



BRITISH COLUMBIA

The Best Place on Earth

January 26, 2007

TYPE: CORR-2
DEPT: ENG. I.E
FILE: 37500
COMMENT:
ITEM H.C
FEB 12/07
REGULAR MEETING

H.04

14:03 FEB07 '07 CORP OF DEL

File: 44250-20/9905A

Mayor Lois E. Jackson  
Corporation of Delta  
4500 Clarence Taylor Crescent  
Delta, BC V4K 3E2

Dear Mayor Jackson:

**Re: Comments on South Fraser Perimeter Road (SFPR) Environmental Assessment Application**

Thank you for your letter of December 12, 2006 providing the Corporations of Delta's comments on the SFPR Environmental Assessment Application. The comments outlined in the letter and attachments, are consistent with the issues that the Corporation of Delta (Delta) and Ministry of Transportation (MoT) are currently discussing as part of the planning for the SFPR.

This letter is in response to the key comments, on the SFPR Application, identified by Delta.

**Agriculture**

An Agricultural Enhancement Strategy is under development to help achieve the objective of no-net-loss of agricultural production and to demonstrate the Ministry's commitment to enhancing agricultural productivity in southwest Delta. As you are aware, we are currently working with the Delta Farmers' Institute (DFI), Delta staff, and other stakeholders to develop specific initiatives to support the strategy. These include measures to improve drainage, irrigation, soil conditions, access and transportation in southwest Delta.

**Air Quality**

With respect to the request for an Air Care program for heavy trucks, the Application indicates that project related emissions in the SFPR corridor are expected to decrease between 2003 and 2021 (even with increases in traffic). As older trucks are taken out of service due to the natural turnover in the fleet, vehicles with newer and improved emission control technologies will come into service. An air care program for trucks is not anticipated as part of the SFPR project

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Ministry of  
Transportation

Gateway Program

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### **Tree Planting**

Planting of trees will be considered as mitigation for vegetation that is lost during construction as well as to mitigate for noise, air quality and visual effects. The number, species, and location of plantings will be determined during final design in consultation with stakeholders including the Corporation of Delta.

### **Noise and Visual Impacts**

MoT is committed to mitigating noise impacts associated with the project and working with communities to identify appropriate and effective mitigation measures, including open graded asphalt and noise barriers. While Delta has requested that the determination of mitigation be guided by the Health Canada (HC) guidelines, work done by MoT indicates that the application of these guidelines, would actually result in fewer properties in the Sunbury neighbourhood being eligible for mitigation and would not provide the highest level of noise mitigation for the community. MoT would be pleased to work with Delta staff to provide further clarification on this matter.

With respect to the proposed "snow shed" structure requested for the alignment east of the Alex Fraser Bridge, preliminary investigation of a 2 km noise/green space cover over the upper, eastbound, lanes would cost up to \$200 million depending on the length of the structure and would double the construction costs for this section of the corridor. We are committed to working with Delta and residents to address noise and visual impacts in this area through other solutions such as "quiet pavement," noise barriers and tree planting.

### **Burns Bog**

The SFPR does not impact the protected areas of Burns Bog. We recognize the unique ecological values provided by Burns Bog and the efforts of governments and conservation interests who are committed to the stewardship of this area. As you know, the Province, along with Delta and other governmental partners, made a significant contribution to ensuring the long term protection of Burns Bog through the establishment of the Burns Bog Ecological Conservation Area (BBECA). As such, the MoT is committed to continuing the work with the Delta, GVRD and other government and non-government interests involved in planning, management and stewardship of this important area. In this regard, a number of actions are currently underway to ensure that potential impacts on Burns Bog are minimized during planning, construction and operation of SFPR including the following.

- Design mitigation - Further design, including measures for mitigating potential impacts to bog values adjacent to SFPR between Highway 99 and Highway 91, is currently underway. This work is informed by discussions with government and non-government stakeholders with an interest in Burns Bog, including members of the Burns Bog Management Planning Committee and Scientific Advisory Panel who will be invited to provide comment on the design detail for this portion of the alignment.

- Refinement to alignment - While design work on the alignment adjacent to Burns Bog is being advanced, based on early feedback from reviewing agencies, the MoT has refined the alignment in the vicinity of Highway 99 adjacent to the CIMD and Nottingham properties. This refinement has been undertaken in order to address concerns regarding potential impacts to functioning lagg between the bog and Crescent Slough.
- Compensation and Monitoring Programs - Recognizing that residual effects on lands with ecological values associated with the bog are expected to occur, MoT is working to develop compensation and monitoring programs related to Burns Bog. Compensation options being considered include potential contributions of residual land to the BBECA as well as support for stewardship and restoration initiatives. The compensation and monitoring programs will be finalized in consultation with Delta and other agencies during the Application review.

#### **Heritage**

SFPR has minimal impact on heritage properties. As a result of feedback during the public comment period the SFPR design has been refined in order to further minimize impacts to heritage properties. In addition, MoT will work with Delta to further mitigate impacts to heritage values in the corridor in future stages of design. To this end, the MoT is committed to continuing to work with the Delta Heritage Committee to identify specific activities that could be undertaken including developing a photo record and inventory of heritage houses adjacent to the alignment.

#### **Contaminated Sites**

SFPR provides an opportunity to address known contamination at existing landfills between the north edge of Burns Bog and the Fraser River (i.e., the DLC sites). The MoT is committed to continuing to work with the Ministry of Environment, Delta and land owners to explore potential initiatives to address existing contamination at these sites in a way that may be able to meet the objectives of all stakeholders.

#### **Engineering**

The MoT is committed to working with Delta to address a number of engineering matters including those related to infrastructure, utilities, and drainage and irrigation. As evidence of this commitment, the MoT is working with Delta and DFI to develop a sub-area Master Drainage Plan for southwest Delta. This plan is an important tool for guiding the MoT's work in mitigating potential impacts to drainage and irrigation infrastructure. We are committed to working with the Delta staff to address remaining engineering related matters as project planning continues.

Mayor Jackson  
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### **Construction Planning**

Future construction plans for the SFPR will include management plans (i.e., environmental, traffic, noise, etc.) as outlined in the Application to address potential construction related effects. Such plans will be developed, in consultation with Delta, when final design is complete and prior to construction.

The SFPR project team looks forward to further discussion with the Corporation of Delta regarding its comments on the Application and working to address outstanding issues. Please feel free to contact me if you have any questions or comments on the project or any of the information in this letter.

Sincerely,



Malcolm Smith  
Environmental Manager, SFPR  
Gateway Program

Cc: Jody Shimkus, Director, EAO  
Angela Buckingham, Director, Environmental Services, Gateway Program  
Geoff Freer, Director, SFPR, Gateway Program



THE CORPORATION OF DELTA

From the office of:

The Mayor,  
Lois E. Jackson

December 12, 2006

Jody Shimkus, Project Assessment Director  
Environmental Assessment Office  
PO Box 9426, STN PROV GOVT  
Victoria, BC V8W 9V1

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Dear Ms. Shimkus:

**Re: South Fraser Perimeter Road Environmental Assessment**

This letter represents the Corporation of Delta's (Delta) response to the Ministry of Transportation Gateway Program (Gateway) application for certification of the South Fraser Perimeter Road (SFPR) pursuant to the BC Environmental Assessment Act.

Delta Council previously expressed concerns regarding the proposed alignment of the SFPR and supported an upgraded Highway 17 alignment that would have minimized agricultural impacts and impacts on the western edge of Burns Bog. Regrettably, Gateway chose to move forward with an alignment not supported by Delta Council through the south west portion of Delta. Our comments reflect the alignment chosen by Gateway as this is the subject of the Environmental Assessment (EA) application submitted to your office.

At the November 27, 2006 Delta Council meeting, Council unanimously adopted the recommendations of the attached report dated November 23, 2006, titled *South Fraser Perimeter Road Environmental Assessment – Summary of Staff and Advisory Committee Comments*. Detailed comments regarding the EA application are included in the report and its attached tables of comments from staff and advisory committees. I have also attached a final version of the comments from Delta's Standing Committee on Agriculture that were adopted at their December 4, 2006 meeting, and a Council Report from Delta's Heritage Advisory Commission titled *Impact of the South Fraser Perimeter Road on Heritage* that was adopted at the December 11, 2006 Delta Council meeting.

In the following, I have outlined some of Delta's key issues, concerns and requests in response to the EA application submitted to your office by Gateway.

INFORMATION TO COUNCIL ...2

DATE DEC 13/06

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### **AGRICULTURE**

Agriculture in Delta is under many pressures including the loss or conversion of viable farmland within our municipality. SFPR has the potential to have disastrous effects regarding the feasibility of farming in Delta. In the attached comments, we are asking that there be no net loss to agriculture as a result of SFPR development and that indirect impacts be fully mitigated. A number of specific requests are included in the attachments.

If the appropriate mitigation and compensation measures are implemented, the SFPR could provide opportunities to strengthen farming in Delta. We are looking forward to reviewing more detailed compensation plans provided by Gateway and trust that you will seek endorsement of those plans by Delta and the agricultural community prior to making your decision.

### **AIR QUALITY**

Gateway states in their EA application that air quality is expected to improve as a result of superior fuel quality and vehicle emissions control technology. We feel that for these projected air quality improvements to be realized, the Province must implement an AirCare program for heavy trucks to ensure that the older, dirtier trucks are adequately maintained and retired from service at the appropriate time.

### **TREE PLANTING**

Delta has placed a high value on trees within our municipality and set substantial goals for increasing the number of trees within our boundaries and the percent canopy cover. We request that Gateway contribute to these goals by replacing all trees to be cut as part of the SFPR project using Ministry of Environment tree replacement criteria as a minimum standard. As a measure of success of the tree replacement program, we also request Gateway commit to achieving tree canopy cover of 20% of the SFPR footprint area ten years after project completion and increasing to 40% canopy cover twenty years after project completion.

### **NOISE AND VISUAL IMPACTS**

Noise and visual impacts of SFPR through Delta must be fully mitigated. We have brought forward a number of specific requests including ensuring that Health Canada guidelines for Environmental Noise Control are met. We are concerned by the information in the EA application that states that the less stringent Ministry of Transportation noise policy could be met by the use of quiet pavement only, in most of the neighbourhoods. Gateway should be using quiet pavement in conjunction with physical noise barriers along the route.

The North Delta section of SFPR will have the greatest impact on Delta residents from the perspective of noise and visual impacts. We are requesting that a "snow shed" type structure be built through North Delta to address the noise and visual impacts through this area. In addition, the tree planting noted above will provide a visual buffer in the remaining agricultural and residential sections of SFPR through Delta.



### **BURNS BOG**

Burns Bog is a globally unique and fragile ecosystem that has tremendous value to the local community. SFPR has the potential for serious impacts on the bog; however it also provides opportunities to explore land consolidation and remediation. We have included in our requests that privately held land be added to the Burns Bog Ecological Conservancy Area (BBECA), that impacted land within the BBECA be restored, that isolated impacted land between SFPR and Burns Bog be remediated, and that specific attention be given to mitigating drainage and groundwater impacts. We have also noted our rationale for shifting the alignment to the west along the western section of Burns Bog. Considerable care and attention must be given to all proposed work around Burns Bog.

### **HERITAGE**

The EA does not consider the indirect impacts to heritage values in the community, of which there are potentially many. We request that more work be done to quantify these indirect impacts and that both direct and indirect impacts be fully addressed. This is specifically important in the North Delta area.

### **CONTAMINATED SITES**

The SFPR will be cutting through a number of inactive, provincially-permitted Demolition and Land Clearing debris (DLC) landfills. These landfills have severely limited the use of the industrial land they are situated on and pose a considerable liability to the community. We are requesting that the Province take this opportunity to facilitate the return of this land to a condition that will allow a full range of industrial uses.

### **ENGINEERING ISSUES**

A number of specific requests are made in the attached report and comments relative to the impacts of SFPR on municipal infrastructure. A key request we are bringing forward is that Gateway provide the road dedication required for River Way and contribute to the funding of the road through the Tilbury and Sunbury Industrial areas. We consider that this would be appropriate compensation towards the economic impacts on Delta resulting from the loss of industrial land in the area that will result from building SFPR.

Additional key transportation requests to ensure that the community is best served and least disrupted by the SFPR, include the provision of a separated cycling facility, a direct connection from Highway 99 to the Boundary Bay Airport and Vancouver Landfill, and the connection of River Road with existing local roads in North Delta without facilitating direct connections to SFPR. This connection of River Road at the west end would be for transit, pedestrians, cyclists, transit and emergency vehicles only.



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Utilities, Drainage and Irrigation are also of fundamental concern to Delta. Gateway must ensure that SFPR does not impact these important community facilities and that improvements be made where possible. A specific item addressed in our comments on both agricultural and engineering issues, is a request that Gateway provide an irrigation channel along the SFPR alignment to provide fresh river water to be used by Delta farmers. Also included are essential sanitary sewer forcemain, drainage and water utility upgrades required to address the impacts of SFPR.

The construction period for the SFPR will be very disruptive to Delta residents. We are requesting that the project be fully funded prior to commencing so that these construction impacts are not unnecessarily extended over time. Your office must ensure that the construction best management practices identified in the application and in our comments will be implemented to lessen the impacts and disruptions to our residents.

As one of the two host communities for a highway that will benefit all of Canada, Delta warrants a higher standard with respect to mitigation and compensation to make certain that there are no long-term negative impacts of SFPR for Delta. With this in mind, I respectfully request that if the SFPR project is approved, our specific concerns be addressed as explicit requirements of an Environmental Assessment Certificate and that appropriate mechanisms be put in place to ensure these requirements are carried out and monitored. Delta looks forward to working with the BC Environmental Assessment Office by our continued participation on the EAO working group and through further consultation opportunities as the EA process continues.

Yours truly,

Lois E. Jackson  
Mayor

cc: John Cummins, MP, Delta-Richmond East  
Delta Council  
George V. Harvie, Chief Administrative Officer

Attachments:

- A. Delta Council Report dated November 23, 2006, titled *South Fraser Road Environmental Assessment – Summary of Staff and Advisory Committee Comments*
- B. Comments from Delta's Standing Committee on Agriculture dated December 4, 2006
- C. Delta Council Report from the Heritage Advisory Commission dated December 1, 2006, titled *Impact of the South Fraser Perimeter Road on Heritage*





# The Corporation of Delta

## Human Resources and Corporate Planning

Refers to Item H-04  
Regular Meeting  
February 12, 2007

**To:** Mayor and Council

**From:** John DuMont, Director of Human Resources and Corporate Planning

**Date:** February 7, 2007

**Subject:** SFPR Environmental Assessment Update

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The attached four page letter from the Ministry of Transportation's Gateway Program (Gateway) is a response to Delta's 50 page submission to the BC Environmental Assessment Office (EAO) relating to comments on the South Fraser Perimeter Road (SFPR) Environmental Assessment (EA) application. Delta's submission was provided to the EAO on December 12, 2006 in order to meet the December 17, 2006 public comment period deadline. Gateway's response to Delta's submission is an ambiguous reply that provides vague commitments regarding a number of Delta's specific requests and does not address a number of issues highlighted by Delta.

The letter does specifically refuse a number of requests brought forward in Delta's submission. These include the AirCare program for heavy trucks, the use of Health Canada guidelines for Environmental Noise Control and the "snow shed" for North Delta. The "snow shed" that was requested by Delta to fully mitigate the visual and noise impacts of this section of SFPR, was rejected due to an estimated cost of \$200 million for a 2 km structure over the eastbound lanes.

Gateway refers to a number of issues that will be finalized in consultation with Delta and other agencies during the EA application. The first EAO working group meeting will be held on February 9, 2007 to discuss Gateway's responses to working group member's comments on the EA application. Staff will be attending this meeting and will be providing a report back to Council with respect to Gateway's response to Delta's comments submitted and future EAO working group meetings.

As per Council's direction, a public information meeting is scheduled for February 20, 2007, at Brooke Elementary School from 7:00 - 9:30 pm on the topic of Delta's submission to the EAO on the SFPR EA application and the respective traffic issues that relate to this submission.

Please contact me at 604-946-3218 if you have any questions.

John DuMont  
Director of Human Resources and Corporate Planning

cc: George V. Harvie, Chief Administrative Officer  
Ian Radnidge, Director of Engineering  
Mike Brotherston, Senior Corporate Policy Analyst

Attachment