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TIMES COLONIST

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Victoria, British Columbia

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Premier John Horgan signs condolence book for Queen



Premier John Horgan signs the book of condolence for Queen Elizabeth II at the B.C. legislature on Monday. The public can sign the book of condolence at the legislature from 8:30 a.m. to 4:30 p.m., Monday to Friday. Another book is available at Government House at 1401 Rockland Ave. from 9 a.m. to 4 p.m. daily. Stories, A6, C1. ADRIAN LAM, TIMES COLONIST

Lawsuits filed in aftermath of bus crash that killed, injured UVic students

CINDY E. HARNETT
Times Colonist

About 20 civil lawsuits have been filed related to injuries suffered three years ago today when a bus carrying 45 University of Victoria students and two staff on a field trip to Bamfield Marine Sciences Centre crashed, killing two first-year students and injuring others.

Emma Machado, 18, of Winnipeg, and John Geerdes, 18, from Iowa City, Iowa, were killed on Sept. 13, 2019 when their Wilson's Transportation bus slid off the gravel road to Bamfield and went down an embankment.

The civil notices of claim are not part of a class-action, though their claims for compensation are similar.

Victim Sarah Hunter, who sat behind the two students killed and started a petition calling for safety upgrades and paving for Bamfield Road, is represented by Ramsay Lampman Rhodes in Nanaimo, according to court documents. Magalie Fyva McCormack is represented by Hemmerling Law in Kelowna, and Tabitha Baatz is represented by Acheson Sweeney Foley Sahota in Victoria.

Injuries cited include mild to moderate traumatic brain injury and post-concussive symptoms, broken bones, cuts and scarring, and post-traumatic stress disorder and depression.

Lawyer Rajinder Sahota said he represents about eight of the claimants.

"I would be shocked if any plaintiff is not dealing with ongoing PTSD, and survivor's guilt — that's been expressed to me by several of my clients — and the emotional consequences arising from this accident are as significant as you can imagine," said Sahota.

Defendants include the University of Victoria, Wilson's Transportation, bus driver Donald Middleton, Smith Transportation Limited, Western Forest Products, TFL 44 LP and TFL General Partner, the society doing business as Bamfield Marine Sciences Centre and the B.C. government via the Ministry of Transportation.

UVic has not filed its defence but said Monday "work on our responses is in progress and will be filed once completed."

Wilson's Transportation in court documents says "the accident and any resulting injury, loss, damage or expense sustained by the plaintiff were not caused or contributed to by any fault or blameworthiness on the part of Wilson's Transportation and Wilson's Transportation is not vicariously or otherwise liable for any such injury, loss, damage or expense." Wilson's says its bus was "roadworthy, and appropriately and adequately maintained" but says "the accident occurred in whole or in part due to a defect arising from the inadequate design, construction, or maintenance of the road."

Western Forest Products Inc., TFL 44 LP and TFL 44 General Partner Inc. in response to a claim by bus crash victim Alexander Hoffman-Ellis, "deny each and every allegation of fact contained in the claim."

The Crown claims users of Bamfield Road "were warned with signage that the Road was not a public road, that it was an industrial road and an active logging road, and that users should 'Use Extreme Caution.'"

The province in its response points out the driver "failed to instruct the occupants of the bus to wear the seat belt assemblies provided."

In court documents from Feb. 22, 2022, Middleton, the bus driver, represented by lawyer Alison Murray, denies that the crash was caused or contributed to by any negligence on his part. His notice said the headlights of an oncoming vehicle "blinded or otherwise interfered with his view of the roadway and caused or contributed to the accident."

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Calls for help, remote work become easier as cell towers arrive for Sooke-Port Renfrew

DARRON KLOSTER
Times Colonist

The notorious dead zone for cellphones between Sooke and Port Renfrew is expected to come alive by the end of the year — 14 months later than originally promised.

Rogers Communications said it started construction this month on four cell towers that will provide continuous coverage over the 70-kilometre span along Highway 14.

Two other towers within Port Renfrew are also underway, while a seventh structure, just west of Sooke, was completed in early June.

"It can't come soon enough," said Karl Ablack, president of the Port Renfrew Chamber of Commerce. "There are a lot of people anxiously waiting to have that connection."

The provincial government announced in April 2021 that the infrastructure for cellular service would be in place by October 2021 to provide the wireless service so desperately needed by residents, search-and-rescue operators and the thousands who use the trails and beaches along Juan de Fuca Marine Trail.

Mike Hicks, who represents the Juan de Fuca Electoral Area for the Capital Regional District, said zoning for all seven tower sites was approved early last year, but the project has seen frustrating delays.

Rogers has cited labour shortages and supply-chain issues with steel and telecom components, as well as the challenges of rugged terrain.

Rogers said it had to change construction

schedules to follow federal environmental requirements for wildlife, particularly to avoid disturbing birds during nesting seasons.

All seven towers are to be completed by the end of the year and provide 5G coverage along Highway 14 from Otter Point to Port Renfrew.

Gord Horth, general manager of the CREST system that provides emergency equipment and services to first responders in the capital region, said the new tower structures will provide a "vital link" on an increasingly busy corridor west of Sooke.

The area includes Jordan River and Shirley as well as access points to beaches on the Juan de Fuca Trail.

People who are injured or lost or run into vehicle trouble often rely on bouncing cell signals off U.S. towers to get help — if they are close to a beach. Or they simply wait until they can find someone who can drive into Sooke.

Horth said CREST will "piggyback" its transmitters and power systems at five of Rogers' seven planned towers.

That will give first responders such as paramedics, police and fire departments increased channel capacity, allowing agencies to communicate with each other in emergencies.

"This will be a light-years transition for first responders," said Horth. "It's a huge win because that corridor will only get busier over time."

B.C. Transit and the B.C. Conservation Officers Service also use the CREST system.

Horth said dealing with access to the tower sites has been an issue for Rogers,

as the properties are leased from private, forestry and First Nations land owners. "I think their biggest challenge is getting all those leases and agreements in place with multiple owners ... that has taken a considerable amount of time."

Outfitting the five towers will cost CREST about \$250,000 at each site, said Horth, and include power, backup generators and secure shelters to house transmitter equipment.

Horth said CREST relies on Rogers' engineering and modelling of the towers — ranging from 40 metres to 60 metres high — all along the route from Sooke to Port Renfrew. The "daisy-chaining" of the structures ensures connections all down the line, he said.

The sites are backed with emergency generators because the system is remote. Unlike urban cellular systems, which can leapfrog to other towers in event of failures, remote systems don't have backups.

Vickie Weber, senior manager of Juan de Fuca Search and Rescue, said the group relies on cellular service for voice and data communications in responding to those with life-threatening emergencies.

Cellular service will be "an absolute game-changer" for businesses and residents, said Logan Emery, supervisor of guest services for Wild Renfrew, which operates the Port Renfrew Pub, Seaside Cottages and the West Coast Trail Lodge.

Emery said even though guests are informed at the time of booking rooms that there is no cell service, some still complain about it after they arrive.

>SEE RECOVERY, A3

Ukraine recaptures territory in lightning advance >A2

B.C. financial outlook improves, but slowdown expected >B1

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