with the Commission to ensure that this would happen to pacify the Liberal's developer friends. The University of Victoria Law Clinic just released a study that supports my conclusions that the Commission is failing in its duty to protect farm lands in B.C. The majority of citizens have always supported the ALR. **Why would the Commission be part of the undermining of essential and very popular legislation for the benefit of this and future generations and the environment?**

8. Further to the above it is even more short sighted to allow intensification of development and densification of residential areas is one of the most geologically dangerous areas in the world due to its flood hazards and the high risk of major property loss and death when a significant earthquake does occur. It's a matter of 'when' it will occur and not 'if' it occurs. **This risk to property and life will be largely eliminated on this site if the land remains in the ALR.**

Conclusion:

It is not the purpose of the ALR Commission to remove this large viable piece of land from the Reserve so the City and development promoters can deliver on their promises and/or wishes for play fields, a stadium, a convention centre, low cost housing, intensive housing, etc. This land is viable farm land and is not part of a city or developers land reserve! The ALR must encourage the City to make this into a viable farm area so as to not diminish the options for future generations to address their food and environmental needs. This indeed is the definition of 'sustainable development'.

Sincerely yours,

A handwritten signature in blue ink that reads "Otto E. Langer". The signature is stylized and cursive.

Otto E. Langer R.P. Bio
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604 274 7655

Copy to: Review, News, Sun, Province, City Council, ACE, ALR Watch