

Mr. Reeve and Members of Council

My name is Hugh Ham. I have been practising municipal law for 39 years. I represent both developers and municipalities.

As you know, I represent "Save the Rosebud." My clients are mostly farmers who are busy trying to bring in crops, as you should know. I am here representing them.

Years ago, this council recognized the Rosebud River as an environmentally significant area ("ESA") and purported to protect it in your municipal development plan ("MDP").. Then you ignored that statutory plan and approved destruction of one of the most pristine portions of the river valley when you approved the Badlands Motors Sports area structure plan ("ASP") and direct control ("DC") bylaw.

I have read the Environmental Impact Assessment by the applicants so don't bother suggesting that the River Valley will not be destroyed inside and around the Badlands ASP.. You only have to be functionally literate to know that to be true..

Now, you want to go further and make it easier to destroy the whole of the ESAs in Kneehill. ESAs represent only 16% of Kneehill County's surface area and are all river basins.

Based on the South Saskatchewan Regional Plan, the Red Deer Regional Plan will emphasize protection of ESAs and, in particular, wetlands and riparian areas. How will Kneehill County pass the requisite audit confirming all its bylaws, including planning bylaws, comply with that regional plan? Clearly, you will not be able to do so.

How will you be able to confirm that all of your planning decisions, including those for Badlands Motorsports, also comply? Clearly you will not be able to. Has your planning advisor not advised you of this? How will you approve new development permits for Badlands? Clearly you will not be able to do so. Have you not thought of this?

Land use bylaws ("LUBs") are the tools used to implement the goals in your MDP. It appears your goal is to destroy all of the ESAs in Kneehill. That is a strange goal, to say the least. What combination of events could have lead you to that position? Where could you find a planner willing to give that advice - or, is this a policy created by the Council members themselves?

In either event, it is passing strange that you care so little about your community that you want to make it easier to destroy the waterways that are essential to your children's and your grandchildren's survival.

As a rhetorical question, what strange set of circumstances could have brought you to such a position? I suspect that for the most part you don't even recognize what you are doing. Or, you are so tired of hearing my clients' complaints about the pending destruction of the Rosebud River that you have adopted a "we'll show them who is in charge" attitude.

I can't imagine that you have deliberately adopted a suicidal policy. You must see it as something else.

A book I read, "Collapse" by Jared Diamond a well known anthropologist, talked about how Easter Island society denuded the entire island of trees to make rollers to move the famous enigmatic stone statues from inland quarries to the shore. The statues were simply symbols of power by individual chiefs now long gone and not remembered. No functional purpose whatsoever.

But, those statues cost Easter island every tree it had. Easter Island still has no trees - hundreds of years later.

The question posed by the author of the book was "What do you think was going through the mind of the person who chopped down the last tree?" How could that person not have recognized their folly. How could the folly not have been recognized sooner, when, say, 16% of the trees were left?

I would like to know what is going through your minds at this moment. Only 16% of Kneehill is ESA and you want to make it less- not more.

Which of you is going to chop down the last tree?

It is not too late to stop this folly. As the Council, you have the jurisdiction to say "no" at any time in the planning process. In planning, as in Wagnerian operas, it is not over until the weight challenged lady sings.

You have the power to stop destruction of ESAs. The question is whether you will realize there is no good purpose to that destruction or whether you want a monument to folly.

I can only ask. You control the answer.