



October 17, 2008

Mike Younie, Manager of Environmental Service
District of Mission
8645 Stave Lake Street
Mission, B.C V2V 4L9

Dear Mr. Younie

Subject: Referral for Silverdale Urban Reserve Area Neighbourhood One Plan

Thank you for referring the Silverdale Urban Reserve Area (SURA) Neighbourhood One Draft Plan ("the Plan") to Fisheries and Oceans Canada (DFO) for review and comment. The comments provided in this letter are based on a review of the draft Plan document as provided. DFO has not reviewed supporting aquatic studies or an Integrated Stormwater Management Plan (ISMP) associated with the Neighbourhood Plan on the understanding that the District has assured that the aquatic studies and ISMP have been completed in accordance with the LAN.48 requirements.

The District's LAN.48 document states that environmental assessment at the neighbourhood level will require an evaluation of the potential impacts of land development on the larger watershed(s) characteristic to that neighbourhood (page 9). LAN.48 also indicates that neighbourhood plans will detail all of the environmental permits and approvals that are required for the neighbourhood development and will detail the types of information required and level of detail that must follow at the subdivision level (page 12). Furthermore, LAN.48 indicates that the Plan may include details of fisheries habitat mitigation and proposed enhancement/restoration works where it can be demonstrated that impacts to fish habitat cannot be avoided for that neighbourhood (page 12).

DFO notes the following:

1. The Plan does not include an environmental assessment evaluating the potential impacts of the proposed land development on the larger watersheds, as required by LAN.48. Such an assessment would have considered the location, type and extent of the many new watercourse crossings, the implications associated with establishing the minimum acceptable setbacks on a watershed scale, as appears to have been applied on the Chester Creek watershed, and all other potential impacts associated with the Plan.
2. The Plan does not detail works or location of works that would require a *Fisheries Act* Authorization, nor does it detail the type or level of information required at the subdivision phase, as required by LAN.48. For example, although it is apparent that new stream crossings will be required, the Plan does not detail where and how many crossings will be required, including transportation and infrastructure crossings. DFO understands that the intent of the Plan is to guide applicants making rezoning, subdivision and development application, and to provide a framework for decision-making by District Council and District staff regarding whether or not to recommend/approve applications and what conditions to attach to approvals. As the plan does not detail potential environmental impacts, future information requirements or specific reference to

required permits and approvals, it is unclear how the Plan will serve applicants or the District in that regard.

3. The plan does not demonstrate that impacts to fish habitat cannot be avoided, nor does it include proposed enhancement/restoration opportunities. It is unclear to DFO how the results of the aquatic environmental studies were used to influence the plan in avoiding impacts to fish habitat, such as minimizing stream crossings, or encroachment on headwater areas. As such, the Plan's compliance with DFO's *Policy for the Management of Fish Habitat* cannot be assessed, both in respect to the hierarchy of management options and the guiding principle of no-net-loss.

The need for establishing clear direction and assessments in neighbourhood plans has recently been highlighted in Mission's Cedar Valley Area. As one example, we refer to the harmful alteration and destruction of fish habitat adjacent to Gaudin Creek 'C', which was completed prior to appropriate assessments and receiving Authorization for works. DFO notes that the District assumed responsibility for the aforementioned works, owing to a misunderstanding of the Cedar Valley Environmental Management Plan and unclear direction provided to the project proponent by the District through the subdivision process.

Without improved guidance in the SURA Neighbourhood One Plan, DFO is concerned that mistakes similar to those made during recent Cedar Valley subdivision processes may occur during future SURA processes. A clear understanding of the full scope of impacts associated with the proposed plan has not been presented, and as such, DFO cannot support any rezoning applications associated with the Plan at this time. Finalizing the current plan could result in future requests for unacceptable impacts to fish habitat that may not be Authorized by this Department, necessitating future changes to the Plan and/or additional financial and temporal obligations for the District or applicants.

Thank you again for referring the Neighbourhood One Plan to DFO for review and comment. Should you have any questions regarding this letter, please phone the undersigned directly at 604.814.1070.

Sincerely,

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