

**Boundary Bay Conservation Committee**  
Box 1251, Delta, B.C. V4M 3T3

Canadian Environmental Assessment Agency  
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Attention:

Peter Sylvester, President [Peter.sylvester@ceaa-acee.gc.ca](mailto:Peter.sylvester@ceaa-acee.gc.ca)

David Robinson, Acting Executive Director [david.robinson@ceaa-acee.gc.ca](mailto:david.robinson@ceaa-acee.gc.ca)

Jason Quigley, Director, Pacific and Yukon Region [jason.quigley@ceaa-acee.gc.ca](mailto:jason.quigley@ceaa-acee.gc.ca)

**Re: Approval of the South Fraser Perimeter Road Project despite warnings and concerns from government and independent scientists that the Project will cause irreversible damage to Burns Bog in Delta, British Columbia**

The Boundary Bay Conservation Committee has written two letters (October 7 and 18, 2008) to the Mayor and Council of Delta, British Columbia, requesting action on the Dispute Resolution process in the *Conservation Covenant* on the *Burns Bog Ecological Conservancy Area*. Copies of these letters have been submitted to the *Canadian Environmental Assessment Agency (CEAA)*. The letters document major concerns about the adverse impacts of the South Fraser Perimeter Road Project on the *Burns Bog Ecological Conservancy Area* which has national and international ecological significance.

Taxpayers' money was used by four levels of government (Canada, British Columbia, Metro Vancouver and Delta) to purchase 5,045 acres of the 7,413 acres of Burns Bog. The four levels of government signed a *Management Agreement* and a *Conservation Covenant* for the *Burns Bog Ecological Conservancy Area* requiring all levels of government to prevent damage to Burns Bog and to implement plans of restoration. These plans legally require the signatories to abide by the agreements with advice from the Scientific Advisory Panel to Burns Bog. The Conservation Covenant also requires Chapters 4 and 7 from the document, the *Burns Bog Ecosystem Review, Synthesis Report, 2000*, to be used as a baseline from which to evaluate impacts to the *Burns Bog Ecological Conservancy Area*.

The Scientific Advisory Panel to Burns Bog wrote a report to the Environmental Assessment process for the South Fraser Perimeter Road Project. They advised that the freeway should not be built along the perimeter of Burns Bog. Their concerns were echoed by scientists at Environment Canada. Collectively they warned of changes to the *Burns Bog Ecological Conservancy Area* that are expected to be significant and irreversible causing ecological effects that cannot be adaptively managed:

- negative impacts to bog hydrology and water chemistry
- degradation of the Sphagnum ecosystem
- aerial disposition including the drift of particulate matter
- modeling based on insufficient data
- lack of data to determine cumulative impacts
- significant impacts to moss flora and tree growth
- high risk impacts to barn owls, waterfowl, landbirds, Red-legged Frog, the local nesting/staging of Greater Sandhill Crane population, and the "threatened" Pacific water shrew

The scientists reminded the federal and provincial Ministries of Transportation of Canada's obligations to the *Conservation Covenant*, the *Burns Bog Management Plan*, *Department of the Environment Act*, the *Species at Risk Act* and the *Migratory Birds Convention Act of 1994*.

Subsequent to information from the scientists, numerous meetings and discussions took place. Scientists from Environment Canada (EC) had no choice but to offer ongoing advice. It appears there is no requirement for approval by the scientists. Public input was not permitted. The public process had been cut off several months earlier, prior to the receipt of information from the scientists.

No further scientific information was forthcoming, no further freedom of the public or scientists to approve, or disapprove, the Project or the process. Ongoing public concerns were, and remain, ignored. There were closed-door discussions and deals. Transport Canada overruled some of the scientific information from the Scientific Advisory Panel and from Environment Canada scientists stating they did not concur with their conclusions. A section of the freeway was re-routed almost a year after the flawed public process.

The lack of credible response to documented scientific concerns and the closed-door deals have led to mistrust of the process by the farming community as well as citizens' groups. The development pressure on Delta from the federal and provincial Gateway plans will alienate more than 1,000 acres of Delta farmland which is the best in Canada due to climate and deltaic soils. This is documented in the attached article (*Appendix A-1*) from the October, 2008, publication of *Country Life in B.C.* The article includes comments from the Chair of the British Columbia Agricultural Land Commission, Erik Karlsen who:

***"...expressed sympathy for the farmers' plight noting the commission had been equally hobbled by Victoria's lack of disclosure regarding the project."***

New concerns have arisen due to the shift in the road alignment. At least one highly successful farm operation may cease to exist. The new alignment will run directly through the key feeding grounds of the migratory Sandhill Cranes which are highly sensitive to disturbance. The Sandhill Cranes, which are an endangered species in nearby Washington State, have used this area for many years. Plans to study the impacts of the freeway on the Sandhill Cranes as disturbances occur are illogical and unacceptable.

This superficial approach is documented in the unscientific Table of Commitments and Assurances which is the final document upon which approval was based. The Table of Commitments and Assurances contains promises for the future which do not reasonably address the concerns raised by the public and the scientists. It is clearly documented that the South Fraser Perimeter Road will adversely impact the *Burns Bog Ecological Conservancy Area* affecting the lagg area, endangered species habitat, and unique transitional habitats on the periphery of the bog. There has been no credible response to concerns about habitat fragmentation and the spread of particulate matter and chemicals into the bog.

It is well documented that the Boundary Bay Conservation Committee experienced the same undemocratic, unscientific environmental assessment process when the Governments of Canada and British Columbia approved the Deltaport Third Berth Project for containers at the internationally-significant ecological location at Roberts Bank. Ironically, the Environmental Assessment of the South Fraser Perimeter Road claims one major justification for the South Fraser Perimeter Road Project is the plan to build a second Terminal with three new berths at Deltaport. Given container port developments at Prince Rupert, global changes in container shipping, and major environmental concerns, it is imperative that the use of public money for these Gateway mega-projects should be revisited.

The Boundary Bay Conservation Committee urges the Canadian Environmental Assessment Agency to investigate the scientific integrity of the Harmonized Environmental Assessment process on the South Fraser Perimeter Road. We also urge credible scientific evaluation of the current route of this Project and its effects on the *Burns Bog Ecological Conservancy Area*.

Yours sincerely,



Susan Jones  
Director: Boundary Bay Conservation Committee

Attachment A-1: Mitham, Peter; Article from *Country Life in B.C.*, October 2008.

- c.c. Mayor and Council, Corporation of Delta
- The Honourable Gordon Campbell, Premier of B.C.
- Environmental Assessment Office, Government of B.C.
- The Right Honourable Stephen Harper, Prime Minister of Canada
- The Honourable John Baird, Minister of Environment, Government of Canada
- Metro Vancouver Board of Directors
- John Cummins, M.P. Delta-Richmond East
- Sukh Dhaliwal, M.P. Newton-Delta North
- Val Roddick, M.L.A. Delta South
- Guy Gentner, M.L.A. Delta North
- Burns Bog Conservation Society
- North American Wildlife Management Plan
- Global Peatland Action Plan
- Convention on Wetlands of International Importance