

An open appeal to all MP's

Are you aware that the BC Government is breaking a covenant signed by them and the federal government to protect the internationally recognized Burns Bog in BC?

As the Canada wide Asian Gateway program progresses it is obvious that certain parts of the plan have merit. However one component, the SFPR, must be revisited because it has a direct effect on Burns Bog.

What I ask here is how you, as an elected MP, can allow this breach of the signed covenant?

If you were unaware of these circumstances please read on.

Another inconvenient truth - Burns Bog versus Gateway

The Conservation Covenant 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.

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...

The current SFPR route (attached map #2)

Note how very close it is aligned along the West / North side of the Bog and that the Bog will be separated from the Fraser River. As the bog is water dependent, it is 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. 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 just hope no one will notice? Shouldn't Gateway be liable for proceeding with plans that are explicitly contrary to the word and intent of the protective covenant?

The main issue here is that Gateway continues to stand on its original route even with the mounting evidence that it is not the best choice. There are alternate existing routes that can be used to the South and East of Burns Bog. Highways 10 and 15 are currently being upgraded and are connectors to Highways 99 and 91. These routes already connect to the Port and are the alternate links that Gateway requires to offer the toll free Fraser River crossings. The money saved from not having to construct this new SFPR in the first place would go a long way towards improving those existing routes mentioned as well as transit options on the south side of the Fraser. And the trade off is priceless – the protection of Burns Bog.

I'm not sure if you are aware but **Burns Bog is unique in this world**. Please look at the map attached (#3) and see just how big Burns Bog actually is – 10 times the size of Stanley Park! We have all heard it referred to as the 'lungs of the lower mainland' and that is because it is probably the largest carbon sink next to any major city – anywhere!

Also note that it is already bordered by the two alternate existing highways, adding the SFPR will totally encase it.

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.

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! **By allowing the SFPR to divide the bog from its crucial water source we are not only breaking the signed covenant but we may be nailing the final nail in the coffin.**

Is this the legacy Canada wants to leave in it's pursuit of an Asia / Pacific Gateway - especially when there are existing alternatives?

Until now I had been presuming that the **BC Environmental Assessment Authority** would have to reject the SFPR application due to the contravention of the covenant alone never mind all the other issues. However I have come to realize that they are merely an extension of the BC Government and not an unbiased third party. They will approve the application because that is their job. **We cannot simply 'mitigate' Burns Bog. And as we are uncertain of its exact role in this changing world, we have a duty to protect it.**

Gateway needs to be made to seriously look at the other options that have been presented to them. They have no reason to go against the covenant that was signed and has since given the public a false sense that Burns Bog is under legal protection.

I am appealing to the federal government to step in and force Gateway to rethink the current SFPR component of the Gateway plan.

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

Page 9 of 15 pages

- (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

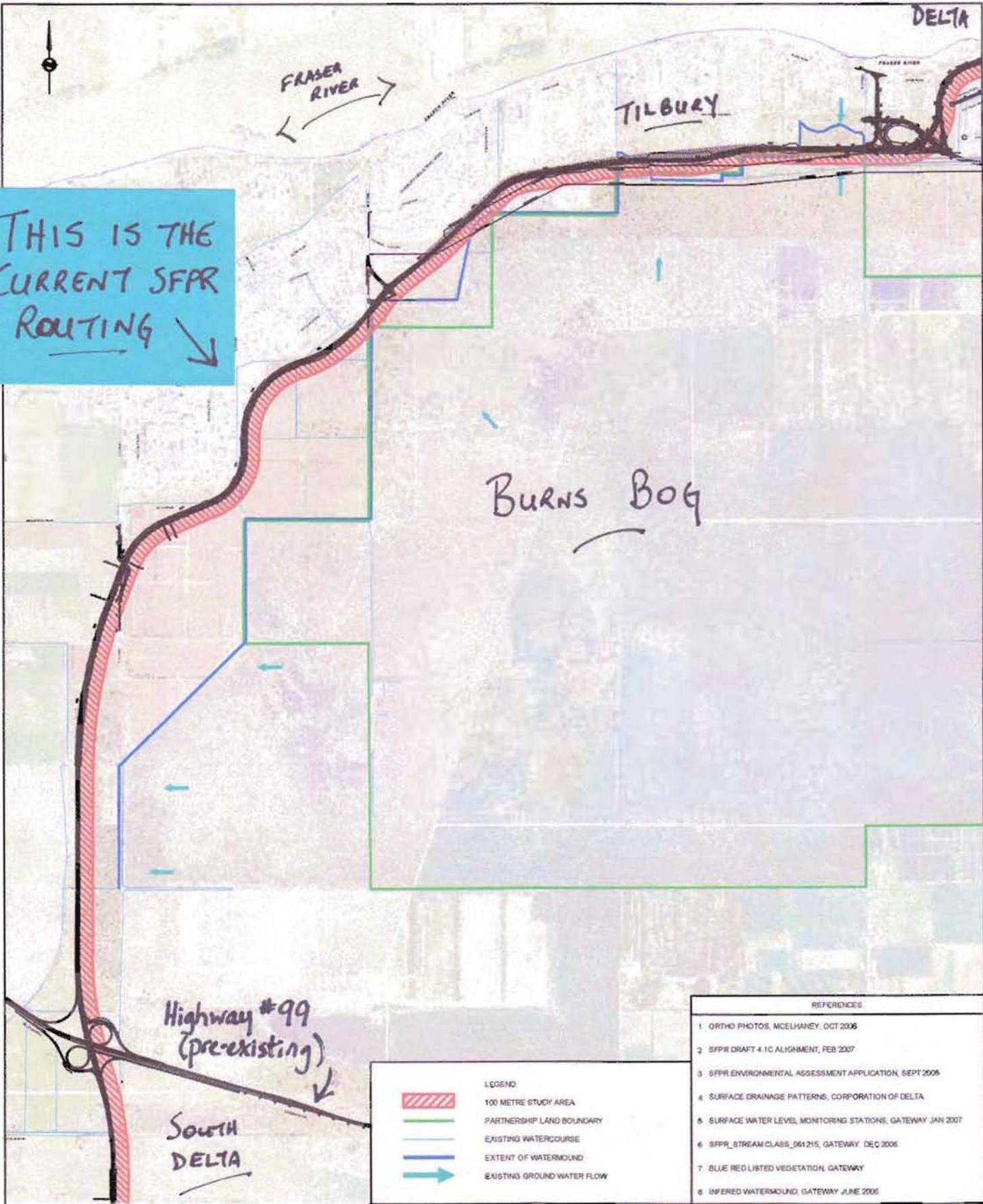
- 2.2 THE PROVINCE COVENANTS AND AGREES with Canada that its use of the Provincial Land shall be subject to the terms and conditions contained herein.
- 2.3 THE GVRD AND DELTA COVENANT AND AGREE with Canada that their use of the Local Government Land shall be subject to the terms and conditions contained 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 ↓
 ↓ 99 ↓

THIS IS THE CURRENT SFPR ROUTING →



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 4.1C 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_061215, GATEWAY DEC 2006
7	BLUE REG LISTED VEGETATION, GATEWAY
8	INFERED WATERMOUND, GATEWAY JUNE 2006

BRITISH COLUMBIA Gateway Program

SCALE 1:50,000
 DATE: 07/01/07

PRELIMINARY CONCEPT FOR DISCUSSION ONLY

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