

From: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca)
To: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
Subject: WSA Approval - File 2010389
Sent: 11/27/2023 23:50:11
Message Body:

Hi Barb,

I have completed a draft refusal letter for the above noted. Feel free to make any changes you think are appropriate.

[2023-11-27-Refusal letter-2010389.docx](#)

Thank you,

Shawn

From: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca)
To: Smith, Malissa FOR:EX (Malissa.Smith@gov.bc.ca); Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
Cc: Hamod, Wendy D FOR:EX (wendy.hamod@gov.bc.ca)
Subject: RE: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30
Sent: 06/29/2023 16:35:09
Message Body:

Good morning,

- FrontCounter BC (FCBC) and Stream Management have been handling this application as a high priority.
- The application was incomplete which has necessitated requests for additional information from FCBC and SM.
- The applicant requested extensions from both teams to provide additional information.
- SM has started the technical review, is actively working on the file, and anticipates providing an update to the applicant soon.

Please refer to the following file chronology:

February 7, 2023 – Application submitted to FCBC.

March 16, 2023 – FCBC requested additional information.

April 11, 2023 – Applicant submitted requested information, following a request to have the application returned to make additional updates.

April 13, 2023 – FCBC accepted application, assigned a file number, and transferred to Stream Management.

April 21, 2023 – Stream Management completed a preliminary review and identified missing information. The application was placed on hold (30 day deadline) and a letter was sent to the applicant.

May 11, 2023 – The applicant's agent requested an extension to the deadline. A new hold letter with a revised deadline was provided to the applicant.

June 20, 2023 – The applicant provided the requested information.

June 28, 2023 – Stream Management initiated the technical review and is actively working on the file.

Cheers,

Shawn

From: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Sent: Wednesday, June 28, 2023 4:45 PM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Cc: Hamod, Wendy D FOR:EX <wendy.hamod@gov.bc.ca>
Subject: FW: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Hey Barb, Shawn,

Funny/convenient, this is the file we just reviewed as a group this morning: 2010389.

Could one of you please put together some bullets for this request? I have attached the incoming email. Bullet notes should be fine. If you get to it by the end of the week can you please copy Wendy. If not, I will be back on Tuesday and you can just send direct to me.

Thanks,

Malissa

Malissa Smith | RPBio | PAg (she/her)

Section Head, Stream Management

Ministry of Forests

South Coast Natural Resource Region

200-10428 153rd Street | Surrey, BC | V3R 1E1

Ph: 778.572.2258 | Email: Malissa.Smith@gov.bc.ca

From: FLNR eApprovals <donotreply@sp.gov.bc.ca>
Sent: Wednesday, June 28, 2023 8:17 AM
To: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Subject: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Hamod, Wendy D FLNR:EX [Assignee] forwarded an eApprovals item to Smith, Malissa FLNR:EX for action

Comment: Malissa, please ask staff to provide bullets.

#:

Title: Minister Ralston, Mission Project - 100406271

Full Name:

Due Date: 6/30/2023

Category: Briefing Note - MLA/MO Information Bullets

[Go to item...](#)

From: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
To: Jeremy Nilson (jnilson@keystoneenvironmental.ca); dunmoredevelopments@gmail.com
Cc: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca); Kyle D'Appolonia (kdappolonia@mission.ca)
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek
Sent: 11/20/2023 22:31:24
Attachments: image001.png, image002.png
Message Body:

Hi Jeremy,

As per the Notice of Pending Refusal Letter sent to you on August 21, 2023, we requested a response to the letter by September 21, 2023. Our records show that we have not yet received a response. Are you currently working on a response or has the applicant decided to not respond to the letter.

Thanks,

Barb

From: Sutherland, Barbara FOR:EX
Sent: Monday, August 21, 2023 8:05 AM
To: 'Jeremy Nilson' <jnilson@keystoneenvironmental.ca>; 'dunmoredevelopments@gmail.com' <dunmoredevelopments@gmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Water Act Referrals Lower Mainland FOR:EX <WaterActReferrals.LowerMainland@gov.bc.ca>; 'Kyle D'Appolonia' <kdappolonia@mission.ca>
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

Please see the attached.

Thanks,

Barb Sutherland

From: Jeremy Nilson <jnilson@keystoneenvironmental.ca>
Sent: Saturday, August 19, 2023 2:53 PM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Water Act Referrals Lower Mainland FOR:EX <WaterActReferrals.LowerMainland@gov.bc.ca>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Subject: Re: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon,

We respectfully request an extension to allow further time for proponent review and decision making. Per previous discussion we understand that only limited extensions are available. 2-4 weeks will be sufficient if that range is acceptable.

Thank you.

Jeremy Nilson B.Sc., R.P.Bio.
Project Manager / Team Lead (he/him)
T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Friday, July 21, 2023 5:20:32 PM
To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com
<dunmoredevelopments@gmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia
<kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>; Smith,
Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Subject: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary
to D'Herbomez Creek

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Please see attached.

Thank you,

Barbara Sutherland, P.Eng.

Senior Authorizations Specialist - Water

Stream Management Authorizations

South Coast Natural Resource Region

Ministry of Forests

200-10428 153 Street, Surrey BC, V3R 1E1 | Phone: 778-572-2199 | Fax: 604-586-4444

Our Vision: Economic prosperity and environmental sustainability

Bullets

DRAFT

DATE: July 12, 2023

REGARDING: Mission Project, File # 2010389

SUMMARY:

- FrontCounter BC (FCBC) and Stream Management (SM) have been handling this application as a high priority housing / commercial file. Specific unit numbers have not been provided, only a description of “several six-storey combined retail-residential apartments and some single family homes”.
- At initial review, the application was incomplete which necessitated requests for additional information from FCBC and SM.
- Additional information was provided on June 20, 2023 and SM resumed technical review.
- The application proposes to infill and remove high functioning headwater streams with mature riparian vegetation to “most efficiently accommodate the proposed development (residential/commercial)”. MOF staff believe the site can be developed while avoiding impacts to the streams.
- SM has determined the application does not align with water management objectives to maintain or improve watershed health.
- SM is preparing a notice of pending refusal.

Please refer to the following file chronology:

- February 7, 2023 – Application submitted to FCBC.
- March 16, 2023 – FCBC requested additional information.
- April 11, 2023 – Applicant submitted requested information, following a request to have the application returned to make additional updates.
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- June 20, 2023 – The applicant provided the requested information.
- June 28, 2023 – Stream Management initiated the technical review and is actively working on the file.

KEY MESSAGES:

- The subject proposal involves the in-filling of a headwater stream. Development projects that involve the direct elimination of streams or wetlands are generally difficult to fully mitigate and require careful consideration by the ministry.
- SM has determined the application does not align with water management objectives to maintain or improve watershed health. The site is developable without removing intact watercourses and their riparian vegetation.
- SM is preparing a notice of pending refusal which will be sent to the applicant by July 21, 2023.

PREPARED BY:

Shawn Fitzsimmons
Authorizations Specialist
778 572-2232

And
Malissa Smith
Section Head, Stream Management

Bullets

DRAFT

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REGARDING: Mission Project, File # 2010389

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PREPARED BY:

Shawn Fitzsimmons
Authorizations Specialist
778 572-2232

And
Malissa Smith
Section Head, Stream Management



May 17, 2023

Approval File Number: 2010389

Stave Lake Investments Limited Partnership
201-3600 Townline Road
Abbotsford BC V2T 5W8

Dunmore Developments Ltd.
171 Gladwin Road
Abbotsford BC V2T 5Y1

Sent via email to: dunmoredevelopments@gmail.com

Dear Applicant,

Re: Notice to Hold Review of *Water Sustainability Act* Approval application on Unnamed streams.

Thank you for the *Water Sustainability Act* (WSA) Approval application received on February 7, 2023.

A brief overview of your file has begun and the following information gaps have been identified, as outlined below. Please note that the time for an application to be reviewed and moved forward to the decision stage will depend on the complexity of the works proposed, the potential environmental impacts, the effect the proposal may have on other (asserted indigenous and/or private) rights and interests, and the quality and completeness of the application. These items must be addressed in order for us to continue our review:

1. If your application involves the federal *Fisheries Act*, please provide copies of any Letters of Advice or Authorizations received.
2. If your application involves any other Federal, Municipal, or Provincial permit, please attach a copy of the permit(s) and/or please describe where you are at in the respective permitting process.
3. Description of Works Table: Please provide a table that outlines construction steps, timelines, impacts, and mitigation measures. Please ensure that the “duration” field identifies length of time to complete the works once initiated. An example can be found in Section 5.1.1.4 of the South Coast Region Guidance for Changes in and About a Stream applications at: https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

4. Complete the attached Qualified Professional Questionnaire regarding STREAM DIVERSION/INFILL. For more information on South Coast expectations, please refer to Section 5 of the “Guidance for Applications or Notifications for Changes in and about a Stream under the Water Sustainability Act in the South Coast Region” document (https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.)
5. Offset Implementation and Effectiveness Monitoring Plan: Please submit a formal and detailed offsetting plan with the inclusion of a long-term monitoring plan. Five year minimum for effectiveness monitoring is preferred. At a minimum, please include the following:
 - a. Riparian planting:
 - i. Planting plan that includes species, size of plants and planting locations.
 - ii. Duration and frequency of effectiveness monitoring to demonstrate successful plant establishment/survival.
 - iii. Outline details for invasive abatement, disposal and replanting in the event of plant mortality.
 - b. Hydrology:
 - i. Duration and frequency of effectiveness monitoring to demonstrate new channel features are functioning as intended.
 - ii. Metrics to measure how the new channel features are “functioning as intended”.

For more information, please refer to Section 5.1.2.3 of the South Coast Region Guidance for Changes in and About a Stream applications at:
https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

Again, for detailed information on above-mentioned information requirements, please refer to Section 5 of the South Coast Region Guidance for Changes in and About a Stream applications at:
https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

Our office has placed the WSA Approval review on hold and provides you with **the additional time you requested** to provide the required information as stated above. If the required information is provided before the response due date stated below, we will review the material submitted to determine if the information meets the initial request.

However, please note that submission of the information requested does not guarantee that a WSA Approval will be issued as further questions may arise as the review continues. Also, the file may not automatically be removed from the hold process with the receipt of the required information if the information provided is insufficient to address the concerns and information gaps identified.

At this time, you are reminded that **no work in and about a stream shall proceed** until such time as a WSA Approval is issued to you from this office.

Your response is due June 20, 2023. This is an extension of time, at the request of the applicant. No additional extensions of time will be offered beyond June 20, 2023.

If the above-mentioned information is not submitted within the requested timeframe, your application will be refused. You would then require a new application to seek authorization for your plans.

Please send your response to our general surface water authorizations email at WaterActReferrals.LowerMainland@gov.bc.ca **no later than June 20, 2023**. Please include the Approval File Number in your subject line of the email so we may identify the application.

If you have any questions or concerns about your application, please contact Stream Management at 604-586-4400.

Sincerely,



Assistant Water Manager
Stream Management
Email: WaterActReferrals.LowerMainland@gov.bc.ca

cc: Consultant



May 17, 2023

Approval File Number: 2010389

Stave Lake Investments Limited Partnership
201-3600 Townline Road
Abbotsford BC V2T 5W8

Dunmore Developments Ltd.
171 Gladwin Road
Abbotsford BC V2T 5Y1

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If you have any questions or concerns about your application, please contact Stream Management at 604-586-4400.

Sincerely,



Assistant Water Manager
Stream Management
Email: WaterActReferrals.LowerMainland@gov.bc.ca

cc: Consultant

From: Nathan Bendriem (nbendriem@keystoneenvironmental.ca)
To: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
Cc: Jeremy Nilson (jnilson@keystoneenvironmental.ca)
Subject: RE: Water Sustainability Act Application - File 2010389 - works at Tributary to D'Herbomez Creek
Sent: 07/21/2023 15:31:09

Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png, image007.png, image008.png, keystoneenv-35yrs-logo-170x137px_ffa1cda2-231b-4387-bbdf-65ee2f87c3a2.png, LinkedIn_b837db13-7046-454a-b89c-b8ff1cf781c4.png, Twitter_28f358b9-871a-4b90-82f5-9cc9d396d385.png, Facebook_6448aaa7-495d-4112-9588-505965153011.png, News_05798308-8969-4423-9cfa-b19be8cc6da3.png, Web_5df9c4d3-0a9a-4069-95b9-0a5c7a6b5081.png, sme-pme-2023_75px_e534e1a9-9309-4d59-8e21-32b6d15e9670.png, Location 1 - Watercourse 2.jpg, Location 2 - Watercourse 2.jpg

Message Body:

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good morning Barbara,

Following up on the site visit from Wednesday, here are the two location screenshots you've requested:

Location 1 was the area densely vegetated with Himalayan blackberry, where we first came upon the watercourse. Location 2 was the area further downstream with more distinct channelization and skunk cabbage.

Best,

Nathan Bendriem B.A., M.Sc., R.B. Tech (in Trainee)
Biologist
T: 604-430-0671 | **C:** 778-233-5306 | **E:** nbendriem@keystoneenvironmental.ca
320-4400 Dominion Street | Burnaby, BC V5G 4G3

Indigenous Territory Acknowledgement | We acknowledge our office is located on the traditional territory of the səliłwətaʔ təməxʷ (Tsleil-Waututh), Sʔə?lh Téméxw (Stó:lo), Qayqayt, Stz'uminus and the xʷməʔkʷəy̓əm (Musqueam) peoples. We are grateful for
Page 18 of 176 WLR-2023-32995

this privilege and accept our responsibility to improve relationships and respect land rights in the spirit of reconciliation.

Privilege and Confidentiality Notice | The information in this email is intended for the named recipients only. It may contain privileged and confidential information. Any use, copying or dissemination of its contents is prohibited. If you are not the intended recipient, please notify the sender and delete the email. Thank You.

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Friday, July 14, 2023 10:28 AM
To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com; Gus Cheema <s.22> Arvind Grewal <arvind@grewalgroup.ca>; Mohit Sharma <mohit@msharma.ca>; Gary Toor <thejtoors@hotmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>
Subject: RE: Water Sustainability Act Application - File 2010389 - works at Tributary to D'Herbomez Creek

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Thanks for accommodating us on such short notice.

See you all on Wednesday

Barb

From: Jeremy Nilson <jnilson@keystoneenvironmental.ca>
Sent: Friday, July 14, 2023 9:55 AM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; dunmoredevelopments@gmail.com; Gus Cheema <s.22> ; Arvind Grewal <arvind@grewalgroup.ca>; Mohit Sharma <mohit@msharma.ca>; Gary Toor <thejtoors@hotmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>
Subject: RE: Water Sustainability Act Application - File 2010389 - works at Tributary to D'Herbomez Creek

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Hi Barb,

I'm going to send a calendar invite around for 9 AM next Wednesday, I think there's enough availability amongst the various proponent representatives to make that date/time work.

Jeremy Nilson B.Sc., R.P.Bio.

Project Manager / Team Lead (he/him)

T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>

Sent: Friday, July 14, 2023 9:49 AM

To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com; Gus Cheema ^{s.22} <gus.22@keystoneenvironmental.ca>; Arvind Grewal <arvind@grewalgroup.ca>; Mohit Sharma <mohit@msharma.ca>; Gary Toor <thejtoors@hotmail.com>

Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>

Subject: RE: Water Sustainability Act Application - File 2010389 - works at Tributary to D'Herbomez Creek

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Thanks Jeremy.

From: Jeremy Nilson <jnilson@keystoneenvironmental.ca>

Sent: Friday, July 14, 2023 9:35 AM

To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; dunmoredevelopments@gmail.com; Gus Cheema ^{s.22} <gus.22@keystoneenvironmental.ca>; Arvind Grewal <arvind@grewalgroup.ca>; Mohit Sharma <mohit@msharma.ca>; Gary Toor <thejtoors@hotmail.com>

Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>

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9 AM works for me but I'll let the other folks chime in as well.

Jeremy Nilson B.Sc., R.P.Bio.
Project Manager / Team Lead (he/him)
T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Friday, July 14, 2023 9:24 AM
To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com; Gus Cheema <s.22>; Arvind Grewal <arvind@grewalgroup.ca>; Mohit Sharma <mohit@msharma.ca>; Gary Toor <thejtoors@hotmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>
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Hi Jeremy,

Thanks, would 9 am work for you on site?

Barb

From: Jeremy Nilson <jnilson@keystoneenvironmental.ca>
Sent: Friday, July 14, 2023 9:14 AM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; dunmoredevelopments@gmail.com; Gus Cheema <s.22>; Arvind Grewal <arvind@grewalgroup.ca>; Mohit Sharma <mohit@msharma.ca>; Gary Toor <thejtoors@hotmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>
Subject: RE: Water Sustainability Act Application - File 2010389 - works at Tributary to D'Herbomez Creek

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good morning Barb,

Keystone Environmental staff will be available on Wednesday July 19. I've included the proponent representatives on this e-mail to also confirm their availability.

Jeremy Nilson B.Sc., R.P.Bio.

Project Manager / Team Lead (he/him)

T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

320-4400 Dominion Street | Burnaby, BC V5G 4G3

Indigenous Territory Acknowledgement | We acknowledge our office is located on the traditional territory of the səliłwətaʔt̚ təməxʷ (Tsleil-Waututh), Sʔəʔh Téméxw (Stó:lo), Qayqayt, Stz'uminus and the xʷməʔʔkʷəy̓əm (Musqueam) peoples. We are grateful for this privilege and accept our responsibility to improve relationships and respect land rights in the spirit of reconciliation.

Privilege and Confidentiality Notice | The information in this email is intended for the named recipients only. It may contain privileged and confidential information. Any use, copying or dissemination of its contents is prohibited. If you are not the intended recipient, please notify the sender and delete the email. Thank You.

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>

Sent: Friday, July 14, 2023 8:33 AM

To: KeyInfo <keyinfo@keystoneenvironmental.ca>; Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com

Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>

Subject: Water Sustainability Act Application - File 2010389 - works at Tributary to D'Herbomez Creek

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Avid,

Thank you for providing the information requested in the Hold Letter dated April 21, 2023. I have been reviewing your Water Sustainability Act Application for works in and around unnamed

tributaries to D'Herbomez Creek.

We would like to visit your site on Wednesday, July 19.

Would you be able to meet us at the site on this day?

Thanks,

Page 024 of 176

Withheld pursuant to/removed as

Copyright

Page 025 of 176

Withheld pursuant to/removal as

Copyright

From: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
To: keyinfo@keystoneenvironmental.ca; jnilson@keystoneenvironmental.ca;
dunmoredevelopments@gmail.com
Cc: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca); Kyle D'Appolonia
(kdappolonia@mission.ca)
Subject: Water Sustainability Act Application - File 2010389 - works at Tributary to D'Herbomez Creek
Sent: 07/14/2023 15:32:41
Message Body:

Hi Avid,

Thank you for providing the information requested in the Hold Letter dated April 21, 2023. I have been reviewing your Water Sustainability Act Application for works in and around unnamed tributaries to D'Herbomez Creek.

We would like to visit your site on Wednesday, July 19.

Would you be able to meet us at the site on this day?

Thanks,

Bullets

DATE: May 29, 2023

REGARDING: 33950 - MLA Begg, WSA Application File 2010389

SUMMARY:

- Application submitted Feb 7, 2023 for a WSA S11 Change Approval to infill watercourses to facilitate a cost-effective layout of a new proposed retail / residential development in Mission, BC.
- The application was prioritized for review by MOF Front Counter BC and by the Stream Management Team.
- Stream Management flagged several concerns with the application and deemed this a medium to high risk proposal indicating that the site is likely developable with opportunities to avoid or minimize the impacts to the watercourses.
- A site visit will be done by MOF staff.
- Stream Management placed the file on hold, requesting information on the rationale to infill and the offset to account for significant adverse impacts of project.
- At the request of the applicant, Stream Management granted an extension of time to the hold deadline. Responses are due to MOF on June 20, 2023.
- First Nations consultation will commence once responses to MOF hold letter are provided and deemed sufficient by the Statutory Decision Maker.

KEY MESSAGES:

- Change Approval file 2010389 was prioritized by MOF as it is a housing related file.
- The project involves infilling of watercourses which is deemed a high risk activity to environmental values.
- The file has been placed on hold by the Statutory Decision Maker, with responses due by June 20, 2023.

PREPARED BY:

Malissa Smith

From: Jeremy Nilson (jnilson@keystoneenvironmental.ca)
To: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca)
Cc: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek
Sent: 11/27/2023 23:42:04
Attachments: image001.jpg, image002.png, image003.png, ke-22077_keystone_corpid_colour_emailsig_3517d80a-ce96-47f7-a24e-a99b77c225cb.png
Message Body:

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon Shawn,

One of the proponents has responded this afternoon indicating that the application can be withdrawn.

Jeremy Nilson B.Sc., R.P.Bio.
Project Manager / Team Lead (he/him)
T: 604-430-0671 | C: 604-679-6585 | E: jnilson@keystoneenvironmental.ca

From: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Sent: Monday, November 27, 2023 2:56 PM
To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; Dunmore Developments Inc <dunmoredevelopments2019@gmail.com>
Cc: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; 'Kyle D'Appolonia' <kdappolonia@mission.ca>
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jeremy,

Will you be withdrawing the Change Approval application? Please provide me with a status update at your earliest convenience.

Cheers,

Shawn Fitzsimons
Water Officer | Habitat Officer
Stream Management
Ministry of Water, Land and Resource Stewardship
200-10428 153 Street, Surrey BC V3R 1E1
Tel: (778) 572-2232

From: Sutherland, Barbara FOR:EX
Sent: Monday, November 20, 2023 2:31 PM
To: 'Jeremy Nilson' <jnilson@keystoneenvironmental.ca>; 'dunmoredevelopments@gmail.com' <dunmoredevelopments@gmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; 'Kyle D'Appolonia' <kdappolonia@mission.ca>
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

Hi Jeremy,
As per the Notice of Pending Refusal Letter sent to you on August 21, 2023, we requested a response to the letter by September 21, 2023. Our records show that we have not yet received a response. Are you currently working on a response or has the applicant decided to not respond to the letter.
Thanks,
Barb

From: Sutherland, Barbara FOR:EX
Sent: Monday, August 21, 2023 8:05 AM
To: 'Jeremy Nilson' <jnilson@keystoneenvironmental.ca>; 'dunmoredevelopments@gmail.com' <dunmoredevelopments@gmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Water Act Referrals Lower Mainland FOR:EX <WaterActReferrals.LowerMainland@gov.bc.ca>; 'Kyle D'Appolonia' <kdappolonia@mission.ca>
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

Please see the attached.
Thanks,
Barb Sutherland

From: Jeremy Nilson <jnilson@keystoneenvironmental.ca>
Sent: Saturday, August 19, 2023 2:53 PM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Water Act Referrals Lower Mainland FOR:EX <WaterActReferrals.LowerMainland@gov.bc.ca>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Subject: Re: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon,

We respectfully request an extension to allow further time for proponent review and decision making. Per previous discussion we understand that only limited extensions are available. 2-4 weeks will be sufficient if that range is acceptable.

Thank you.

Jeremy Nilson B.Sc., R.P.Bio.

Project Manager / Team Lead (he/him)

T: 604-430-0671 | C: 604-679-6585 | E: jnilson@keystoneenvironmental.ca

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>

Sent: Friday, July 21, 2023 5:20:32 PM

To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com
<dunmoredevelopments@gmail.com>

Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>;
Nathan Bendriem <nbendriem@keystoneenvironmental.ca>; Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>

Subject: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Please see attached.

Thank you,

Barbara Sutherland, P.Eng.

Senior Authorizations Specialist - Water

Stream Management Authorizations

South Coast Natural Resource Region

Ministry of Forests

200-10428 153 Street, Surrey BC, V3R 1E1 | Phone: 778-572-2199 | Fax: 604-586-4444

Our Vision: Economic prosperity and environmental sustainability

From: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
To: Jeremy Nilson (jnilson@keystoneenvironmental.ca); dunmoredevelopments@gmail.com
Cc: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca); Water Act Referrals Lower Mainland FOR:EX (WaterActReferrals.LowerMainland@gov.bc.ca); Kyle D'Appolonia (kdappolonia@mission.ca)
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek
Sent: 08/21/2023 15:04:59
Attachments: 2023-08-21 Notice of Pending Refusal 2010389.pdf, image002.png, image003.png
Message Body:

Please see the attached.

Thanks,

Barb Sutherland

From: Jeremy Nilson <jnilson@keystoneenvironmental.ca>
Sent: Saturday, August 19, 2023 2:53 PM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Water Act Referrals Lower Mainland FOR:EX <WaterActReferrals.LowerMainland@gov.bc.ca>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Subject: Re: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon,

We respectfully request an extension to allow further time for proponent review and decision making. Per previous discussion we understand that only limited extensions are available. 2-4 weeks will be sufficient if that range is acceptable.

Thank you.

Jeremy Nilson B.Sc., R.P.Bio.
Project Manager / Team Lead (he/him)
T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Friday, July 21, 2023 5:20:32 PM
To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com
<dunmoredevelopments@gmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia
<kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>; Smith,
Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Subject: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary
to D'Herbomez Creek

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Please see attached.

Thank you,

Barbara Sutherland, P.Eng.

Senior Authorizations Specialist - Water

Stream Management Authorizations

South Coast Natural Resource Region

Ministry of Forests

200-10428 153 Street, Surrey BC, V3R 1E1 | Phone: 778-572-2199 | Fax: 604-586-4444

Our Vision: Economic prosperity and environmental sustainability



August 21, 2023

File: 2010389

Stave Lake Investments Limited Partnership
201-3600 Townline Road
Abbotsford BC V2T 5W8

Dunmore Developments Ltd.
171 Gladwin Road
Abbotsford BC V2T 5Y1

Sent via email to: dunmoredevelopments@gmail.com

Dear Applicant,

**Re: Notice of Pending Refusal of *Water Sustainability Act* Approval for Infilling
Unnamed Tributary to D'Herbomez Creek, Mission BC**

Thank you for the information provided on June 20, 2023 in response to our request for additional information and clarifications sent on April 21, 2023 to address gaps in your Water Sustainability Act (WSA) Approval application received on January 04, 2021. Your WSA application is for the infilling portion of a tributary to D'Herbomez creek **within Lot C, Parcels "B" and "E" (Reference Plan 3915), District Lot 5, Section 27, Group 3, Except: Parcel "ONE" (Explanatory Plan 4745 and 7391), New Westminster District, Plan 2110**, Mission BC (the property). The works are proposed to facilitate the development of residential / commercial units including the associated road network. We understand the scope of work proposed under this application as per below:

1. Infill approximately 240 linear meters of Watercourse 2, a tributary to Watercourse 1 and D'Herbomez Creek. This will result in a loss of approximately 330 square meters of aquatic and 3,875 square meters of riparian habitat.
2. Construct a 387 square meter wetland and enhancement of approximately 2,703 square meters of riparian habitat
3. Construct new stormwater drainage channels within the riparian area of Watercourse 4 for a loss of 50 square meters of riparian habitat and a gain of 50 square meters of aquatic habitat
4. Dedication and enhancement of riparian lands adjacent to Watercourse 4 over an area of 2,186 square meters.

Thank you for meeting us on site on July 19, 2023. This helped provide context and clarity around our outstanding concerns. We would like to inform you that we have reviewed the information provided and determined that the proposed infilling of Watercourse 2 and its riparian area will likely result in significant adverse impacts to the water quality, water quantity and aquatic ecosystems of Watercourse 1, D'Herbomez Creek and its watershed.

Based on the information provided, the decision will move to refusal of the application. However, part of our process is to offer you the opportunity to provide further response to our concerns and reasons for pending refusal. Please review the reasons for the pending decision (below) and provide your responses within 30 days of receipt of this letter, August 21th, 2023.

Reasons for Refusal:

1. The BC Environmental Mitigation hierarchy of avoid, minimize, restore on site, and offset was not fully considered.
2. The proposed offsetting activities consisting of aquatic habitat creation and riparian habitat enhancement will result in a net gain of instream and riparian habitat that will provide enhanced ecological functions; MOF disagrees with this determination.
3. The hydrologic and ecologic conditions of Tributary 2 and the proposed offset wetland are not well understood.

1. The BC Environmental Mitigation hierarchy of avoid, minimize, restore on site, and offset was not fully considered.

As per the BC Environmental Mitigation Hierarchy, the application must consider options for the avoidance of impacts before moving to mitigation and offsetting. It is our understanding that this property can be successfully developed for residential and commercial use with Tributary 2 and its riparian area left intact. The City of Mission's Stave Heights Neighborhood Plan clearly shows how this lot can be developed with Tributary 2 and its riparian area intact.

2. The hydrologic and ecologic conditions of Tributary 2 and the proposed offset wetland are not well understood.

The hydrologic and ecologic values and functions of both Tributary 2 and the proposed compensation wetland are not clearly understood and thus it is unclear if the compensation wetland will provide equal or greater value/function than Tributary 2 in the context of the proposed development.

The quantity of water Tributary 2 provides to the watershed is not known and we are unsure of the hydroperiod (average time the channel is wet) of the channel. We understand some of the overarching ecosystem services provided by Tributary 2, but we are unclear on which species actually use the tributary, for what purposes and when. We also know that this tributary may provide habitat for the Oregon forest snail which is a red listed / SARA species.

Without understanding the functional values of Tributary 2, it is not possible to design / construct offset habitat that will provide equal or greater functional values.

Under the WSA, projects may be allowed if the impacts of the project can be mitigated for. In this application, the impacts of permanently removing tributary 2 and its riparian area will not, in our opinion, be compensated for by the proposed offsetting. The impacts of this project will result in the permanent removal of high functioning ecosystem habitat and cool clean water to the downstream reaches, likely resulting in significant adverse impacts to water quality, water quantity and ecosystem health.

3. The proposed offsetting activities consisting of aquatic habitat creation and riparian habitat enhancement will result in a net gain of instream and riparian habitat that will provide enhanced ecological functions; MOF disagrees with this determination.

As per 2 above, until we fully understanding the hydrologic and ecologic functions and values of Tributary 2, it is not possible to design / construct offset habitat that will provide equal or greater functional values. The MOF disagrees with this determination.

As per 1 above, we do not agree that you have followed the BC Mitigation Policy and we disagree that Tributary 2 must be infilled to facilitate the residential / commercial development. As per 2 above, we do not fully understand the effects the infilling of Tributary 2 will have on D' Herbomez Creek and its watershed, nor do we feel there is an adequate plan in place to address this uncertainty. Infilling this tributary and the removal of its mature diverse riparian area is likely to have significant adverse impacts on the water quality, water quantity, and the aquatic ecosystem health of this watershed.

If you would like to pursue the development of this property, I encourage you to apply the BC Mitigation Policy which states the first step is to avoid impact which would mean Tributary 2 is left in place with an appropriate riparian setback.

We are offering you the opportunity to provide a response to this letter. Please provide your responses within 30 days of receipt of this letter, **September 21st, 2023.** The response must be sent to the Water Manager at wateractreferrals.lowermainland@gov.bc.ca (please copy Barbara.Sutherland@gov.bc.ca) with the File Number 2010389 in the subject line. If you have any questions or need to request an extension of time to fulfil the requirements of the letter, please contact the undersigned.

Regards,



Barbara Sutherland
Assistant Water Manager

Pc: Jeremy Nilson, Keystone Environmental jnilson@keystoneenvironmental.ca
Kyle D'Appolonia, City of Mission kdappolonia@mission.ca
Shawn Fitzsimons, MOF shawn.fitzsimons@gov.bc.ca

From: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
To: Jeremy Nilson (jnilson@keystoneenvironmental.ca); dunmoredevelopments@gmail.com
Cc: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca); Kyle D'Appolonia (kdappolonia@mission.ca); Nathan Bendriem (nbendriem@keystoneenvironmental.ca); Smith, Malissa FOR:EX (Malissa.Smith@gov.bc.ca)
Subject: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek
Sent: 07/22/2023 00:20:32
Attachments: 2023-07-21 Notice of Pending Refusal 2010389.pdf, image001.png
Message Body:

Good Afternoon,

Please see attached.

Thank you,

Barbara Sutherland, P.Eng.

Senior Authorizations Specialist - Water

Stream Management Authorizations

South Coast Natural Resource Region

Ministry of Forests

200-10428 153 Street, Surrey BC, V3R 1E1 | Phone: 778-572-2199 | Fax: 604-586-4444

Our Vision: Economic prosperity and environmental sustainability



July 21, 2023

File: 2010389

Stave Lake Investments Limited Partnership
201-3600 Townline Road
Abbotsford BC V2T 5W8

Dunmore Developments Ltd.
171 Gladwin Road
Abbotsford BC V2T 5Y1

Sent via email to: dunmoredevelopments@gmail.com

Dear Applicant,

**Re: Notice of Pending Refusal of *Water Sustainability Act* Approval for Infilling
Unnamed Tributary to D'Herbomez Creek, Mission BC**

Thank you for the information provided on June 20, 2023 in response to our request for additional information and clarifications sent on April 21, 2023 to address gaps in your Water Sustainability Act (WSA) Approval application received on January 04, 2021. Your WSA application is for the infilling portion of a tributary to D'Herbomez creek **within Lot C, Parcels "B" and "E" (Reference Plan 3915), District Lot 5, Section 27, Group 3, Except: Parcel "ONE" (Explanatory Plan 4745 and 7391), New Westminster District, Plan 2110**, Mission BC (the property). The works are proposed to facilitate the development of residential / commercial units including the associated road network. We understand the scope of work proposed under this application as per below:

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3. Construct new stormwater drainage channels within the riparian area of Watercourse 4 for a loss of 50 square meters of riparian habitat and a gain of 50 square meters of aquatic habitat
4. Dedication and enhancement of riparian lands adjacent to Watercourse 4 over an area of 2,186 square meters.

Thank you for meeting us on site on July 19, 2023. This helped provide context and clarity around our outstanding concerns. We would like to inform you that we have reviewed the information provided and determined that the proposed infilling of Watercourse 2 and its riparian area will likely result in significant adverse impacts to the water quality, water quantity and aquatic ecosystems of Watercourse 1, D'Herbomez Creek and its watershed.

Based on the information provided, the decision will move to refusal of the application. However, part of our process is to offer you the opportunity to provide further response to our concerns and reasons for pending refusal. Please review the reasons for the pending decision (below) and provide your responses within 30 days of receipt of this letter, August 21th, 2023.

Reasons for Refusal:

1. The BC Environmental Mitigation hierarchy of avoid, minimize, restore on site, and offset was not fully considered.
2. The proposed offsetting activities consisting of aquatic habitat creation and riparian habitat enhancement will result in a net gain of instream and riparian habitat that will provide enhanced ecological functions; MOF disagrees with this determination.
3. The hydrologic and ecologic conditions of Tributary 2 and the proposed offset wetland are not well understood.

1. The BC Environmental Mitigation hierarchy of avoid, minimize, restore on site, and offset was not fully considered.

As per the BC Environmental Mitigation Hierarchy, the application must consider options for the avoidance of impacts before moving to mitigation and offsetting. It is our understanding that this property can be successfully developed for residential and commercial use with Tributary 2 and its riparian area left intact. The City of Mission's Stave Heights Neighborhood Plan clearly shows how this lot can be developed with Tributary 2 and its riparian area intact.

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The hydrologic and ecologic values and functions of both Tributary 2 and the proposed compensation wetland are not clearly understood and thus it is unclear if the compensation wetland will provide equal or greater value/function than Tributary 2 in the context of the proposed development.

The quantity of water Tributary 2 provides to the watershed is not known and we are unsure of the hydroperiod (average time the channel is wet) of the channel. We understand some of the overarching ecosystem services provided by Tributary 2, but we are unclear on which species actually use the tributary, for what purposes and when. We also know that this tributary may provide habitat for the Oregon forest snail which is a red listed / SARA species.

Without understanding the functional values of Tributary 2, it is not possible to design / construct offset habitat that will provide equal or greater functional values.

Under the WSA, projects may be allowed if the impacts of the project can be mitigated for. In this application, the impacts of permanently removing tributary 2 and its riparian area will not, in our opinion, be compensated for by the proposed offsetting. The impacts of this project will result in the permanent removal of high functioning ecosystem habitat and cool clean water to the downstream reaches, likely resulting in significant adverse impacts to water quality, water quantity and ecosystem health.

3. The proposed offsetting activities consisting of aquatic habitat creation and riparian habitat enhancement will result in a net gain of instream and riparian habitat that will provide enhanced ecological functions; MOF disagrees with this determination.

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As per 1 above, we do not agree that you have followed the BC Mitigation Policy and we disagree that Tributary 2 must be infilled to facilitate the residential / commercial development. As per 2 above, we do not fully understand the effects the infilling of Tributary 2 will have on D' Herbomez Creek and its watershed, nor do we feel there is an adequate plan in place to address this uncertainty. Infilling this tributary and the removal of its mature diverse riparian area is likely to have significant adverse impacts on the water quality, water quantity, and the aquatic ecosystem health of this watershed.

If you would like to pursue the development of this property, I encourage you to apply the BC Mitigation Policy which states the first step is to avoid impact which would mean Tributary 2 is left in place with an appropriate riparian setback.

We are offering you the opportunity to provide a response to this letter. Please provide your responses within 30 days of receipt of this letter, **August 21st, 2023.** The response must be sent to the Water Manager at wateractreferrals.lowermainland@gov.bc.ca (please copy Barbara.Sutherland@gov.bc.ca) with the File Number 2010389 in the subject line. If you have any questions or need to request an extension of time to fulfil the requirements of the letter, please contact the undersigned.

Regards,



Barbara Sutherland
Assistant Water Manager

Pc: Jeremy Nilson, Keystone Environmental jnilson@keystoneenvironmental.ca
Kyle D'Appolonia, City of Mission kdappolonia@mission.ca
Shawn Fitzsimons, MOF shawn.fitzsimons@gov.bc.ca

From: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca)

To: dunmoredevelopments@gmail.com

Cc: Jeremy Nilson (jnilson@keystoneenvironmental.ca)

Subject: Change Approval Application - Water File 2010389

Sent: 04/21/2023 19:49:43

Attachments: 2023-04-21-Hold letter-2010389.pdf, image001.png, QP Sign Off Form STREAM DIVERSION.INFILL.docx

Message Body:

Good afternoon,

Please see attached.

Thank you,

Shawn Fitzsimons
Water Officer | Habitat Officer
Stream Management
200-10428 153 Street, Surrey BC V3R 1E1
Tel: (778) 572-2232



April 21, 2023

Approval File Number: 2010389

Stave Lake Investments Limited Partnership
201-3600 Townline Road
Abbotsford BC V2T 5W8

Dunmore Developments Ltd.
171 Gladwin Road
Abbotsford BC V2T 5Y1

Sent via email to: dunmoredevelopments@gmail.com

Dear Applicant,

Re: Notice to Hold Review of *Water Sustainability Act* Approval application on Unnamed streams.

Thank you for the *Water Sustainability Act* (WSA) Approval application received on February 7, 2023.

A brief overview of your file has begun and the following information gaps have been identified, as outlined below. Please note that the time for an application to be reviewed and moved forward to the decision stage will depend on the complexity of the works proposed, the potential environmental impacts, the effect the proposal may have on other (asserted indigenous and/or private) rights and interests, and the quality and completeness of the application. These items must be addressed in order for us to continue our review:

1. If your application involves the federal *Fisheries Act*, please provide copies of any Letters of Advice or Authorizations received.
2. If your application involves any other Federal, Municipal, or Provincial permit, please attach a copy of the permit(s) and/or please describe where you are at in the respective permitting process.
3. Description of Works Table: Please provide a table that outlines construction steps, timelines, impacts, and mitigation measures. Please ensure that the “duration” field identifies length of time to complete the works once initiated. An example can be found in Section 5.1.1.4 of the South Coast Region Guidance for Changes in and About a Stream applications at: https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

4. Complete the attached Qualified Professional Questionnaire regarding STREAM DIVERSION/INFILL. For more information on South Coast expectations, please refer to Section 5 of the “Guidance for Applications or Notifications for Changes in and about a Stream under the Water Sustainability Act in the South Coast Region” document (https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.)
5. Offset Implementation and Effectiveness Monitoring Plan: Please submit a formal and detailed offsetting plan with the inclusion of a long-term monitoring plan. Five year minimum for effectiveness monitoring is preferred. At a minimum, please include the following:
 - a. Riparian planting:
 - i. Planting plan that includes species, size of plants and planting locations.
 - ii. Duration and frequency of effectiveness monitoring to demonstrate successful plant establishment/survival.
 - iii. Outline details for invasive abatement, disposal and replanting in the event of plant mortality.
 - b. Hydrology:
 - i. Duration and frequency of effectiveness monitoring to demonstrate new channel features are functioning as intended.
 - ii. Metrics to measure how the new channel features are “functioning as intended”.

For more information, please refer to Section 5.1.2.3 of the South Coast Region Guidance for Changes in and About a Stream applications at:
https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

Again, for detailed information on above-mentioned information requirements, please refer to Section 5 of the South Coast Region Guidance for Changes in and About a Stream applications at:
https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

Our office has placed the WSA Approval review on hold and provides you with **30 days from the date of this letter** to provide the required information as stated above. If the required information is provided before the 30 day initial response due date, we will review the material submitted to determine if the information meets the initial request.

However, please note that submission of the information requested does not guarantee that a WSA Approval will be issued as further questions may arise as the review continues. Also, the file may not automatically be removed from the hold process with the receipt of the required information if the information provided is insufficient to address the concerns and information gaps identified.

At this time, you are reminded that **no work in and about a stream shall proceed** until such time as a WSA Approval is issued to you from this office.

Your response is due May 21, 2023, 30 days from the date of this letter.

If the above-mentioned information is not submitted within the requested timeframe, your application will be refused. You would then require a new application to seek authorization for your plans.

Please send your response to our general surface water authorizations email at WaterActReferrals.LowerMainland@gov.bc.ca **no later than May 21, 2023**. Please include the Approval File Number in your subject line of the email so we may identify the application.

If you have any questions or concerns about your application, please contact Stream Management at 604-586-4400.

Sincerely,



Assistant Water Manager
Stream Management
Email: WaterActReferrals.LowerMainland@gov.bc.ca

cc: Consultant

Key Aquatic Habitat Questions for Qualified Professionals

STREAM DIVERSIONS/IN-FILLING

Resource Management, FLNRORD – South Coast Region

July 3, 2019–Version 2.0

Date: [Click here to enter a date.](#)

The Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNRORD) South Coast Resource Management recommends that the following questions be filled out and submitted by Qualified Professionals (QP) working on behalf of the project. A completed form will assist in clarifying the information prepared by QPs on behalf of the project proponent and improve the efficiency of the review process.

Please be advised that a QP is an applied scientist or technologist, acting alone or together with another qualified professional. He or she must be registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association. To be able to certify that they are qualified to provide an answer to a particular question posed, the individual's area of expertise must be one that is acceptable for the purpose of providing all or part of a report in respect of the particular development proposal that is being assessed. The individual is considered a QP only for that portion of the assessment that is within their area of expertise. In this case, it is expected that the qualified professional(s) will be experienced in assessing fish & aquatic wildlife habitat impacts, mitigation and off-sets/mitigation associated with works in or about a stream channel and riparian disturbance.

1.0 Professional Accountability				
1.1	Has the submission been signed off by a certified professional experienced in assessing fish & aquatic wildlife habitat impacts, mitigation and off-sets/mitigation associated with works in or about a stream and riparian disturbance?			Unknown
Professional			Portion(s) of Supplemental Information Responsible For (e.g. Project Overview, Stream and Stream Channel Impact Assessment, Plans)	
Name	Accreditation & Registration #	Signature		
_____	_____	_____	_____	
_____	_____	_____	_____	
_____	_____	_____	_____	

2.0 Rationale			Report Section
2.1	A technical rationale for the works has been provided?	Unknown	
2.1.1	The works are required to protect life or property?	Unknown	
2.1.2	The works serve a public interest?	Unknown	
2.1.3	Have all alternatives to the works (e.g., timing, location, extent, methods of construction) been fully considered to minimize the overall environmental impacts and been summarized in the Stream and Stream Channel Impact Assessment?	Unknown	

3.0 Assessment of Potential Impacts to Aquatic Values/Components			Report Section
3.1	Is the extent of fish & aquatic wildlife habitat potentially impacted by the diversion/infilling fully understood and described?	Unknown	
3.1.1	Is the occurrence of fish and wildlife species fully understood and described (including the presence of species at risk)?	Unknown	

3.0 Assessment of Potential Impacts to Aquatic Values/Components (cont.)			Report Section
3.1.2	Are the habitat types understood?	Unknown	
a	<i>Instream habitat?</i>	Unknown	
b	<i>Riparian habitat?</i>	Unknown	
3.1.3	Is habitat use well understood and described?	Unknown	
a	<i>by species?</i>	Unknown	
b	<i>by life stage?</i>	Unknown	
c	<i>by timing/season?</i>	Unknown	
3.1.4	Has the amount of potentially impacted habitat been measured & provided?	Unknown	
a	<i>Instream habitat?</i>	Unknown	
b	<i>Riparian habitat</i>	Unknown	
3.2	Are the potential impacts to habitat downstream of the works understood & described?	Unknown	
3.2.1	Will the stream diversion/infilling lead to downstream impacts (e.g. increased erosion, flooding, loss of flow)?	Unknown	
3.3	Is the stream in hydraulic connection with groundwater?	Unknown	
3.3.1	Is the underlying geology known in detail to verify hydraulic connectivity?	Unknown	
3.3.2	Are the streambed materials known in detail to assess the degree of hydraulic connectivity?	Unknown	
3.3.4	Were water level elevations in the stream and the underlying aquifer compared and suggested a perched stream?	Unknown	
3.4	If the stream is in hydraulic connection with groundwater, is it known if the stream is a losing or gaining stream?	Unknown	
3.4.1	Were water level elevations in the stream and the underlying aquifer compared?	Unknown	
3.4.2	Were water level elevations compared over the course of a year to determine if the stream is a losing or gaining stream year round, or if it varies seasonally?	Unknown	

4.0 Assessment of Potential Impacts to Other Stakeholders			Report Section
4.1	Have all potential impacts of the proposed diversion/infill to other stakeholders in the area been fully considered and described?	Unknown	
4.1.1	Has the proponent received written consent from any impacted, neighbouring property owners?	Unknown	
4.1.2	Will downstream licensees be impacted by the stream diversion?	Unknown	
4.1.3	Is the proposed diversion/in-fill consistent with local land-use plans and by-laws, and fully supported by the local government?	Unknown	

5.0 Mitigation			Report Section
5.1	Are project components designed to reduce/mitigate impacts to instream & riparian habitat as much as possible?	Unknown	
5.1.1	Designed to minimize impacts to the active floodplain and channel of the stream?	Unknown	
5.1.2	Designed to minimize direct and indirect impacts to the riparian areas and associated vegetation?	Unknown	
5.2	Does the proposed offset or compensation areas provide ecological equivalency to directly address residual impacts to instream habitat? (Refer to Section 5.1.2.3 of the Change Approval Guidelines and the Environmental Mitigation Policy)	Unknown	

5.2.1	Has a Habitat Balance been completed that minimizes potential aquatic and riparian loss? (Refer to Section 5.1.2.4 of the Change Approval Guidelines)	Unknown	
5.2.2	Is it like-for-like in terms of hydraulic and ecological function?	Unknown	
5.0 Mitigation (cont.)			Report Section
5.2.3	If it is not like-for-like does it target a limiting life stage?	Unknown	
5.2.4	Is it geographically as close as possible to the disturbance?	Unknown	
5.2.5	Does it adequately address anticipated changes in productive capacity?	Unknown	
5.2.6	Is there a sufficient compensation ratio applied?	Unknown	
5.3	Is the proposed compensation adequate to directly address residual footprint impacts to riparian habitat?	Unknown	
5.3.1	Is it like-for-like in terms of function (shade, food & nutrients, Large Woody Debris, etc.)?	Unknown	
5.3.2	Is it geographically as close as possible to the disturbance?	Unknown	
5.3.3	Does it adequately address anticipated changes in productive capacity?	Unknown	
5.3.4	Is there a sufficient compensation ratio applied?	Unknown	
5.4	Will the work be undertaken and completed during period(s) consistent with South Coast Region Reduced Risk Instream Works Windows?	Unknown	
5.4.1	Will the work be carried out during favourable weather and low water conditions?	Unknown	
5.4.2	Will the work be pursued to completion as quickly as possible once started?	Unknown	
5.5	Will the proponent retain a QP to undertake a fish and/or wildlife salvage prior to commencement of the works (additional permits are required)?	Unknown	
5.6	Will a spill containment kit be readily accessible on-site in the event of a release of a deleterious substance to the environment?	Unknown	
5.7	Will disturbed banks and areas adjacent to the stream be protected from surface erosion by hydroseeding with a heavy mulch, tackifier, native seed mix or by installing erosion blankets?	Unknown	
5.7.1	Will revegetation utilize trees, shrubs and herbaceous plants native to the South Coast Region only and appropriate to the site conditions?	Unknown	
5.7.2	Will disturbed areas be restored to a condition that is enhanced from their pre-disturbance condition?	Unknown	
5.8	Will construction activities be monitored by a QP full-time during start-up, sensitive activities, in areas involving SAR, in Designated Sensitive Streams, or when work is proposed outside the Reduced Risk Instream Work Window?	Unknown	
5.8.1	Will the environmental monitor(s) be provided with written authority to modify and/or halt any construction activity if deemed necessary for the protection of fish and wildlife populations or their habitats?	Unknown	
5.9	Where stream channels are proposed to be altered or relocated, will the degree of hydraulic connectivity with groundwater be altered?	Unknown	
5.9.1	Will the streambed material be changed such that the ease of movement of water between the stream and groundwater will change?	Unknown	
5.9.2	Will the stream be moved in elevation such that the hydraulic gradients between the stream and groundwater will change?	Unknown	
5.9.3	Will the surface area of the streambed be altered such that the total flux of water between the stream and groundwater will change?	Unknown	
5.10	Has a mitigation monitoring plan been developed by a QP for the compensation works?	Unknown	
5.10.1	Does the mitigation monitoring plan include implementation monitoring that is carried out by a QP (e.g., to determine if mitigation measures were implemented as planned or proposed)?	Unknown	

5.10. 2	Does the mitigation monitoring plan include compliance monitoring that is carried out by a QP (e.g., assessment of the mitigation against a legal environmental standard, terms and conditions of the Approval)? This may involve submission of annual monitoring reports.	Unknown	
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From: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
To: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca)
Subject: FW: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek
Sent: 11/20/2023 22:47:07
Attachments: image001.png, image002.png
Message Body:

Hi Shawn,

Just to keep you in the loop, I talked to Jeremy following this email. He informed me that the applicants have not followed up with him on a rebuttal letter. We will give the applicant copied on the letter a few days to respond.

Thanks,

Barb

From: Sutherland, Barbara FOR:EX
Sent: Monday, November 20, 2023 2:31 PM
To: 'Jeremy Nilson' <jnilson@keystoneenvironmental.ca>; 'dunmoredevelopments@gmail.com' <dunmoredevelopments@gmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; 'Kyle D'Appolonia' <kdappolonia@mission.ca>
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

Hi Jeremy,

As per the Notice of Pending Refusal Letter sent to you on August 21, 2023, we requested a response to the letter by September 21, 2023. Our records show that we have not yet received a response. Are you currently working on a response or has the applicant decided to not respond to the letter.

Thanks,

Barb

From: Sutherland, Barbara FOR:EX
Sent: Monday, August 21, 2023 8:05 AM
To: 'Jeremy Nilson' <jnilson@keystoneenvironmental.ca>; 'dunmoredevelopments@gmail.com' <dunmoredevelopments@gmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Water Act Referrals Lower Mainland FOR:EX <WaterActReferrals.LowerMainland@gov.bc.ca>; 'Kyle D'Appolonia' <kdappolonia@mission.ca>
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

Please see the attached.

Thanks,

Barb Sutherland

From: Jeremy Nilson <jnilson@keystoneenvironmental.ca>
Sent: Saturday, August 19, 2023 2:53 PM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Water Act Referrals Lower Mainland FOR:EX <WaterActReferrals.LowerMainland@gov.bc.ca>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Subject: Re: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon,

We respectfully request an extension to allow further time for proponent review and decision making. Per previous discussion we understand that only limited extensions are available. 2-4 weeks will be sufficient if that range is acceptable.

Thank you.

Jeremy Nilson B.Sc., R.P.Bio.
Project Manager / Team Lead (he/him)
T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Friday, July 21, 2023 5:20:32 PM
To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com
<dunmoredevelopments@gmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>; Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Subject: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Please see attached.

Thank you,

Barbara Sutherland, P.Eng.

Senior Authorizations Specialist - Water

Stream Management Authorizations

South Coast Natural Resource Region

Ministry of Forests

200-10428 153 Street, Surrey BC, V3R 1E1 | Phone: 778-572-2199 | Fax: 604-586-4444

Our Vision: Economic prosperity and environmental sustainability

From: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
To: Jeremy Nilson (jnilson@keystoneenvironmental.ca); dunmoredevelopments@gmail.com
Cc: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca); Kyle D'Appolonia (kdappolonia@mission.ca); Nathan Bendriem (nbendriem@keystoneenvironmental.ca); Smith, Malissa FOR:EX (Malissa.Smith@gov.bc.ca)
Subject: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek
Sent: 07/22/2023 00:20:30
Attachments: 2023-07-21 Notice of Pending Refusal 2010389.pdf, image001.png
Message Body:

Good Afternoon,

Please see attached.

Thank you,

Barbara Sutherland, P.Eng.

Senior Authorizations Specialist - Water

Stream Management Authorizations

South Coast Natural Resource Region

Ministry of Forests

200-10428 153 Street, Surrey BC, V3R 1E1 | Phone: 778-572-2199 | Fax: 604-586-4444

Our Vision: Economic prosperity and environmental sustainability



July 21, 2023

File: 2010389

Stave Lake Investments Limited Partnership
201-3600 Townline Road
Abbotsford BC V2T 5W8

Dunmore Developments Ltd.
171 Gladwin Road
Abbotsford BC V2T 5Y1

Sent via email to: dunmoredevelopments@gmail.com

Dear Applicant,

**Re: Notice of Pending Refusal of *Water Sustainability Act* Approval for Infilling
Unnamed Tributary to D'Herbomez Creek, Mission BC**

Thank you for the information provided on June 20, 2023 in response to our request for additional information and clarifications sent on April 21, 2023 to address gaps in your Water Sustainability Act (WSA) Approval application received on January 04, 2021. Your WSA application is for the infilling portion of a tributary to D'Herbomez creek **within Lot C, Parcels "B" and "E" (Reference Plan 3915), District Lot 5, Section 27, Group 3, Except: Parcel "ONE" (Explanatory Plan 4745 and 7391), New Westminster District, Plan 2110**, Mission BC (the property). The works are proposed to facilitate the development of residential / commercial units including the associated road network. We understand the scope of work proposed under this application as per below:

1. Infill approximately 240 linear meters of Watercourse 2, a tributary to Watercourse 1 and D'Herbomez Creek. This will result in a loss of approximately 330 square meters of aquatic and 3,875 square meters of riparian habitat.
2. Construct a 387 square meter wetland and enhancement of approximately 2,703 square meters of riparian habitat
3. Construct new stormwater drainage channels within the riparian area of Watercourse 4 for a loss of 50 square meters of riparian habitat and a gain of 50 square meters of aquatic habitat
4. Dedication and enhancement of riparian lands adjacent to Watercourse 4 over an area of 2,186 square meters.

Thank you for meeting us on site on July 19, 2023. This helped provide context and clarity around our outstanding concerns. We would like to inform you that we have reviewed the information provided and determined that the proposed infilling of Watercourse 2 and its riparian area will likely result in significant adverse impacts to the water quality, water quantity and aquatic ecosystems of Watercourse 1, D'Herbomez Creek and its watershed.

Based on the information provided, the decision will move to refusal of the application. However, part of our process is to offer you the opportunity to provide further response to our concerns and reasons for pending refusal. Please review the reasons for the pending decision (below) and provide your responses within 30 days of receipt of this letter, August 21th, 2023.

Reasons for Refusal:

1. The BC Environmental Mitigation hierarchy of avoid, minimize, restore on site, and offset was not fully considered.
2. The proposed offsetting activities consisting of aquatic habitat creation and riparian habitat enhancement will result in a net gain of instream and riparian habitat that will provide enhanced ecological functions; MOF disagrees with this determination.
3. The hydrologic and ecologic conditions of Tributary 2 and the proposed offset wetland are not well understood.

1. The BC Environmental Mitigation hierarchy of avoid, minimize, restore on site, and offset was not fully considered.

As per the BC Environmental Mitigation Hierarchy, the application must consider options for the avoidance of impacts before moving to mitigation and offsetting. It is our understanding that this property can be successfully developed for residential and commercial use with Tributary 2 and its riparian area left intact. The City of Mission's Stave Heights Neighborhood Plan clearly shows how this lot can be developed with Tributary 2 and its riparian area intact.

2. The hydrologic and ecologic conditions of Tributary 2 and the proposed offset wetland are not well understood.

The hydrologic and ecologic values and functions of both Tributary 2 and the proposed compensation wetland are not clearly understood and thus it is unclear if the compensation wetland will provide equal or greater value/function than Tributary 2 in the context of the proposed development.

The quantity of water Tributary 2 provides to the watershed is not known and we are unsure of the hydroperiod (average time the channel is wet) of the channel. We understand some of the overarching ecosystem services provided by Tributary 2, but we are unclear on which species actually use the tributary, for what purposes and when. We also know that this tributary may provide habitat for the Oregon forest snail which is a red listed / SARA species.

Without understanding the functional values of Tributary 2, it is not possible to design / construct offset habitat that will provide equal or greater functional values.

Under the WSA, projects may be allowed if the impacts of the project can be mitigated for. In this application, the impacts of permanently removing tributary 2 and its riparian area will not, in our opinion, be compensated for by the proposed offsetting. The impacts of this project will result in the permanent removal of high functioning ecosystem habitat and cool clean water to the downstream reaches, likely resulting in significant adverse impacts to water quality, water quantity and ecosystem health.

3. The proposed offsetting activities consisting of aquatic habitat creation and riparian habitat enhancement will result in a net gain of instream and riparian habitat that will provide enhanced ecological functions; MOF disagrees with this determination.

As per 2 above, until we fully understanding the hydrologic and ecologic functions and values of Tributary 2, it is not possible to design / construct offset habitat that will provide equal or greater functional values. The MOF disagrees with this determination.

As per 1 above, we do not agree that you have followed the BC Mitigation Policy and we disagree that Tributary 2 must be infilled to facilitate the residential / commercial development. As per 2 above, we do not fully understand the effects the infilling of Tributary 2 will have on D' Herbomez Creek and its watershed, nor do we feel there is an adequate plan in place to address this uncertainty. Infilling this tributary and the removal of its mature diverse riparian area is likely to have significant adverse impacts on the water quality, water quantity, and the aquatic ecosystem health of this watershed.

If you would like to pursue the development of this property, I encourage you to apply the BC Mitigation Policy which states the first step is to avoid impact which would mean Tributary 2 is left in place with an appropriate riparian setback.

We are offering you the opportunity to provide a response to this letter. Please provide your responses within 30 days of receipt of this letter, **August 21st, 2023.** The response must be sent to the Water Manager at wateractreferrals.lowermainland@gov.bc.ca (please copy Barbara.Sutherland@gov.bc.ca) with the File Number 2010389 in the subject line. If you have any questions or need to request an extension of time to fulfil the requirements of the letter, please contact the undersigned.

Regards,



Barbara Sutherland
Assistant Water Manager

Pc: Jeremy Nilson, Keystone Environmental jnilson@keystoneenvironmental.ca
Kyle D'Appolonia, City of Mission kdappolonia@mission.ca
Shawn Fitzsimons, MOF shawn.fitzsimons@gov.bc.ca

From: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca)
To: Smith, Malissa FOR:EX (Malissa.Smith@gov.bc.ca); Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
Subject: RE: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30
Sent: 06/29/2023 16:40:58
Message Body:

Hi Barb,

It is my understanding that we will be refusing this project, so I will not be moving it forward for consultation.

Cheers,
Shawn

From: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Sent: Wednesday, June 28, 2023 4:45 PM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Cc: Hamod, Wendy D FOR:EX <wendy.hamod@gov.bc.ca>
Subject: FW: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Hey Barb, Shawn,

Funny/convenient, this is the file we just reviewed as a group this morning: 2010389.

Could one of you please put together some bullets for this request? I have attached the incoming email. Bullet notes should be fine. If you get to it by the end of the week can you please copy Wendy. If not, I will be back on Tuesday and you can just send direct to me.

Thanks,
Malissa

Malissa Smith | RPBio | PAg (she/her)
Section Head, Stream Management
Ministry of Forests
South Coast Natural Resource Region
200-10428 153rd Street | Surrey, BC | V3R 1E1
Ph: 778.572.2258 | Email: Malissa.Smith@gov.bc.ca

From: FLNR eApprovals <donotreply@sp.gov.bc.ca>
Sent: Wednesday, June 28, 2023 8:17 AM
To: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Subject: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Hamod, Wendy D FLNR:EX [Assignee] forwarded an eApprovals item to Smith, Malissa FLNR:EX for action

Comment: Malissa, please ask staff to provide bullets.

#:

Title: Minister Ralston, Mission Project - 100406271

Full Name:

Due Date: 6/30/2023

Category: Briefing Note - MLA/MO Information Bullets

[Go to item...](#)

From: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca)
To: Smith, Malissa FOR:EX (Malissa.Smith@gov.bc.ca); Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
Cc: Hamod, Wendy D FOR:EX (wendy.hamod@gov.bc.ca)
Subject: RE: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30
Sent: 06/29/2023 16:35:09
Message Body:

Good morning,

- FrontCounter BC (FCBC) and Stream Management have been handling this application as a high priority.
- The application was incomplete which has necessitated requests for additional information from FCBC and SM.
- The applicant requested extensions from both teams to provide additional information.
- SM has started the technical review, is actively working on the file, and anticipates providing an update to the applicant soon.

Please refer to the following file chronology:

February 7, 2023 – Application submitted to FCBC.

March 16, 2023 – FCBC requested additional information.

April 11, 2023 – Applicant submitted requested information, following a request to have the application returned to make additional updates.

April 13, 2023 – FCBC accepted application, assigned a file number, and transferred to Stream Management.

April 21, 2023 – Stream Management completed a preliminary review and identified missing information. The application was placed on hold (30 day deadline) and a letter was sent to the applicant.

May 11, 2023 – The applicant's agent requested an extension to the deadline. A new hold letter with a revised deadline was provided to the applicant.

June 20, 2023 – The applicant provided the requested information.

June 28, 2023 – Stream Management initiated the technical review and is actively working on the file.

Cheers,
Shawn

From: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Sent: Wednesday, June 28, 2023 4:45 PM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Cc: Hamod, Wendy D FOR:EX <wendy.hamod@gov.bc.ca>
Subject: FW: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Hey Barb, Shawn,

Funny/convenient, this is the file we just reviewed as a group this morning: 2010389.

Could one of you please put together some bullets for this request? I have attached the incoming email. Bullet notes should be fine. If you get to it by the end of the week can you please copy Wendy. If not, I will be back on Tuesday and you can just send direct to me.

Thanks,
Malissa

Malissa Smith | RPBio | PAg (she/her)
Section Head, Stream Management
Ministry of Forests
South Coast Natural Resource Region
200-10428 153rd Street | Surrey, BC | V3R 1E1
Ph: 778.572.2258 | Email: Malissa.Smith@gov.bc.ca

From: FLNR eApprovals <donotreply@sp.gov.bc.ca>

Sent: Wednesday, June 28, 2023 8:17 AM

To: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>

Subject: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Hamod, Wendy D FLNR:EX [Assignee] forwarded an eApprovals item to Smith, Malissa FLNR:EX for action

Comment: Malissa, please ask staff to provide bullets.

#:

Title: Minister Ralston, Mission Project - 100406271

Full Name:

Due Date: 6/30/2023

Category: Briefing Note - MLA/MO Information Bullets

Go to item...

Bullets

DATE:

REGARDING: 33950 - MLA Begg, WSA Application File 2010389

SUMMARY:

- Application submitted Feb 7, 2023 for a WSA S11 Change Approval to infill watercourses to facilitate a cost-effective layout of a new proposed retail / residential development in Mission, BC.
- The application was prioritized for review by MOF Front Counter BC and by the Stream Management Team.
- Stream Management flagged several concerns with the application and deemed this a medium to high risk proposal indicating that the site is likely developable with opportunities to avoid or minimize the impacts to the watercourses.
- Stream Management placed the file on hold, requesting information on the rationale to infill and the offset to account for significant adverse impacts of project.
- At the request of the applicant, Stream Management granted an extension of time to the hold deadline. Responses are due to MOF on June 20, 2023.
- First Nations consultation will commence once responses to MOF hold letter are provided and deemed sufficient by the Statutory Decision Maker.

KEY MESSAGES:

- Change Approval file 2010389 was prioritized by MOF as it is a housing related file.
- The project involves infilling of watercourses which is deemed a high risk activity to environmental values.
- The file has been placed on hold by the Statutory Decision Maker, with responses due by June 20, 2023.

PREPARED BY:

Malissa Smith

File: 2010389

Date: July 14, 2023

SDM: Barbara Sutherland

Technical Reviewer: None

- A non-fish bearing watercourse (Watercourse 2 tributary to Watercourse 1 and D’Herbomez Creek a fish bearing watercourse) is proposed to be infilled to most efficiently accommodate the proposed development (residential / commercial) including the associated road network.
- The infill will result in the loss of 330 m² of aquatic and 3,875 m² of riparian habitat.
- Watercourse 2 is proposed to be infilled by the developer, to align with the road network through the local neighbourhood and through the larger community.
- The city of Mission actually has Watercourse 2 left intact in its official community plan (shown in the drawing below as a yellow stream above Hanson Drive)

- Offsetting activities for the impacts associated with the infilling of Watercourse 2 and the clearing of the associated riparian vegetation will include the construction of new aquatic habitat (i.e., wetland and tie-in channel to Watercourse 3), clearing of invasive and/or noxious plants, and enhancement of riparian habitat with native plantings.
- A new channel will be constructed and tied into the existing Watercourse 1. Native shrubs and trees will be planted to allow for vegetation regrowth.

- Watercourse 2:
 - o assessed as being non fish bearing but potentially providing habitat to local amphibians, small mammals, and invertebrates. Animal trails were observed traversing the watercourse during our site visit
 - o It is a natural stream with an east West alignment that flows into watercourse 1 the origin is poorly defined seepage and no observed channel has its head waters substrate is dominated by fines and organics and to a lesser extent gravels. Stream morphology consisting of riffle pool with an average width of 2.5 meters watercourse 2 was dry with pockets of pooled water during the July 2022 assessment it had been previously assessed in January 2022 following periods of heavy rainfall the riparian forest had a tree layer with bitter cherry and vine Maple big leaf Maple red elderberry and salmon Berry were present in the shrub layer along with big table nuts English holly thimbleberry and snow Berry the herb layer is composed of sword Fern lady Fern red bleeding hearts and moss.
 - o provides conveyance of cool, clean water and the associated conveyance of nutrients to downstream fish habitat.

- The period of time that water is present in the channel is unknown from the information provided, however, the channel soils were cool and damp to the touch during our site visit (last rain event was June 21, 2023 and the temperature has been above 30 degree a few times over the past few weeks).
- Skunk cabbage were present and thriving throughout the dry stream channel.
- The ambient air temperature at WC2 was notably cooler than in the open areas and even more noticeable compared to the asphalt areas.
- The riparian area was mature dense and diverse
- An occurrence of the red listed / SARA listed Oregon forestsnail was identified (as per QP) 0.75 km northeast of the site near the upper reaches of D'Herbomez Creek. Thus there is a likelihood of it being present in this reach.

Offsetting:

- the infill of Watercourse 2 will result in the loss of 330 m2 of aquatic habitat and 3875 m2 of riparian habitat (240 linear meters by 1.375 m wide with a 10 m riparian setback)
 - Wetland construction
 - A wetland will be constructed in area outside the SPEA of WC3 on the south western edge of the property and tie into WC3
 - The wetland is intended to provide like for like habitat as the infilled WC2 in delivering water and nutrients to downstream habitat but no target information is provided.
 - No information on the source of the water for the constructed wetland.
 - No information on if the wetland will be hydraulically connected
 - New tributary channels constructed within the spea of WC4
 - No information on where the water for these channels will come from
 - Clearing of invasives have been used as a gain of 2703 m2 of riparian habitat for the habitat balance
- As per the QP, the proposed offsetting activities consisting of aquatic habitat creation and riparian habitat enhancement will result in a net gain of instream and riparian habitat that will provide enhanced ecological functions.
- As such, it is not anticipated that there will be residual effects associated with the impacts in the context of the function as habitat for wildlife or as a conveyance of water and associated nutrients to downstream habitat.
- According to the habitat balance, the project will result in a gain of 107 m2 of aquatic and 962 m2 of riparian areas.
- The infill of Watercourse 2 will result in the loss of 330 m2 of aquatic habitat and 3875 m2 of riparian habitat (240 linear meters by 1.375 m wide with a 10 m riparian setback)
 - The construction of a new wetland (including tie-in to Watercourse 1) and new tributary channels to Watercourse 4 will result in the creation of 387 m2 of aquatic habitat and the loss of 50 m2 of riparian habitat (i.e., that is converted to aquatic habitat).
- Clearing of invasives have been used as a gain of 2703 m2 of riparian habitat for the

-

- This file was analyzed during our team risk ranking which resulted in a recommendation for stream diversion / infilling using the following:
 - o Public Interest – NO
 - o Critical Habitat – yes possibly Oregon forest snail
 - o Watershed Condition – Moderate

HABITAT BALANCE					DATED: 2023-02-07			APPROVAL: 100406271		
PREPARED BY: Jeremy Nilson, R.P. Bio.										
Stream (Please indicate each stream channel and/or reach of the stream)	Description of Works (Please describe type of works for indicated stream)	Stream Channel			Aquatic Ecosystems Impacts			Riparian Impacts		
		Length (m)	Width (m)	Riparian Setback (m)	Loss (m2)	Gain (m2)	Net (Loss-Gain) (m2)	Loss (m2)	Gain (m2)	Net (Loss-Gain) (m2)
Watercourse 1	Aquatic Habitat (Wetland) Construction	N/A	N/A	15 (30)	0.00	387.00	387.00	0.00	0.00	0.00
	Additional Riparian Habitat Protection	N/A	N/A	N/A	0.00	0.00	0.00	0.00	2703.00	2703.00
Watercourse 2	Aquatic Habitat Infill	240	1.375	10	-330.00	0.00	-330.00	0.00	0.00	0.00
	Riparian Habitat Clearing	N/A	N/A	N/A	0.00	0.00	0.00	-3875.00	0.00	-3875.00
	Conversion of Riparian Habitat to Aquatic Habitat	35	1.5	10	0.00	50.00	50.00	-50.00	0.00	-50.00
	Additional Riparian Habitat Protection	N/A	N/A	N/A	0.00	0.00	0.00	0.00	2184.00	2184.00
IMPACT TOTAL					-330.00	437.00	107.00	-3925.00	4887.00	962.00
PROJECT AQUATIC AND RIPARIAN NET LOSS/GAIN					AQUATIC ECOSYSTEMS:			RIPARIAN:		
Comments:										

1. The applicant did not apply the BC Mitigation policy.

- a. The applicant is proposing to infill Watercourse 2 and its associated riparian area in order to most efficiently accommodate the proposed development (residential / commercial) including the associated road network.
 - b. We feel the property can be developed with Watercourse 2 and its riparian area left in place in accordance with the City of Mission's Stave Heights Neighborhood Plan.
- 2. Proposed Offsetting
 - a. No explanation is given as to how the proposed constructed wetland or channels will receive water, thus it is not possible to understand how they will function and provide hydrologic and ecologic values to the watershed.
 - b. There is no certainty that the proposed offsetting will compensate the values lost through the proposed infilling.
- 3. The infilling may in fact be removing critical habitat for the Oregon forest snail as it is known to be within 1 km of this site (as per the QP).
- 4. The infilling and removal of Tributary 2 will be a permanent decision, one that we can not reverse.

From: Smith, Malissa FOR:EX (Malissa.Smith@gov.bc.ca)

To: keyinfo@keystoneenvironmental.ca; jnilson@keystoneenvironmental.ca;
dunmoredevelopments@gmail.com

Subject: RE: Your Water Sustainability Act Application - Tracking Number 100406271 - works at Tributary to D'Herbomez Creek

Sent: 03/16/2023 22:33:33

Attachments: 273858 - incoming 1.pdf

Message Body:

Hello,

I understand you recently submitted an application to our Front Counter BC office in person. I am responding to confirm we have received this application and it is currently under review by the Front Counter BC Natural Resource Officers Team.

I understand Front Counter BC has already been in touch with your consultant (jnilson@keystoneenvironmental.ca) with a request to clarify some components of the application package. Front Counter will copy all emails in this email chain on their next correspondence to ensure all parties are informed of the project status as it moves through our review process.

Once Front Counter has determined the application meets the submission requirements under the Water Sustainability Act, the project will moved to my team (Stream Management) for detailed technical review.

Please review the linked Guidance document for Changes in and About a Stream to your application has all the information the Stream Management Team needs to make a decision on the application: https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf. The Statutory Decision Maker regularly requests information from Section 5 of this document, particularly for more complex projects (e.g., projects proposing stream diversion or infill, new channel or wetland construction, non clear-span bridge crossings, gravel or debris removal, and/or bank protection works).

Thank you for your application.

Kind Regards,

Malissa

Malissa Smith | RPBio | PAg (she/her)

Section Head, Stream Management

Ministry of Forests

South Coast Natural Resource Region

200-10428 153rd Street | Surrey, BC | V3R 1E1

Ph: 778.572.2258 | Email: Malissa.Smith@gov.bc.ca



Change Approval and Notification (Changes In and About a Stream)

Tracking Number: 100406271

Applicant Information

If approved, will the authorization be issued to an Individual or Company/Organization? Company/Organization
What is your relationship to the company/organization? Consultant

APPLICANT COMPANY/ORGANIZATION CONTACT INFORMATION

Applicant is an Individual or an Organization to whom this authorization Permit / Tenure / Licence will be issued, if approved.

Name: Stave Lake Investments Limited Partnership
Doing Business As:
Phone: 604-396-0518
Fax:
Email:
BC Incorporation Number:
Extra Provincial Inc. No:
Society Number:
GST Registration Number:
Contact Name: Arvind Grewal
Mailing Address: 201-3600 Townline Road
Abbotsford BC V2T 5W8

CONSULTANT INFORMATION

Please enter the contact information of the Individual/Organization who is acting on behalf of the applicant.

Name: KEYSTONE ENVIRONMENTAL LTD.
Doing Business As: Keystone Environmental Ltd.
Phone: 604-430-0671
Fax: 604-430-0672
Email: keyinfo@keystoneenvironmental.ca
BC Incorporation Number: 406117-9
Extra Provincial Inc. No: Burnaby
Society Number:
GST Registration Number: 135515336 RT0001
Contact Name: Jeremy Nilson
Mailing Address: 320-4400 Dominion Street
Burnaby BC V5G 4G3
Letter(s) Attached: Yes (Gus Cheema Letter of Appointment Signed.pdf)

CORRESPONDENCE E-MAIL ADDRESS

If you would like to receive correspondence at a different email address than shown above, please provide the correspondence email address here. If left blank, all correspondence will be sent to the above given email address.

Email: jnilson@keystoneenvironmental.ca
Contact Name: Jeremy Nilson

CO-APPLICANTS

A co-applicant is an Individual or Company/Organization listed on the title of the land, mine or undertaking who was not previously identified as the principal applicant.

Are there co-applicants for this application? Yes
Co-applicants who are Organizations must consent to providing their name, address and phone number and Individuals must consent to providing their name and email address. Do you have permission from the co-applicants to enter their personal information? Yes

You have indicated earlier in the application that there is one or more co-applicant. Please add each co-applicant by clicking on the 'Add Individual' or 'Add Organization' button below depending if the co-applicant is an individual or an organization. Due to Freedom of Information and Protection of Privacy Act regulations you are only able to enter the name and email address for an individual.

Name: Dunmore Developments Ltd.
Doing Business As:
Phone: 604-850-4854
Fax:
Email: dunmoredevelopments@gmail.com
BC Incorporation Number:
Extra Provincial Inc. No:
Society Number:
GST Registration Number:
Mailing Address: 171 Gladwin Road
Abbotsford BC V2T 5Y1

ELIGIBILITY

Please answer the following questions related to your Change Approval/Notification.

Question	Answer	Warning
Is this application to support oil and gas activity that is being authorized by the Oil and Gas Commission?	No	

TECHNICAL INFORMATION

GOVERNMENT AND FIRST NATION FEE EXEMPTION REQUEST

Do you belong to, are you applying on behalf of, or are you:

- A provincial government ministry
- The Government of Canada
- A First Nation for water use on reserve land
- A person applying to use water on Treaty Lands
- A Nisga'a citizen
- An entity applying to use water from the Nisga'a Water Reservation?

No

APPLICATION BY GOVERNMENT

Please indicate if you are someone who works in the government OR you are working on behalf of the government.

Are you, or are you applying on behalf of, a government entity? No

TYPE OF WORKS

Please select the type of Notifications/Approvals you want to apply for as part of this application.

Please select the type of works to be undertaken:

Notification

- ☐ Road Crossing Culvert - Construction / Maintenance / Removal
- ☐ Clear Span Bridge - Construction / Maintenance / Removal
- ☐ Pipeline Crossing - Construction / Maintenance
- ☐ Dry Hydrant - Construction / Maintenance
- ☐ Pier, Wharf, (including docks) - Construction / Maintenance / Removal
- ☐ Cutting of annual vegetation in a stream channel
- ☐ Dike or Erosion Protection Works - Repair / Maintenance

- ☐ Storm Sewer Outfalls – Construction / Maintenance
- ☐ Control of Eurasian Watermilfoil or other invasive aquatic vegetation
- ☐ Ice Bridge / Winter Ford or Snowfill - Construction / Maintenance
- ☐ Maintenance of minor and routine nature by a public utility
- ☐ Removal of a beaver dam (as authorized under the Wildlife Act)
- ☐ Construction of a temporary ford
- ☐ Construction of a temporary diversion around a worksite

Approval:

- ☐ Bank Erosion Protection
- ☐ Bridge (other than clear span) - Construction / Maintenance / Removal
- ☐ Stream Diversion
- ☐ Large Debris Removal by machine - Plan required
- ☐ Gravel removal
- ☒ Other: Stream Infill and Stream Construction

Has a DMA Approval under the *Dike Maintenance Act* been submitted for this work? No

Please note that the ultimate decision whether this constitutes a Notification or a Change Approval lies with the Province of British Columbia. NOTE: Answer the question below as No. The Dike Maintenance Act (DMA) Approval application is currently transitioning to this form but is not yet been fully implemented. This question will be updated once the transition is complete.

SITES

Click on the Add Sites button to add one or more sites.

SITE

Location ID: Stave Lake St and Hanson Dr

STREAM

Name of the Stream: Watercourse 2 (Tributary of D'Herbomez Creek)
Source Flows Into: Watercourse 1 and ultimately D'Herbomez Creek

PROPOSED WORKS

Detailed Description of Works:

A non-fish bearing watercourse (Watercourse 2 tributary to Watercourse 1) is proposed to be infilled to most efficiently accommodate the proposed development (residential/commercial) including the associated road network.

The infilling of Watercourse 2 will include the clearing and grubbing of the associated riparian vegetation along the watercourse. Roadworks will then be constructed within the former footprint of Watercourse 2. Watercourse 2 is proposed to be infilled, as opposed to relocating the proposed road, to align with the road network through the local neighbourhood and through the larger community.

Offsetting activities for the impacts associated with the infilling of Watercourse 2 and the clearing of riparian vegetation will include the construction of new aquatic habitat (i.e., wetland and tie-in channel to Watercourse 3), clearing of invasive and/or noxious plants, and enhancement of riparian habitat with native plantings.

The vegetation clearing, stream infill, and habitat construction/enhancement works will be monitored under the supervision of a QEP. All instream works will occur within Provincial least risk fisheries window and culvert placement will be conducted in the dry, by isolating the work site with steel plates, sandbags, or dam sacs at the up and down stream ends. If water is present, suitable

pumps will be required to bypass flows around the isolated work areas. The existing Watercourse 2 will be infilled as part of the road construction. A new channel will be constructed and tied into the existing Watercourse 1. Native shrubs and tress will be planted to allow for vegetation regrowth. Works will require a combination of heavy machinery and hand tools.

Watercourse 2 was assessed as being non fish bearing but potentially providing habitat to local amphibians, small mammals, and invertebrates. In addition, Watercourse 2 provides conveyance of water and the associated conveyance of nutrients to downstream fish habitat.

The proposed offsetting activities consisting of aquatic habitat creation and riparian habitat enhancement will result in a net gain of instream and riparian habitat that will provide enhanced ecological functions. As such, it is not anticipated that there will be residual effects associated with the impacts in the context of the function as habitat for wildlife or as a conveyance of water and associated nutrients to downstream habitat.

In summary:

- The infill of Watercourse 2 will result in the loss of 330 m2 of aquatic habitat and 3875 m2 of riparian habitat
- The construction of a new wetland (including tie-in to Watercourse 1) and new tributary channels to Watercourse 4 will result in the creation of 437 m2 of aquatic habitat and the loss of 50 m2 of riparian habitat (i.e., that is converted to aquatic habitat)
- The creation of new aquatic habitat, the protection of the associated riparian habitat, and the dedication of additional terrestrial habitat will result in the protection of an additional 4887 m2 of riparian/terrestrial habitat.

The Applicant will engage the services of a QEP to monitor works for compliance with the environmental requirements outlined in this report and all associated permitting documents. The Environmental Monitor (EM) will document observations during implementation of the proposed works and confirm that mitigation measures and Best Management Practices (BMPs) are followed during construction. The EM will inform the Applicant of any recommended updates or changes where necessary. These recommendations will be relayed to the contractor(s) as required for timely responses to deficiencies.

A Supplementary Information Report, Construction Environmental Management Plan, and Habitat Balance are included in this package.

Footprint of project below is for both the total aquatic footprint (767 m2) and the total riparian/terrestrial footprint (8762 m2).
9,529 m2

Footprint of Project:

PROPOSED TIMING FOR WORKS

Instream Start Date:	Aug 1, 2024
Instream End Date:	Sep 30, 2024
Is the proposed timing within the approved regional timing window?	Yes

LOCATION OF WORKS

Provide a legal description of the land(s) where works are proposed:	Lot C, Plan NWP2110, Section 27, Township 17, New Westminster Land District, EXC: PCL "E" (REF PL 3915)
	Lot B, Plan NWP2110, Section 27, Township 17, New Westminster Land District, EXC: PCL "E" (REF PL 3915)

Lot A, Plan NWP2110, Section 27, Township 17, New Westminster Land District, EXC: PCL "ONE" (REF PL 5512)

Lot B, Plan LMP8769, Section 27, Township 17, New Westminster Land District, EXCEPT PLAN EPP89115, & EXCEPT PLAN EPP115948

Lot 1, Plan NWP34254, Section 27, Township 17, New Westminster Land District, Except Plan EPP115948

OR

PIDs:

012534242

012415677

012534251

012534331

012534234

018102417

003103692

Geographic Coords of Works:

49.1490210, -123.2835150

Photo of Works Location:

Stave Lake St and Hanson Dr - Photo page

LAND OWNERSHIP AT THE WORKS

Land Ownership:

- ☒ Applicant owns land
- ☐ Land is Crown Land but applicant has tenure
- ☐ Land is Crown Land but tenured to Ministry of Transportation
- ☐ A third Party owns the land but the applicant has lease or tenure
- ☐ A third Party owns the land but applicant has written consent
- ☐ Land is Crown Land but the applicant does not have a tenure

LOCATION INFORMATION

LAND DETAILS

DRAWINGS

A Drawing to Scale is required that meets the Application Drawing Standards. Choose one of the options below to submit the required map/drawing.

Additionally, it is recommended that you provide a topographical map showing the general location of the property where the water is proposed to be used and the works constructed in relation to nearby communities, highways, railways and other water sources.

(this additional map will not be necessary if your Drawing to Scale is provided using the Geomark Service or a spatial file such as .KML or .KMZ)

☒ I have map(s) saved to my computer and wish to provide these with my application

MAP FILES

Do you have a PDF or image file of a drawn map? You can upload it here.

Description

Site Plan show general site location

Filename

Fig1-SiteLocation-RA.pdf

ATTACHED DOCUMENTS

Document Type	Description	Filename
Drawing to Scale	Site Plan showing proposed infill and compensation	Fig3-ProposedHabitat-RA.pdf
Other	Construction Environmental Management Plan	17645 230307 CEMP.pdf
Other	Habitat Balance	Habitat Balance.pdf
Other	Supplementary Information Report	17645 230207 WSA Supplement...

PRIVACY DECLARATION**PRIVACY NOTE FOR THE COLLECTION, USE AND DISCLOSURE OF PERSONAL INFORMATION**

Personal information is collected by FrontCounter BC under the legal authority of section 26 (c) and 27 (1)(a)(i) of the Freedom of Information and Protection of Privacy Act (the Act).

The collection, use, and disclosure of personal information is subject to the provisions of the Act. The personal information collected by FrontCounter BC will be used to process your inquiry or application(s). It may also be shared when strictly necessary with partner agencies that are also subject to the provisions of the Act. The personal information supplied in the application package may be used for referrals or notifications as required. Personal information may be used by FrontCounter BC for survey purposes.

For more information regarding the collection, use, and/or disclosure of your personal information by FrontCounter BC, please contact FrontCounter BC at 1-877-855-3222 or at:

FrontCounter BC Program Director
FrontCounter BC, Provincial Operation
441 Columbia Street
Kamloops, BC V2C 2T3

☒ Check here to indicate that you have read and agree to the privacy declaration stated above.

REFERRAL INFORMATION

Some applications may also be passed on to other agencies, ministries or other affected parties for referral or consultation purposes. A referral or notification is necessary when the approval of your application might affect someone else's rights or resources or those of the citizens of BC. An example of someone who could receive your application for referral purposes is a habitat officer who looks after the fish and wildlife in the area of your application. This does not apply to all applications and is done only when required.

Please enter contact information below for the person who would best answer questions about your application that may arise from anyone who received a referral or notification.

Company /
Organization:
Contact Name:
Contact Address:

Contact Phone:
Contact Email:

Stave Lake Investments Limited Partnership

Arvind Grewal
201-3600 Townline Road
Abbotsford BC V2T 5W8
604-396-0518

☒ I hereby consent to the disclosure of the information contained in this application to other agencies, government ministries or other affected parties for referral or First Nation consultation purposes.

SIGNATURES

CO-APPLICANTS

You will have to obtain approval from all co-applicants before you can proceed with your application. Please select one option for each.

Name

Dunmore Developments Ltd.

Status of Signature Request

Email sent - no response, Declaration Form uploaded

IMPORTANT NOTICES

Please review the "Important Notices" below and then check the declaration at the bottom confirming that everything in this application is complete and accurate.

- I understand that the submission of this application does not provide authority under the Water Sustainability Act to construct works in and about a stream. I also understand that my application must be reviewed before a decision is made as to whether an approval may be granted and that, as part of that review, additional information may be requested of me.
- The application may be subject to further requirements under the federal Fisheries Act. Please refer to Fisheries and Oceans Canada Projects Near Water webpage (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) for information on how to ensure your project complies with the Fisheries Act.

DECLARATION

☒ By submitting this application form, I declare that the information contained on this form is complete and accurate.

APPLICATION AND ASSOCIATED FEES

Item	Amount	Taxes	Total	Outstanding Balance
Changes in and about a Stream	\$250.00		\$250.00	\$0.00
Application Fee				

OFFICE

Office to submit application to:

Surrey

PROJECT INFORMATION

Is this application for an activity or project which requires more than one natural resource authorization from the Province of BC?

No

APPLICANT SIGNATURE

Applicant Signature

Date

OFFICE USE ONLYOffice
Surrey

File Number

Project Number

Disposition ID

Client Number

From: Bilal Cheema (bilal@cheemastrategies.com)
To: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
Cc: Jeremy Nilson (jnilson@keystoneenvironmental.ca); Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca); Water Act Referrals Lower Mainland FOR:EX (WaterActReferrals.LowerMainland@gov.bc.ca); Gus Cheema s.22 Kyle
D'Appolonia (kdappolonia@mission.ca); Reza Ghiasi (reza@blacklinesiteworks.com)
Subject: Re: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek
Sent: 07/31/2023 16:53:36
Attachments: image002.png, image003.png, image003.png
Message Body:

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good morning.

On Wednesday, I am available after 3:30pm.

Thanks.

Bilal

On Mon, Jul 31, 2023, 8:13 a.m. Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca> wrote:

Hi Jeremy,

Yes of course we are available to meet and discuss. Does Wednesday, August 2 in the afternoon work for you all?

Thanks,

Barb

From: Jeremy Nilson <jnilson@keystoneenvironmental.ca>
Sent: Wednesday, July 26, 2023 11:34 AM
To: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Water Act Referrals Lower Mainland FOR:EX <WaterActReferrals.LowerMainland@gov.bc.ca>
Cc: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Gus Cheema s.22 >; Bilal Cheema <bilal@cheemastrategies.com>; Kyle D'Appolonia <kdappolonia@mission.ca>; Reza Ghiasi <reza@blacklinesiteworks.com>
Subject: FW: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good morning,

Following up from Barb's out of office e-mail (attached) is it possible to arrange a meeting this week to discuss or as early as possible next week upon Barb's return?

Thank you.

Jeremy Nilson B.Sc., R.P.Bio.
Project Manager / Team Lead (he/him)
T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

From: Jeremy Nilson
Sent: Wednesday, July 26, 2023 8:35 AM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Cc: Nathan Bendriem <nbendriem@keystoneenvironmental.ca>;
dunmoredevelopments@gmail.com; Gus Cheema <s.22>; Bilal Cheema
<bilal@cheemastrategies.com>
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389
Tributary to D'Herbomez Creek

Good morning Barb,

Are you available for a teleconference (Teams) meeting in the near future (this week if possible) to discuss this correspondence and inform the proponent's next steps?

Thank you.

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Friday, July 21, 2023 5:21 PM
To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia
<kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>;
Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Subject: Water Sustainability Act Application - Notice of Pending Refusal File 2010389
Tributary to D'Herbomez Creek

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Please see attached.

Thank you,

Barbara Sutherland, P.Eng.

Senior Authorizations Specialist - Water

Stream Management Authorizations

South Coast Natural Resource Region

Ministry of Forests

200-10428 153 Street, Surrey BC, V3R 1E1 | Phone: 778-572-2199 | Fax: 604-586-4444

Our Vision: Economic prosperity and environmental sustainability

From: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
To: Jeremy Nilson (jnilson@keystoneenvironmental.ca); dunmoredevelopments@gmail.com
Cc: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca); Water Act Referrals Lower Mainland FOR:EX (WaterActReferrals.LowerMainland@gov.bc.ca); Kyle D'Appolonia (kdappolonia@mission.ca)
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek
Sent: 08/21/2023 15:05:01
Attachments: 2023-08-21 Notice of Pending Refusal 2010389.pdf, image002.png, image003.png
Message Body:

Please see the attached.

Thanks,

Barb Sutherland

From: Jeremy Nilson <jnilson@keystoneenvironmental.ca>
Sent: Saturday, August 19, 2023 2:53 PM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Water Act Referrals Lower Mainland FOR:EX <WaterActReferrals.LowerMainland@gov.bc.ca>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Subject: Re: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon,

We respectfully request an extension to allow further time for proponent review and decision making. Per previous discussion we understand that only limited extensions are available. 2-4 weeks will be sufficient if that range is acceptable.

Thank you.

Jeremy Nilson B.Sc., R.P.Bio.
Project Manager / Team Lead (he/him)
T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Friday, July 21, 2023 5:20:32 PM
To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com <dunmoredevelopments@gmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>; Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Subject: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Please see attached.

Thank you,

Barbara Sutherland, P.Eng.

Senior Authorizations Specialist - Water

Stream Management Authorizations

South Coast Natural Resource Region

Ministry of Forests

200-10428 153 Street, Surrey BC, V3R 1E1 | Phone: 778-572-2199 | Fax: 604-586-4444

Our Vision: Economic prosperity and environmental sustainability



August 21, 2023

File: 2010389

Stave Lake Investments Limited Partnership
201-3600 Townline Road
Abbotsford BC V2T 5W8

Dunmore Developments Ltd.
171 Gladwin Road
Abbotsford BC V2T 5Y1

Sent via email to: dunmoredevelopments@gmail.com

Dear Applicant,

**Re: Notice of Pending Refusal of *Water Sustainability Act* Approval for Infilling
Unnamed Tributary to D'Herbomez Creek, Mission BC**

Thank you for the information provided on June 20, 2023 in response to our request for additional information and clarifications sent on April 21, 2023 to address gaps in your Water Sustainability Act (WSA) Approval application received on January 04, 2021. Your WSA application is for the infilling portion of a tributary to D'Herbomez creek **within Lot C, Parcels "B" and "E" (Reference Plan 3915), District Lot 5, Section 27, Group 3, Except: Parcel "ONE" (Explanatory Plan 4745 and 7391), New Westminster District, Plan 2110**, Mission BC (the property). The works are proposed to facilitate the development of residential / commercial units including the associated road network. We understand the scope of work proposed under this application as per below:

1. Infill approximately 240 linear meters of Watercourse 2, a tributary to Watercourse 1 and D'Herbomez Creek. This will result in a loss of approximately 330 square meters of aquatic and 3,875 square meters of riparian habitat.
2. Construct a 387 square meter wetland and enhancement of approximately 2,703 square meters of riparian habitat
3. Construct new stormwater drainage channels within the riparian area of Watercourse 4 for a loss of 50 square meters of riparian habitat and a gain of 50 square meters of aquatic habitat
4. Dedication and enhancement of riparian lands adjacent to Watercourse 4 over an area of 2,186 square meters.

Thank you for meeting us on site on July 19, 2023. This helped provide context and clarity around our outstanding concerns. We would like to inform you that we have reviewed the information provided and determined that the proposed infilling of Watercourse 2 and its riparian area will likely result in significant adverse impacts to the water quality, water quantity and aquatic ecosystems of Watercourse 1, D'Herbomez Creek and its watershed.

Based on the information provided, the decision will move to refusal of the application. However, part of our process is to offer you the opportunity to provide further response to our concerns and reasons for pending refusal. Please review the reasons for the pending decision (below) and provide your responses within 30 days of receipt of this letter, August 21th, 2023.

Reasons for Refusal:

1. The BC Environmental Mitigation hierarchy of avoid, minimize, restore on site, and offset was not fully considered.
2. The proposed offsetting activities consisting of aquatic habitat creation and riparian habitat enhancement will result in a net gain of instream and riparian habitat that will provide enhanced ecological functions; MOF disagrees with this determination.
3. The hydrologic and ecologic conditions of Tributary 2 and the proposed offset wetland are not well understood.

1. The BC Environmental Mitigation hierarchy of avoid, minimize, restore on site, and offset was not fully considered.

As per the BC Environmental Mitigation Hierarchy, the application must consider options for the avoidance of impacts before moving to mitigation and offsetting. It is our understanding that this property can be successfully developed for residential and commercial use with Tributary 2 and its riparian area left intact. The City of Mission's Stave Heights Neighborhood Plan clearly shows how this lot can be developed with Tributary 2 and its riparian area intact.

2. The hydrologic and ecologic conditions of Tributary 2 and the proposed offset wetland are not well understood.

The hydrologic and ecologic values and functions of both Tributary 2 and the proposed compensation wetland are not clearly understood and thus it is unclear if the compensation wetland will provide equal or greater value/function than Tributary 2 in the context of the proposed development.

The quantity of water Tributary 2 provides to the watershed is not known and we are unsure of the hydroperiod (average time the channel is wet) of the channel. We understand some of the overarching ecosystem services provided by Tributary 2, but we are unclear on which species actually use the tributary, for what purposes and when. We also know that this tributary may provide habitat for the Oregon forest snail which is a red listed / SARA species.

Without understanding the functional values of Tributary 2, it is not possible to design / construct offset habitat that will provide equal or greater functional values.

Under the WSA, projects may be allowed if the impacts of the project can be mitigated for. In this application, the impacts of permanently removing tributary 2 and its riparian area will not, in our opinion, be compensated for by the proposed offsetting. The impacts of this project will result in the permanent removal of high functioning ecosystem habitat and cool clean water to the downstream reaches, likely resulting in significant adverse impacts to water quality, water quantity and ecosystem health.

3. The proposed offsetting activities consisting of aquatic habitat creation and riparian habitat enhancement will result in a net gain of instream and riparian habitat that will provide enhanced ecological functions; MOF disagrees with this determination.

As per 2 above, until we fully understanding the hydrologic and ecologic functions and values of Tributary 2, it is not possible to design / construct offset habitat that will provide equal or greater functional values. The MOF disagrees with this determination.

As per 1 above, we do not agree that you have followed the BC Mitigation Policy and we disagree that Tributary 2 must be infilled to facilitate the residential / commercial development. As per 2 above, we do not fully understand the effects the infilling of Tributary 2 will have on D' Herbomez Creek and its watershed, nor do we feel there is an adequate plan in place to address this uncertainty. Infilling this tributary and the removal of its mature diverse riparian area is likely to have significant adverse impacts on the water quality, water quantity, and the aquatic ecosystem health of this watershed.

If you would like to pursue the development of this property, I encourage you to apply the BC Mitigation Policy which states the first step is to avoid impact which would mean Tributary 2 is left in place with an appropriate riparian setback.

We are offering you the opportunity to provide a response to this letter. Please provide your responses within 30 days of receipt of this letter, **September 21st, 2023.** The response must be sent to the Water Manager at wateractreferrals.lowermainland@gov.bc.ca (please copy Barbara.Sutherland@gov.bc.ca) with the File Number 2010389 in the subject line. If you have any questions or need to request an extension of time to fulfil the requirements of the letter, please contact the undersigned.

Regards,



Barbara Sutherland
Assistant Water Manager

Pc: Jeremy Nilson, Keystone Environmental jnilson@keystoneenvironmental.ca
Kyle D'Appolonia, City of Mission kdappolonia@mission.ca
Shawn Fitzsimons, MOF shawn.fitzsimons@gov.bc.ca

From: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
To: Barrett, Scott FOR:EX (Scott.Barrett@gov.bc.ca)
Cc: Smith, Malissa FOR:EX (Malissa.Smith@gov.bc.ca)
Subject: RE: Eapps 33950
Sent: 05/29/2023 17:04:52
Attachments: image001.png, 2023-05-29 - Briefing Note - 2010389.docx
Message Body:

Hi Scott,
Malissa prepared the attached note that may be sufficient. I added one line about MOF doing a site visit.
Barb

From: Barrett, Scott FOR:EX <Scott.Barrett@gov.bc.ca>
Sent: Monday, May 29, 2023 9:40 AM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Cc: Ashekian, Caroline FOR:EX <Caroline.Ashekian@gov.bc.ca>; Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Subject: RE: Eapps 33950

That would be really helpful Barb. Just a quick file summary would be great. In particular, I'd like to know the current status/most recent correspondence.

Regards,
Scott

Sincerely,
Scott Barrett, R.P.Bio
Director, Resource Management
Ministry of Forests
Suite 200, 10428 7 153rd Street, Surrey, BC, V3R 1E1
Tel: (778) 572-2173

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Monday, May 29, 2023 9:39 AM
To: Barrett, Scott FOR:EX <Scott.Barrett@gov.bc.ca>; Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Cc: Ashekian, Caroline FOR:EX <Caroline.Ashekian@gov.bc.ca>
Subject: RE: Eapps 33950

Hi Scott,
Malissa is away today. Let me know if you would like me to dive into this file for you.
Thanks,
Barb

From: Barrett, Scott FOR:EX <Scott.Barrett@gov.bc.ca>
Sent: Monday, May 29, 2023 9:19 AM
To: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Cc: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Ashekian, Caroline FOR:EX <Caroline.Ashekian@gov.bc.ca>
Subject: FW: Eapps 33950

Hi Malissa,

I need some help developing some bullets in response to this request from an MLA.

Sincerely,
Scott Barrett, R.P.Bio
Director, Resource Management
Ministry of Forests

Suite 200, 10428 7 153rd Street, Surrey, BC, V3R 1E1
Tel: (778) 572-2173

From: Damario, Matthew FOR:EX
Sent: Wednesday, May 10, 2023 5:10 PM
To: Begg.MLA, Garry LASS:EX <Garry.Begg.MLA@leg.bc.ca>
Subject: FW: Eapps 33950

Hi MLA Begg,

Is this the information you were looking for regarding the Water Sustainability Act application?

Thanks,

Matt Damario (he/him)
Executive Assistant to
Honourable Bruce Ralston
Minister of Forests
C: (604) 841-0818

From: Malo, Courtney FOR:EX <Courtney.Malo@gov.bc.ca>
Sent: Tuesday, May 9, 2023 4:51 PM
To: Damario, Matthew FOR:EX <Matthew.Damario@gov.bc.ca>
Cc: Wilson, Sara FOR:EX <Sara.Wilson@gov.bc.ca>
Subject: RE: Eapps 33950

Actually, I have it! Turns out I still have access to my old inbox through my phone?

See my response to MLA Begg and our response to Arvind attached.

Courtney

Bullets

DATE: May 29, 2023

REGARDING: 33950 - MLA Begg, WSA Application File 2010389

SUMMARY:

- Application submitted Feb 7, 2023 for a WSA S11 Change Approval to infill watercourses to facilitate a cost-effective layout of a new proposed retail / residential development in Mission, BC.
- The application was prioritized for review by MOF Front Counter BC and by the Stream Management Team.
- Stream Management flagged several concerns with the application and deemed this a medium to high risk proposal indicating that the site is likely developable with opportunities to avoid or minimize the impacts to the watercourses.
- A site visit will be done by MOF staff.
- Stream Management placed the file on hold, requesting information on the rationale to infill and the offset to account for significant adverse impacts of project.
- At the request of the applicant, Stream Management granted an extension of time to the hold deadline. Responses are due to MOF on June 20, 2023.
- First Nations consultation will commence once responses to MOF hold letter are provided and deemed sufficient by the Statutory Decision Maker.

KEY MESSAGES:

- Change Approval file 2010389 was prioritized by MOF as it is a housing related file.
- The project involves infilling of watercourses which is deemed a high risk activity to environmental values.
- The file has been placed on hold by the Statutory Decision Maker, with responses due by June 20, 2023.

PREPARED BY:

Malissa Smith



April 21, 2023

Approval File Number: 2010389

Stave Lake Investments Limited Partnership
201-3600 Townline Road
Abbotsford BC V2T 5W8

Dunmore Developments Ltd.
171 Gladwin Road
Abbotsford BC V2T 5Y1

Sent via email to: dunmoredevelopments@gmail.com

Dear Applicant,

Re: Notice to Hold Review of *Water Sustainability Act* Approval application on Unnamed streams.

Thank you for the *Water Sustainability Act* (WSA) Approval application received on February 7, 2023.

A brief overview of your file has begun and the following information gaps have been identified, as outlined below. Please note that the time for an application to be reviewed and moved forward to the decision stage will depend on the complexity of the works proposed, the potential environmental impacts, the effect the proposal may have on other (asserted indigenous and/or private) rights and interests, and the quality and completeness of the application. These items must be addressed in order for us to continue our review:

1. If your application involves the federal *Fisheries Act*, please provide copies of any Letters of Advice or Authorizations received.
2. If your application involves any other Federal, Municipal, or Provincial permit, please attach a copy of the permit(s) and/or please describe where you are at in the respective permitting process.
3. Description of Works Table: Please provide a table that outlines construction steps, timelines, impacts, and mitigation measures. Please ensure that the “duration” field identifies length of time to complete the works once initiated. An example can be

found in Section 5.1.1.4 of the South Coast Region Guidance for Changes in and About a Stream applications at: https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

4. Complete the attached Qualified Professional Questionnaire regarding STREAM DIVERSION/INFILL. For more information on South Coast expectations, please refer to Section 5 of the “Guidance for Applications or Notifications for Changes in and about a Stream under the Water Sustainability Act in the South Coast Region” document (https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.)
5. Offset Implementation and Effectiveness Monitoring Plan: Please submit a formal and detailed offsetting plan with the inclusion of a long-term monitoring plan. Five year minimum for effectiveness monitoring is preferred. At a minimum, please include the following:
 - a. Riparian planting:
 - i. Planting plan that includes species, size of plants and planting locations.
 - ii. Duration and frequency of effectiveness monitoring to demonstrate successful plant establishment/survival.
 - iii. Outline details for invasive abatement, disposal and replanting in the event of plant mortality.
 - b. Hydrology:
 - i. Duration and frequency of effectiveness monitoring to demonstrate new channel features are functioning as intended.
 - ii. Metrics to measure how the new channel features are “functioning as intended”.

For more information, please refer to Section 5.1.2.3 of the South Coast Region Guidance for Changes in and About a Stream applications at: https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

Again, for detailed information on above-mentioned information requirements, please refer to Section 5 of the South Coast Region Guidance for Changes in and About a Stream applications at: https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

Our office has placed the WSA Approval review on hold and provides you with **30 days from the date of this letter** to provide the required information as stated above. If the required information is provided before the 30 day initial response due date, we will review the material submitted to determine if the information meets the initial request.

However, please note that submission of the information requested does not guarantee that a WSA Approval will be issued as further questions may arise as the review continues. Also, the file may not automatically be removed from the hold process with the receipt of the required information if the information provided is insufficient to address the concerns and information gaps identified.

At this time, you are reminded that **no work in and about a stream shall proceed** until such time as a WSA Approval is issued to you from this office.

Your response is due May 21, 2023, 30 days from the date of this letter.

If the above-mentioned information is not submitted within the requested timeframe, your application will be refused. You would then require a new application to seek authorization for your plans.

Please send your response to our general surface water authorizations email at WaterActReferrals.LowerMainland@gov.bc.ca **no later than May 21, 2023**. Please include the Approval File Number in your subject line of the email so we may identify the application.

If you have any questions or concerns about your application, please contact Stream Management at 604-586-4400.

Sincerely,



Assistant Water Manager
Stream Management
Email: WaterActReferrals.LowerMainland@gov.bc.ca

cc: Consultant

From: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
To: Jeremy Nilson (jnilson@keystoneenvironmental.ca); dunmoredevelopments@gmail.com; Gus Cheema s.22 ; Arvind Grewal (arvind@grewalgroup.ca); Mohit Sharma (mohit@msharma.ca); Gary Toor (thejtoors@hotmail.com)
Cc: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca); Kyle D'Appolonia (kdappolonia@mission.ca); Nathan Bendriem (nbendriem@keystoneenvironmental.ca)
Subject: RE: Water Sustainability Act Application - File 2010389 - works at Tributary to D'Herbomez Creek
Sent: 07/14/2023 17:28:14
Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png, image007.png, image008.png
Message Body:

Thanks for accommodating us on such short notice.

See you all on Wednesday

Barb

From: Jeremy Nilson <jnilson@keystoneenvironmental.ca>
Sent: Friday, July 14, 2023 9:55 AM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; dunmoredevelopments@gmail.com; Gus Cheema s.22 ; Arvind Grewal <arvind@grewalgroup.ca>; Mohit Sharma <mohit@msharma.ca>; Gary Toor <thejtoors@hotmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>
Subject: RE: Water Sustainability Act Application - File 2010389 - works at Tributary to D'Herbomez Creek

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Barb,

I'm going to send a calendar invite around for 9 AM next Wednesday, I think there's enough availability amongst the various proponent representatives to make that date/time work.

Jeremy Nilson B.Sc., R.P.Bio.
Project Manager / Team Lead (he/him)
T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Friday, July 14, 2023 9:49 AM
To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com; Gus Cheema <s.22>; Arvind Grewal <arvind@grewalgroup.ca>; Mohit Sharma <mohit@msharma.ca>; Gary Toor <thejtoors@hotmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>
Subject: RE: Water Sustainability Act Application - File 2010389 - works at Tributary to D'Herbomez Creek

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks Jeremy.

From: Jeremy Nilson <jnilson@keystoneenvironmental.ca>
Sent: Friday, July 14, 2023 9:35 AM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; dunmoredevelopments@gmail.com; Gus Cheema <s.22>; Arvind Grewal <arvind@grewalgroup.ca>; Mohit Sharma <mohit@msharma.ca>; Gary Toor <thejtoors@hotmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>
Subject: RE: Water Sustainability Act Application - File 2010389 - works at Tributary to D'Herbomez Creek

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9 AM works for me but I'll let the other folks chime in as well.

Jeremy Nilson B.Sc., R.P.Bio.
Project Manager / Team Lead (he/him)
T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Friday, July 14, 2023 9:24 AM

To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com; Gus Cheema <s.22>; Arvind Grewal <arvind@grewalgroup.ca>; Mohit Sharma <mohit@msharma.ca>; Gary Toor <thejtoors@hotmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>
Subject: RE: Water Sustainability Act Application - File 2010389 - works at Tributary to D'Herbomez Creek

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Hi Jeremy,

Thanks, would 9 am work for you on site?

Barb

From: Jeremy Nilson <jnilson@keystoneenvironmental.ca>
Sent: Friday, July 14, 2023 9:14 AM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; dunmoredevelopments@gmail.com; Gus Cheema <s.22>; Arvind Grewal <arvind@grewalgroup.ca>; Mohit Sharma <mohit@msharma.ca>; Gary Toor <thejtoors@hotmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>
Subject: RE: Water Sustainability Act Application - File 2010389 - works at Tributary to D'Herbomez Creek

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good morning Barb,

Keystone Environmental staff will be available on Wednesday July 19. I've included the proponent representatives on this e-mail to also confirm their availability.

Project Manager / Team Lead (he/him)

T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca
320-4400 Dominion Street | Burnaby, BC V5G 4G3

Indigenous Territory Acknowledgement | We acknowledge our office is located on the traditional territory of the səliłwətaʔt təməxʷ (Tsleil-Waututh), S'ólh Téméxw (Stó:lo), Qayqayt, Stz'uminus and the xʷməθkʷəy̓əm (Musqueam) peoples. We are grateful for this privilege and accept our responsibility to improve relationships and respect land rights in the spirit of reconciliation.

Privilege and Confidentiality Notice | The information in this email is intended for the named recipients only. It may contain privileged and confidential information. Any use, copying or dissemination of its contents is prohibited. If you are not the intended recipient, please notify the sender and delete the email. Thank You.

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>

Sent: Friday, July 14, 2023 8:33 AM

To: KeyInfo <keyinfo@keystoneenvironmental.ca>; Jeremy Nilson
<jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com

Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia
<kdappolonia@mission.ca>

Subject: Water Sustainability Act Application - File 2010389 - works at Tributary to D'Herbomez Creek

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Avid,

Thank you for providing the information requested in the Hold Letter dated April 21, 2023. I have been reviewing your Water Sustainability Act Application for works in and around unnamed tributaries to D'Herbomez Creek.

We would like to visit your site on Wednesday, July 19.

Would you be able to meet us at the site on this day?

Thanks,

From: Jeremy Nilson (jnilson@keystoneenvironmental.ca)
To: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
Cc: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca)
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek
Sent: 11/20/2023 22:41:10
Attachments: image001.png, image002.png, ke-22077_keystone_corpid_colour_emailsig_3517d80a-ce96-47f7-a24e-a99b77c225cb.png
Message Body:

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Barb,

My apologies for the delay, if you have a moment to discuss via phone ^{s.22} or a teams meeting please give me a call or let me know a good time to call you if that's easier.

Thank you.

Jeremy Nilson B.Sc., R.P.Bio.
Project Manager / Team Lead (he/him)
T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Monday, November 20, 2023 2:31 PM
To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Jeremy,

As per the Notice of Pending Refusal Letter sent to you on August 21, 2023, we requested a response to the letter by September 21, 2023. Our records show that we have not yet received a response. Are you currently working on a response or has the applicant decided to not respond to the letter.

Thanks,

Barb

From: Sutherland, Barbara FOR:EX
Sent: Monday, August 21, 2023 8:05 AM
To: 'Jeremy Nilson' <jnilson@keystoneenvironmental.ca>; 'dunmoredevelopments@gmail.com' <dunmoredevelopments@gmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Water Act Referrals Lower Mainland FOR:EX <WaterActReferrals.LowerMainland@gov.bc.ca>; 'Kyle D'Appolonia' <kdappolonia@mission.ca>
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

Please see the attached.

Thanks,

Barb Sutherland

From: Jeremy Nilson <jnilson@keystoneenvironmental.ca>
Sent: Saturday, August 19, 2023 2:53 PM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Water Act Referrals Lower Mainland FOR:EX <WaterActReferrals.LowerMainland@gov.bc.ca>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Subject: Re: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon,

We respectfully request an extension to allow further time for proponent review and decision making. Per previous discussion we understand that only limited extensions are available. 2-4 weeks will be sufficient if that range is acceptable.

Thank you.

Jeremy Nilson B.Sc., R.P.Bio.
Project Manager / Team Lead (he/him)
T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Friday, July 21, 2023 5:20:32 PM
To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com <dunmoredevelopments@gmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>; Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Subject: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Please see attached.

Thank you,

Barbara Sutherland, P.Eng.

Senior Authorizations Specialist - Water

Stream Management Authorizations

South Coast Natural Resource Region

Ministry of Forests

200-10428 153 Street, Surrey BC, V3R 1E1 | Phone: 778-572-2199 | Fax: 604-586-4444

From: Dmitriev, Andrei FOR:EX (Andrei.Dmitriev@gov.bc.ca)
To: Pokorny, Stanley FOR:EX (Stanley.Pokorny@gov.bc.ca); Smith, Malissa FOR:EX (Malissa.Smith@gov.bc.ca)
Subject: RE: Check on application status - Change Approval Submission tracking #100406271 - RE Minister inquiry
Sent: 03/16/2023 21:08:48
Attachments: image003.png, image004.png, image005.png
Message Body:

Hey Stan

Kick them RMI, then take RMI email and forward to the new/present contact.

Hopefully, they will have access to the BCeID to do the changes. If they don't, then it is not on you.

If they go out of office and not giving us a heads up, we are not here to catch them ?
😊?

Andrei Dmitriev

Natural Resource Specialist Supervisor | Ministry of Forests (FOR)

FrontCounter BC - Surrey | Ph. 778-572-2231

Tell us about your experience with FrontCounter BC: [Complete an Online Comment Card](#)

🌱 **Please consider the environment before printing this e-mail.**

From: Pokorny, Stanley FOR:EX <Stanley.Pokorny@gov.bc.ca>
Sent: Thursday, March 16, 2023 2:07 PM
To: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Cc: Dmitriev, Andrei FOR:EX <Andrei.Dmitriev@gov.bc.ca>

Subject: RE: Check on application status - Change Approval Submission tracking #100406271 - RE Minister inquiry

Thanks Malissa,

I will update my notes for processing urgent Approvals (cc'ing clients and alternate contacts on information requests).

The only concern I have is that there is not an RMI issued in vFCBC yet, so the application is not open for editing on their end. If I do generate it now, it will go to the inbox of the out of office consultant.

Let me know if you want the vFCBC RMI sent out or if I can do anything else to expedite the process.

Happy to be on the team.

Cheers,

Stan

From: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Sent: March 16, 2023 1:50 PM
To: Pokorny, Stanley FOR:EX <Stanley.Pokorny@gov.bc.ca>
Cc: Dmitriev, Andrei FOR:EX <Andrei.Dmitriev@gov.bc.ca>
Subject: RE: Check on application status - Change Approval Submission tracking #100406271 - RE Minister inquiry

Thank you Stanley,

This information is very helpful. I don't think I need anything else at this time. I do have a couple notes though, seeing that the project is related to housing.

1. Our team is treating these files as priority. As you have already picked up the file, I can see FCBC is also treating as priority. Priority means we are actioning the file, it doesn't mean that we accept without appropriate information requirements met. You are definitely taking the right approach to resolve those application issues, which takes me to my next point.

2. I see from the inquiry below that the contact information, in addition to the specific consultant, could be keyinfo@keystoneenvironmental.ca (their general inbox). It might be worth forwarding your request to that email address too, just to make sure it isn't missed. I might also recommend copying the client – this can help make sure you get timely responses to your inquiries.

I will respond direct to the QP, their general inbox, and the client, to let them know the application has been received and that it is currently under review with FCBC. I will let them know you have reached out to them for clarity on the application and will loop the developer in on that information request shortly.

Please let me know if you have any concerns about this approach.

Thanks again for your quick response here. Nice to be working with you, Stanley. ?😊?

Cheers,

Malissa

From: Pokorny, Stanley FOR:EX <Stanley.Pokorny@gov.bc.ca>
Sent: Thursday, March 16, 2023 1:31 PM
To: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Cc: Dmitriev, Andrei FOR:EX <Andrei.Dmitriev@gov.bc.ca>
Subject: RE: Check on application status - Change Approval Submission tracking #100406271 - RE Minister inquiry

Hello Malissa,

Yes, this application is related to a retail/residential development project.

After review, there are several issues related to landownership and mistakes the app form which are summarized in the attached email that I sent out to the consultant on March 13.

Unfortunately, there was an autoreply that consultant is out of office March 26. The issues are fairly complex, so I wanted to have a discussion before issuing the RMI.

Please let me know if I can provide further information.

Cheers,

Stanley Pokorny | Natural Resource Specialist

FrontCounter BC | Ministry of Forests
200 – 10428 153rd Street | Surrey BC, V3R 1E1
Tel: 778-572-6313 | Fax: (604) 586-4434

Contact Us: [FrontCounter BC](#)

Tell us about your experience with FrontCounter BC: [Complete an Online Comment Card](#)
[Freedom of Information Disclaimer](#)

From: Dmitriev, Andrei FOR:EX <Andrei.Dmitriev@gov.bc.ca>

Sent: March 16, 2023 1:12 PM

To: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>

Cc: Pokorny, Stanley FOR:EX <Stanley.Pokorny@gov.bc.ca>

Subject: RE: Check on application status - Change Approval Submission tracking #100406271 - RE Minister inquiry

Hey Stan

Looks like this one is assigned to you.

Are you able to answer Malissa's questions below?

Thank you

Andrei Dmitriev

Natural Resource Specialist Supervisor | Ministry of Forests (FOR)

FrontCounter BC - Surrey | Ph. 778-572-2231

Tell us about your experience with FrontCounter BC: [Complete an Online Comment Card](#)

 **Please consider the environment before printing this e-mail.**

From: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>

Sent: Thursday, March 16, 2023 12:07 PM

To: Dmitriev, Andrei FOR:EX <Andrei.Dmitriev@gov.bc.ca>

Subject: Check on application status - Change Approval Submission tracking #100406271 - RE Minister inquiry

Hi Andrei,

Andrei – I think this CIAS submission is still with FCBC. Could you please verify and let me know its general status – including whether or not it is related to housing.

Tracking # 100406271.

I will provide a direct reply to this Minister inquiry once we confirm the status.

Thank you,

Malissa

Malissa Smith | RPBio | PAg (she/her)

Section Head, Stream Management

Ministry of Forests

South Coast Natural Resource Region

200-10428 153rd Street | Surrey, BC | V3R 1E1

Ph: 778.572.2258 | Email: Malissa.Smith@gov.bc.ca

From: Hamod, Wendy D FOR:EX <wendy.hamod@gov.bc.ca>

Sent: Thursday, March 16, 2023 10:20 AM

To: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>

Cc: Barrett, Scott FOR:EX <Scott.Barrett@gov.bc.ca>; Chan, Michael K FOR:EX <Michael.K.Chan@gov.bc.ca>

Subject: FW: Reply Direct CLIFF ID 273858

Malissa, please ask staff to reply direct on behalf of the minister.

Thanks,

Wendy Hamod

Regional Executive Administrator

South Coast Natural Resource Region

Ministry of Forests

Phone (604) 586-4401

From: DM-CSS <FLNR.Correspondence@gov.bc.ca>

Sent: March 14, 2023 8:21 AM

To: Hamod, Wendy D FOR:EX <wendy.hamod@gov.bc.ca>

Cc: Lopez, Christina FOR:EX <Christina.Lopez@gov.bc.ca>; Chan, Michael K FOR:EX <Michael.K.Chan@gov.bc.ca>; Hamod, Wendy D FOR:EX <wendy.hamod@gov.bc.ca>

Subject: Reply Direct CLIFF ID 273858

REPLY DIRECT on behalf of the Minister by DATE: March 28, 2023

1. Please reply direct to the writer
2. Add response as attachment in CLIFF log
3. Update log notes
4. Enter signed date
5. Enter sign by
6. Close log

Please notify CSS (FLNR.Correspondence@gov.bc.ca) if this is NOT your issue within 2-3 days.

Thanks.

DM-CSS

Referral Slip for ID:273858

2023/03/14

Log Type:

Letter

Action:

Draft Reply

Due:

2023/03/30

Batch:

Sig Level:

Staff

Type:

Company

Jeremy Nilson

320-4400 Dominion Street

Burnaby, BC, V5G 4G3

Phone:

604-430-0671

Email:

keyinfo@keystoneenvironmental.ca

Written:

2023/02/07

Resp Type:

Received:

2023/03/08

File No.:

Due:

2023/03/30

Entered By:

mirajohn

Approved:

Approved By:

Signed:

Signed By:

Closed:

Secondary Authors

Type:

Company

Arvind Grewal

Abbotsford, BC, V2T 5W8

Phone:

604-396-0518

Address To:

Ministry of Forests

Copy To:

Rsp Office:

CO-RSC

Issue:

eLicensing

X-Ref:

Drafter:

With BN:

Subject

Change Approval Notification (Changes In and About a Stream) Tracking Number: 100406271

Log Notes

2023/03/14

Opened new referral line to South Coast region for response per Connie Chapman.

2023/03/10

Please assign a generic response saying we've received the application. Can we please cc MLA Begg's office and the MO.

2023/03/10

REPLY DIRECT on behalf of the Minister by DATE: March 28, 2023

1. Please reply direct to the writer
2. Add response as attachment in CLIFF log
3. Update log notes
4. Enter signed date
5. Enter sign by
6. Close log

Please notify CSS (FLNR.Correspondence@gov.bc.ca) if this is NOT your issue within 2-3 days.

Thanks.

Referral DM-CSS -> MO-Minister

From:

DM-CSS

Sent:

2023/03/10

Status:

Completed

Ref Action:

FYI/File

To:

MO-Minister

Received:

Reason:

Sig Level:

Assign To:

Completed:

2023/03/10

Due:

File No.:

Referral DM-CSS -> MO-Minister -> DM-CSS

From:

MO-Minister

Sent:

2023/03/10

Status:

Completed

Ref Action:

Coordinate Response

To:

DM-CSS

Received:

Reason:

Sig Level:

Assign To:

Completed:

2023/03/10

Due:

2023/03/28

File No.:

Referral DM-CSS -> MO-Minister -> DM-CSS -> IRO-Water Management

From:

DM-CSS

Sent:

2023/03/10

Status:

Rejected

Ref Action:

Reply Direct

To:

IRO-Water Management

Received:

Reason:

Please send to south coast region.

Sig Level:

Assign To:

Completed:

2023/03/14

Due:

2023/03/30

File No.:

Referral DM-CSS -> MO-Minister -> DM-CSS -> CO-RSC

From:

DM-CSS

Sent:

2023/03/14

Status:

Pending

Ref Action:

Reply Direct

To:

CO-RSC

Received:

Reason:

Sig Level:

Assign To:

Completed:

Due:

2023/03/30 (Active (12))

File No.:

Name:	Dunmore Developments Ltd.
Doing Business As:	
Phone:	604-850-4854
Fax:	
Email:	dunmoredevelopments@gmail.com
BC Incorporation Number:	
Extra Provincial Inc. No:	
Society Number:	
GST Registration Number:	
Mailing Address:	171 Gladwin Road Abotsford BC V2T 5Y1

From: Jeremy Nilson (jnilson@keystoneenvironmental.ca)
To: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca)
Cc: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek
Sent: 11/27/2023 23:42:04
Attachments: image001.jpg, image002.png, image003.png, ke-22077_keystone_corpid_colour_emailsig_3517d80a-ce96-47f7-a24e-a99b77c225cb.png
Message Body:

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon Shawn,

One of the proponents has responded this afternoon indicating that the application can be withdrawn.

Jeremy Nilson B.Sc., R.P.Bio.
Project Manager / Team Lead (he/him)
T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

From: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Sent: Monday, November 27, 2023 2:56 PM
To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; Dunmore Developments Inc <dunmoredevelopments2019@gmail.com>
Cc: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; 'Kyle D'Appolonia' <kdappolonia@mission.ca>
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

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Hi Jeremy,

Will you be withdrawing the Change Approval application? Please provide me with a status update

at your earliest convenience.

Cheers,

Shawn Fitzsimons

Water Officer | Habitat Officer

Stream Management

Ministry of Water, Land and Resource Stewardship

200-10428 153 Street, Surrey BC V3R 1E1

Tel: (778) 572-2232

From: Sutherland, Barbara FOR:EX

Sent: Monday, November 20, 2023 2:31 PM

To: 'Jeremy Nilson' <jnilson@keystoneenvironmental.ca>; 'dunmoredevelopments@gmail.com' <dunmoredevelopments@gmail.com>

Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; 'Kyle D'Appolonia' <kdappolonia@mission.ca>

Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389
Tributary to D'Herbomez Creek

Hi Jeremy,

As per the Notice of Pending Refusal Letter sent to you on August 21, 2023, we requested a response to the letter by September 21, 2023. Our records show that we have not yet received a response. Are you currently working on a response or has the applicant decided to not respond to the letter.

Thanks,

Barb

From: Sutherland, Barbara FOR:EX

Sent: Monday, August 21, 2023 8:05 AM

To: 'Jeremy Nilson' <jnilson@keystoneenvironmental.ca>; 'dunmoredevelopments@gmail.com' <dunmoredevelopments@gmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Water Act Referrals Lower Mainland FOR:EX <WaterActReferrals.LowerMainland@gov.bc.ca>; 'Kyle D'Appolonia' <kdappolonia@mission.ca>
Subject: RE: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

Please see the attached.

Thanks,

Barb Sutherland

From: Jeremy Nilson <jnilson@keystoneenvironmental.ca>
Sent: Saturday, August 19, 2023 2:53 PM
To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Water Act Referrals Lower Mainland FOR:EX <WaterActReferrals.LowerMainland@gov.bc.ca>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Subject: Re: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon,

We respectfully request an extension to allow further time for proponent review and decision making. Per previous discussion we understand that only limited extensions are available. 2-4 weeks will be sufficient if that range is acceptable.

Thank you.

Jeremy Nilson B.Sc., R.P.Bio.
Project Manager / Team Lead (he/him)
T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Friday, July 21, 2023 5:20:32 PM
To: Jeremy Nilson <jnilson@keystoneenvironmental.ca>; dunmoredevelopments@gmail.com <dunmoredevelopments@gmail.com>
Cc: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Kyle D'Appolonia <kdappolonia@mission.ca>; Nathan Bendriem <nbendriem@keystoneenvironmental.ca>; Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Subject: Water Sustainability Act Application - Notice of Pending Refusal File 2010389 Tributary to D'Herbomez Creek

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Afternoon,

Please see attached.

Thank you,

Barbara Sutherland, P.Eng.

Senior Authorizations Specialist - Water

Stream Management Authorizations

South Coast Natural Resource Region

Ministry of Forests

200-10428 153 Street, Surrey BC, V3R 1E1 | Phone: 778-572-2199 | Fax: 604-586-4444

Our Vision: Economic prosperity and environmental sustainability

From: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca)
To: Hamod, Wendy D FOR:EX (wendy.hamod@gov.bc.ca); Smith, Malissa FOR:EX (Malissa.Smith@gov.bc.ca); Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)
Subject: RE: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30
Sent: 06/29/2023 17:42:06
Message Body:

Wendy, I think we can state we will engage them by July 14th.

Cheers,

Shawn

From: Hamod, Wendy D FOR:EX <wendy.hamod@gov.bc.ca>
Sent: Thursday, June 29, 2023 9:58 AM
To: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>; Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Subject: RE: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Shawn, thank you for the bullets.

Could you please provide a more specific date than "soon" as we will probably be asked for an approximate timeline.

Thank you,

Wendy Hamod

Regional Executive Administrator

South Coast Natural Resource Region

Ministry of Forests

Phone (604) 586-4401

From: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Sent: Thursday, June 29, 2023 9:35 AM
To: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>; Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Cc: Hamod, Wendy D FOR:EX <wendy.hamod@gov.bc.ca>
Subject: RE: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Good morning,

- FrontCounter BC (FCBC) and Stream Management have been handling this application as a high priority.
- The application was incomplete which has necessitated requests for additional information from FCBC and SM.
- The applicant requested extensions from both teams to provide additional information.
- SM has started the technical review, is actively working on the file, and anticipates providing an update to the applicant soon.

Please refer to the following file chronology:

February 7, 2023 – Application submitted to FCBC.

March 16, 2023 – FCBC requested additional information.

April 11, 2023 – Applicant submitted requested information, following a request to have the application returned to make additional updates.

April 13, 2023 – FCBC accepted application, assigned a file number, and transferred to Stream Management.

April 21, 2023 – Stream Management completed a preliminary review and identified missing information. The application was placed on hold (30 day deadline) and a letter was sent to the applicant.

May 11, 2023 – The applicant's agent requested an extension to the deadline. A new hold letter with a revised deadline was provided to the applicant.

June 20, 2023 – The applicant provided the requested information.

June 28, 2023 – Stream Management initiated the technical review and is actively working on the file.

Cheers,

Shawn

From: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>

Sent: Wednesday, June 28, 2023 4:45 PM

To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>

Cc: Hamod, Wendy D FOR:EX <wendy.hamod@gov.bc.ca>

Subject: FW: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Hey Barb, Shawn,

Funny/convenient, this is the file we just reviewed as a group this morning: 2010389.

Could one of you please put together some bullets for this request? I have attached the incoming email. Bullet notes should be fine. If you get to it by the end of the week can you please copy Wendy. If not, I will be back on Tuesday and you can just send direct to me.

Thanks,

Malissa

Malissa Smith | RPBio | PAg (she/her)

Section Head, Stream Management

Ministry of Forests

South Coast Natural Resource Region

200-10428 153rd Street | Surrey, BC | V3R 1E1

Ph: 778.572.2258 | Email: Malissa.Smith@gov.bc.ca

From: FLNR eApprovals <donotreply@sp.gov.bc.ca>

Sent: Wednesday, June 28, 2023 8:17 AM

To: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>

Subject: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Hamod, Wendy D FLNR:EX [Assignee] forwarded an eApprovals item to Smith, Malissa FLNR:EX for action

Comment: Malissa, please ask staff to provide bullets.

#:

Title: Minister Ralston, Mission Project - 100406271

Full Name:

Due Date: 6/30/2023

Category: Briefing Note - MLA/MO Information Bullets

[Go to item...](#)

From: Smith, Malissa FOR:EX (Malissa.Smith@gov.bc.ca)
To: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca); Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca)
Cc: Hamod, Wendy D FOR:EX (wendy.hamod@gov.bc.ca)
Subject: FW: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30
Sent: 06/28/2023 23:44:30
Attachments: FW: Mission Project - Change Approval and Notification (Changes In and About a Stream) 100406271.pdf.msg
Message Body:

Hey Barb, Shawn,

Funny/convenient, this is the file we just reviewed as a group this morning: 2010389.

Could one of you please put together some bullets for this request? I have attached the incoming email. Bullet notes should be fine. If you get to it by the end of the week can you please copy Wendy. If not, I will be back on Tuesday and you can just send direct to me.

Thanks,
Malissa

Malissa Smith | RPBio | PAg (she/her)
Section Head, Stream Management
Ministry of Forests
South Coast Natural Resource Region
200-10428 153rd Street | Surrey, BC | V3R 1E1
Ph: 778.572.2258 | Email: Malissa.Smith@gov.bc.ca

From: FLNR eApprovals <donotreply@sp.gov.bc.ca>
Sent: Wednesday, June 28, 2023 8:17 AM
To: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Subject: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Hamod, Wendy D FLNR:EX [Assignee] forwarded an eApprovals item to Smith, Malissa FLNR:EX for action

Comment: Malissa, please ask staff to provide bullets.

#:

Title: Minister Ralston, Mission Project - 100406271

Full Name:

Due Date: 6/30/2023

Category: Briefing Note - MLA/MO Information Bullets

Go to item...

From: Ralston, Bruce (B.Ralston@leg.bc.ca)
To: Damario, Matthew FOR:EX (Matthew.Damario@gov.bc.ca)
Subject: FW: Mission Project - Change Approval and Notification (Changes In and About a Stream) 100406271.pdf
Sent: 06/26/2023 17:10:54
Attachments: Change Approval and Notification (Changes In and About a Stream) 100406271.pdf
Message Body:

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

From: Bilal Cheema <bilal@cheemastrategies.com>
Sent: Monday, June 26, 2023 12:30 AM
To: Ralston, Bruce <B.Ralston@leg.bc.ca>; Ralston.MLA, Bruce <Bruce.Ralston.MLA@leg.bc.ca>
Cc: Begg, Garry <G.Begg@leg.bc.ca>
Subject: Fwd: Mission Project - Change Approval and Notification (Changes In and About a Stream) 100406271.pdf

Hi Minister Ralston.

As discussed with you, this is the file that needs some encouraging. We cant get to increasing the housing stock if we can't expedite reviews related to the WSA.

Please and thanks.

Bilal
604.809.6832

----- Forwarded message -----

From: Bilal Cheema <bilal@cheemastrategies.com>
Date: Mon, May 15, 2023, 2:33 p.m.
Subject: Mission Project - Change Approval and Notification (Changes In and About a Stream) 100406271.pdf
To: <mike.starchuk.mla@leg.bc.ca>

As discussed today with Mike. Please forward to Mike.

This is to do with the Mission project that envisions between 1000 to 1200 housing units. Can you please engage MLA Pam Alexis on this?

Thanks.



Change Approval and Notification (Changes In and About a Stream)

Tracking Number: 100406271

Applicant Information

If approved, will the authorization be issued to an Individual or Company/Organization?
What is your relationship to the company/organization?

Company/Organization

Consultant

APPLICANT COMPANY/ORGANIZATION CONTACT INFORMATION

Applicant is an Individual or an Organization to whom this authorization Permit / Tenure / Licence will be issued, if approved.

Name: Stave Lake Investments Limited Partnership
Doing Business As:
Phone: 604-396-0518
Fax:
Email:
BC Incorporation Number:
Extra Provincial Inc. No:
Society Number:
GST Registration Number:
Contact Name: Arvind Grewal
Mailing Address: 201-3600 Townline Road
Abbotsford BC V2T 5W8

CONSULTANT INFORMATION

Please enter the contact information of the Individual/Organization who is acting on behalf of the applicant.

Name: KEYSTONE ENVIRONMENTAL LTD.
Doing Business As: Keystone Environmental Ltd.
Phone: 604-430-0671
Fax: 604-430-0672
Email: keyinfo@keystoneenvironmental.ca
BC Incorporation Number: 406117-9
Extra Provincial Inc. No: Burnaby
Society Number:
GST Registration Number: 135515336 RT0001
Contact Name: Jeremy Nilson
Mailing Address: 320-4400 Dominion Street
Burnaby BC V5G 4G3
Letter(s) Attached: Yes (Gus Cheema Letter of Appointment Signed.pdf)

CORRESPONDENCE E-MAIL ADDRESS

If you would like to receive correspondence at a different email address than shown above, please provide the correspondence email address here. If left blank, all correspondence will be sent to the above given email address.

Email: jnilson@keystoneenvironmental.ca
Contact Name: Jeremy Nilson

CO-APPLICANTS

A co-applicant is an Individual or Company/Organization listed on the title of the land, mine or undertaking who was not previously identified as the principal applicant.

Are there co-applicants for this application? Yes
Co-applicants who are Organizations must consent to providing their name, address and phone number and Individuals must consent to providing their name and email address. Do you have permission from the co-applicants to enter their personal information? Yes

You have indicated earlier in the application that there is one or more co-applicant. Please add each co-applicant by clicking on the 'Add Individual' or 'Add Organization' button below depending if the co-applicant is an individual or an organization. Due to Freedom of Information and Protection of Privacy Act regulations you are only able to enter the name and email address for an individual.

Name:	Dunmore Developments Ltd.
Doing Business As:	
Phone:	604-850-4854
Fax:	
Email:	dunmoredevelopments@gmail.com
BC Incorporation Number:	
Extra Provincial Inc. No:	
Society Number:	
GST Registration Number:	
Mailing Address:	171 Gladwin Road Abbotsford BC V2T 5Y1

ELIGIBILITY

Please answer the following questions related to your Change Approval/Notification.

Question	Answer	Warning
Is this application to support oil and gas activity that is being authorized by the Oil and Gas Commission?	No	

TECHNICAL INFORMATION

GOVERNMENT AND FIRST NATION FEE EXEMPTION REQUEST

Do you belong to, are you applying on behalf of, or are you:

- A provincial government ministry
- The Government of Canada
- A First Nation for water use on reserve land
- A person applying to use water on Treaty Lands
- A Nisga'a citizen
- An entity applying to use water from the Nisga'a Water Reservation?

No

APPLICATION BY GOVERNMENT

Please indicate if you are someone who works in the government OR you are working on behalf of the government.

Are you, or are you applying on behalf of, a government entity?	No
---	----

TYPE OF WORKS

Please select the type of Notifications/Approvals you want to apply for as part of this application.

Please select the type of works to be undertaken:

Notification

- ☐ Road Crossing Culvert - Construction / Maintenance / Removal
- ☐ Clear Span Bridge - Construction / Maintenance / Removal
- ☐ Pipeline Crossing – Construction / Maintenance
- ☐ Dry Hydrant – Construction / Maintenance
- ☐ Pier, Wharf, (including docks) – Construction / Maintenance / Removal
- ☐ Cutting of annual vegetation in a stream channel
- ☐ Dike or Erosion Protection Works - Repair / Maintenance

- ☐ Storm Sewer Outfalls – Construction / Maintenance
- ☐ Control of Eurasian Watermilfoil or other invasive aquatic vegetation
- ☐ Ice Bridge / Winter Ford or Snowfill - Construction / Maintenance
- ☐ Maintenance of minor and routine nature by a public utility
- ☐ Removal of a beaver dam (as authorized under the Wildlife Act)
- ☐ Construction of a temporary ford
- ☐ Construction of a temporary diversion around a worksite

Approval:

- ☐ Bank Erosion Protection
- ☐ Bridge (other than clear span) - Construction / Maintenance / Removal
- ☐ Stream Diversion
- ☐ Large Debris Removal by machine - Plan required
- ☐ Gravel removal
- ☒ Other: Stream Infill and Stream Construction

Has a DMA Approval under the *Dike Maintenance Act* been submitted for this work?

No

Please note that the ultimate decision whether this constitutes a Notification or a Change Approval lies with the Province of British Columbia. NOTE: Answer the question below as No. The Dike Maintenance Act (DMA) Approval application is currently transitioning to this form but is not yet been fully implemented. This question will be updated once the transition is complete.

SITES

Click on the Add Sites button to add one or more sites.

SITE

Location ID:

Stave Lake St and Hanson Dr

STREAM

Name of the Stream:

Watercourse 2 (Tributary of D'Herbomez Creek)

Source Flows Into:

Watercourse 1 and ultimately D'Herbomez Creek

PROPOSED WORKS

Detailed Description of Works:

A non-fish bearing watercourse (Watercourse 2 tributary to Watercourse 1) is proposed to be infilled to most efficiently accommodate the proposed development (residential/commercial) including the associated road network.

The infilling of Watercourse 2 will include the clearing and grubbing of the associated riparian vegetation along the watercourse. Roadworks will then be constructed within the former footprint of Watercourse 2. Watercourse 2 is proposed to be infilled, as opposed to relocating the proposed road, to align with the road network through the local neighbourhood and through the larger community.

Offsetting activities for the impacts associated with the infilling of Watercourse 2 and the clearing of riparian vegetation will include the construction of new aquatic habitat (i.e., wetland and tie-in channel to Watercourse 3), clearing of invasive and/or noxious plants, and enhancement of riparian habitat with native plantings.

The vegetation clearing, stream infill, and habitat construction/enhancement works will be monitored under the supervision of a QEP. All instream works will occur within Provincial least risk fisheries window and culvert placement will be conducted in the dry, by isolating the work site with steel plates, sandbags, or dam sacs at the up and down stream ends. If water is present, suitable

pumps will be required to bypass flows around the isolated work areas. The existing Watercourse 2 will be infilled as part of the road construction. A new channel will be constructed and tied into the existing Watercourse 1. Native shrubs and trees will be planted to allow for vegetation regrowth. Works will require a combination of heavy machinery and hand tools.

Watercourse 2 was assessed as being non fish bearing but potentially providing habitat to local amphibians, small mammals, and invertebrates. In addition, Watercourse 2 provides conveyance of water and the associated conveyance of nutrients to downstream fish habitat.

The proposed offsetting activities consisting of aquatic habitat creation and riparian habitat enhancement will result in a net gain of instream and riparian habitat that will provide enhanced ecological functions. As such, it is not anticipated that there will be residual effects associated with the impacts in the context of the function as habitat for wildlife or as a conveyance of water and associated nutrients to downstream habitat.

In summary:

- The infill of Watercourse 2 will result in the loss of 330 m² of aquatic habitat and 3875 m² of riparian habitat
- The construction of a new wetland (including tie-in to Watercourse 1) and new tributary channels to Watercourse 4 will result in the creation of 437 m² of aquatic habitat and the loss of 50 m² of riparian habitat (i.e., that is converted to aquatic habitat)
- The creation of new aquatic habitat, the protection of the associated riparian habitat, and the dedication of additional terrestrial habitat will result in the protection of an additional 4887 m² of riparian/terrestrial habitat.

The Applicant will engage the services of a QEP to monitor works for compliance with the environmental requirements outlined in this report and all associated permitting documents. The Environmental Monitor (EM) will document observations during implementation of the proposed works and confirm that mitigation measures and Best Management Practices (BMPs) are followed during construction. The EM will inform the Applicant of any recommended updates or changes where necessary. These recommendations will be relayed to the contractor(s) as required for timely responses to deficiencies.

A Supplementary Information Report, Construction Environmental Management Plan, and Habitat Balance are included in this package.

Footprint of project below is for both the total aquatic footprint (767 m²) and the total riparian/terrestrial footprint (8762 m²).
9,529 m²

Footprint of Project:

PROPOSED TIMING FOR WORKS

Instream Start Date:	Aug 1, 2024
Instream End Date:	Sep 30, 2024
Is the proposed timing within the approved regional timing window?	Yes

LOCATION OF WORKS

Provide a legal description of the land(s) where works are proposed:

Lot C, Plan NWP2110, Section 27, Township 17, New Westminster Land District, EXC: PCL "E" (REF PL 3915)

Lot B, Plan NWP2110, Section 27, Township 17, New Westminster Land District, EXC: PCL "E" (REF PL 3915)

Lot A, Plan NWP2110, Section 27, Township 17, New Westminster Land District, EXC: PCL "ONE" (REF PL 5512)

Lot B, Plan LMP8769, Section 27, Township 17, New Westminster Land District, EXCEPT PLAN EPP89115, & EXCEPT PLAN EPP115948

Lot 1, Plan NWP34254, Section 27, Township 17, New Westminster Land District, Except Plan EPP115948

OR

PIDs:

012534242

012415677

012534251

012534331

012534234

018102417

003103692

Geographic Coords of Works:

49.1490210, -123.2835150

Photo of Works Location:

Stave Lake St and Hanson Dr - Photo page

LAND OWNERSHIP AT THE WORKS

Land Ownership:

- ☒ Applicant owns land
- ☐ Land is Crown Land but applicant has tenure
- ☐ Land is Crown Land but tenured to Ministry of Transportation
- ☐ A third Party owns the land but the applicant has lease or tenure
- ☐ A third Party owns the land but applicant has written consent
- ☐ Land is Crown Land but the applicant does not have a tenure

LOCATION INFORMATION

LAND DETAILS

DRAWINGS

A Drawing to Scale is required that meets the Application Drawing Standards. Choose one of the options below to submit the required map/drawing.

Additionally, it is recommended that you provide a topographical map showing the general location of the property where the water is proposed to be used and the works constructed in relation to nearby communities, highways, railways and other water sources.

(this additional map will not be necessary if your Drawing to Scale is provided using the Geomark Service or a spatial file such as .KML or .KMZ)

☒ I have map(s) saved to my computer and wish to provide these with my application

MAP FILES

Do you have a PDF or image file of a drawn map? You can upload it here.

Description	Filename
Site Plan show general site location	Fig1-SiteLocation-RA.pdf

ATTACHED DOCUMENTS

Document Type	Description	Filename
Drawing to Scale	Site Plan showing proposed infill and compensation	Fig3-ProposedHabitat-RA.pdf
Other	Construction Environmental Management Plan	17645 230307 CEMP.pdf
Other	Habitat Balance	Habitat Balance.pdf
Other	Supplementary Information Report	17645 230207 WSA Supplement...

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For more information regarding the collection, use, and/or disclosure of your personal information by FrontCounter BC, please contact FrontCounter BC at 1-877-855-3222 or at:

FrontCounter BC Program Director
FrontCounter BC, Provincial Operation
441 Columbia Street
Kamloops, BC V2C 2T3

☒ Check here to indicate that you have read and agree to the privacy declaration stated above.

REFERRAL INFORMATION

Some applications may also be passed on to other agencies, ministries or other affected parties for referral or consultation purposes. A referral or notification is necessary when the approval of your application might affect someone else's rights or resources or those of the citizens of BC. An example of someone who could receive your application for referral purposes is a habitat officer who looks after the fish and wildlife in the area of your application. This does not apply to all applications and is done only when required.

Please enter contact information below for the person who would best answer questions about your application that may arise from anyone who received a referral or notification.

Company /
Organization:
Contact Name:
Contact Address:

Contact Phone:
Contact Email:

Stave Lake Investments Limited Partnership

Arvind Grewal
201-3600 Townline Road
Abbotsford BC V2T 5W8
604-396-0518

☒ I hereby consent to the disclosure of the information contained in this application to other agencies, government ministries or other affected parties for referral or First Nation consultation purposes.

SIGNATURES

CO-APPLICANTS

You will have to obtain approval from all co-applicants before you can proceed with your application. Please select one option for each.

Name

Dunmore Developments Ltd.

Status of Signature Request

Email sent - no response, Declaration Form uploaded

IMPORTANT NOTICES

Please review the "Important Notices" below and then check the declaration at the bottom confirming that everything in this application is complete and accurate.

- I understand that the submission of this application does not provide authority under the Water Sustainability Act to construct works in and about a stream. I also understand that my application must be reviewed before a decision is made as to whether an approval may be granted and that, as part of that review, additional information may be requested of me.
- The application may be subject to further requirements under the federal Fisheries Act. Please refer to Fisheries and Oceans Canada Projects Near Water webpage (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) for information on how to ensure your project complies with the Fisheries Act.

DECLARATION

☒ By submitting this application form, I declare that the information contained on this form is complete and accurate.

APPLICATION AND ASSOCIATED FEES

Item	Amount	Taxes	Total	Outstanding Balance
Changes in and about a Stream Application Fee	\$250.00		\$250.00	\$0.00

OFFICE

Office to submit application to: Surrey

PROJECT INFORMATION

Is this application for an activity or project which requires more than one natural resource authorization from the Province of BC? No

APPLICANT SIGNATURE

Applicant Signature

Date

OFFICE USE ONLY

Office Surrey	File Number	Project Number
	Disposition ID	Client Number

From: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca)

To: Kyle D'Appolonia (kdappolonia@mission.ca)

Subject: RE: Tracking Number 100406271

Sent: 04/12/2023 23:12:06

Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png, image007.png, image008.png

Message Body:

Hi Kyle,

I can appreciate your concerns regarding anonymity, and I think our team can independently address the proposed infill if they did not appropriately apply the BC Environmental Mitigation Policy.

Cheers,

Shawn Fitzsimons
Water Officer | Habitat Officer
Stream Management
200-10428 153 Street, Surrey BC V3R 1E1
Tel: (778) 572-2232

From: Kyle D'Appolonia <kdappolonia@mission.ca>

Sent: Wednesday, April 12, 2023 4:02 PM

To: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>

Subject: RE: Tracking Number 100406271

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Thank you, Shawn.

s.13; s.16

Kyle

Kyle D'Appolonia, R.P.Bio.
Environmental Coordinator

Engineering
Office: 604-814-1264
Email: kdappolonia@mission.ca

From: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>

Sent: Wednesday, April 12, 2023 2:34 PM

To: Kyle D'Appolonia <kdappolonia@mission.ca>

Subject: RE: Tracking Number 100406271

Hi Kyle,

Thank you for sharing these concerns, I will be saving this email to file for consideration during our review. We

s.13

Please note, we will also be sending a formal referral to the City, if the application is accepted and moves forward after our triage process.

Cheers,

Shawn Fitzsimons
Water Officer | Habitat Officer
Stream Management
200-10428 153 Street, Surrey BC V3R 1E1
Tel: (778) 572-2232

From: Kyle D'Appolonia <kdappolonia@mission.ca>
Sent: Tuesday, April 4, 2023 5:19 PM
To: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Subject: Tracking Number 100406271

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Hi Shawn,

s.13; s.16

Thanks,

Kyle

Kyle D'Appolonia, R.P.Bio.
Environmental Coordinator

INCLUDEP ICTURE "https://ww w.mission.c a/images/mi ssion_sig_l ogo.png" \d * MERGEFO RMAT	City of Mission Engineering 7337 Welton St, Mission, BC, V2V 3X1 Office: 604-814-1264 Email: kdappolonia@mission.ca Website: mission.ca Twitter: twitter.com/mission_bc Facebook: facebook.com/TheCityofMission Instagram: instagram.com/mission_bc
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Please consider the environment before printing this e-mail.

From: Kyle D'Appolonia <kdappolonia@mission.ca>
Sent: Tuesday, February 28, 2023 5:01 PM
To: Robert Publow <rpublow@mission.ca>
Cc: Barry Azevedo <bazevedo@mission.ca>; Hardev Gill <hardev.gill@mission.ca>; Cassidy Russbuelddt <crussbuelddt@mission.ca>; Mike Dickinson <mdickinson@mission.ca>
Subject: Stave Heights - P2023-014

Hi Rob,

The following is stated in the WSA application:

s.13; s.16

Excerpt from “Requirements and Best Management Practices for Making Changes In and About a Stream in British Columbia”:

DFO Habitat Management Options (Relocation refers to the project and not the stream):

s.13; s.16

s.13; s.16

I would note that this application has been submitted to the province on February 7, 2023.

Thanks,

Kyle

Kyle D’Appolonia, R.P.Bio.
Environmental Coordinator

Engineering
Office: 604-814-1264
Email: kdappolonia@mission.ca

The works are associated with the proposed retail / residential development at 8056, 8092, and 8120 Stave Lake Street as well as 8195, and 8200 Hanson Drive, Mission, BC (the Site). The residential development of the Site is consistent with the City of Mission Long Range Planning and the proposed development plan has been revised following consultation with the City of Mission to align with intended land uses in the local area.

To facilitate a functional and efficient development as well as a cost-effective development layout, it is proposed to infill a non-fish bearing watercourse (Watercourse 2) which currently flows into a tributary of D'Herbomez Creek (Watercourse 1) within the Site. Proposed offsetting measures associated with these activities include the construction of a wetland adjacent to Watercourse 3, construction of a new tributary watercourse, conservation of additional riparian habitat, and riparian habitat enhancements.

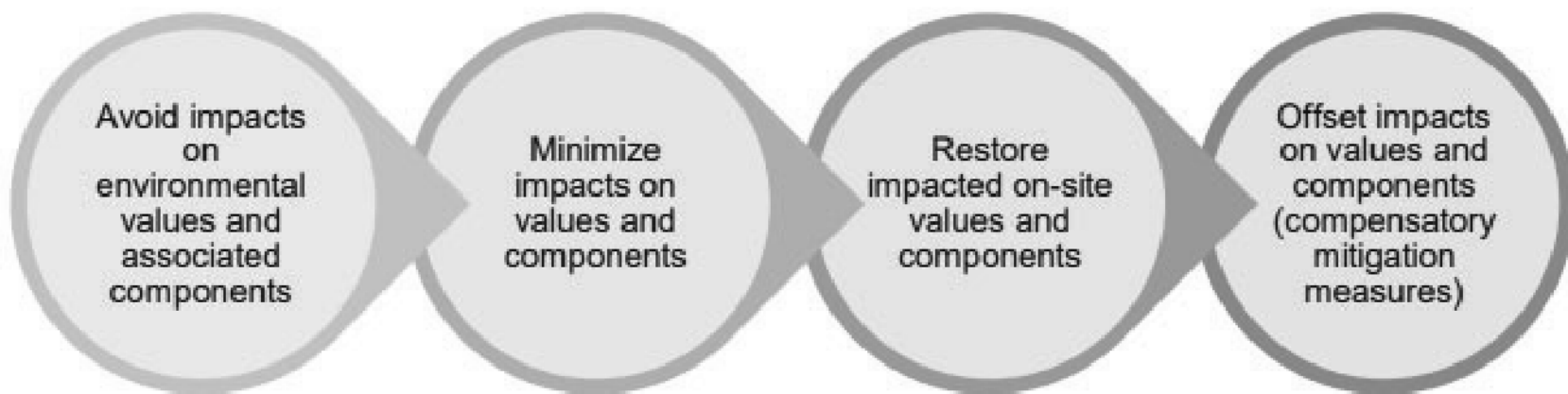


Figure 1: Environmental mitigation hierarchy.

Most Preferred



Least Preferred

Avoidance

Relocation

Redesign

Mitigation

Compensation

Page 133 of 176

Withheld pursuant to/removed as

Copyright

Page 134 of 176

Withheld pursuant to/removed as

Copyright

Page 135 of 176

Withheld pursuant to/removed as

Copyright

From: Smith, Malissa FOR:EX (Malissa.Smith@gov.bc.ca)
To: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca); Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca)
Subject: RE: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30 - File 2010389
Sent: 07/12/2023 21:03:30
Message Body:

Hi Barb, Shawn,

There was a request to update this CLIFF/briefing note. I have put the updated copy here:

s.15

Barb, please do go ahead and continue working on the notice of pending refusal letter.

Thank you both for your work on this file to date.

Cheers,

Malissa

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Friday, June 30, 2023 7:51 AM
To: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>; Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Subject: RE: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Hi Shawn,

I am working on wording for this.

Barb

From: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Sent: Thursday, June 29, 2023 9:41 AM
To: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>; Sutherland, Barbara FOR:EX

<Barbara.Sutherland@gov.bc.ca>

Subject: RE: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Hi Barb,

It is my understanding that we will be refusing this project, so I will not be moving it forward for consultation.

Cheers,

Shawn

From: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>

Sent: Wednesday, June 28, 2023 4:45 PM

To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>

Cc: Hamod, Wendy D FOR:EX <wendy.hamod@gov.bc.ca>

Subject: FW: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Hey Barb, Shawn,

Funny/convenient, this is the file we just reviewed as a group this morning: 2010389.

Could one of you please put together some bullets for this request? I have attached the incoming email. Bullet notes should be fine. If you get to it by the end of the week can you please copy Wendy. If not, I will be back on Tuesday and you can just send direct to me.

Thanks,

Malissa

Malissa Smith | RPBio | PAg (she/her)

Section Head, Stream Management

Ministry of Forests

South Coast Natural Resource Region

200-10428 153rd Street | Surrey, BC | V3R 1E1

From: FLNR eApprovals <donotreply@sp.gov.bc.ca>
Sent: Wednesday, June 28, 2023 8:17 AM
To: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Subject: ALERT - RUSH - eApprovals Item ID: 37364 - Item Forwarded - Due 2023-06-30

Hamod, Wendy D FLNR:EX [Assignee] forwarded an eApprovals item to Smith, Malissa FLNR:EX for action

Comment: Malissa, please ask staff to provide bullets.

#:

Title: Minister Ralston, Mission Project - 100406271

Full Name:

Due Date: 6/30/2023

Category: Briefing Note - MLA/MO Information Bullets

[Go to item...](#)

From: Fitzsimons, Shawn C FOR:EX (Shawn.Fitzsimons@gov.bc.ca)

To: Jeremy Nilson (jnilson@keystoneenvironmental.ca)

Cc: dunmoredevelopments@gmail.com

Subject: RE: Change Approval Application - Water File 2010389

Sent: 05/17/2023 19:21:02

Attachments: image001.png, image002.png, image003.png, image004.png, image005.png, image006.png, image007.png, image008.png, 2023-05-17-Revised Hold letter-2010389.pdf

Message Body:

Hi Jeremy,

Please see the attached letter with the revised deadline.

Cheers,

Shawn Fitzsimons
Water Officer | Habitat Officer
Stream Management
200-10428 153 Street, Surrey BC V3R 1E1
Tel: (778) 572-2232

From: Jeremy Nilson jnilson@keystoneenvironmental.ca

Sent: Thursday, May 11, 2023 4:27 PM

To: Fitzsimons, Shawn C FOR:EX Shawn.Fitzsimons@gov.bc.ca

Subject: RE: Change Approval Application - Water File 2010389

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

Good afternoon Shawn,

With regard to the provided hold letter and information requests, I'd like to request a two week extension from May 21, 2023 to June 4, 2023 if possible.

The recent warm weather has given us the opportunity to conduct additional field work and collect more comprehensive observations of site conditions (i.e., under different conditions than previous field work) that will inform the detailed restoration plan (plant species and size selection, etc). It would be beneficial to have some additional time to incorporate this information and update figures accordingly.

I understand if this is not feasible.

Thank you.

Jeremy Nilson B.Sc., R.P.Bio.

Project Manager/ Team Lead

T: 604-430-0671 | **C:** 604-679-6585 | **E:** jnilson@keystoneenvironmental.ca

320-4400 Dominion Street | Burnaby, BC V5G 4G3

our responsibility to improve relationships and respect land rights in the spirit of reconciliation.

Privilege and Confidentiality Notice | The information in this email is intended for the named recipients only. It may contain privileged and confidential information. Any use, copying or dissemination of its contents is prohibited. If you are not the intended recipient, please notify the sender and delete the email. Thank You.

From: Fitzsimons, Shawn C FOR:EX <Shawn.Fitzsimons@gov.bc.ca>
Sent: Friday, April 21, 2023 12:50 PM
To: 'dunmoredevelopments@gmail.com' <dunmoredevelopments@gmail.com>
Cc: Jeremy Nilson <jnilson@keystoneenvironmental.ca>
Subject: Change Approval Application - Water File 2010389

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

Please see attached.

Thank you,

Shawn Fitzsimons
Water Officer | Habitat Officer
Stream Management
200-10428 153 Street, Surrey BC V3R 1E1
Tel: (778) 572-2232



May 17, 2023

Approval File Number: 2010389

Stave Lake Investments Limited Partnership
201-3600 Townline Road
Abbotsford BC V2T 5W8

Dunmore Developments Ltd.
171 Gladwin Road
Abbotsford BC V2T 5Y1

Sent via email to: dunmoredevelopments@gmail.com

Dear Applicant,

Re: Notice to Hold Review of *Water Sustainability Act* Approval application on Unnamed streams.

Thank you for the *Water Sustainability Act* (WSA) Approval application received on February 7, 2023.

A brief overview of your file has begun and the following information gaps have been identified, as outlined below. Please note that the time for an application to be reviewed and moved forward to the decision stage will depend on the complexity of the works proposed, the potential environmental impacts, the effect the proposal may have on other (asserted indigenous and/or private) rights and interests, and the quality and completeness of the application. These items must be addressed in order for us to continue our review:

1. If your application involves the federal *Fisheries Act*, please provide copies of any Letters of Advice or Authorizations received.
2. If your application involves any other Federal, Municipal, or Provincial permit, please attach a copy of the permit(s) and/or please describe where you are at in the respective permitting process.
3. Description of Works Table: Please provide a table that outlines construction steps, timelines, impacts, and mitigation measures. Please ensure that the “duration” field identifies length of time to complete the works once initiated. An example can be found in Section 5.1.1.4 of the South Coast Region Guidance for Changes in and About a Stream applications at: https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

4. Complete the attached Qualified Professional Questionnaire regarding STREAM DIVERSION/INFILL. For more information on South Coast expectations, please refer to Section 5 of the “Guidance for Applications or Notifications for Changes in and about a Stream under the Water Sustainability Act in the South Coast Region” document (https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.)
5. Offset Implementation and Effectiveness Monitoring Plan: Please submit a formal and detailed offsetting plan with the inclusion of a long-term monitoring plan. Five year minimum for effectiveness monitoring is preferred. At a minimum, please include the following:
 - a. Riparian planting:
 - i. Planting plan that includes species, size of plants and planting locations.
 - ii. Duration and frequency of effectiveness monitoring to demonstrate successful plant establishment/survival.
 - iii. Outline details for invasive abatement, disposal and replanting in the event of plant mortality.
 - b. Hydrology:
 - i. Duration and frequency of effectiveness monitoring to demonstrate new channel features are functioning as intended.
 - ii. Metrics to measure how the new channel features are “functioning as intended”.

For more information, please refer to Section 5.1.2.3 of the South Coast Region Guidance for Changes in and About a Stream applications at:
https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

Again, for detailed information on above-mentioned information requirements, please refer to Section 5 of the South Coast Region Guidance for Changes in and About a Stream applications at:
https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

Our office has placed the WSA Approval review on hold and provides you with **the additional time you requested** to provide the required information as stated above. If the required information is provided before the response due date stated below, we will review the material submitted to determine if the information meets the initial request.

However, please note that submission of the information requested does not guarantee that a WSA Approval will be issued as further questions may arise as the review continues. Also, the file may not automatically be removed from the hold process with the receipt of the required information if the information provided is insufficient to address the concerns and information gaps identified.

At this time, you are reminded that **no work in and about a stream shall proceed** until such time as a WSA Approval is issued to you from this office.

Your response is due June 20, 2023. This is an extension of time, at the request of the applicant. No additional extensions of time will be offered beyond June 20, 2023.

If the above-mentioned information is not submitted within the requested timeframe, your application will be refused. You would then require a new application to seek authorization for your plans.

Please send your response to our general surface water authorizations email at WaterActReferrals.LowerMainland@gov.bc.ca **no later than June 20, 2023**. Please include the Approval File Number in your subject line of the email so we may identify the application.

If you have any questions or concerns about your application, please contact Stream Management at 604-586-4400.

Sincerely,



Assistant Water Manager
Stream Management
Email: WaterActReferrals.LowerMainland@gov.bc.ca

cc: Consultant



April 21, 2023

Approval File Number: 2010389

Stave Lake Investments Limited Partnership
201-3600 Townline Road
Abbotsford BC V2T 5W8

Dunmore Developments Ltd.
171 Gladwin Road
Abbotsford BC V2T 5Y1

Sent via email to: dunmoredevelopments@gmail.com

Dear Applicant,

Re: Notice to Hold Review of *Water Sustainability Act* Approval application on Unnamed streams.

Thank you for the *Water Sustainability Act* (WSA) Approval application received on February 7, 2023.

A brief overview of your file has begun and the following information gaps have been identified, as outlined below. Please note that the time for an application to be reviewed and moved forward to the decision stage will depend on the complexity of the works proposed, the potential environmental impacts, the effect the proposal may have on other (asserted indigenous and/or private) rights and interests, and the quality and completeness of the application. These items must be addressed in order for us to continue our review:

1. If your application involves the federal *Fisheries Act*, please provide copies of any Letters of Advice or Authorizations received.
2. If your application involves any other Federal, Municipal, or Provincial permit, please attach a copy of the permit(s) and/or please describe where you are at in the respective permitting process.
3. Description of Works Table: Please provide a table that outlines construction steps, timelines, impacts, and mitigation measures. Please ensure that the “duration” field identifies length of time to complete the works once initiated. An example can be found in Section 5.1.1.4 of the South Coast Region Guidance for Changes in and About a Stream applications at: https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

4. Complete the attached Qualified Professional Questionnaire regarding STREAM DIVERSION/INFILL. For more information on South Coast expectations, please refer to Section 5 of the “Guidance for Applications or Notifications for Changes in and about a Stream under the Water Sustainability Act in the South Coast Region” document (https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.)
5. Offset Implementation and Effectiveness Monitoring Plan: Please submit a formal and detailed offsetting plan with the inclusion of a long-term monitoring plan. Five year minimum for effectiveness monitoring is preferred. At a minimum, please include the following:
 - a. Riparian planting:
 - i. Planting plan that includes species, size of plants and planting locations.
 - ii. Duration and frequency of effectiveness monitoring to demonstrate successful plant establishment/survival.
 - iii. Outline details for invasive abatement, disposal and replanting in the event of plant mortality.
 - b. Hydrology:
 - i. Duration and frequency of effectiveness monitoring to demonstrate new channel features are functioning as intended.
 - ii. Metrics to measure how the new channel features are “functioning as intended”.

For more information, please refer to Section 5.1.2.3 of the South Coast Region Guidance for Changes in and About a Stream applications at:
https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

Again, for detailed information on above-mentioned information requirements, please refer to Section 5 of the South Coast Region Guidance for Changes in and About a Stream applications at:
https://www2.gov.bc.ca/assets/gov/environment/air-land-water/water/working-around-water/south_coast_cias_guidance.pdf.

Our office has placed the WSA Approval review on hold and provides you with **30 days from the date of this letter** to provide the required information as stated above. If the required information is provided before the 30 day initial response due date, we will review the material submitted to determine if the information meets the initial request.

However, please note that submission of the information requested does not guarantee that a WSA Approval will be issued as further questions may arise as the review continues. Also, the file may not automatically be removed from the hold process with the receipt of the required information if the information provided is insufficient to address the concerns and information gaps identified.

At this time, you are reminded that **no work in and about a stream shall proceed** until such time as a WSA Approval is issued to you from this office.

Your response is due May 21, 2023, 30 days from the date of this letter.

If the above-mentioned information is not submitted within the requested timeframe, your application will be refused. You would then require a new application to seek authorization for your plans.

Please send your response to our general surface water authorizations email at WaterActReferrals.LowerMainland@gov.bc.ca **no later than May 21, 2023**. Please include the Approval File Number in your subject line of the email so we may identify the application.

If you have any questions or concerns about your application, please contact Stream Management at 604-586-4400.

Sincerely,



Assistant Water Manager
Stream Management
Email: WaterActReferrals.LowerMainland@gov.bc.ca

cc: Consultant

From: Sutherland, Barbara FOR:EX (Barbara.Sutherland@gov.bc.ca)

To: Barrett, Scott FOR:EX (Scott.Barrett@gov.bc.ca)

Cc: Smith, Malissa FOR:EX (Malissa.Smith@gov.bc.ca)

Subject: RE: Eapps 33950

Sent: 05/29/2023 17:10:38

Attachments: 2023-04-13 - HABITAT BALANCE - 1369779 BC Ltd - 2010389.pdf, 2023-04-13 - DRAW 1 - 1369779 BC Ltd - 2010389.pdf, 2023-04-13 - PHOTO - 1369779 BC Ltd - 2010389.pdf, 2023-04-13 - EA RPT - 1369779 BC Ltd - 2010389.pdf, image001.png

Message Body:

For context attached is a site plan, photos of watercourse 2 proposed for infilling and the habitat balance. From the attached, It appears that the site can be developed with all watercourses left intact.

Barb

From: Barrett, Scott FOR:EX <Scott.Barrett@gov.bc.ca>

Sent: Monday, May 29, 2023 10:06 AM

To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>

Cc: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>

Subject: RE: Eapps 33950

Excellent! Thank-you both.

Sincerely,

Scott Barrett, R.P.Bio

Director, Resource Management

Ministry of Forests

Suite 200, 10428 ? 153rd Street, Surrey, BC, V3R 1E1

Tel: (778) 572-2173

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>

Sent: Monday, May 29, 2023 10:05 AM

To: Barrett, Scott FOR:EX <Scott.Barrett@gov.bc.ca>

Cc: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>

Subject: RE: Eapps 33950

Hi Scott,

Malissa prepared the attached note that may be sufficient. I added one line about MOF doing a site visit.

Barb

From: Barrett, Scott FOR:EX <Scott.Barrett@gov.bc.ca>

Sent: Monday, May 29, 2023 9:40 AM

To: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>

Cc: Ashekian, Caroline FOR:EX <Caroline.Ashekian@gov.bc.ca>; Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>

Subject: RE: Eapps 33950

That would be really helpful Barb. Just a quick file summary would be great. In particular, I'd like to know the current status/most recent correspondence.

Regards,

Scott

Sincerely,

Scott Barrett, R.P.Bio

Director, Resource Management

Ministry of Forests

Suite 200, 10428 ? 153rd Street, Surrey, BC, V3R 1E1

Tel: (778) 572-2173

From: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>
Sent: Monday, May 29, 2023 9:39 AM
To: Barrett, Scott FOR:EX <Scott.Barrett@gov.bc.ca>; Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Cc: Ashekian, Caroline FOR:EX <Caroline.Ashekian@gov.bc.ca>
Subject: RE: Eapps 33950

Hi Scott,
Malissa is away today. Let me know if you would like me to dive into this file for you.
Thanks,
Barb

From: Barrett, Scott FOR:EX <Scott.Barrett@gov.bc.ca>
Sent: Monday, May 29, 2023 9:19 AM
To: Smith, Malissa FOR:EX <Malissa.Smith@gov.bc.ca>
Cc: Sutherland, Barbara FOR:EX <Barbara.Sutherland@gov.bc.ca>; Ashekian, Caroline FOR:EX <Caroline.Ashekian@gov.bc.ca>
Subject: FW: Eapps 33950

Hi Malissa,

I need some help developing some bullets in response to this request from an MLA.

Sincerely,
Scott Barrett, R.P.Bio
Director, Resource Management
Ministry of Forests
Suite 200, 10428 ? 153rd Street, Surrey, BC, V3R 1E1
Tel: (778) 572-2173

From: Damario, Matthew FOR:EX
Sent: Wednesday, May 10, 2023 5:10 PM
To: Begg.MLA, Garry LASS:EX <Garry.Begg.MLA@leg.bc.ca>
Subject: FW: Eapps 33950

Hi MLA Begg,

Is this the information you were looking for regarding the Water Sustainability Act application?

Thanks,

Matt Damario (he/him)
Executive Assistant to
Honourable Bruce Ralston
Minister of Forests
C: (604) 841-0818

From: Malo, Courtney FOR:EX <Courtney.Malo@gov.bc.ca>
Sent: Tuesday, May 9, 2023 4:51 PM
To: Damario, Matthew FOR:EX <Matthew.Damario@gov.bc.ca>
Cc: Wilson, Sara FOR:EX <Sara.Wilson@gov.bc.ca>
Subject: RE: Eapps 33950

Actually, I have it! Turns out I still have access to my old inbox through my phone?

See my response to MLA Begg and our response to Arvind attached.



Photograph 1: Watercourse 1, note overhanging vegetation and large cobble / small boulder substrate. Photograph taken July 14, 2022.



Photograph 2: Watercourse 1, note limited surface flow and large cobble / small boulder substrate. Photograph taken July 14, 2022.



Photograph 3: Representative photograph of vegetation within riparian corridor of Watercourse 1. Photograph taken July 14, 2022.



Photograph 4: Confluence of Watercourse 1 and Watercourse 2 indicated by the red circle. Photograph taken July 14, 2022.



Photograph 5: Representative photograph of Watercourse 2 riparian habitat.
Photograph taken July 14, 2022.



Photograph 6: Looking upstream at Watercourse 2, note limited surface flows and substrate comprised of fines and organic material. Photograph taken July 14, 2022.



Photograph 7: Representative photograph of riparian habitat near confluence of Watercourse 1 and Watercourse 2. Photograph taken July 14, 2022.



Photograph 8: View of Watercourse 3, note conspicuous skunk cabbage (*Lysichiton americanus*). Photograph taken July 14, 2022.



Photograph 9: View of Watercourse 3, note limited surface water.
Photograph taken July 14, 2022.



February 7, 2023

FrontCounter BC
10428 153 Street, Suite 200
Surrey, BC V3R 1E1

Re: DRAFT #2 (January 13, 2022)
Water Sustainability Act Change Approval Supplementary Information
8056, 8092, and 8120 Stave Lake Street & 8195, and 8200 Hanson Drive, Mission, BC
Project No. 17645

1. INTRODUCTION

Keystone Environmental Ltd. (Keystone Environmental) has been retained by Grewal Development Group Inc. to submit an application to the Ministry of Forests, Lands, Natural Resource Operations and Rural Development (MFLNRORD) for changes in and about a stream consisting of infilling a stream and its associated riparian area and associated habitat offsetting measures.

The works are associated with the proposed retail / residential development at 8056, 8092, and 8120 Stave Lake Street as well as 8195, and 8200 Hanson Drive, Mission, BC (the Site). The residential development of the Site is consistent with the City of Mission Long Range Planning and the proposed development plan has been revised following consultation with the City of Mission to align with intended land uses in the local area.

To facilitate a functional and efficient development as well as a cost-effective development layout, it is proposed to infill a non-fish bearing watercourse (Watercourse 2) which currently flows into a tributary of D'Herbomez Creek (Watercourse 1) within the Site. Proposed offsetting measures associated with these activities include the construction of a wetland adjacent to Watercourse 3, construction of a new tributary watercourse, conservation of additional riparian habitat, and riparian habitat enhancements.

PROJECT DESCRIPTION

1.1 Project Location

The project location is described in Table 1 below.

Civic Address	PID	Legal Description
8056 - Stave Lake Street	012534242	Lot C, Plan NWP2110, Section 27, Township 17, New Westminster Land District, EXC: PCL "E" (REF PL 3915)
8056 - Stave Lake Street	012415677	Lot C, Plan NWP2110, Section 27, Township 17, New Westminster Land District, EXC: PCL "E" (REF PL 3915)
8056 - Stave Lake Street	012534251	Lot C, Plan NWP2110, Section 27, Township 17, New Westminster Land District, EXC: PCL "E" (REF PL 3915)
8092 - Stave Lake Street	012534331	Lot B, Plan NWP2110, Section 27, Township 17, New Westminster Land District, EXC: PCL "E" (REF PL 3915)
8120 - Stave Lake Street	012534234	Lot A, Plan NWP2110, Section 27, Township 17, New Westminster Land District, EXC: PCL "ONE" (REF PL 5512)
8195 – Hanson Drive	018102417	Lot B, Plan LMP8769, Section 27, Township 17, New Westminster Land District, EXCEPT PLAN EPP89115, & EXCEPT PLAN EPP115948
8200 – Hanson Drive	003103692	Lot 1, Plan NWP34254, Section 27, Township 17, New Westminster Land District, Except Plan EPP115948

1.2 Proposed Works

The Project involved a proposed development of several six-storey combined retail and residential (apartment) buildings (within the Stave Lake Street lots) and single family residential (within the Hanson Drive lots) as well as associated road extensions/construction. Generally, the Project maintains the *Riparian Areas Protection Regulation* (RAPR) prescribed Streamside Protection and Enhancement Area (SPEA) setbacks from watercourses. However, a non-fish bearing watercourse (Watercourse 2 which is tributary to Watercourse 1) is proposed to be infilled to accommodate the proposed road network.

The infilling of Watercourse 2 will include the clearing and grubbing of the associated riparian vegetation along the watercourse. Roadworks will then be constructed within the former footprint of Watercourse 2. Watercourse 2 is proposed to be infilled, as opposed to relocating the proposed road, to align with the road network through the local neighbourhood and through the larger community.

Offsetting activities for the impacts associated with the infilling of Watercourse 2 and the clearing of riparian vegetation will include the construction of new aquatic habitat (i.e., wetland and tie-in channel to Watercourse 3), clearing of invasive and/or noxious plants, and enhancement of riparian habitat with native plantings.



1.3 Construction Methodology

The vegetation clearing, stream infill, and habitat construction/enhancement works will be monitored under the supervision of a Qualified Environmental Professional (QEP). All instream works will occur within Provincial least risk fisheries window and culvert placement will be conducted in the dry, by isolating the work site with steel plates, sandbags, or dam sacs at the up and down stream ends. If water is present, suitable pumps will be required to bypass flows around the isolated work areas. The existing Watercourse 2 will be infilled as part of the road construction. A new channel will be constructed and tied into the existing Watercourse 1. Native shrubs and trees will be planted to allow for vegetation regrowth.

Works will require a combination of heavy machinery (e.g., excavator, dozer, rock truck, etc) and hand tools (e.g., brush saws, shovels, etc).

1.4 Timeline

The proposed timing for the works will occur within the Provincial least risk window for the protection of fish for the South Coast (August 1 to September 30 of any year). Watercourse 2 has been identified as a Class B, non fish bearing stream. However, works will adhere to the timing window to mitigate risks to downstream fish habitat.

Works will be initiated during a period of fair weather. Works will be pursued to completion as quickly as reasonably possible once initiated. In the event of inclement weather (i.e., significant rain event), works may be postponed, reducing the likelihood of downstream impacts to fish and fish habitat.

1.5 Landowner Permission

The project will occur within privately owned lands. A Letter of Authorization from the landowner(s) has been provided.

1.6 Rationale

The works are associated with a proposed retail / residential development. The proposed development of the Site is consistent with the City of Mission Long Range Planning. The proposed development plan has been revised following consultation with the City of Mission to align with intended land uses in the local area.

To facilitate a functional development and cost-effective development layout, it is proposed to infill the non-fish bearing Watercourse 2 which currently flows into a tributary of D'Herbomez Creek (Watercourse 1) within the Site. Proposed offsetting measures associated with these activities include the construction of a wetland adjacent to Watercourse 3, conservation of additional riparian habitat, and riparian habitat enhancements. The offsetting measures will result in a net improvement to local habitat values in terms of extent and quality of aquatic and riparian habitat.



2. EXISTING SITE CONDITIONS

2.1 Desktop Review

Existing Site conditions were assessed through a desktop review of online sources including:

- The City of Mission's (CoM) web-based GIS mapping system, Mission WebMap;
- Ministry of Environment (MOE) Habitat Wizard;
- MOE and BC Conservation Data Center (CDC), Mapped Known Locations of Species and Ecological Communities at Risk;
- MOE BC Species and Ecosystem Explorer; and
- DFO Aquatic Species at Risk Map.
- Committee on the Status of Endangered Wildlife in Canada (COSEWIC)

2.1.1 Fish and Fish Habitat

The CoM WebMap identified four watercourses mapped within the Site. Habitat wizard identified one named watercourse (D'herbomez Creek). However, the alignment of D'herbomez Creek on Habitat Wizard is different than that on CoM WebMap.

Watercourse 1

Watercourse 1 is an unnamed stream, with a north-south alignment that has a confluence with D'herbomez creek outside of the Site. The CoM WebMap depicts Watercourse 1 as a Class A stream (inhibited by salmonids and/or rare and endangered species year-round).

Watercourse 2

Watercourse 2 is an unnamed stream with an east-west alignment and a confluence with Watercourse 1. CoM WebMap depicts it as a Class B watercourse, with significant or potentially significant source of food and nutrient value to downstream fish populations. Total stream length is approximately 240 m.

Watercourse 3

Watercourse 3 is an unnamed stream in the southwestern corner of the Site that has an approximately north-south alignment with a confluence into D'Herbomez Creek south of the Site. CoM WebMap classifies the stream as a Class B watercourse in its upper reaches and a Class A watercourse in its lower reaches, approximately 40 m before the confluence with D'Herbomez Creek.

Watercourse 4 / D'Herbomez Creek

Watercourse 4 (D'herbomez Creek) is a natural watercourse that originates to the northeast of the Site and flows to the southwest, crossing the southeast corner of the Site. Watercourse 1 and Watercourse 3 both discharge to Watercourse 4 south of the Site. Watercourse 4 is depicted by the CoM webmap as a Class A,



fish-bearing watercourse. Historical fish occurrences within Watercourse 1 date 1994 and include coho salmon (*Oncorhynchus kisutch*) and cutthroat trout (*Oncorhynchus clarkii clarkii*).

A culvert near the Fraser River was depicted, on iMapBC, as a barrier to fish passage but no details were provided. The CoM webmap depicts a 1,350 mm diameter 35 m length concrete culvert under the railway and Lougheed Highway in this approximate location complete with floodgate. These structures may correspond to the barrier identified on iMapBC.

2.1.2 Aquatic Species at Risk

No aquatic species at risk or critical habitat were identified within the Site or in close proximity using DFO's aquatic species at risk mapping software. White sturgeon (lower Fraser River population) occurs in the Fraser River from Hell's Gate to the mouth of the Fraser River and is listed as threatened on COSEWIC. The proposed works are not anticipated to result in any impacts to off-Site environmental values including the Fraser River and/or white sturgeon habitat.

2.1.3 Terrestrial Species at Risk

Following review of iMapBC and Habitat Wizard the following species at risk and/or associated critical habitat are documented to occur within or in proximity to the Site:

- An occurrence of Oregon forestsnail (*Allogona townsendiana*) was identified approximately 0.75 km northeast of the Site near the upper reaches of D'Herbomez Creek. The Oregon Forestsnail is provincially red listed and federally listed as endangered under the SARA.
- Historically, dun skipper (*Euphyes vestris*) was observed in 1919 within the southwest extent of the Site. Dun Skipper is provincially blue listed and federally listed as threatened under the SARA.
- Mapped critical habitat for Oregon forestsnail includes four mapped locations within 2 km of the Site. Oregon forestsnail occupies mixedwood and deciduous forest habitat, typically dominated by bigleaf maple (*Acer macrophyllum*) and often associated with the presence of stinging nettle (*Urtica dioica*).
- Mapped critical habitat for phantom orchid critical habitat was identified approximately 1 km northeast of the Site. The phantom orchid occurs in moist, relatively undisturbed coniferous or mixed-wood forest with little to no ground cover and a well-developed leaf litter layer.

2.2 Field Survey

A Site visit was performed on July 14, 2022 by two QEPs and a biologist. Watercourse 1, Watercourse 2, and Watercourse 3 were assessed. A previous assessment following the Riparian Areas Protection Regulation (RAPR) assessment was conducted in 2019 by Pinchin Ltd (Pinchin, 2022) and in January 2022 by Keystone Environmental and informs the streamside protection enhancement areas (SPEAs) for each watercourse on Site. Keystone Environmental has reviewed the current Site conditions and found them to be consistent with previous reporting.

Watercourse 1

Watercourse 1 is a natural stream that flows in a north – south alignment within a topographic ravine. It has a step-pool structure with large boulders, cobbles, as well as gravel and sand comprising the substrate



(Photograph 1-2). Both large and small woody debris were present overhanging the watercourse. The stream was wetted at the time of the field survey. The riparian forest had a tree layer which included Western redcedar (*Thuja plicata*), vine maple (*Acer circinatum*), bigleaf maple, and Western hemlock (*Tsuga heterophylla*; Photograph 3). The shrub layer comprised of red elderberry (*Sambucus racemosa*), salmonberry (*Rubus spectabilis*), and goatsbeard (*Aruncus dioicus*). The herb layer was made up of spiny wood fern (*Dryopteris expansa*), lady fern (*Athyrium filix-femina*), sword fern (*Polystichum munitum*), and organic substrate. Additional vegetation observed includes black cottonwood (*Populus trichocarpa*), trailing blackberry (*Rubus ursinus*), Himalayan blackberry (*Rubus armeniacus*), and foxglove (*Digitalis purpurea*).

Watercourse 1 has a confluence with D'Herbomez Creek south of the Site.

Watercourse 2

Watercourse 2 is a natural stream with an east-west alignment that flows into Watercourse 1 (Photograph 4) within the Site. The origin of Watercourse 2 is a poorly defined seepage with no observed channel at its headwaters. The substrate is dominated by fines and organics, and to a lesser extent, gravels (Photograph 5). Watercourse 2 has a stream morphology consisting of riffle-pool with an average width of 2.5 m. Watercourse 2 was dry with pockets of pooled water during the July 2022 assessment (Photograph 6) but had been previously assessed in January 2022 following periods of heavy rainfall (Photograph 7). Skunk cabbage was present as instream vegetation. The riparian forest had a tree layer with bitter cherry (*Prunus emarginata*), and vine maple. Big leaf maple, red elderberry, and salmonberry were present in the shrub layer, along with Beaked hazelnut (*Corylus cornuta*), English holly (*Ilex aquifolium*), thimbleberry and snowberry (*Symphoricarpos albus*; Photograph 8). The herb layer is composed of sword fern, lady fern, red bleeding heart (*Dicentra spectabilis*), and moss species.

Watercourse 3

Watercourse 3 is a poorly defined channel with in-stream skunk cabbage, and a substrate comprising of organic materials and gravels (Photograph 9). Horsetail (*Equisetum arvense*) was also common within the riparian area (Photograph 10). The tree and shrub layers were similar to those found near Watercourse 1 and 2, including bigleaf maple, western redcedar, bitter cherry, salmonberry, and osoberry (*Oemleria cerasiformis*).

Watercourse has a confluence with D'Herbomez Creek south of the Site.

Watercourse 4 / D'Herbomez Creek

Watercourse 4 flows southwest bisecting the southeast corner of the Site. The substrate is comprised of boulders, cobble, gravel, and fines (Photograph 11). The overall morphology is step pool, and the average stream width was 2.84 m. Channel gradient varied from 4% to 19% with an average gradient of 10%.

Watercourse 4 occurs within a steeply sloped topographic depression (Photograph 12). It is mapped as fish-bearing and no barriers to fish passages were observed within the Site.



2.3 Instream and Riparian Project Footprint

2.3.1 Habitat Losses

Watercourse 2 will be infilled which will result in losses of 330 m² of aquatic habitat and 3,875 m² of riparian habitat.

2.3.2 Habitat Gains

Two additional areas within the Site will be retained and enhanced for environmental values.

An area within the southwest corner of the Site adjacent to Watercourse 3 and outside of its associated SPEA will be retained and new aquatic habitat will be constructed in the form of a wetland which will tie-in to Watercourse 3.

An area along the east margin of the Site adjacent to Watercourse 4 will be retained and enhanced focussing on riparian and wildlife habitat values (i.e., removal of invasive plants, re-planting disturbed areas).

In addition, three small channels will be constructed within the SPEA of Watercourse 4 to convey waters, sourced from stormwater within proposed residential development, to Watercourse 4.

New habitat will include 437 m² of aquatic habitat and 4,837 m² of riparian habitat.

All additional retained environmental areas will be enhanced through the removal of invasive vegetation, primarily Himalayan blackberry, and installation of native plantings, woody debris, wildlife trees and other habitat features.

3. EFFECTS ASSESSMENT

3.1 Permanent Effects

The project will result in permanent loss to instream habitat and associated riparian habitat from the infilling of Watercourse 2.

Watercourse 2 was assessed as being non-fish bearing but potentially providing habitat to local amphibians, small mammals, and invertebrates. In addition, Watercourse 2 provides conveyance of water and the associated conveyance of nutrients to downstream fish habitat (e.g. Watercourse 1 and D'Herbomez Creek).

The proposed offsetting activities consisting of aquatic habitat creation and riparian habitat enhancement will result in a net gain of instream and riparian habitat that will provide enhanced ecological functions. As such, it is not anticipated that there will be residual effects associated with the impacts identified in Section 2.3.1 in the context of the function as habitat for wildlife or as a conveyance of water and associated nutrients to downstream habitat.



3.2 Temporary Effects

The following effects have the potential to occur but are expected to be temporary and can be mitigated through implementation of effective mitigation measures:

- Turbidity generated from in-stream excavation has the potential to travel downstream to fish bearing waters.
- Heavy equipment such as excavators have the potential to leak hydraulic fluid, which could contaminate soil or water, and harm fish downstream of the Site.
- Refueling of equipment can result in hydrocarbon spills.
- Noise generated during construction can deter wildlife including terrestrial mammals and birds and can be a disturbance to adjacent residents.
- Stockpiling of material can smother existing riparian vegetation adjacent the stream.
- Erosion and sediment mobilization from stockpiles and exposed soils can generate turbidity.

4. MITIGATION

The following mitigation measures and Best Management Practices (BMPs) will help minimize potential impacts to the aquatic and terrestrial environment and reduce potential effects on fish or fish habitat downstream of the Site. These BMPs have been created by Fisheries and Oceans Canada (DFO), Standard and Best Practices for Instream Works, General BMPs & Standard Project Considerations Version 1.0.

4.1 Timing of Works

- The proposed timing for the instream component of works (August 1 to September 15) is within the Provincial least risk window for the protection of fish for the South Coast. The works are not located within fish bearing watercourses; however, works will adhere to the timing window as feasible to mitigate risk to fish located downstream of the Site.
- The regional timing window for bird nesting activity will be considering in scheduling vegetation clearing to reduce the risk to nesting birds and nests. Where this is not possible, if vegetation clearing occurs between March 1 to August 15 (as indicated by the *2014 BC Develop with Care Best Management Practices Guidelines*) a nesting activity survey is required prior to vegetation removal at the Site by a QEP to identify and assign protective measures for any identified active bird nests.
- Work will be avoided during inclement weather such as heavy rain fall (e.g., $\geq 25\text{mm}$ in a 24 hr. period).
- Once works starts, works will be completed as quickly as possible to reduce potential for impacts to occur.

4.2 Deleterious Substance Control/Spill Management

- Deleterious substance control and spill management will be performed to prevent their release and improve clean-up response of hydrocarbons, sediment, silt, concrete, and concrete leachate from entering downstream and any storm sewers. Only equipment in good working condition will be used, and spill kits will be on Site and readily accessible. Spill kits will be appropriately stocked for the type of clean-up that may be required.



- Spills of a substance of reportable quantities that are toxic, polluting or deleterious to aquatic life will immediately be reported to the Provincial Emergency Program, Environmental Emergency Management Plan Incident Reporting Hotline.
- All hydraulic machinery will use environmentally sensitive hydraulic fluids that are non-toxic to aquatic life.
- Treated wood products will not be used in any areas near the Stream, to prevent the release of toxic preservatives into the aquatic environment.
- No refueling will occur within 30 m of the Stream.
- Contractors onsite will be trained in spill response and the Contractors' Spill Response Plan. In the unlikely event of a spill, the Contractor must clean up the spill immediately.
- Any used spill response materials or contaminated soils will be disposed of at a registered, licensed waste disposal facility.

4.3 Temporary Diversions

- All works must be conducted in isolation from flow.
- Upstream and downstream ends of the worksite will be isolated using measures such as dam sacs, sandbags, or steel plates.
- If flow is present, temporary diversions will be used to re-route water around the work site using suitable pumps.
- Design the works to make sure the discharge point for any diversion is located immediately downstream of the work site, to minimize disturbance to any downstream habitats.
- An environmental monitor shall check any downstream discharge water quality to monitor compliance with provincial water quality criteria (outlined in Section 4.5).

4.4 Salvage of Wildlife and/or Fish

- If required, salvage of any wildlife (e.g., fish, amphibians) should be completed prior to instream work. Low impact methods should be selected when conducting salvages and all necessary permits for the specific capture method used should be obtained beforehand.

4.5 Erosion and Sediment Control

- Material stockpiles will be covered with plastic tarps or polyethylene sheeting when not in use.
- Disturbed surfaces will be seeded with coastal reclamation mix and strawed as soon as possible.
- Materials must be stockpiled outside of the riparian area to prevent runoff from entering the stream.
- Effective erosion and sediment control measures must be maintained until the re-vegetation of the works area has been completed.
- Environmental monitoring will include inspection of erosion and sediment control measures.
- All materials to be used instream shall be pre-washed, including the gravel or cobble.



4.6 Water Quality

The BC Water Quality Guidelines include the following freshwater turbidity criteria for sustained aquatic life, these are to be followed during construction:

- Change of 8 Nephelometric Turbidity Units (NTU) from any one background measure for a period of 24 h in all waters during clear flows or in clear waters.
- Change of 2 NTU from any one background measure for a duration of 30 days in all waters during clear flows or in clear waters.
- Change of 5 NTU at any time when background ranges from 8 NTU to 50 NTU during high flows or in turbid waters.
- Change of 10% when background is >50 NTU at any time during high flows or in turbid waters.
- Waters to be within the acceptable pH range of 6.5–9.0.

4.7 Vegetation Management

- Trees outside of the project footprint must be protected with fencing prior to the start of works.
- Fencing and signs indicating sensitive habitat will be installed around the perimeter of the planting area to prevent encroachment into newly planted areas.

4.8 Site Restoration

- All disturbed soil surfaces must be stabilized with coastal reclamation mix (or QEP approved alternative measure) following completion of the works in order to prevent surface erosion and sloughing.

4.9 Mitigation Summary

Table 1 summarizes the mitigation measures discussed above.

Table 1 Summary of Mitigation Measures

Resource Category	Potential Environmental Effects	Mitigation Measures	Residual Effect
General	<ul style="list-style-type: none"> Environmental incident due to lack of awareness Works occur outside of the approved worksite boundary 	<ul style="list-style-type: none"> Contractor(s) must conduct a kickoff meeting to discuss general industry best management practices (BMPs) have been identified and are understood by all crew and subcontractors prior to commencement of work Prior to the commencement of works, the perimeter of the work area will be flagged so that works will only occur within the confines of the plan 	None expected
Timing of Works	<ul style="list-style-type: none"> Works during sensitive time periods may impact aquatic and/or terrestrial wildlife 	<ul style="list-style-type: none"> Adhere to applicable timing windows (e.g., least risk window for instream works, critical nesting period for birds) 	None expected



Resource Category	Potential Environmental Effects	Mitigation Measures	Residual Effect
Deleterious Substance Control / Spill Management	<ul style="list-style-type: none"> Mobilization, discharge or spill of deleterious substances 	<ul style="list-style-type: none"> Equipment must be in good working condition <ul style="list-style-type: none"> Spills must be reported Hydraulic machinery will use environmentally sensitive hydraulic fluids <ul style="list-style-type: none"> No refueling within 30 m of a stream Contractors to follow Spill Response Plan at all times 	None expected
Fish and Fish Habitat	<ul style="list-style-type: none"> Downstream effects on fish from mobilized sediments 	<ul style="list-style-type: none"> Works will aim to be conducted during the least-risk timing window (Aug. 1 to Sept. 15 of any year) Conduct excavation activities on dry days to minimize the mobilization of sediment and/or sediment-laden water 	None expected
Erosion and Sediment Control	<ul style="list-style-type: none"> Inputs of petroleum hydrocarbons from small spills and/or leaks from equipment 	<ul style="list-style-type: none"> Stop works if suspect sediment is found (e.g., staining or smells that may indicate petroleum hydrocarbons, etc.) have the Environmental Monitor assess the sediment to advise on the appropriate course of action 	None expected
Water Quality	<ul style="list-style-type: none"> Increase in total suspended solids (TSS) Inputs of petroleum hydrocarbons from small spills and/or leaks from equipment 	<ul style="list-style-type: none"> No stockpiling of excavated material within watercourses or protected habitat Instream work site will be isolated or conducted in the dry to prevent any downstream silt transportation Trucks hauling excavated soils will not be overloaded to prevent loss of material over the sides of the box, and all loads will be covered to prevent mobilization of material by wind The Environmental Monitor will measure turbidity in background conditions and in the area of works to advise the contractor and the applicant on additional measures where necessary A Spill Response Plan will be posted at the Site to be read and understood by all contractors The Environmental Monitor will confirm spill kits are appropriately stocked and available if needed Equipment must be in good condition and free of leaks, inspected regularly; no excess oil or grease that could enter the water. Dispose excavated soils in accordance with appropriate legislation 	None expected



Resource Category	Potential Environmental Effects	Mitigation Measures	Residual Effect
Vegetation	<ul style="list-style-type: none"> Loss of additional riparian vegetation 	<ul style="list-style-type: none"> Machinery will operate within the marked boundaries of the worksite to prevent damage to Site vegetation Any disturbed vegetation will be seeded with coastal reclamation seed mix or other native plantings (e.g., ground cover, shrubs and trees) per EM review and approval 	None expected
Air Quality, Noise and Vibration	<ul style="list-style-type: none"> Disturbance to nearby communities 	<ul style="list-style-type: none"> Work only within the designated Project footprint, and within regular municipal construction working hours where possible Reduce emissions by not allowing equipment to run idle for more than five minutes 	None expected

5. RESIDUAL EFFECTS

The project will result in permanent impact to instream habitat and associated riparian habitat from the infilling of Watercourse 2, which will be offset by creating new aquatic and riparian habitat that will result in a net gain of instream and riparian area (Appendix B).

Provided that all mitigation measures are implemented as described in Section 5.0, no net negative residual effects from temporary impacts are anticipated, including to downstream habitat and/or stakeholders.

6. MONITORING PLAN

The Applicant will engage the services of a QEP to monitor works for compliance with the environmental requirements outlined in this report and all associated permitting documents. The Environmental Monitor (EM) will document observations during implementation of the proposed works and confirm that mitigation measures and Best Management Practices (BMPs) are followed during construction. The EM will inform the Applicant of any recommended updates or changes where necessary. These recommendations will be relayed to the contractor(s) as required for timely responses to deficiencies.

The EM must be a qualified person with documented experience performing environmental monitoring of construction projects within or around watercourses.

A pre-construction meeting will be conducted that includes the EM, the applicant, and the contractor(s), so all parties have an understanding of the applicable best practices, safety measures, responsibilities and response plan for the project.

Long-term monitoring of proposed works (i.e., infill of Watercourse 2, construction of new aquatic habitat, earthworks within riparian habitat, invasive plant removal and habitat enhancement will be completed for five (5) years following substantial completion of works. Target survivorship for native plantings will 100% for trees and 80% for shrubs. Replacement of dead stock may be required to ensure these survivorship targets are met.



Results of the long-term monitoring must be reported to MFLNRORD annually. A copy of the long-term monitoring reporting will be provided to the City of Mission as well.

7. CONCLUSION

Provided the mitigation measures and BMPs summarized in this review are implemented, it is Keystone Environmental's professional opinion that the proposed works are not anticipated to result in adverse effects aquatic and riparian areas beyond the permanent impacts within the project footprint that are described in this report.

8. PROFESSIONAL STATEMENT AND LIMITATIONS

Keystone Environmental Ltd. confirms that this has been prepared in a manner consistent with that level of care and skill normally exercised by other members of the environmental science profession practising under similar circumstances in the area at the time of the performance of the work. This report was written by Nathan Bendriem (M.Sc.), with senior review by Jeremy Nilson (R.P.Bio). All contributors have demonstrable experience in conducting environmental assessment and within their areas of expertise.

This report has been prepared solely for the use of Grewal Development Group Inc. in pursuant to the agreement between Keystone Environmental and Grewal Development Group Inc. By using the report, Grewal Development Group Inc. agree that they will review and use the report in its entirety. Any use, reliance or decisions made based on this report by other parties without prior written approval by Keystone Environmental are the responsibility of such parties and Keystone Environmental accepts no responsibility for damages, if any, suffered by other parties as a result of decisions made or actions based on this report.

We trust that this report provides the information you require at this time. If you require clarification of any part of this report, please do not hesitate to contact the undersigned at 604-679-6585.

Sincerely,

Keystone Environmental Ltd.

DRAFT

Jeremy Nilson, R.P.Bio., P.Biol., QEP
Project Manager / Team Lead

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ATTACHMENTS:

- Photographs



PHOTOGRAPHS



Photograph 1: Watercourse 1, note overhanging vegetation and large cobble / small boulder substrate.
Photograph taken July 14, 2022.



Photograph 2: Watercourse 1, note limited surface flow and large cobble / small boulder substrate.
Photograph taken July 14, 2022.





Photograph 3: Representative photograph of vegetation within riparian corridor of Watercourse 1. Photograph taken July 14, 2022.



Photograph 4: Confluence of Watercourse 1 and Watercourse 2 indicated by the red circle. Photograph taken July 14, 2022.





Photograph 5: Representative photograph of Watercourse 2 riparian habitat. Photograph taken July 14, 2022.



Photograph 6: Looking upstream at Watercourse 2, note limited surface flows and substrate comprised of fines and organic material. Photograph taken July 14, 2022.





Photograph 7: View of Watercourse 2 in its upper reaches, following high rain event.
Photograph taken January 21st, 2022.



Photograph 8: Representative photograph of riparian habitat near confluence of Watercourse 1 and Watercourse 2. Photograph taken July 14, 2022.





Photograph 9: View of Watercourse 3, note conspicuous skunk cabbage (*Lysichiton americanus*).
Photograph taken July 14, 2022.



Photograph 10: View of Watercourse 3, note limited surface water.
Photograph taken July 14, 2022.





Photograph 11: View of Watercourse 4 at the eastern boundary of the Site, with organic sediment.
Photograph taken January 21, 2022.



Photograph 12: View of Watercourse 4, of a step-pool feature
Photograph taken January 21st, 2022.



HABITAT BALANCE

PREPARED BY: Jeremy Nilson, R.P. Bio.					DATED: 2023-02-07			APPROVAL: 100406271		
Stream (Please indicate each stream channel and/or reach of the stream)	Description of Works (Please describe type of works for indicated stream)	Stream Channel			Aquatic Ecosystems Impacts			Riparian Impacts		
		Length	Width	Riparian Setback	Loss	Gain	Net (Loss-Gain)	Loss	Gain	Net (Loss-Gain)
		(m)	(m)	(m)	(m2)	(m2)	(m2)	(m2)	(m2)	(m2)
Watercourse 1	Aquatic Habitat (Wetland) Construction	N/A	N/A	15 (30)	0.00	387.00	387.00	0.00	0.00	0.00
	Additional Riparian Habitat Protection	N/A	N/A	N/A	0.00	0.00	0.00	0.00	2703.00	2703.00
Watercourse 2	Aquatic Habitat Infill	240	1.375	10	-330.00	0.00	-330.00	0.00	0.00	0.00
	Riparian Habitat Clearing	N/A	N/A	N/A	0.00	0.00	0.00	-3875.00	0.00	-3875.00
Watercourse 4	Conversion of Riparian Habitat to Aquatic Habitat	35	1.5	10	0.00	50.00	50.00	-50.00	0.00	-50.00
	Additional Riparian Habitat Protection	N/A	N/A	N/A	0.00	0.00	0.00	0.00	2184.00	2184.00
IMPACT TOTAL					-330.00	437.00	107.00	-3925.00	4887.00	962.00
PROJECT AQUATIC AND RIPARIAN NET LOSS/GAIN					AQUATIC ECOYSTEMS:		107.00	RIPARIAN:		962.00
Comments:										



LEGEND

- SITE
- PROPERTY LINE
- LOT LINES
- STUDY AREA
- CONSTRUCTED WATERCOURSE
- WATERBODY
- SPEA
- HABITAT OFFSETTING
- HABITAT LOSS
- CONTOUR (10m INTERVAL)
- CONTOUR (1m INTERVAL)
- SHZOS
- LFZOS
- LWDZOS



NOTES:
1. THIS DRAWING IS FOR GENERAL INFORMATION ONLY.
LOT BOUNDARIES AND FEATURES ARE APPROXIMATE.
2. DATE OF AERIAL PHOTO IS 2021.

SCALE: 1:2,500 (approx.)

8056, 8092, 8120 Stave Lake Street and
8195 & 8200 Hanson Drive
Mission, B.C.
Grewal Development Group Inc.

REVISION No.	DATE	PROJECT No.
A	Feb. 2023	17645-100

Figure 3
Proposed Habitat

DRAWN BY: CY Document Path: \\key-fs2012\Common\17600-17699\17645\Figs\GIS_CADD\34048And34054ParrAve\Fig3-ProposedHabitat-RA.mxd