

Minutes of the **Committee of the Whole (Planning Committee - Environmental Agencies) meeting** of the **DISTRICT OF MISSION** held in the Conference Room of the Municipal Hall, 8645 Stave Lake Street, Mission, British Columbia, on Monday, January 30, 2012 commencing at 3:03 p.m.

Council Members Present: Councillor Dave Hensman (Chair)
Mayor Ted Adlem
Councillor Jeff Jewell
Councillor Tony Luck
Councillor Nelson Tilbury

Council Members Absent: Councillor Larry Nundal
Councillor Jenny Stevens

Staff Members Present: Glen Robertson, Chief Administrative Officer
Stacey Crawford, Economic Development Officer
Sharon Fletcher, Director of Planning
Paul Gipps, Deputy Chief Administrative Officer
Mike Younie, Manager of Environmental Services
Christine Brough, Acting Executive Assistant

Guests Present: Coral G. De Shield, Head, Program & Planning
Coordination Canadian Wildlife Service Pacific
and Yukon Region, Environment Canada
Corino Salomi, acting Area Director – Lower Fraser Area,
Department of Fisheries and Oceans
Heather MacKnight, Regional Executive Director, South
Coast, Ministry of Forests, Lands and Natural
Resource Operations

1. CALL TO ORDER

The meeting was called to order.

2. ADOPTION OF AGENDA

Moved by Mayor Adlem, and

RESOLVED:

1. That Item 3(b) be moved to the end of the agenda; and
2. That the January 30, 2012 Committee of the Whole (Planning Committee) agenda be adopted as amended.

CARRIED

3. NEW BUSINESS

Introductions

The Chair stated that the purpose of meeting is to provide Council with a greater understanding of the decision-making processes for Canadian Environmental Assessment Act approvals, Fisheries Act authorizations and BC Water Act approvals,

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both in general terms and as they pertain to the Wren Creek file, and to communicate Council's views on the process to the various government agencies involved.

Ms. De Shield, Mr. Salomi and Ms. MacKnight introduced themselves and provided a brief summary of the roles of their respective agencies.

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Agency Approval Processes and Timelines

i) Description of process and timelines by Fisheries and Oceans Canada, Environment Canada and Ministry of Forests, Lands and Natural Resource Operations

Ms. De Shield, Mr. Salomi and Ms. MacKnight provided an overview of the processes and timelines involved and explained the relationship between their organizations. They noted that the length of time required for approvals and authorizations can vary significantly depending on the number and complexity of the issues involved and the referrals, assessments and approvals/authorizations needed. Mr. Salomi stated that a well laid-out plan which is consistent with guidelines can often be dealt with in one or two months.

In response to questions from Council, Mr. Salomi confirmed that the length of time the Wren Creek file has been in process is a function of the project which is significantly more comprehensive than most projects.

Ms. MacKnight stated that the Ministry of Forests, Lands and Natural Resource Operations' goal is to make a decision within 140 days of the receipt of an application that requires authorization for permission to make changes in and around a stream. She noted that challenges sometimes arise if, for example, an application does not contain all the information required or if new information becomes available during the process.

ii) Comparison of public projects (Highway 1 Widening) vs. private projects (Wren Creek) in terms of decision-making criteria

Council questioned whether different standards/criteria are applied for public versus private projects.

Mr. Salomi stated that the majority of private projects are smaller and undergo a simpler process than is required for public projects which typically larger in scope and have a longer planning horizon. He also noted that, in terms of decision-making criteria, it is difficult to compare highway projects with non-highway projects as the environmental impact area for highway expansion is often large but linear with limited options for redesign, whereas non-highway projects typically have a greater impact in a more localized area and, due to the nature of the project, have more options for addressing/mitigating potential impacts.

Further discussion ensued on various environmental challenges related to the Wren Creek application, Lougheed Highway expansion, the Golden Ears Bridge project and the twinning of the Port Mann Bridge. Council expressed its frustration with the regulatory process for private projects.

iii) How are economic implications accounted for in the decision-making process?

Ms. De Shield, Mr. Salomi and Ms. MacKnight confirmed that federal and provincial regulators are required to follow established environmental laws and policies regardless of economic considerations. Mr. Salomi did note, however, that the economic significance of a project, the expressed support of local government for a

development, and limited options for redesign are considered to some extent when assessing/examining possible alternatives for carrying out a project.

Council stated that it is dedicated to promoting development and increasing the District of Mission's commercial to residential ratio.

iv) Options for appealing decisions

Mr. Salomi, speaking on behalf of the Department of Fisheries and Oceans, said that proponents who wish to appeal decisions made by his agency can contact the decision-maker and/or his/her supervisor.

Ms. MacKnight, of the Ministry of Forests, Lands and Natural Resource Operations, stated that provincial decisions can be appealed through the Environmental Appeal Board within 30 days of notification. She noted that the formal appeals process can be lengthy which is why staff make every effort to resolve issues where possible.

Ms. De Shield noted that, since Environment Canada does not issue the permit in these situations, there is no appeals process for her agency's decisions.

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Species at Risk (SAR) Act and Its Implications for Local Government Land Use Decisions

- i) There appears to be conflicting requirements depending on the location of a proposed development. If a development proposal does not have a trigger for a CEAA (i.e.: Fisheries Act Authorization) there is no legal obligation to consider Species at Risk unless very specific provisions of the Act are implemented.*

Discussion ensued on what constitutes Species at Risk, what triggers a Species at Risk assessment, and various jurisdictional issues.

- i) Need for provincial or federal legislation if SAR is to be considered equitably for developers and the species. i.e.: Local governments do not have the authority to implement SAR specific bylaws.*

Discussion ensued on the roles of the federal, provincial and local governments.

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Agency Updates on Wren Creek File

Mayor Adlem provided a brief summary of the history of the Wren Creek file to date and noted that a report was received from the Department of Fisheries and Oceans on the evening of Friday, January 27, 2012 which outlines numerous caveats but does seem to indicate that approval will be forthcoming. Mayor Adlem expressed his concern that the development, which represents 12% of the District of Mission's developable land, has been delayed two and a half years as a result of this process.

Mr. Salomi outlined the process involved in this case and reiterated that the January 27, 2012 report identifies a number of details that still have to be worked out with regard to adapted management and monitoring.

Discussion ensued on the difference between avoidance, mitigation and compensation, the economic viability of the project if the footprint is significantly reduced, wetland conservation, perceived inconsistencies in the January 27, 2012 report, and differences of opinion between the proponent's professional experts and the professionals utilized by the governmental agencies.

Jim Scott, of Scott Resource Services Inc., addressed questions on behalf of the proponent.

Ms. De Shield noted that additional work will need to be done with regard to the wetlands and SAR related issues.

The Planning Committee Chair thanked Ms. De Shield, Mr. Salomi and Ms. MacKnight for their attendance and reiterated Council's commitment to sustainable economic development for the District of Mission.

4. ADJOURNMENT

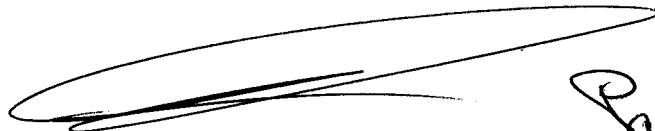
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Moved by Councillor Jewell, seconded by Councillor Luck, and

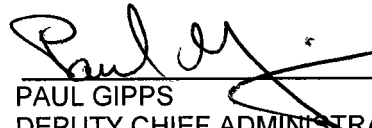
RESOLVED: That the meeting be adjourned.

CARRIED

The meeting was adjourned at 5:16 p.m.



WALTER (TED) ADLEM
MAYOR



PAUL GIPPS
DEPUTY CHIEF ADMINISTRATIVE OFFICER