

Globe British Columbia

WINTER WEATHER



Lower Mainland battens down for big melt

BY RYAN FLETCHER

The Lower Mainland has braced itself for the thaw as warmer temperatures and heavy rain have increased flooding risks and collapsed three roofs.

Warnings and notices were put out by Environment Canada yesterday as stormy weather and mild temperatures spread over the province. The same storm is going to bring heavy snow, which will change "dramatically" in-

to rainfall in much of the Interior, Environment Canada said.

"There's more heavy rain coming tonight. With the amount of rain coming down and the warmer temperatures, there is the possibility that all the snow below 800-1,000 metres is going to melt," Environment Canada spokesman David Jones said yesterday.

"The weight of snow on roofs is going to be a problem and there's a big risk of flooding, especially in the lower

Fraser Valley, where there's lots of snow, which is all going to be turned into rain."

In the Lower Mainland, three roofs collapsed in 24 hours after the heavy rainfall melted the snow and made the weight too much to bear. On Monday the roof of a recreation centre in Surrey caved in taking the entire building with it, while yesterday morning a townhouse complex in Port Moody was evacuated due to a partial roof collapse. A few hours later a warehouse

in Burnaby was destroyed after its roof gave way. No one was hurt in the incidents.

The B.C. River Forecast Centre has also issued a high flow advisory from the Fraser Valley to Vancouver Island as 150 millimetres of rain are expected for the region. The problems look set to increase into today as the weather moves inland toward Central Canada, which is experiencing cold temperatures and light snow.

» SEE 'WEATHER' PAGE 2

Pedestrians dash into traffic to avoid puddles yesterday in Vancouver. Heavy rain and melting snow has caused flooding in parts of the city.

LYLE STAFFORD
FOR THE GLOBE AND MAIL

NATIVE AFFAIRS

Band files new suit over fishing in Nemiah land-claims marathon

BY JUSTINE HUNTER VICTORIA

A year after the B.C. Supreme Court ordered the B.C. and federal governments to negotiate a land claims settlement with a small Indian band in the Chilcotin - and just hours before an agreed deadline for action - the province's Minister of Aboriginal Relations and Reconciliation delivered an offer.

Mike de Jong's letter summed up what B.C. was prepared to put on the table after the courts found the Xenigwet First Nation had proven aboriginal title to roughly 200,000 hectares of land in the Nemiah Valley.

When Chief Marilyn Baptiste and the broader Tsilhqot'in tribal council gathered in a board room in Williams Lake to hear the proposal on the afternoon of Oct. 30, there was some anticipation that they would have something to bring back to their people after a battle that has dragged on for decades.

But as a senior government bureaucrat read out the lengthy letter on Mr. de Jong's behalf, it soon became clear they would go home empty handed.

There would be no cash, no land on the table, just an offer to continue talking about shared resource management.

"It is my sense that we have made a good start on building the foundation for a long-term reconciliation agreement despite the fact that, to date, we have been unable to bring Canada fully into the negotiating process," Mr. de Jong wrote.

But the province, citing the lack of support from Ottawa, said it is not ready to put land and cash on the table. As a result, he wrote, the gap between what the band wants and what B.C. is willing to offer is so great "that making a proposal now would actually work against our shared goal of achieving an honourable reconciliation."

Mr. de Jong's last-minute offer went nowhere. Oct. 30 was the last date for an offer before an all-party agreement to stay out of the courts dissolved. Now the November, 2007, B.C. Supreme Court ruling from Mr. Justice David Vickers is being appealed by all three parties.

It was exactly the response that Judge Vickers had strongly urged against.

The band's original land claims trial lasted 339 days and cost taxpayers tens of millions of dollars.

In his 473-page decision, Judge Vickers framed his ruling as an opinion and ordered the three parties - B.C., Ottawa and the band - to negotiate the details.

"After a trial of this scope and duration, it would be tragic if reconciliation ... were postponed through seemingly endless appeals," he wrote.

» SEE 'CLAIM' PAGE 2

POLAND'S CONSUL-GENERAL

Diplomat charged with impaired driving returns to Europe

BY IAN BAILEY VANCOUVER

Poland's consul in Vancouver has returned home to Europe, raising questions about whether he will be present for a court hearing next week on impaired-driving charges.

Tomasz Lis is supposed to appear in court on Jan. 13 to face a charge of impaired driving and having a blood alcohol level over .08 while operating a motor vehicle.

But Sylwia Domisiewicz, spokeswoman for the Polish embassy in Ottawa, wrote in an e-mail yesterday that Mr. Lis has left Canada for Poland and, as of Dec. 31, is no longer Poland's consul general in Vancouver.

She did not reply to e-mails and phone calls requesting clarification on whether Mr. Lis would attend the court

hearing next week.

Piotr Ogrodzinski, Poland's ambassador in Canada, has suggested Mr. Lis would face Canadian justice, but was not available for comment yesterday.

Vancouver police said last month that the driver of a car with consular licence plates was arrested for being over the legal limit after a 2009 Volvo rear-ended a municipal fire truck in downtown Vancouver.

Mr. Lis, 49, later conceded that he was the individual in the spotlight in the case, but denied he had blown over the limit. A career diplomat since 1990, Mr. Lis had been in B.C. only a month. Among his responsibilities was being a point person for concerns over the fate of Polish immigrant Robert Dziekanski, who died in October, 2007, after being



Tomasz Lis is no longer Poland's consul general in Vancouver, according to a spokeswoman for the Polish embassy in Ottawa. CTV

tasered by Mounties during a confrontation at Vancouver International Airport.

Crown spokesman Stan Lowe said Mr. Lis was required to attend next week's court hearing or he could face the prospect of a warrant being issued for his arrest.

Mr. Lowe noted, however, that any such warrant would not be valid outside of Canada.

"This warrant remains in the system so that if the person comes back to Canada and comes into contact with police, that person can be arrested," Mr. Lowe said.

He would not comment on how the Crown would proceed if Mr. Lis does not show up, suggesting the Crown would wait for the court hearing.

"Depending what happens will determine our course of action," he said.

FROM PAGE 1 » CLAIM

Court case centres on mining firm's plan

» Yesterday, the Xeni Gwet'in raised the stakes with another lawsuit, this time claiming rights to fish, something that wasn't covered in the initial land claims case.

The new court case centres on an application by Taseko Mines Ltd. to develop an open pit mine called the Prosperity project. The plan calls for the draining of Fish Lake, a popular fishing hole about 125 kilometres southwest of Williams Lake, to access billions of dollars worth of gold and copper.

A lawyer for Taseko Mines said yesterday the company is simply caught in the middle of a larger battle.

"The company is the meat in the sandwich," Keith Clark said. "These are fights about who owns the lands - Taseko is not saying it owns the lands, it is just trying to develop them."

He predicted the courts will not grant an injunction against the project, however. "My reaction to the claim is, it appears to be an attempt to develop a negotiating position as opposed to a serious claim."

But Grand Chief Ed John, head of the Assembly of First Nations, said the governments should not even consider the mine application in the disputed lands without accommodating the Xeni Gwet'in.

"If the government refuses to accept Mr. Justice Vickers has found the Xeni Gwet'in have title, then we have a real serious problem. When governments talk about the rule of law, you can't just accept the parts that you like and ignore the parts you don't like."

FROM PAGE 1 » SKI



Snowboarders cross the ski-area boundary on Whistler mountain last week. 'In ski resorts, it's marked out of bounds for a reason,' Olympic champion Ross Rebagliati says. JONATHAN HAYWARD/THE CANADIAN PRESS

'It's being savvy, being knowledgeable'

» Nancy Greene Raine, who won gold and silver in skiing at the 1968 Olympic Winter Games in France, said yesterday that she supports the idea of fines.

"It's unfortunate, but I think we need that ... if there aren't any consequences, people disregard warnings," said Ms. Greene Raine, recently appointed to the Senate by Prime Minister Stephen Harper.

"If you post a speed limit on a highway, and there are never any policemen around with radar guns, how many people do you think pay attention to the speed limit?"

Skier Ken Read, one of the so-called Crazy Canucks who is now the president of Alberta Alpine, supports fining people who go in closed parts of resorts - areas within bounds that have been actively cordoned off - but would oppose a fine for well-prepared skiers and snowboarders who embark on backcountry adventures.

"If you're following all the expected protocols ... you've reported where you're going, you're in a group, and you've gone through all the checklist, then that's something that should be deemed to be a com-

pletely acceptable activity," Mr. Read said last night.

But with closed-off areas, fines may be appropriate, he said.

"That inviting slope may be there, but it's being savvy, being knowledgeable. ... Nobody wants to see people getting killed, especially if it is preventable," Mr. Read said.

Ross Rebagliati, who won the first gold medal in snowboarding in 1998, agreed that a fine could help stop people from going into closed-off areas, but he would oppose fines on backcountry riding.

"In ski resorts, it's marked

out of bounds for a reason. They have to try and maintain a certain amount of order out there," he said, making a distinction between closed-off areas and backcountry.

"One of the great parts of skiing and snowboarding is powder and fresh tracks. That's really what it's all about. They're really going to be walking a fine line," he said.

Ms. Greene Raine said there now seems to be an epidemic of risk-taking "rather than risk analyzing" that she linked, in part, to the "glorification" of extreme skiing in the media.

"[Resorts] would be bappy to

have some backup on enforcing their boundaries, because they are commercial operations and they have boundaries. When people go out of the bounds, it causes all kinds of other problems, because people follow other people's tracks."

Ms. Greene Raine, 65, said she now skis at B.C.'s Sun Peaks Resort where she runs a hotel with her husband. She said the mountains she frequents have a much lower avalanche risk than elsewhere in B.C.

"I can challenge myself silly, but the mountain's not going to slide on me."

FROM PAGE 1 » WEATHER

Vancouver faces flooding with 800-person work force

» Vancouver City Council workers have been out in force making sure that the melting slush doesn't block the city's drains.

One city worker said that "pretty much every employee is out there doing

snow removal."

Yesterday afternoon city spokeswoman Jennifer Young said that an 800-person force was tackling the runoff.

"I haven't seen any problems that I'm aware of yet. We're emptying the 40,000 or so

catch basins around the city and will have crews out tonight and overnight," she said.

"We're also asking members of the public to clear catch basins in front of their businesses or houses if they haven't

been emptied."

In Richmond, planners were prepared for the big melt after being inundated with calls last year.

"We had quite a few last year, over 200 calls in a couple of days," said Cynthia Lapre,

an auxiliary dispatcher at the City of Richmond, who was taking flood calls and helping direct the effort for the clean-up.

"We have sandbags in case of flooding so they can hold the water back", she said. "The

temperature warming over today [Tuesday] and tomorrow [Wednesday] means it'll be the worst time for flooding, especially with the snow being moved to the sides of the road, but we're always ready."

WEATHER

Vancouver and area forecast and almanac

Today	Tomorrow	Friday	Saturday	Sunday	Monday	Tuesday
H: 9 L: 1	H: 7 L: 0	H: 3 L: 2	H: 4 L: 2	H: 7 L: 0	H: 2 L: 0	H: 5 L: 4
Cloudy with light rain in the afternoon (80%).	40% chance of scattered showers.	60% chance of rain-snow mix.	90% chance of rain-snow mix.	90% chance of light rain.	Variably cloudy, 20% POP.	Sunny, 0% POP.
TEMPERATURE in degrees Celsius		PRECIPITATION in mm				
Today	High 9	Low 1	Today	DAY 6.4 (7 a.m. to 7 p.m.)	MONTH 49	YEAR 58.6
Yesterday	3.3*	1.5*	Yesterday	13.2	49	58.6
Last year	6.0*	0.7*	Last year	3.8	3.8	33.9
Normal	5*	-0.7*	Normal	4.7	33.9	33.9
Record	11.9/2002	-14.1/1993	Record	35.1/1946		
SUN		MOON		UV READINGS		
Rises at 8:06 a.m., sets at 4:32 p.m.		Moon sets at 4:42 a.m., rises at 12:45 p.m.		Vancouver: 8.4 (low)		
Hours of sunlight: 8 hours 26 minutes.		Full: Jan 11		Whistler: 0.4 (low)		Comox: 0.9 (low)
		Wane: Jan 18		Port Hardy: 0.4 (low)		Kamloops: 8.9 (low)
		New: Jan 26		Kelowna: 0.7 (low)		Castlegar: 0.5 (low)
		Wax: Feb 2				
VANCOUVER TIDE TIMES TODAY						
High 4:41 a.m. 4.4m		High 1:24 p.m. 4.5m				
Low 9:01 a.m. 3.9m		Low 9:36 p.m. 0.3m				

National forecast

Daytime high, overnight low and conditions:

c-cloudy	rs-rain/snow
fg-fog	s-sun
fr-freezing rain	sn-snow
hz-haze	sf-snow flurries
na-not available	sh-showers
pc-parly cloudy	t-thundershowers
r-rain	w-windy

ONTARIO & QUEBEC

	TODAY	THUR.	FRI.	SAT.
Kingston	2/-6rs	-1/-9sn	-4/-10pc	-5/-11sn
London	2/-5sn	-4/-8sf	-5/-6sf	2/-10sn
Montreal	6/-8sn	-3/-13sn	-10/-18pc	-11/-15sn
Ottawa	6/-9sn	-3/-15sf	-10/-18pc	-11/-13sn
Quebec	-1/-12sn	-7/-13sn	-10/-20pc	-14/-22sf
Sudbury	-8/-13sn	-10/-20sf	-13/-18pc	-11/-20sf
Thunder Bay	-8/-19sf	-14/-23sf	-10/-19sf	-14/-19sf
Toronto	2/-5rs	-3/-7sf	-3/-5pc	-1/-11sn
Windsor	0/-5sn	-1/-9sf	-4/-6sf	5/-12rs

ATLANTIC CANADA

	TODAY	THUR.	FRI.	SAT.
Char'town	-4/-9sn	6/-8rs	-7/-10pc	-8/-12s
Corner Br	-4/-6sn	3/-5sn	-4/-6sf	-3/-9sf
Fredericton	-7/-10sn	0/-10sf	-7/-12pc	-8/-15pc
Goose Bay	-7/-17pc	-9/-10sf	-7/-18sf	-13/-22pc
Halifax	0/-6r	9/-7r	-3/-9pc	5/-10pc
Moncton	-7/-8sn	4/-10rs	-7/-11pc	-7/-14pc
Saint John	-1/-8sn	5/-9rs	-7/-11pc	-7/-12pc
St. John's	-1/-2pc	6/-2rs	3/-4pc	-1/-2pc
Sydney	-2/-5pc	8/-4rs	-1/-5pc	-3/-6pc

Canada today

