



From the desk of:

Captain E. G. da Costa Duarte

To:

The Honourable Gail Shea

Minister of Fisheries and Oceans

Parliament Buildings, Wellington Street

Ottawa, Ontario,

Canada K1A 0A6

June 14, 2010

Re. Campbell River Harbour Authority - Corporation #3390764 BN #878395995RC0001

Honorable Minister Gail Shea:

I am in receipt of your response letter dated April 21, 2010, signed by your underling M. Huard. Whether an issue is before the criminal court or not, does not absolve the Ministry from correcting a wrong, specifically criminal activity.

Last Wednesday, June 9, 2010, I received the Lease Agreement between DFO and the Campbell River Harbour Authority (CRHA). I am aware of the difficulties the Freedom of Information officials experienced to obtain this document from your Pacific Coast Regional Director, ken Smith. The following is an excerpt from the June 15, 2010 court submissions:

7.1 The informant requested financial documents and the lease agreement involving DFO and CRHA at the onset of the informant's financial investigation. The DFO Regional Director and Manager, ken Smith and Robin Richardson denied the informant's right to review public information.

7.2 Subsequently, the informant, via freedom of information, requested financial documents and the lease agreement involving DFO and CRHA. After, several delays and a request for money payable to DFO, which the informant could not afford, a compromise was reached. The informant only received the Lease Agreement recently. The time span since receipt of the Lease Agreement to present, is not enough time to properly review it with a mandate to ascertain its relationship to Court Files: 36999-1 and 37034-1.

7.3 A quick review of the Lease Agreement, already shows surprising facts; the CRHA pays \$1.00 dollar per year for the facility. Obviously, the low figure indicates a facility for the enjoyment of the boating public not for the financial exploration of the very few, Tim Hobbs, Tom Forge, etc...., CRHA Board of Directors.

7.4 The following is an excerpt from the Lease Agreement:

Accounting Records and Audit

11. (1) During the term of the Lease the Harbour Authority **must keep full, true and accurate books and records that adhere to sound accounting practice of all costs, whether direct or indirect, relating to its operations and of all its revenues.** All such records must be kept either on the Leased Area or at the Harbour Authority's principal office.

(2) All accounting records kept by the Harbour Authority must be in a form acceptable to the Regional Director in his sole discretion.

(3) On or before May 1 of each year of this Lease, or as mutually agreed, the Harbour Authority must provide the Regional Director with a statement, in a form satisfactory to the Regional Director in his sole discretion, setting forth its costs, and expenses, revenues and assets, for the twelve month period preceding (insert date), certified by an officer of the Harbour Authority.

(4) The Lessor may at any time, and from time to time, audit and inspect any and all records, accounting and otherwise, relating to the Harbour Authority's operations at any time, including during regular business hours, and for that purpose, may enter upon the Leased Area, or any part thereof, or any other property of the Harbour Authority, or any part thereof.

7.5 The above excerpt indicates an obligatory financial review by the Regional Director (DFO), therefore the civil servants have knowledge of the CRHA finances and of the CRHA public financial obligation. Is the informant uncovering a financial conspiracy to defraud the CRHA harbour users?

Via email, I am sending you a digital copy of the court submissions for June 15, 2010. Your mandate, as a Minister of Fisheries and Oceans is to correct a wrong occurring within your Ministry. There is no exception to this mandate.

The financial status of the CRHA must be brought to public, assuring accountability to taxpayers that no money was taken by the CRHA directors for their own use.

Sincerely,

Captain E. G. da Costa Duarte

