

The Heathens Club

February 6, 2015

125 B Taylor Way
Campbell River BC
V9W 3A7
(250) 287-4611

Attn: Andy Smith and Aaron Miller

Re: Heathens/Crest Creek

Gentlemen,

I trust all is well at the office and you both had an enjoyable holiday.

The purpose of this letter is to inform the Ministry responsible for Parks that the Heathens Club has several grievances to air regarding our involvement at Crest Creek. Some of these grievances are outstanding while others are more recent, but in either case **it is our position that these grievances must be addressed and rectified before the club is prepared to discuss any further agreements with the Ministry.**

We expect that BC Parks will consider the clubs' grievances thoroughly and respectfully so that both parties can feel comfortable pursuing a successful outcome together.

The grievances are as follows:

With Regard to Previous Agreements Between the Heathens and the Ministry:

While the term of our original volunteer agreement, and whether or not that agreement remains debatable, the fact is that any agreement should be binding. Our agreement listed a series of commitments to which the Ministry agreed:

- **“To complete any major repairs or additions to facilities at the Crest Creek Craggs.”** (*I assume this refers to structures expected to fail or rot within a three month period.*) In fact, no repairs or additions have ever been undertaken by the Ministry at Crest.
- **“Supply the guidelines to which the trails in the areas are to be maintained.”** Instead, it was the Heathens that provided trail and route development guidelines. Within a year Ministry staff informed us that our standards surpassed BC Parks requirements and that we should plan our own reroutes and improvements based on our extensive trail building experience and local knowledge of terrain and climate.
- **“Supply hand tools for the use of volunteers on the trail and any required training.”** No hand tools or training were ever supplied. The Heathens Club have provided these necessary components.

- **“Supply Parks standard signs, posts and other materials for approved improvement projects.”** No posts have ever been provided, signage is outdated or incorrect and very few materials have been provided except a toilet seat (2006) and a couple of hundred dollars worth of 2x8's that were lying around the yard (1997).
- **“Ensure regular communication is maintained with the adoptee.”** (*I assume “adoptee” was meant to be adopter.*) Regular communication became 'patchy' towards the late nineties. We received less mailing and phone calls until relations eventually petered out altogether in the first years of this century. The onus then fell to the Club to contact BC Parks, draft proposals, instigate a campaign to restore funding levels for BC Parks and accept the ongoing responsibility to plan development at Crest Creek.
- **“Supply volunteer insurance for all those working on the trails.”** The Ministry only provided insurance for the initial three month period, but required nearly twelve months to locate and arrange someone with enough experience to conduct our chainsaw examinations. By that time the agreement had been lapsed for eight months. Our insurance lapsed before we were certified to qualify for it.

Additionally, Parks has failed to draft the over eighty agreements that would have covered volunteers over the ensuing three month periods when we were actually working. Parks also failed to notify the Heathens that the insurance had lapsed, and continued to fail to do so until October of 2013 (a period of eighteen years!).

- **“Supply first aid equipment when available to meet the occupational first aid regulations.”** No first aid equipment was ever supplied, which clearly demonstrated the Ministry's contempt – not only for the occupational first aid regulations, but for the safety of volunteers as well.

None of these commitments was ever met by BC Parks.

The Heathens Club also had a list of commitments to meet as follows:

- **“Maintain trails in the Crest Creek Crags area to agree upon standards.”** The Heathens Club correctly maintained the trails at Crest Creek for the three months specified.
- **“Ensure that all volunteers working on the trail have signed a volunteer agreement with BC Parks.”** At that time a clause that provided BC Parks with waiver protection was intrinsic to signing a Heathens membership form so that all Club volunteers were pre-signed. Newcomers signed membership forms within a grace period of one month, and any injured 'new volunteer'

was allowed to fill out a form after the fact (later that day).

- **“Ensure that all volunteer hours are recorded.”** Until about 1997, when we discovered that the Ministry kept losing them, we would record the volunteer hours and mail them to the Miracle Beach office in the reports. The Ministry failed to notify us that we were not required to produce this information beyond the initial three month period.
- **“Inspect the area trails a minimum of two times per season.”** We inspected the trails once during the three month period as specified.
- **“Ensure that all major improvements/projects have been approved by BC Parks and the Crest Creek Planning Group.”** The Heathens sought approval both for major projects and routine seasonal work at the crags to the extent of providing maps, diagrams, assessments, projections and explanations. For example, detailed submissions were prepared for the Ministry in 1997 and 2000 in addition to the annual reports, but like the volunteer hours, these documents were misplaced. At the Ministry's request I resupplied them with a few new copies in 2004. Once again, the Ministry failed to inform us that we were no longer obligated to provide this information.
- **“Adhere to all Occupational First Aid regulations and BC Parks 'Occupational Illness and Injury Prevention Program'.”** At first we adhered religiously to Occupational First Aid regulations even though the insurance lapsed some eight months before we began the 'project proper'. **(The Heathens were never provided with a copy of the BC Parks 'Occupational Illness and Injury Prevention Program').**
- **“Ensure that all trail maintenance is carried out in a safe manner.”** We have always ensured that work is carried out in a safe manner. In fact, one would have to admit that twenty years of intense activity without a single serious injury is an enviable achievement under any circumstances. **(Knock wood!)**
- **“Contact BC Parks prior to work parties commencing to arrange adequate first aid equipment.”** Even though first aid equipment was never provided we began by contacting BC Parks every time we planned a trail workday, however Ministry staff became so weary of continually being notified that it was decided a year end report and a plan for each upcoming season would suffice.
(In 'Adventurous' magazine's fall 2005 issue Brent Blackmun stated, “there have been disagreements in the past but in the end they've (the Heathens) been a pretty positive force. They're motivated and they're pretty much self-policing.” This quote illustrates that by 2005 Ministry employees were content to let the Heathens Club carry on with the development at Crest Creek virtually self-supervised.)

The Heathens Club met or exceeded all of the obligations specified in the previous volunteer agreement until we were instructed not to bother by Ministry employees.

The agreement document was signed on behalf of the Heathens by John Put who, despite being a very effective long term liaison between the Club and the Ministry, was alienated when Parks ignored his outstanding work on a new agreement proposal in 2005. It was signed on April 21st 1995.

Summary to the list of BC Parks Commitments

If Parks had met even one of the commitments specified in this valid agreement they might have found the Heathens to be less suspicious and more cooperative now, but some of the grievances are too serious to overlook. Understand that when the Ministry failed to inform the Heathens that they had unilaterally decided not to recognize previous agreements almost twenty years of uninsured contributions by hundreds of well-meaning volunteers resulted. *It is fortunate indeed for BC Parks that no serious injuries were sustained by workers during this period because no compensation would have been available.* This unacceptable situation was allowed despite decades of correspondence between the Ministry and the Club and open dialogue during many face to face meetings between the parties.

Additionally

Besides being unable or unwilling to meet the commitments of the original agreement, BC Parks has failed to acknowledge that they were derelict of all duties associated with it. Further, outgoing Ministry staff failed to adequately inform new staff with regard to the intended nature of the agreement – in particular that it be long term and that certain decisions would be left to the Club's discretion.

The Ministry has continually failed to retain important documents submitted by the Heathen under the Adopt-a-Trail program. *Astonishingly, in many cases these documents were lost, replaced, and lost again!*

Sadly, the Ministry failed completely to respond to a volunteer agreement proposal drafted and submitted by John Put and the Heathens, the Crest Creek Planning Group, the Access Society, and the Strathcona Park Public Advisory Committee members.

With Regard to the Crest Creek Planning Group

The Ministry began failing to schedule meetings of the Planning Group in the late nineties. Initially Rob Wood, Sara Golling, Phil Stone and a few others attended a couple of meetings before disappearing, while industry reps managed to attend on and off until about 1997. By 2000 even the Ministry ceased attending meetings. Eventually, there was nobody in the Planning Group but the Heathens, a situation that has persisted to the present.

Of course this also meant that Parks then failed to liaison between industry and climbers as originally intended so the Heathens have had to assume these duties as well.

Lastly, after Y2K, BC Parks failed to provide minutes of Ministry and SPPAC meetings and notice of upcoming industrial activities as previously agreed. This resulted in further erosion of the relationship between the Ministry and the Club.

Summary

At the present time Crest Creek has expanded to become the largest rock climbing area on Vancouver Island with 300 climbing routes and around 7000 visitor days annually, however further rapid expansion is unlikely because so many opportunities still remain on the existing cliffs. Most of what has to happen in the future at Crest will bring the older crags and trails up to standard and very few sections of new trail will be necessary. For this reason a reformation of the Planning Group would serve little purpose, but during the period between 2000 and 2010, when 'new Crest Creek' was being planned and developed, a robust steering committee could have been very helpful. It is unfortunate that the Ministry lost interest in this worthwhile initiative just when it would have been most effective.

With Regards to the Master Plans for Strathcona Park

The Ministry failed to “*encourage volunteers*” as stated in the Management Services section of the Master Plan for Strathcona Park (6.5, page 40, under objective) and “*liaise on a regular basis with ...groups...representing park users to ensure that Park management concerns benefit from the greatest possible input*” as stated in the Management Service section of the Master Plan for Strathcona Park (6.5, page 39, under objective).

The Ministry also failed to “*work with local climbing communities in the delivery of Park's programs and development of facilities*” as stated in the Management Service section of the Amended Master Plan (6.5, page 30, point 4, under 'Additional Direction') and “*engage people who are interested in volunteering activities...*” as stated in the Management Services section (6.5, page 30, point 5, under 'Additional Direction').

Further, the Ministry failed to “*work with local climbing groups to manage the climbing and development of facilities Crest Creek Crags to serve climbers*” as stated in the Sport Climbing section of the Amended Master Plan (6.6.13, page 40, under – New Direction').

Additionally, under 'Rationale' in the same section, the Amended Master Plan states that “the trails **NEED TO BE UPGRADED TO PROVIDE A SAFE RECREATIONAL EXPERIENCE** (*emphasis added*)”

that “minimizes impact to the natural environment” and further states that *“it includes people in the planning and management of the Park, which is consistent with the vision statement.”* (all from Sport Climbing section 6.6.13, page 40, points 1, 2 and 3 under 'Rationale').

The Ministry has failed to meet these requirements which, as stated in the Introduction to the Amended Master Plan, was created in part to clarify *“management of new activities such as rock climbing”* (largely at the request of the Heathens Club over the preceding years).

The Master Plan, signed by Ron Lampard and the honourable John Cashore on March 23rd, 1993; and the Amended Master Plan, signed by Ron Lampard and the honourable Joyce Murray on January 15th, 2002 and September 11th, 2003 respectively are both valid management documents. However, these actions by the Ministry are inconsistent with the directives they list in the Master Plan and Amended Master Plan for Strathcona Park. *If the Master Plans have been abandoned, as these actions would seem to indicate, then why did the Ministry fail to inform the Heathens Club? If the Master Plans' directives have not been abandoned then why has the Ministry failed to meet them?*

At present, have BC Parks taken measures in order to work more closely with volunteers as directed by the Plans? Recent actions by the Ministry would seem to indicate that the opposite is true, as illustrated by the following examples:

- The Ministry has altered the official minutes of the SPPAC meeting attended by the Heathens in April of 2014. These minutes were published on the SPPAC website and downloaded for me by Paul Rydeen. I compared them with a copy of the original minutes I obtained from the meeting secretary, John Milne, shortly after the meeting. Surprisingly they varied greatly, and in some cases entire statements were changed, added or omitted.

- The section of the original minutes titled “4. Heathens – Volunteer Agreements” (paragraph 2, line1) states that “Chris Barner spoke about why the Heathens don't want to sign a new volunteer agreement because...” In the website minutes this statement was altered by removing the word “why” so that they read: “Chris Barner spoke about the Heathens not wanting to sign a new volunteer agreement...”

- Another example is the line at the end of the same paragraph of the original minutes which was omitted in its entirety: **“They found out later that their volunteer agreement had been canceled and they had been working for years with no agreement.”**

In the first instance, removing the word why from the original minutes changes the sentence so that it implies to the reader that the Heathens had no good reason not to sign an agreement and were simply choosing to be uncooperative, when there are, in fact, several outstanding grievances that be resolved first.

Omitting the entire sentence at the end of the paragraph from the website minutes changes the text

so that it fails to inform the reader that the Ministry failed to notify the Club that their agreement (and their insurance) had been terminated by BC Parks without consultation.

I have counted thirteen instances where the original meeting minutes were altered or whole sentences added or omitted. The reason the Heathens Club acquired copies of both sets of minutes is because we had been forewarned that the Ministry may attempt to alter the gist of the debate by selective editing of the text. This attempt by the Ministry to mislead readers, discredit the Heathens Club and conceal negligent actions by BC Parks is a fraudulent act. It is egregious enough that the Ministry would choose to change the text, outrageous that they might seek to alter the perception of the public and a disgrace they might be expected to do so!

These alterations seem designed to deflect responsibility for the deterioration of the Crest Creek situation away from BC Parks and lead the reader to believe that the Heathens Club is unreasonable and weary of volunteering, as opposed to relaying the more accurate message that the Club is offended by the Ministry's lack of support and respect. **It is regrettable that BC Parks would choose to put more energy into defaming the Heathens Club than supporting the Club's volunteer efforts at Crest Creek.**

The Ministry also misinformed the public regarding the Heathens and the original volunteer agreement. Nobody except current Parks staff who were not present at the time the agreement was conceived and signed has concluded that the agreement was short term. All other parties who were involved including the Heathens Club, former Ministry management, former directors of the Access Society and several individuals, among them agreement signers John Put and Paul Rydeen, recognize that the Adopt-a-Trail Program was obviously intended to be long term. Despite this, current Parks staff have unilaterally concluded that the agreement was short term only and have presented this unverified opinion as fact on the SPPAC website. Curiously, the Ministry's inability to meet the conditions of the agreement in any case has not been published on the website even though it is a fact.

Lastly, “summaries” of recent meetings have been written in such a way as to reflect favourably on BC Parks and poorly on the Heathens Club. **If minutes are to be published they should be accurate, not summarized.**

The Heathens Club demands that the Ministry cease the use of propaganda to influence the opinions of website visitors, the SPPAC and the general public. Specifically, the Heathens demand that Ministry staff cease altering official government documents for any reason.

Additionally

➤ The Ministry has elected to ignore the funding needs of volunteers **(for example, by scoffing at the Heathens Clubs request to provide nails for trail work projects at Crest Creek) while simultaneously offering up \$500.00 to host a social barbecue!** Prior to this the Ministry opted to hire a contractor

(Jeff Hoy) to persuade the Heathens Club and others to sign documents the club has firmly stated that it would not sign. ***The tendency to spend money frivolously while ignoring the needs of volunteers is one of the clubs' pet peeves with the Ministry.***

➤ The Ministry has been unwilling or unable to accomplish any of the tasks they accepted at the July 24th 2014 meeting. Chief among them is finding a way for the Heathens Club to avoid signing a specific agreement in order to reduce administration task loads for busy Club volunteers. Though the Ministry has informed the Heathens that they have obtained a legal opinion that this would be impossible due to liability issues, they have failed to provide the Club with a written explanation of this decision or the identity and contact information of their legal experts. Because of this the Club can neither verify their claim to have inquired about the issue or subject the ruling to a second opinion. Unfortunately, considering the Ministry's recent dishonesties we cannot overlook the need to verify the Ministry's claims.

With Regard to the Heathens 10 Year Plan to Refurbish 'Old Crest Creek'

➤ The Ministry rejected the initial ten year plan for Crest Creek submitted by the Heathens Club in December of 2013. At the July 2014 meeting Ministry staff stated that they thought the plan was too detailed – making it appear as though excessive new work would have to be undertaken. Ministry staff requested that the plan be rewritten in a more streamlined fashion that would more accurately reflect that the plan to refurbish 'Old Crest Creek' – despite having some new work components with restoring and repairing twenty year old work.

➤ A second, less detailed ten year plan was drafted by the Club in September of 2014. Ironically, this plan was returned with more detail and clarification. Comments such as the following accompanied the second plan and were often repeated:

- “Does this include the Hidden Walls area?”
- “Do we know when, or what type of area this is?”
- “...does this mean construction of a new trail or just upgrading the old trail?”
- “What berm is this?”
- “Need to understand where this is.”
- “...getting a map prepared to be able to better visualize where all the climbing areas and
 - trails are...”

Apparently, despite twenty years of receiving updates, maps, diagrams, descriptions and explanations, BC Parks has failed to learn anything about Crest Creek! It's no wonder, really, because visits to Crest Creek by Ministry staff are extremely rare. The lion's share of the Ministry's geographical confusion could be eliminated if Ministry staff had studied Crest Creek at least enough to understand the basic layout of the place. If this had been the case either of the Heathens' submissions would have been approvable. Ironically, all the information BC Parks is looking for should be residing in their files (*in the form of maps submitted by*

the Heathens Club in the nineties). Further, maps of Crest Creek are available on the internet at any one of five different websites, including the Heathens' website (*which also features updates and photos of recent Heathens trail work projects*). We can only assume Ministry staff never bothered to look.

The Heathens Club asserts that the main problem with Crest Creek is that the Ministry knows very little about the place. The club feels that the Ministry cannot effectively manage a facility that they do not fully understand and that Parks must rectify this situation before a new volunteer agreement can be seriously discussed.

Conclusion

It appears that BC Parks is unwilling or unable to follow directives laid out clearly in the Master Plans. Certainly, spreading disinformation, ignoring capable volunteers while failing to frequent worksites and curtailing useful volunteer projects is not “working with climbing groups”. It is unfortunate that the Ministry’s lack of knowledge about facilities in their own park might lead to Heathens volunteers being denied access to Crest Creek. (*It’s heartbreaking when one considers the recent drop in fuel prices!*). Once again we find that our relationship with the Ministry is costing us time and money, resulting in extra paperwork and reducing our capacity to upgrade trails in order to, “provide a safe recreational experience” and, “minimize impact to the natural environment”.

We find it curious that after a decade and a half of being completely disinterested in Crest Creek, a new volunteer agreement is suddenly such a priority for BC Parks. After all, we received no response to our proposal for a new agreement in 2005. We have now spent almost **\$900,000.00** at Crest Creek since our last agreement is supposed to have expired (*according to BC Parks*). Why didn’t the Ministry inform us in September of 1995 (*or at any other time before 2013*) that they would not allow us to continue without a new agreement – **before we spent all that money?**

It seems unjust that these limitations are being imposed rather heavy handedly on a group whose effort inspired author Andrew Findlay to state in ‘Adventurous’ magazine, **“so much for Parks bureaucrats or landowners ideals of rock climbers as a nuisance to be quelled or put up with - the folks who put the energy into Crest Creek seem to be leading the way in conservation and management of their treasured climbing resource”,** and **“creating a climbing area as beautiful and intricate as a Japanese Zen garden”.** This quote illustrates that the Ministry’s image is enhanced by the Heathens Club project at Crest Creek even as BC Parks attempts to defame the Club for simply being uncomfortable with signing an unsuitable agreement.

Under these circumstances the Heathens feel the need to request a qualified, professional and unbiased mediator, agreed upon by both parties, to look into this dispute with an aim toward reconciliation.

However, until our outstanding grievances are addressed and resolved we find it impossible to enter into any new agreements. We do feel compelled to follow the directives in the Master Plans for Strathcona Park. This

means continuing to maintain trails and managing the climbing facility at Crest Creek. It does not seem unreasonable to allow the Heathens to upgrade outing facilities there until due process – either a new agreement or mediation - takes its course. It is our hope that the Ministry can summon the will and resources to either support our volunteer efforts or bring this dispute into resolution via mediation.

The Heathens appreciate the difficult nature of this issue for Ministry staff and are very grateful for all your hard work on this matter. Thank you.

Sincerely,

Chris Barner
The Heathens Club