



Nowhere to run when mud starts to slide

Diane Zaste knows the risks of living so close to Cataline Creek near Pemberton.

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Diane Zaste knows the risks of living so close to Cataline Creek near Pemberton.

When the heavy rains come, in fact, she and her husband no longer sleep in their own bed but seek refuge with a neighbour further up the creek to avoid being trapped in a mudslide like the one that crushed their car last summer.

But they never expected the Squamish Lillooet Regional District to red-flag their property - and 22 others - or to be told the building permit her father obtained in the 1970s was no longer valid, making the one-acre property in Lillooet Lake Estates unsellable.

"We're trying to work with (the district), but so far there has been no accountability from them for their complicity in this development," Zaste, 58, said. "They tell us we shouldn't be living there. But they've devalued our property so nobody is going to buy."

Zaste is among dozens of residents in the Lillooet Lake Estates near Pemberton who received letters from the district in April, ordering them to leave their homes because they live within an 800-foot corridor of Cataline Creek and are at risk of recurring mudslides, the last of which deposited between 10,000 and 25,000 cubic meters of debris throughout the area. That landslide was triggered by an intense thunderstorm, burying Zaste's car and leaving a 15-foot wall of mud at the foot of their neighbour's driveway.

The regional district maintains it has a duty to warn residents to leave the area, noting there is no proof the developer of the 152-lot subdivision - which was created under a land-use deal with the district through a provincial order-in-council in the 1970s - had done proper mitigation work to Cataline Creek before allowing homes to be built in the area. But residents claim the land-use agreement states that the mitigation work at the creek was to be done to the satisfaction of the regional district, and it should never have issued building permits if it felt the land was unsafe.

"It was up to them to follow up and make sure the work's been done," Zaste said.

Ronees Shields said she pored over the land-use agreement and called the regional district before deciding to purchase her lot next to Zaste's property in 2008. She wasn't surprised to receive the letter from the district telling her to leave, she said, noting it followed a massive and devastating slide in Washington state as well as worsening slides in her own community.

In the past 10 years, three slides had occurred in Lillooet Lake Estates, each worse than the last. A geotechnical study conducted last fall rated the return frequency of a landslide of a similar magnitude in

any given year as high to very high. Shields, like Zaste, said the latest mudslides have convinced her to leave Lillooet Lake Estates this fall, before the heavy rains hit and send more boulders as big as her SUV hurtling down the creek bed.

"It was like a freight train coming through the house," Shields said. "Your bed's shaking. By the time you realize it's coming, you're outside running away from it. I will do whatever I can to make sure I don't go through that again."

Neighbour Kerrie Palmer said she and her husband Paul, who bought their property in 1999 and moved there permanently in 2012, don't plan to leave their dream home, but are feeling bullied.

"It doesn't feel like they want to help us out," Palmer said. "Basically, this letter just makes our property worthless, and I don't think our taxes will reflect that. It's really unfair to get this letter and say 'We hold all the cards and make all the decisions, and you have to leave.'" District chairwoman Patricia Heintzman said under the landuse contract the landowners are responsible for any mitigation of the creek bed, although they may seek help from the province. She insists the regional district is not responsible, noting there are hundreds of these slides in the area.

Heintzman said the province has recently mandated that all land-use contracts be dissolved by 2024, which may make it easier in the future to deal with such problems. In this case, she said, it was difficult to even get addresses for residents.

"The land-use contract is not the best-written document. It's ambiguous," she said, but added that "it clearly states that owners should do the mitigation in the 800-foot corridor.

"Obviously, we want to do what we can to help move this along, but we want to make sure people are safe."

Zaste maintains she would stay in Lillooet Lake Estates if the province was willing to make the area safer, noting she has fond memories of the property, where she was married before she later purchased the land from her parents' estate to retire.

"This was where we hoped to die, but in a nicer fashion, not in a killer slide," she said.

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