

November, 2007

An open appeal to all BC MLA's

I want to make sure that all of you are aware of the plight of Burns Bog.

As Gateway progresses it is obvious that certain parts of the plan have merit. However one component, the SFPR, must be revisited as it affects Burns Bog.

What I ask here is how you, as a member of the legislative body for BC, can allow this breach of the signed protective covenant.

If you were unaware of these circumstances please read on and stand up to protect Burns Bog.

Another inconvenient truth - Burns Bog versus Gateway

I was at International Bog Day and saw a copy of the **Conservation Covenant that was signed in March of 2004 by four levels of government; the GVRD, Delta Municipality and both the federal and BC Provincial Governments, in order to protect and preserve Burns Bog.** It looks very impressive and certainly gives the feeling that Burns Bog is fully protected.

On page 9 of 15 in the Statement of Intent it very clearly states (page is also attached - 1)

2. (a) that all signed parties agree to maintain in perpetuity a large, contiguous, undeveloped natural area for the purpose of protecting the flora and fauna that depend on the bog;
- (b) manage the Bog as a functional raised bog ecosystem as understood by the best science of the time;
- (c) maintain the extent and integrity of the water mound and the peat that encloses it, and in particular the upper porous acrotelm, upon which the persistence of the bog system depends; and
- (d) prevent any occupation or use of the Bog that will impair or interfere with the current state of the Bog or the Amenities...

Now with this all fresh in my mind, I then looked a map from Gateway that shows **the current SFPR route** (map attached - 2). Right away I noted how very close it is aligned along the West and North side of the Bog and that it will be separated from the Fraser River. As the bog is water dependent I would think it impossible that the building of the SFPR will not in some way be in contradiction to the protective covenant - especially the section stating that it will not allow use that will impair or interfere with the current state of the Bog. And I am right as even the BC Governments own engineering studies admit that there will be an environmental impact. How can this be – they know it and are just ignoring the covenant that they signed? Do they hope no one will notice?

I have done some basic research and have come to realize that **Burns Bog is unique in this world.** Please look at the map (map attached - 3) and see just how big Burns Bog actually is – 10 times the size of Stanley Park! It is easy to see by size alone that it very well could be the 'lungs of the lower mainland' as we have all heard it referred to. This Bog is probably the largest carbon sink next to any major city – anywhere. Also note that it is already bordered by two highways – the SFPR will totally encase it. There are many other bogs in this world but very few that have actually survived in urban areas. Burns Bog has already been compromised with the development that has encroached on its perimeter. Yet it survives. We still do not fully understand the Bog's exact role in our quality of life regarding air and water nor its relation to the Fraser River and fish stocks. Quite simply, we cannot replace it and as we are uncertain of its exact role in this changing world, we have a duty to protect it. **By allowing the SFPR to be built along its crucial water source we are not only breaking the signed covenant but we may be nailing the final nail in the coffin for Burns Bog.**

Until now I had been presuming that the **Environmental Assessment Authority** would of course have to reject the SFPR application due to the contravention of the covenant alone never mind all the other issues. However I have asked this specifically of the EAO but have never heard back from them. Do they not have a duty to answer questions that are asked of them? I have since been told that the EAO has a track record they are proud of in that they have never refused any application? That is really reassuring as if they are our Environmental 'watch dog' and they have never rejected an application nor are they answering questions and the general public is under the false impression that Burns Bog is under legal protection by the government signed covenant. I suddenly don't feel very secure in the EAO's ability to be an unbiased environmental analysis and protector of the Bog.

I understand **the need for better movement for commuters and goods**. And I am able to persuade myself that we really have no choice to parts of Gateway such as the much needed twinning of the Port Mann. **But in regards to the SFPR part of the Gateway plan – we do have already existing alternatives**. Highways #10 and #15 are currently being upgraded and are connectors to Highways 99 and 91. These are the alternate links that Gateway requires to offer the toll free Fraser River crossings. I have also been told that parts of the SFPR will be 'design built' because there are so many unknown factors? Does that not ring of cost over runs and lots more money than planned? The money saved from not having to construct the SFPR in the first place would go a long way towards improving those existing routes mentioned as well as our transit options on this side of the Fraser. Something that is also a wrong that needs to be righted.

Gateway continues to stand on its original route even with the mounting evidence that it is not the best choice. Please tell me where else in the world has this kind of construction on an urban bog been successfully done that we can compare to? Quite simply – Nowhere! So with this uncertainty, how can this project be allowed to proceed? **We are all the guardians of this signed covenant, but you are in a position to act on it**. Please stand up and protect Burns Bog.

Sincerely,

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FROM THE CONSERVATION COVENANT FOR BURNS BOG
SIGNED BY THE GVRD / DELTA / FEDERAL & PROVINCIAL
GOVERNMENTS • ON March 12 - 2004

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- (h) reference to a "day", "month" or "year" is a reference to a calendar day, calendar month, or calendar year, as the case may be, unless otherwise expressly provided.

2.0 Statement of Intent and Covenants

Statement of Intent

- 2.1 The parties agree that their intent in this Agreement, to the greatest extent possible, is to:
- (a) maintain in perpetuity a large, contiguous, undeveloped natural area for the purpose of protecting the flora and fauna that depend on the Bog;
 - (b) manage the Bog as a functional raised bog ecosystem as understood by the best science of the time;
 - (c) maintain the extent and integrity of the water mound and the peat that encloses it, and in particular the upper porous acrotelm, upon which the persistence of the bog ecosystem depends; and
 - (d) prevent any occupation or use of the Bog that will impair or interfere with the current state of the Bog or the Amenities, except with respect to that area of the Bog, and those Amenities in respect of such area, over which a statutory right of way may be granted under section 6.1(e).

Covenants

- 2.2 THE PROVINCE COVENANTS AND AGREES with Canada that its use of the Provincial Land shall be subject to the terms and conditions contained herein.
- 2.3 THE GVRD AND DELTA COVENANT AND AGREE with Canada that their use of the Local Government Land shall be subject to the terms and conditions contained herein.
- 2.4 Subject to any contrary duty, responsibility or intention set out in section 2.1, the parties will provide limited public access to appropriate areas of the Bog as may be agreed upon by the parties.
- 2.5 This Agreement shall be perpetual to reflect the public interest in the protection, preservation, conservation, maintenance and enhancement of the natural state of the Bog and the Amenities for ecological and environmental reasons.

9/15

attachment # 1

NORTH DELTA

ALEX FRASER BRIDGE + 991

FRASER RIVER

TILBURY

BURNS BOG

THIS IS THE CURRENT SFPR ROUTING

Highway #99 (pre-existing)

SOUTH DELTA

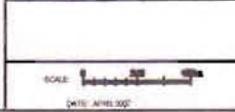
LEGEND:

-  100 METRE STUDY AREA
-  PARTNERSHIP LAND BOUNDARY
-  EXISTING WATERCOURSE
-  EXTENT OF WATERMOUND
-  EXISTING GROUND WATER FLOW

REFERENCES	
1	ORTHO PHOTOS, MCELHANEY, OCT 2006
2	SFPR DRAFT 4.10 ALIGNMENT, FEB 2007
3	SFPR ENVIRONMENTAL ASSESSMENT APPLICATION, SEPT 2006
4	SURFACE DRAINAGE PATTERNS, CORPORATION OF DELTA
5	SURFACE WATER LEVEL MONITORING STATIONS, GATEWAY JAN 2007
6	SFPR_STREAM CLASS_061219, GATEWAY DEC 2006
7	BLUE RED LISTED VEGETATION, GATEWAY
8	INFERED WATERMOUND, GATEWAY JUNE 2006



Gateway Program



PRELIMINARY CONCEPT FOR ENVIRONMENTAL STUDY

GATEWAY PROGRAM
SOUTH FRASER PERIMETER ROAD PARTICULATE MATTER STUDY

FIGURE 1

attachment #2

Burns Bog Facts

- * located in north Delta just south of the Fraser River.
- * 4,000 hectares (10,000 acres) in size, ten times larger than Stanley Park.
- * largest tract of undeveloped land in Lower Mainland.
- * purifies our air, produces oxygen, stores carbon and absorbs excess rainfall (which lessens flooding).
- * evidence of repeated fires. The most recent fire, which burned about 160 hectares, occurred in 1996.
- * the largest domed peat bog on the west coast of the Americas—an internationally unique ecosystem.
- * the highest point of the dome (5.5 metres above sea level) is just south of the centre of the bog; water flows north and south from there.
- * the bog contains fish habitat, including an historically significant salmon stream, Cougar Creek.
- * sphagnum moss is the bog's main plant species and occupies the central portion of the bog; pine woodland occurs just south of the core; the bog is ringed with mixed deciduous and coniferous forest.
- * other interesting plants in the bog include sundew (a small insect-eating plant), cloudberry (a unique plant species), the rare bog rosemary and crowberry, labrador tea, bog laurel, bog blueberry, huckleberry, pond lily, mushrooms, fungi and lichen, including fragile reindeer lichen that can grow to two feet high.
- * 24 species of mammals are known to use the bog. Bog animals include black bear, black-tailed deer, red fox, beaver, bobcat, coyote and spotted skunk.
- * 20 species of waterfowl, 18 species of raptors, 9 species of gulls, 9 species of shorebirds and 87 species of passerines and other birds are known to use the bog. The greater sandhill crane, found in the bog, is threatened with extirpation from the Lower Mainland. Other vulnerable bird species include the bald eagle, barn owl, great blue heron, gyrfalcon and peregrine falcon.
- * Burns Bog is home to some rare and beautiful species of insects, including the blue darner dragonfly, mariposa copper butterfly and a rare beetle (Beller's ground beetle).



attachment # 3