

**AMENDED CITATION**  
**IN THE MATTER OF THE COLLEGE OF APPLIED BIOLOGY OF BC**

**and**

**TED LEA, R.P.Bio. #85**

TO: Ted Lea, R.P.Bio.

**TAKE NOTICE** that a Discipline Panel of the College of Applied Biology of the Province of British Columbia will be convened at Charest Reporting Inc., 912 – 1175 Douglas St., Victoria, BC, on June 11-15, 2018 ~~the offices of the College of Applied Biology~~ to undertake a Hearing for the purpose of taking evidence and deliberating with respect to allegations described herein, pursuant to the *College of Applied Biology Act*, S.B.C. 2002, chapter 68.

**AND TAKE NOTICE** that the following allegations are made against you:

1. That you are in breach of paragraph 4 of Schedule 2 (The College of Applied Biology Member Code of Ethics) of the Rules of the College of Applied Biology by failing to “avoid situations and circumstances where there is a conflict of interest” by virtue of the fact that you:
  - (a) are an advisor, member, and/or have participated in the affairs of the Saanich Citizens for a Responsible EPDA Society (SCRES), a known opponent to the District of Saanich Environmental Development Permit Area Bylaw (EPDA Bylaw);
  - (b) own private property in the District of Saanich; and
  - (c) have authored reports for multiple land owners which have consistently recommended the exemption of properties from the EPDA Bylaw.
2. That you are in breach of paragraphs 7 and 8 of Schedule 2 (The College of Applied Biology Member Code of Ethics) of the Rules of the College of Applied Biology by failing to “maintain a standard of personal and professional conduct that does not reflect adversely on the College or its members” and “avoid injuring the reputation of others through malice or negligence” by virtue of the fact that you made negative personal comments about a Saanich staff person and fellow R.P. Bio. at a:
  - (a) SCRES meeting on April 15, 2015; and
  - (b) Saanich council meeting on May 25, 2015.
3. That you are in breach of paragraphs 1 and 3 of Schedule 2 (The College of Applied Biology Member Code of Ethics) of the Rules of the College of Applied Biology by failing to “provide objective, science-based, unfettered, forthright and intellectually honest opinion, advice and reports in applied biology” and “ensure [that you] meet a

professional standard of care by practicing applied biology with attention, caution, prudence and due diligence” by virtue of the fact that you:

- (a) ~~failed to undertake proper due diligence with respect to the identification of a blue listed species in a report prepared for 2893 Seaview Road;~~
- (b) failed to undertake proper due diligence and ground work with respect to the preparation of reports for 2766 Seaview Road, 2810 Seaview Road, 2785 Tudor Ave., 2801 Tudor Ave., 2811 Tudor Ave., 2821 Tudor Ave., 2825 Tudor Ave., 2831 Tudor Ave.;
- (c) failed to properly apply applicable guidelines prepared by the District of Saanich in the aforementioned reports; and
- (d) applied incorrect criteria (ecosystems at risk) for assessing sensitive ecosystems in the aforementioned reports.

**AND FURTHER TAKE NOTICE** that you, Ted Lea, R.P.Bio., have the right, at your own expense, to be represented by counsel at the above-mentioned Hearing by the Discipline Panel and that you or your counsel shall have the full right to cross-examine all witnesses called and to call evidence in defence and reply in answer to the aforesaid allegations.

**AND TAKE FURTHER NOTICE** that in the event of your non-attendance at the said Hearing that the Discipline Panel may, upon proof of service of the Notice of Hearing upon you, proceed with the taking of evidence or otherwise ascertaining the facts concerning the said allegations, your absence notwithstanding, and may make its findings on the facts and its decision thereof without further notice to you.

**DATED** at the City of Victoria, in the Province of British Columbia, this ~~24<sup>th</sup> day of October, 2017~~ 5<sup>th</sup> day of June, 2018.

The Discipline Committee of the  
College of Applied Biology  
of the Province of British Columbia.



Per:

---

Mel Kotyk, R.P.Bio., Chair