

Pender Harbour and Area Residents Association



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AN OPEN LETTER TO THE HONOURABLE NATHAN CULLEN

March 17, 2024

Honourable Nathan Cullen
Minister of Water, Land and Resource Stewardship
Parliament Buildings, Victoria BC

Via email to WLRs.Minister@gov.bc.ca

Dear Minister Cullen:

Re: More secret talks after the Land Act debacle?

It was less than a month ago that you were forced to announce a major reversal on your Land Act amendment plans. You reluctantly admitted that you had dropped the ball on public engagement. Vaughn Palmer reported that you had been in quiet discussions with “a select list” of people – presumably all under NDAs (non-disclosure agreements).

But the secrecy did not end there. Those Land Act amendments were going to play themselves out first on the Sunshine Coast where you are, right now, negotiating an agreement with the shishalh Nation to give it powers under s. 11 of the Land Act. This is because an August 2022 Cabinet¹ Order says this:

“the Minister of indigenous Relations and Reconciliation and the Minister of Forests are authorized, on behalf of the government, to negotiate an agreement with the Sechelt Indian Band relating to the exercise, jointly by the Minister of Forests and the Sechelt Indian Band, of the power under section 11 of the Land Act to dispose of, by way of a lease or licence issued to a person entitled under that Act, Crown land within the area outlined in bold black on the attached map for the purpose of a private or commercial dock”

Let’s just say that PHARA, and others, are not accepting being shut out of those secret talks either.

So Thursday, when you stood at a podium and confirmed for the media that your newly announced “advisory committee” on the Sunshine Coast dock management plan would also operate in secret, we were shocked.²

¹ [Order in Council 444/2022 \(gov.bc.ca\)](#)

² see - [B.C. government scrapping proposed Land Act amendments | Globalnews.ca](#)

But maybe we should not have been. Our organization of concerned, ordinary citizens has been trying for years to meet with you or your staff to discuss the dock management plan in a publicly transparent manner, with no preconditions. Yet your government has refused to do so.

We know government would like everyone to believe the dock management disaster is now in the rear-view mirror. But let's be honest – the changes were cobbled together hastily, and many problems remain.

Like a new 1.5 meter float width restriction that is contrary to the government's own engineer's report.³ It made us wonder if any of the people in your secret meetings have toddlers that they have to hold on to while going to and from boats? Do any of them have elderly people that need assistance and may use a walker? How many of them have even ever walked on a floating structure?

And where was the information on who will be making decisions on application. Will it be the province? The shishalh Nation? Why is local Government or citizens not included in decision making? Why the secrecy?

The Sunshine Coast dock management plan has become a bellwether for your government's reconciliation plans across BC, and you surely must see that ordinary people are getting increasingly concerned. So we urge you, if you are serious about reconciliation and democracy, to do the following:

1. Publish the full text of the more than 1,700 comments you received on the dock management plan (redacting personal identifiers if you wish).
2. Scrap the present dock management plan and start again from scratch, in an inclusive, public and transparent process.
3. Rescind Order in Council 2022-0444 and keep final decision-making authority regarding dock tenures under the Land Act with the Province (and of course undertaking meaningful consultation with the shishalh Nation as the courts require).

Yours truly

PHARA Board of Directors

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³ see "[Engineering Review of Pender Harbour DMP Best Management Practices-McElhanev Ltd.pdf](#)"

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