

Lasqueti Island Ratepayer's Association
Lasqueti Island, B. C.
VOR 2J0

The Road to Tucker Bay

A legal chess game will be played out in the supreme court of British Columbia and a judge will be the final arbitrator in a dispute over the status of Tucker Bay Road.

On one side will be the residents and taxpayers of Lasqueti along with present users of the road who have a vested interest in maintaining the public status and public access to the water. On the other side of the board is Tucker Bay Holdings Ltd. which claims that the portion of road which traverses the 38-acre parcel the company purchased in 2014 never was public; nor had it been surveyed or registered in the B.C. Gazette.

Islanders contend that the road was built with public funds; maintained with public funds; and was built to access two federal government public docks which existed in the last century as well as providing a site for landing barges. Hence it is a Section 42 road—that is an unsurveyed road used by the public. Today, Tucker Bay road is not as heavily used but nevertheless provides a necessary access point to people who live on the outer islands; aquaculture businesses, the Lasqueti internet access society, fire department, first responders, shellfish harvesters, and provides a gateway for kayakers embarking to explore Jediah provincial park and adjacent islands. Tucker Bay is the only public harbour on the north side of the island accessible at all tide levels.

In the earliest days of the last century the island was intersected by three roads: Main road, which traversed the island from east to west; Center (Lake) road which goes to Richardson Bay on the south side; and Tucker Bay road which accesses the north side. All these present-day roads began as government trails. It is doubtful that any of these three main arteries were ever officially registered as roads in the B. C. Gazette but they were—and portions are still-- recognized as Section 42 roads. The

whole length of Tucker Bay road would originally have fallen into this category.

The High Cost of a Solution

In a joint meeting with the Lasqueti Community Association and our Island's Trust trustees, the Lasqueti Island Ratepayer's Association (LIRA) was chosen to undertake the task of bringing the dispute to court if no other amicable solution could be found.

We have been advised that court costs will be in the thousands of dollars. Consequently we will be undertaking a substantial fund-raising campaign to pursue a successful conclusion to the issue.

In May of this year, Ministry of Transportation and Infrastructure assistant deputy minister Kevin Richter and District manager Eric Lachmuth walked the length of Tucker Bay road and visited all other pertinent public accesses. The Ministry subsequently offered to purchase that portion of the property to guarantee public access to the water in perpetuity. The offer was turned down.

Subsequently, our last resort is court although we are exploring other options. To date we have produced substantial documentation, records of historical use and case law to support our position and have engaged an experienced lawyer in this particular class of litigation. We have spent slightly under \$5000 in legal costs and have received \$3695 in voluntary contributions.

We do not expect to lose but Tucker Bay Holdings seems prepared to contest this all the way to court. The only person who can render a binding decision is a supreme court judge.

We will need your support to preserve Tucker Bay and its road for future generations.



L. I. R. A.
Lasqueti Island Ratepayer's Association
ANNUAL GENERAL MEETING
Wednesday, August 23
At the Judith Fisher Centre
4:00

(Annual \$20 membership fees are due)

Has Lasqueti been good to you?
Be good to Lasqueti
Help keep Tucker Bay accessible for future generations

On the other side of the page is a brief outline of the issue concerning Tucker Bay road. Situated centrally on the north side of the island, Tucker Bay and the road to it has been used by the public for more than a century. It was the site of the first public wharf built by the federal government in 1912. Today, your right to access the shoreline is being challenged by Tucker Bay Holdings Ltd. who have indicated they want to close to the public that portion of Tucker Bay road which goes through their property.

How you can help

You can mail your personal cheque payable to:

Lasqueti Island Ratepayer's Association
General Delivery
Lasqueti Island, B. C.
VOR 2J0

You can donate with your Credit or Debit Card online via the GoFundMe website Enter "Save Tucker Bay Access" in the Community/Neighbours category search box. Click to open.

Interact payments can be sent to president Karl Darwin at cohochum@lasqueti.ca

You may pledge your financial support by contacting any of the following LIRA officers:

- ✓Karl Darwin 250-333-8633 (cell 250-240-1904)
- ✓Gail Fleming 250-333-8885
- ✓Craig McFeely 250-333-8763

In the event that our fund is over-subscribed beyond the actual costs of the settlement, you have the option of having the unused percentage of your contribution returned to you or it can remain in the LIRA account for future "projects". Please let us know.

