

October 20, 2008

Mayor and Council,

The Sunbury Neighbourhood Association would like to add its support to the positions of the BC Nature (Federation of BC Naturalists), the Burns Bog Conservation Society and the Boundary Bay Conservation Committee in calling for Delta Council to uphold the Burns Bog Conservation Covenant and protect the Bog

The Council Report for tonight's meeting states that *"Environment Canada insisted on this covenant and is the "Transferee" of the covenant. Therefore, it is up to Environment Canada to enforce the covenant if it believes a breach has occurred or may occur"*...Deflecting the responsibility of the covenant to a federal agency is a cop-out! The covenant states quite clearly that **"Delta shall not do anything, or allow anything to be done, that does or could reasonably be expected to destroy, impair, diminish, negatively affect, or alter the Bog or (it's) amenities."** You signed on to '**preserve Delta with hand and heart**', by '**providing good government**', '**providing stewardship of community assets**' and '**fostering the environmental well being of the community**'...and if you are not willing to do so, then step down and get out of the way!

We have shown that the SFPR would most certainly destroy, impair, diminish, negatively affect, and alter the bog and it's amenities, and it is incumbent upon you to uphold the covenant.

When the Burns Bog Scientific Advisory Panel, Environment Canada, the BC Environmental Stewardship Division and the SFPR Environmental Assessment all state that the project would impact the bog, then you must stop it. You don't need anyone's permission.

The Council Report also states that *"after receiving the submission from Environment Canada, Gateway conducted additional technical work including additional air quality modeling of potential impacts of particulate deposition on Burns Bog."* The result of this technical work concludes that they disagree with the amount of pollution impacts that the bog would suffer compared to the estimates of Environment Canada, S.A.P. and other drift particulate studies, and that is to be expected from a 'hired gun', but they still admit to negative impacts.

The report also says *"a significant shift of the alignment was also conducted that resulted in the SFPR being outside of the lagg area (bog transitional waters) along the western edge of Burns Bog"*. The quote from the Ministry of Transportation's Environmental Manager for Gateway states...

"In considering refinements to the alignment on the west side of Burns Bog, analysis undertaken by MoT indicates that a further shift (i.e., to the west side of Crescent Slough) would not eliminate impacts to areas of concern to EC, associated with the original alignment, while at the same time increasing impacts to other values as follows:

- ⊖ Increase the area and intensity of zone of influence effect on wildlife habitat (i.e., Sandhill Crane, Trumpeter Swan and water associated birds) provided by agricultural fields.
- ⊖ Potential increases in collision mortality to Barn owls associated bisecting remaining foraging habitat (to the east of Crescent Slough);
- ⊖ Impacts to fisheries values (where none currently exist) associated with two crossing of Crescent Slough; and
- ⊖ In order to minimize impacts to agricultural values the alignment will still be required cross, **and impact, some ecological values associated with the Corporation of Delta lands north of the Nottingham property.**

It is noted that the proposed relocation does have cost (est. \$20 million) and other social, economic and community effects...

And this doesn't help with the Impacts to the Lagg zone along the Northern edge of the bog.

The Council report goes on to say that...

"the Environmental Assessment Office is satisfied that the proposed Project can be constructed and operated such that there are no significant adverse impacts to the hydrology or hydrochemistry of Burns Bog or to bog wildlife and vegetation."

We have asked how they made that assessment when the E.A. and the S.A.P. say that these impacts cannot be fully mitigated, and have yet to receive an answer, likely because they don't have one. Partial mitigation is not acceptable, and neither is monitoring the resulting damage or purchasing compensatory property elsewhere.

Delta Council needs to take the EAO to task for what is an obvious conflict with the reality outlined in the assessment reports.

And lastly, the Staff Report states...

"As the SFPR does not cross any of these lands, it does not directly impact the 'Bog' as defined in the Conservation Covenant... it is staff's understanding that the covenant was not intended to address land use activities, such as the SFPR, that are outside of the Local Government and Provincial Lands. Rather, section 4.1 was intended to prevent any of the parties from doing anything on the Local Government Lands or the Provincial Lands that would affect those lands."

Maybe it is time to reassess who is on your staff.

The E.A. acknowledges that any impact to one part of the Bog Ecology would have impacts on the whole and the Covenants use of the word 'amenities' refers to lands that are connected to, and necessary for, the bogs health and restoration. This opinion is shared by the S.A.P. who are concerned that not enough bog land has been secured for its successful remediation.

The S.A.P. statement ...

“It is clear that wherever the SFPR is put, it will have major consequences to wildlife. A route within or immediately adjacent to the mixed conifer forest on the Bog’s western edge **will have the greatest impacts on ecological integrity**, through ecosystem conversion and negative edge effects.”

And to quote the Burns Bog Synthesis Report, March 2000...

“The viable state also involves maintaining bog-related biodiversity and habitat complexity within the bog and the adjacent ecosystems **and ecological connections to adjacent habitats.**”

Are clear indicators that these lands are integral to the survivability of the bog. These statements refer directly to the municipal lands and others, that are connected to the bog, but are outside the Partnership Lands, and that are directly in the path of the proposed SFPR.

We are still waiting for the answers to our questions about these lands...

Why has Delta not contributed its portion of these lands to the protection of the Bog?

Was that not part of the covenant agreement?

Was there not a by-law passed to recognize these lands as ecologically significant and protect them?

The Burns Bog Ecological Review, the Burns Bog Synthesis report and the Burns Bog Scientific Advisory Panel all state that a further 408 ha are required to preserve the ecological integrity of the bog and that the SFPR would destroy a swath of 28 hectares of this land while isolating most of the balance, preventing these lands from ever being incorporated into the covenant.

This unacceptable action would prevent the S.A.P. (and Delta), from its mandate of restoring the Bog to a healthy and viable state.

We expect you to fight for these lands to be purchased and protected as are the wishes of the S.A.P. and the people of Delta, and we expect you to stand up for the covenant that was signed by Delta, without relying on federal authorization.

Respectfully submitted,

Don Hunt
Sunbury Neighbourhood Association