

Langford threatens to sue protesters

By Edward Hill - Goldstream News Gazette - February 29, 2008

Mayor fed up with interchange blockades; activists welcome court action

You can't squeeze blood from a stone, but Langford might give it a try.

Langford Mayor Stew Young says the City might sue tree-sit activists to recoup costs from the massive police operation two weeks ago and ongoing interference with Spencer interchange land clearing.

City lawyers are looking at pursuing lawsuits against key environmental activists behind the 10-month tree-sit and those who have encouraged people to climb on machines and block logging trucks, Young said.

Those opposing the interchange are largely without overt leadership, but Young said Langford bylaw enforcement officers have months worth of video to identify potential lawsuit targets.

"We have turned it over to the lawyers," Young said. "(Protesters) think because they have no money or assets they can break the law with impunity. I'm letting the protesters know that there will be repercussions."

Langford is still negotiating with the provincial government and the RCMP on cost sharing for the police raid on Feb. 13 that cleared six activists camped in the forest off Leigh Road. The precise size of the multi-detachment operation and total costs are still unknown, but RCMP had the construction zone under guard for about three days.

The raid came soon after Langford secured landowner agreements or land ownership to build the \$32-million Spencer Road Interchange. The City admitted it was under pressure to break ground before bird nesting regulations pushed the start date to August.

Young says the overall price tag of the police operation is probably more than \$100,000.

Other costs include survey crews being blocked and in past weeks, protesters delaying or stopping tree clearing. He said people are free to protest outside of the construction area.

"It's a game for them for the next six months to a year. It's a huge safety issue for us," Young said. "We have no other options. They have backed us into a corner. We can't have people running on to the work site."

Young has long argued the interchange is necessary to provide south access to Skirt Mountain and Bear Mountain properties, to ease cross-town traffic flow and to ease growing Trans-Canada Highway traffic congestion from up-Island commuters.

"This may not be popular with the protesters, but it will be less popular with people when they are stuck on the highway creating environmental chaos," he said.

Ingmar Lee, an activist who is a likely candidate for a lawsuit, said Young can "have my kayak. It's the most valuable thing I own."

Lee, who was arrested at the Feb. 13 police raid, says the interchange will promote more traffic and allow full build-out of Bear Mountain, a development he detests as the worst urban sprawl. Lee said he is prepared to go to trial to air the property and financial transactions for Bear Mountain and the interchange project.

Zoe Blunt, another likely candidate for a lawsuit, said the threat of lawsuits will only ramp up protests from people looking to preserve wetlands and greenspace. Supporters in Langford and Victoria have contributed “thousands of dollars” to a legal defense fund, she said.

“I have great legal counsel. We’re prepared to defend myself and other people,” she said. “If Stewart wants to go to court I’m happy to oblige.”

Blunt has been a spokesperson for protest actions, but says she has never blocked machinery or broken the law. About 50 people pledged to commit civil disobedience at a meeting Monday night at the University of Victoria, she said, but that was organized by a student. “I advise people on their legal rights and what is likely to happen,” she said.

“People are beginning to see (the interchange) is not popular and is dividing the community.”

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Interchange funds nearly approved

The Municipal Finance Authority has given a tentative OK for Langford to borrow \$25 million to build the Spencer Road Interchange.

Langford Mayor Stew Young said the group of property owners backing the loan with \$135-million worth of property has put forward a \$5-million letter of credit, as requested by the MFA.

“The letter of credit is as good as cash,” Young said. “It’s a fair assessment to protect Langford.” The loan “isn’t 100 per cent approved,” he added. The B.C. inspector of municipalities still needs to authorize the agreement.

Five property owners — Bear Mountain (LGB9), Totangi Forestry, Goldstream Heights, Clara Kramer and Bear Mountain Parkway Estates — petitioned Langford to borrow \$25-million, to be paid back within 10 years. The property owners have 32 parcels of land on the south side of Skirt Mountain that Langford is looking to tax to recover the money. Bylaws to borrow and authorize the payment plan have not passed final reading.

More than 2,250 Langford residents called for a referendum for the loan through a petition organized by Steven Hurdle, a local resident. The petition isn’t legally binding, but it collected signatures of more than 10 per cent of the city’s population within 30 days in January and February.

While Langford says a referendum is unnecessary as the loan is ultimately being paid by developers, Hurdle argues the size of the loan warrants a more inclusive public process.

Garry oak arrests

A man kicked out the window of an RCMP cruiser Tuesday after trying to block the falling of a Garry oak tree within the Spencer interchange route.

The masked man was in the partially-cut oak on the site of the Brock Road Extension for most of the morning, but came down after police arrived shortly after noon.

West Shore RCMP Const. Tasha Adams said the man went limp and was carried to the police car. He damaged the frames of both car doors and shattered a window. He had two knives and two slingshots, and refused to give his identity to police, she said.

“(Tuesday) was alarming for us with the escalation of violence,” Adams said.

The man is facing numerous charges related to possessing weapons, resisting arrest, interfering with the interchange work and damaging a police car.

A 44-year-old Victoria woman was also arrested at the same location earlier in the day, without incident. Four people surrounded a Garry oak at 7:30 a.m.

"We gave them the opportunity to leave. Three people left and she chose to be arrested," Adams said.

As of Tuesday, the woman is the fifth person to be arrested in relation to the Spencer interchange.