

Friends of Strathcona Park Newsletter - Fall 2017

Box 3404, Courtenay, B.C. V9N 5N5
www.friendsofstrathcona.org

Ruth Jessie Masters

May 7 1920-November 7 2017

by Marlene Smith

Ruth Jessie Masters was one of the first babies born at St. Joseph's Hospital in Comox on May 7, 1920. She passed away peacefully at the new North Island Hospital in Courtenay on November 7, 2017 with her loving caregiver Yolanda by her side.

Ruth's life was so full of adventure that it takes a book to describe it! She served in the Canadian Air Force in London England during WW 2. She was a legal secretary in Courtenay for many years.

She was an inspiration to all of us who care for the wilderness, protected areas, parks, and wildlife. She was an ongoing inspiration to many of us standing on guard for these things.

Ruth was introduced to the outdoors by her parents and made her first hike up Mt. Becher when she was just 13. The family hiked up from their little cabin on Powerhouse Road to the Bevan town site where they crossed the Puntledge River on a floating bridge. Ruth says she and her mother wore cotton dresses and carrying their goodies in a potato sack her mother modified into a backpack. She first climbed the Comox Glacier with Kathryn Capes and the CDMC at 18.

I first met Ruth in 1986; she was a well-seasoned parks protector, while I was just



taking over Jim Bouldings' job protecting Strathcona Park. She became my mentor. She was always ready to make signs, and show up at a



rally or a blockade. I remember doing "field work" with Ruth, cleaning up the park from the metal mining stakes left behind or purposely planted by Cream Silver, whacking through the bush straight uphill from the Price

Ruth and Sid Williams somewhere on the Plateau



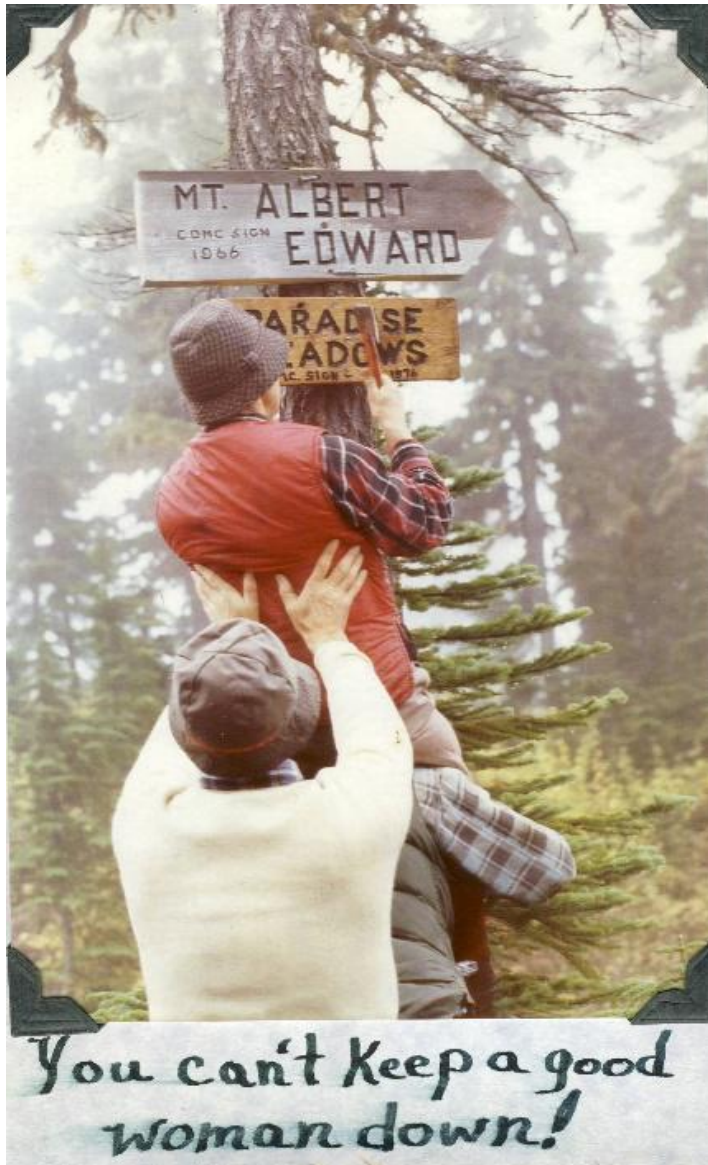
An early Ruth Masters biffy in 1945 at Mariwood Lake. No Park Use Permit needed as it was before this area became part of Strathcona Park.

Creek trail to remove flagging tape, being directed by Ruth. At the (in)famous Strathcona blockade in 1988, she was there daily, sleeping in her red truck plastered with signs (“Quit Looting the Park”). One day she participated in the morning briefing taking place in a shelter made with a big tarp. Eno Schaffer, the owner of Courtenay Bakery, had brought us some fresh hot cross buns. Ruth (politely) kept her hand with the bun outside the tent, right in front of our big dog Rastus’ nose. He gently relieved her from the bun; much to Ruth’s amazement about the gentle way he took it from her hand! She blew “Oh Canada..” on her faithful harmonica at almost every arrest during the 3 months standoff in Strathcona Park in the middle of the winter.

She was a “master” sign maker, these found their ways into the Park as directional signs as well as in the numerous protest marches and blockades! She put her body between bears and trophy hunters or the RCMP when a bear was trapped in the bushes in Courtenay . She was on the beaches in Tofino to clean up the oil left behind by the Exxon Valdez oil spill. She was there with Melda to prevent the eagle chicks being taken from their nests to provide the



At Croteau Lake in 1939



U.S. with new eagles after they killed off their own. She was found carving up road kill to be taken to the wild life rescue centres in Parksville and Merville to feed the injured eagles. She was seen in front of the chainsaws to protect what is now MacDonald woods together with Melda and Carol Neufeld. She donated 15 acres of her parent's land (which she had inherited) for the Masters' Greenway for wild life along the Puntledge River. Born "church mouse poor" she lived a modest life and gave generously to environmental organisations, wild life protection agencies and

the SPCA.

Not to mention the numerous trail signs and miles of trail building she did or participated in. I remember the argument Ruth and Melda had over a little tree right in the spot Melda had decided the trail should go. "I don't like kinks and sags in MY trails!" I heard Ruth defending her position. How does one resolve this conflict between two of your most cherished elders?

She was an environmentalist and recycled garbage before the word or trend was even invented! She is an example and inspiration of how we can live on this earth and leave it in a better way than we found it. She was our elder, our "spooned" hero! We all will miss you Ruth and will continue your work until the day we can join you and Melda. We will pass on this care for the planet to the next and next generations to come. Thank you Ruth for lighting up our path.

A Celebration of Ruth's Life will be held on December 10th at the Florence Filberg Centre in Courtenay.

Ruth Masters Hero Spoon Award

This fall the first "Ruth Master's Hero Spoon Award" was presented to North Island College student Jade Denbigh-Mongkolsute who began her courses in environmental studies this fall. Jade was thrilled to be honoured with this bursary and she hopes that her studies will give the background to continue the legacy of environmental work championed by our good friend Ruth Masters. This award will give encouragement to a new generation of young people. It is our hope Ruth's lifetime



Jade Denbigh-Mongkolsute, Ruth Masters Hero Spoon Scholarship Winner, with Judy Hagen and Leroy McFarlane

commitment will be carried forward and her work will continue in perpetuity through the North Island College Foundation. Additional donations will enhance this fund allowing more awards to be made in future.

The Friends, among others, contributed to Ruth's award and the target of \$12,000 was reached. With Ruth's passing topping up her scholarship fund has become a new goal. Many of you will have already donated either last year or at Ruth's Celebration of Life. If you didn't get a chance and would like to help out you can donate through North Island College, Personal donations of \$25 and more are eligible to receive charitable tax receipts through North Island College Foundation (890505043RR0001). A charitable tax receipt for 2017 tax year will be mailed to you at the address provided on/ with your cheque. Please don't donate through the FOSP, rather directly to NIC,

SPPAC Update

The Strathcona Park Public Advisory Committee last met in August. There was to be another meeting held at the beginning of

November, but it has been postponed to a later date. Some of the news from the August meeting follows.

There have been 30 new park positions created Provincially with one being local, beginning in September. New Community Liaison Officers will be hired for each region with the local one based in Parksville. These used to be called Extension Officers and will be working with local groups wanting to volunteer with B.C. Parks.

Nyrstar Myra Falls mine was to reopen last August. There are more details elsewhere in this newsletter. Returning to full operations will take some time. There will be some hauling on the Jim Mitchell Lake Road which is a concern as it may impact public access to that part of the Park. Materials will be stockpiled for concentration at a later date and new drilling applications will be applied for. There are discussions taking place about relocating the Arnica Lake trailhead, moving the explosives shed and relocating the parking lot.

Upgrades are being done at the Ralph River campground and progress is being made on a new group campground at Croteau Lake. A yurt will be constructed at this group campground which will be reservable for a gathering place, but not for accommodation. A dock will be constructed at Croteau Lake to make drinking water more accessible. The group campground should alleviate pressure at the Kwai Lake campground.

The dock at Battleship Lake was extended further out into the lake. This dock has been

paid for by a fishing group.

The cable car on the Della Falls trail needs repairing as does the bridge over Margaret Creek and the dock at the end of Great Central Lake.

The Gold Lake Trail is inaccessible due to deterioration in the logging roads so nobody goes there any more.

The Bedwell Lake trail needs work, but none will be done until funding is available. The Bedwell River Trail on the west coast side of the Park is being worked on by the Ahousaht as part of their tourism plan. They are following the old road bed which is CWR's original plan when some people think the Friends trail on the other side of the valley is a superior choice.

SPPAC is still looking for new members, especially females as they are underrepresented on the Committee. Contact Andy Smith at Andy.Smith@gov.bc.ca or Philip Stone at pstone@quadraisland.ca if you are interested. For more information check out B.C. Parks webpage for SPPAC at

<http://www.env.gov.bc.ca/bcparks/explore/parkpgs/strath/strathwk.html>

Transitioning to the new Societies Act

From a pragmatic point of view, the transition will require FOSP to take two provisions out of our Constitution and move them to our by-laws. Under the new Act, the constitution of an organization can only have the name and purposes of the organization and cannot contain “unalterable provisions”. The two “previously unalterable” provisions that need to be moved address 1) disposition of assets, should the society be wound up, which is a provision that is broadly stated and which we might want to amend in the future in any event, and 2) a statement that the society is to be carried on

“without gain to its members”, a principle already enshrined in the Societies Act.

We will address the required transition at our next AGM. The model bylaws under the new Act are workable for our purposes.

Another change in the new Societies Act that may impact FOSP is increased ability to use electronic methods for notice requirements and for receiving votes.

Other new provisions seem to lean towards less responsibility for directors, lower numbers required for incorporation and greater flexibility in making decisions. While these provisions may pave the way for societies to take decisive action, one could feel concern that closely held societies with small memberships wield great power to sell community assets without legal censure. As a community we need to be vigilant in joining and being active members in local societies to keep boards responsive to the needs of communities.

Nyrstar Myra Falls – Closure costing

We have been corresponding with Diane Howe, B.C. Deputy Chief Inspector of Mines, Reclamation and Permitting Ministry of Energy, Mines and Petroleum Resources, in order to obtain information about the estimated closure costs of Nyrstar Myra Falls mine. In the December 2016 Nyrstar Addendum to their Interim Closure and Reclamation plan “closure costing” is cited as being submitted to MEM as a separate confidential report. We are not obtaining the requested estimated closure costs and understand that we will not until the permit is issued.

Our concern is this. The Auditor General in

her report of May 2016, found that closure bonds for BC mines were inadequate to a tune of 1.2 Billion dollars. She found “ that \$730 million of the total under-funded liability (\$1.2 billion) is for mines that will require water treatment. This is contrary to MEM’s policy requiring full security on mines that require long-term water treatment.” Myra falls in this category and their bond of \$78.25 million (at the time of the audit), was stated to be underfunded by 40.51 million.

It is clear that closure methodology is intended not just to clean-up (we can hardly say put back in original state!) the environment, but also to save the public costs of clean-up of environmental harm beyond the boundaries of the mine. The closure costs are backed by the bond and if underfunded the obvious conclusion is that the closure will be done “on a shoestring” and the likelihood of environmental discharges and damage beyond the mine area will increase. By the time the permit is issued, it is too late for public attention and action.

Lets not create another Britannia Beach, where taxpayers paid an estimated 46 million to remediate the site, with an ongoing 3 million per year for running the continuing water treatment plant.

Heathens Prevail

BY Jack E. Welsh

Three members of the Heathens' Climbing Club were each sentenced to a one dollar fine for admitting to an infraction of illegal camping in a hearing held in Campbell River Courthouse on June 29th, last.

The hearing took place before Judicial Justice Gordon via videoconference and it is from the

transcript of that hearing that this story is taken.

While his worship was there, via video, to decide whether or not to accept a plea arrangement made between B.C. Parks and the three Heathens facing trial, he was well aware that the charges arose because of the objections to the volunteer agreement. Representing the Heathens in the hearing room was Chris Barner, the Heathens' leader. Mr. Barner's lawyer, W.J. Havelaar, assisted the Court with a complete, but concise review of the history of the dispute between the Heathens and Parks B.C., emphasising, however, that while the volunteer agreement was the root of the issue, they were not there to decide who was right or what the agreement should say.

It was clear that while the charge of illegal camping was the only charge being dealt with, the real issue was the requirement of B.C. Parks that each and every volunteer working in Strathcona Park had to sign a formal agreement imposing many conditions upon volunteers that the Heathens as a group felt were uncalled for and in some cases constituted a reduction in their civil rights as citizens.

One clear example was the requirement of "silence". No volunteer would be allowed to speak of anything he learned or observed during his work in the Park. While Chris Barner tended to joke about this code of silence, saying there were so few parks employees around he and the Heathens had no opportunity to learn anything of the workings in the park. They were off on their own, minding their own business and there was no need for silence. But again, there was no compromise. It was sign the agreement or hit

the highway.

Justice Gordon had no difficulty with the Volunteer Agreement. He said in his reasons for judgement that "...as a lawyer previously...I have always railed against what I call standard form agreements, and if there is something unique about some situation, and it seems to be a government type of thing, ..." and with possible changes to a standard form that would still allow both sides to be reasonably satisfied, the changes should be made.

His Worship Gordon spoke to the officers of the Court, Barner's lawyer, Havelaar, and Pauwels, who played prosecutor and who never did identify himself to the Court, except to announce his name, and show off his uniform. Justice Gordon told them that he hoped they would continue to work toward settling the dispute "...because it did strike me that, at the moment anyway, the B.C. Parks and the public have lost the benefit of the good works that the Heathens have been doing and presumably would continue to do if they could, to the benefit not only of the public, but presumably the purse of the B.C. Parks, because the Heathens are doing some work that is not coming out of the pocket of the government coffers."

By the time the Court gave his sentencing remarks, he had already heard Pauwels who despite having reached a total agreement on the offences to be charged, and stayed and the amount of the penalty, asked for an opportunity to address the Court. Permission was granted and Pauwels proceeded to thank the Court for patience in listening to two witnesses one morning and three quarters of an hour of submissions on a second day.

Pauwels then went on to say that Parks was not concerned about the amount of the

penalty in these matters, but certainly were concerned about the waste of time prosecuting, and how Parks wanted to prevent it happening again. He went on to say that, "(t)he investigation of last summer and putting the reports together and our attendance and the court's time, that has been very costly in terms of manpower and in terms of money. And, of course, all of that is coming out of the taxpayer's pocket. And in terms of our time and B.C. Parks' time, that's the time that we could have spent out there protecting the fish and wildlife resources and managing the resources for the benefit of - of everybody. So, yeah, we really -- we really don't want to see that happen again."

Pauwels went on to argue the agreements were necessary to protect the Parks from liability claims for injuries to volunteers and others, but didn't separate out those clauses objected to that have nothing to do with liability for injuries, or other insurable matters. Not knowing, as yet, the opinion of the Court concerning standard boiler plate contracts, Pauwels went on in his submissions to say, "these volunteer agreements are a fact of life. And the one at issue in this case is a standard form agreement that is used all over B.C. for all different types of volunteer groups and all types of groups are working under this agreement."

While Pauwels touched on "...a bit of a tone of contempt and -- well, bordering on contempt with some disrespect for the efforts of B.C.Parks..", in the dealings Parks had had with Mr. Barner, he completed his almost lachrymatory lament by complaining that the "...B.C. Parks staff are sometimes presented as being bureaucrats that don't know how to build trails or they don't know the business end of a shovel or whatever."

With squared shoulders and taut tummy muscles Pauwels delivered his crowning defence of

Parks' staff saying, "I'm here to tell you that the B.C Parks staff in this case, they are hardworking civil servants that are doing the best they can in a very challenging job; managing multiple parks ... you know, for the benefit of everyone..."

Despite the diligent efforts of this reporter in scanning every word in the transcript of this case, several times, I could not find any assertion by Pauwels or by any member of Parks' staff that they did know which end of the shovel was the working end, nor has anyone in Parks come forward to demonstrate that they do know how to build trails.

But finally, Pauwels ended his speech, saying, "...but we are hopeful that the parties can put all ... behind them. ... "And B.C. Parks is definitely prepared to let bygones be bygones and meet them halfway or whatever needs to be done to work together and prevent this from happening again. So

that is why we have agreed to this -- to this settlement, if you will. And we are glad to see it end this way on a positive note. "

In checking with Chris Barner to see what if any progress had been made in resolving the issue of the volunteer agreement, I was not surprised to learn that no contact has been made by Parks whatsoever over the past 5 months. Nothing.

I asked Chris about the condition of the climbing area at Crest Creek, and learned that years of hard work are being lost and have been lost over the last year that saw only sporadic work being done, but not sufficient to keep the climbing area as safe as usual, or as attractive.

It's ironic, isn't it, that the well paid, pension growing bureaucrats are creating unsafe conditions in our parks by consenting to work short handed, under budget, and with not enough shovels to do the job. And it crosses my mind that maybe they really don't know which end of the shovel works.

**FOSP Membership Form
Thank you for renewing.**

Name _____

Address _____

City _____ **Postal Code** _____

Phone _____ **alternate phone (cell)** _____

e-mail _____

Membership (suggested \$10 per year) _____

Donation (tax receipts for anything over \$25. _____

Comments _____

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