



People of the River Referrals Office

Dear Maurice DePaoli,

Thank you for your referral review application dated November 3, 2023 regarding Changes In And About A Stream, Gloucester Industrial Park, Township of Langley within S'ólh Téméxw ('Our Land: Our World').

The **Engagement Stage** of your application is now complete. The following are the results of the review. Please let us know if you have any questions or concerns regarding this appraisal.

Sincerely,

DocuSigned by:

Nathaniel Point

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Nathaniel Point

Lead Referral Officer

People of the River Referrals Office

Administrative Summary of Application

Project Name	Changes In And About A Stream, Gloucester Industrial Park, Township of Langley
PRRO ID	608616
Issuing Agency file number(s)	2010025
Issuing Organization	BC Ministry of Forests (MOF)
Government statutes	BC Water Sustainability Act
Project Type(s)	Water Sustainability Act: Sec. 11 - Changes In And About A Stream - Applications
Project Description	<p>The Province of British Columbia has received an application for Changes in and about a Stream under Section 11 of the Water Sustainability Act (WSA) in the Township of Langley. The Ministry of Forests (FOR) wishes to consult with your administration on the proposed application. Details are as follows: Applicant: 161884 Canada Inc. Stream Name: Unnamed streams and ponds Proposed Changes to the Stream: Reconstruction of an existing stormwater management pond, stream and pond infills, and habitat enhancements. Legal Description: Within Lot 1, Sections 5 and 6, Plan LMP44280; and Lot 2, Section 5, Plan LMP44280; and Lot 4, Section 6, LMP34830 all within Township 14, New Westminster District Size (area): 45,000 m2 Primary Contact: Charity Nonkes, FOR Phone: 778-572-5061 Email: charity.nonkes@gov.bc.ca Context of Application The applicant, 161884 Canada Inc., has submitted a preliminary proposal to redevelop the subject properties within the Gloucester Industrial Park in the Township of Langley, which includes 36.3 ha of land that was designated for golf course use in 1988. These lands are the subject of a rezoning application that would allow approximately 40% (14.6 ha) to be developed for industrial uses, with the remaining 60% (21.7 ha) of lands retained for ecological and stormwater management purposes. The Golf Course Lands include a variety of stream features that are located within the upper catchments of two designated sensitive streams, West Creek and Nathan Creek. If approved, the development would require infill of ponds and streams and includes offsetting measures that would result in a net</p>

zero loss of aquatic and riparian habitat. The current preliminary proposal reflects present-day engineering standards and recognition of climate change. Proposed Works and Mitigation Strategies

The Gloucester Industrial Park is an industrial development that encompasses over 300 ha. It was established as an employment hub for the region, due to its proximity to major transportation routes. Gloucester Industrial Park is bordered by rural-agricultural properties included in the Agricultural Land Reserve (ALR). Properties within the Gloucester Industrial Park are zoned for a variety of industrial uses. Properties adjacent to the Highway 1 and 264 Street interchange are zoned for commercial uses. A park is located at the northwest corner of the intersection of 272 Street and 56 Avenue. The remainder of the lands within Gloucester Industrial Park are undeveloped and currently zoned rural. The Golf Course Lands are surrounded by developed industrial properties, apart from several yet-to be developed properties, and ALR land in the adjacent City of Abbotsford. The Golf Course Lands are located primarily within the headwaters of West Creek, with a small eastern portion situated within the headwaters of Nathan Creek. These streams drain generally northward to the Fraser River and are both identified as sensitive streams under the Water Sustainability Regulation. The only manmade habitat/drainage features west of 272 Street occur south of 56 Avenue (except for a section of channel immediately south of 56 Avenue). All the constructed drainage features drain through the West Pond. Extensive excavation and grading were undertaken in preparation for both the detention pond and golf course development, creating a large lentic pond ecosystem. Existing stormwater management ponds are located within the subject properties. The West Pond is located west of 272 Street while the East Pond is located east of 272 Street. Since its construction beaver activity has raised the water levels in the West Pond, resulting in inundation of adjacent areas that have developed as wetland habitats. Minor modification of control works at the existing west detention pond are proposed. The proposed works also involve expansion of the East Pond to increase its stormwater detention capacity and would include significant habitat enhancements. A beaver management strategy has been developed to restore the intended design objectives for the stormwater management ponds. Pond and Stream Infilling Ponds

W4 and W5, and portions of Ponds W1 and W2 are proposed to be infilled (see pg. 11 of the information package for maps). Streams W2, W3 and W6 are proposed to be infilled. The total proposed habitat losses west of 272 Street are 2,767 m² of aquatic habitat and 10,667 m² of riparian habitat. Available off-setting area for riparian (or potentially aquatic habitat) is 36,280 m². New habitats west of 272 Street include 10,978 m² of aquatic habitat and 18,330 m² of riparian habitat. An additional 980 m² of riparian habitat would be converted from aquatic habitat. Areas where aquatic habitat is infilled but redeveloped as riparian habitat are characterized as “converted”. Ponds E6, E7, E8 and E9, as well as the eastern extension of Pond E5 are proposed to be infilled. Streams E2, E5 and streams adjacent to ponds E6 and E7 are proposed to be infilled. The total proposed habitat losses east of 272 Street is 7,104 m² of aquatic habitat and 23,123 m² of riparian habitat. The available off-setting area for riparian habitat (or potentially aquatic habitat) is 13,358 m². An infiltration swale would be created along the eastern boundary of the Golf Course Lands. Note that the East Pond (interim detention ponds) area is excluded from this habitat balance and is addressed separately. Offsetting Various forms of offsetting habitats are proposed and are generally to be developed within areas presently characterized by low ecological values (i.e., previously disturbed and/or predominantly non-native vegetation). Under agreement with the Township of Langley all constructed habitats would be monitored and maintained for a minimum of ten years. A QEP (R.P.Bio. or P.Ag.) would oversee all habitat construction and landscaping. The proposed habitats include the following: • shallow wetlands; • ponds with depths over 1.0 m; • riparian shrublands; • riparian/upland woodlands; and a • landscaped infiltration swale. Fish and Wildlife All instream work would be completed during the standard fisheries window. All the stream features in the Golf Course Lands west of 272 Street are considered accessible to salmonids. Coho salmon have been observed upstream as far as Highway 1, west of 272 Street. Other fish species captured during instream works west of 272 Street include cutthroat trout, threespine stickleback, fathead minnow, brown bullhead, black crappie and largemouth bass. West Creek continues approximately 10 km downstream and is confluent with the Fraser River upstream of MacMillan Island. Fish species known to inhabit

West Creek include coho, chinook and chum salmon, coastal cutthroat and rainbow trout, threespine stickleback, prickly sculpin, lamprey and non-native brown catfish and brassy minnow. Historical records indicate the presence of coho salmon, cutthroat trout, threespine stickleback and crayfish east of 272 Street (upstream of the East Pond). Beaver activity has likely eliminated access for juvenile salmonids into some areas. Sampling in and about the East Pond in 2018 captured only threespine stickleback where salmonids were previously captured. A BC Conservation Data Centre (CDC) search yielded a list of species at risk that may occur on the property, should habitat requisites to support critical life history functions occur which includes four amphibians/reptiles, eleven birds and three fishes. Critical life history functions include breeding, nesting, denning, or hibernating for animals, and germinating, seed dispersal and flowering for plants. The CDC was also searched for element occurrences within 2.5 km of the property. Of the 23 species identified, habitat suitable to support critical life history functions, with a high or moderate probability of occurrence on the property exists for nine species and includes the following: northern red-legged frog; great blue heron; short-eared owl; olive-sided flycatcher; band-tailed pigeon; Pacific water shrew; dun skipper; Oregon forest snail; and Vancouver Island beggarticks. The proposed habitat enhancements would address critical habitat requirements so that these species, should they occur on the site, would continue to inhabit the property. Wildlife salvages would be undertaken as necessary to relocate these and other species.

Project Location Gloucester Industrial Park in the Township of Langley

Area (ha) 36.17

Lifespan months

Lead officer [Nathaniel Point \(Cheam, Kwaw-Kwaw-A-Pilt, Skwah\) \(People of the River Referrals Office\)](#)

Applicant [Maurice DePaoli \(BC Ministry of Forests \(MOF \)\)](#)

Proponent [161884 Canada Inc.](#)

Publication due date November 08, 2023

Publication complete date November 08, 2023

Analysis Stage due date

December 06, 2023

Analysis Stage complete date

November 22, 2023

Awaiting Analysis Response complete date

January 26, 2024

Engagement Stage due date

February 27, 2024

Engagement Stage complete date

February 08, 2024

☐ SHOW MAP

Preliminary Response

This section summarizes topics identified in the PRRO Technical Review to be addressed by the Referral Issuant and/or proponent. Upon receiving this report, please contact the PRRO Lead Officer in charge of this file to initiate engagement regarding these topics. Outcomes of this engagement will be summarized in the forthcoming PRRO Final Response. Please be aware that any delays in a response from the Referral Issuant can result in delays to the PRRO Final Response. For more information please see the [SSEA Reference Guide](#), sec. 5, available on the StoloConnect Knowledge Base.

POTENTIAL IMPACTS

Cultural Heritage Please see the [Stó:lō Heritage Policy](#), available on StoloConnect.com in the Knowledge Base for more information.

Resource Harvesting – Project Area overlaps a Resource Harvesting site. These are sites where Stó:lō have harvested resources critical to their cultural, spiritual, and/or physical wellbeing.

Environmental Water – Project area location raises concerns over the integrity of aquatic environmental values.

Wildlife – Project area location raises concerns over the integrity of floral and faunal environmental values.

Fish – Project area location raises concerns over the integrity of fish related environmental values.

Topics For Engagement Project Area overlaps a Resource Harvesting site. These are sites where Stó:lō have harvested resources critical to their cultural, spiritual, and/or physical wellbeing: Follow the Stó:lō heritage policy to maintain and keep these resources usable by the people of the area. First Nation title holders use Salmon as part of their resources for food, social and ceremonial purposes. The proposed development area includes spawning beds for wild Fraser River Salmon. Salmon are a key-stone species, fundamental to the Stó:lō culture and way of life. Pacific Salmon are currently in crisis, with stock numbers falling at terrifying rates. Given this, maintaining what spawning areas still remain is critical to the survival of the Pacific Salmon species, and by extension, Stó:lō culture. Without a healthy foundation of salmon, the entire coastal ecosystem is put at risk. In order for the 17 Stó:lō communities of the S'ólh Téméxw Stewardship Alliance (STSA) to support this proposal, it would be necessary for the proponent to demonstrate

clearly how their proposal can go forward without negative impact to the salmon spawning grounds at the Gloucester lands.

The applicant has stated that "The proposed habitat enhancements would address critical habitat requirements so that these species, should they occur on the site, would continue to inhabit the property. Wildlife salvages would be undertaken as necessary to relocate these and other species".

There are many concerns around the water quality and the effects on local wildlife, such as riparian species and vegetation and especially the salmon spawning beds. As long as there is a plan to not only keep the status quo for said species, but for the restoration, preservation, conservation and improvement for said species, the STSA can approve the work. With that said the STSA and the communities involved would need to see the detailed plan on what the plan is, and how it will be implemented to benefit the area. Without a secure plan it is unlikely that the communities will approve of the work, and thus there will be no approval from the STSA.

1. The proponent must contact SRRMC Archeology Department to explore whether an archeological assessment is needed.
2. A West Creek Wetland Restoration Project Proposal be developed to be sent to DFO.
3. STSA requires footage of the area with a drone.
4. STSA requires an Environmental Assessment conducted by the Lower Fraser Fisheries Alliance (LFFA)
5. Collaboration with the Matsqui First Nation Chief and Council (non-STSA members, requiring direct engagement).

Please Note: As outlined in the S'ólh Téméxw Stewardship Alliance Strategic Engagement Agreement (SSEA) Spring 2019, section 3.1(c) "the Provincial Agency will respond to the topics for engagement identified in the Preliminary Response before the referral may progress to the Engagement Stage". This means a referral will be paused in its timelines until such a time that PRRO receives a response from BC (or delegated authorities) on the Topics for Engagement identified above.

Furthermore, where applicable PRRO expects to be continuously updated on any status and scope change of this application, as well as on any direct consultation with the engagement entities or info-sharing with the proponent.

Final Response

This section summarizes the engagement processes undertaken to address topics, if any, raised by the S'ólh Téméxw Stewardship Alliance (STSA) communities in the Preliminary Response. It highlights any Outstanding Issues that still need to be addressed and provides the STSA's decision regarding the proposed works, along with any mitigation measures, conditions, and/or relevant rationale, if applicable. For more information please see the [SSEA Reference Guide](#), sec. 5, available on the StoloConnect Knowledge Base.

Review Status Review Completed, STSA Decision Made

- Outstanding Issues**
1. The salmon spawning bed is downstream from the proposed area of work and will be unavoidably impacted, regardless of whether it is immediately near the site of construction.
 2. As a wetland, the area is a natural carbon sink. Destroying the area will increase our carbon footprint.
 3. The damage within the area will take years to recover, possibly decades. It is still recovering from previous work conducted decades ago.
 4. Throughout S'ólh Téméxw, spawning areas for Coho, other salmon species, and wetlands in general have been dramatically reduced. Those few areas which remain must be safeguarded, protected, and ultimately, expanded – not further reduced.

DECISION

STSA Decision Reject Application

Rationale/Condition After much discussion with involved communities, the Stó:lō First Nations of STSA have decided to reject the proposal based on the outstanding issues listed above. STSA's primary concern is the natural health of the area, the species it supports, and the Stó:lō culture that is, in turn, supported by those species, including but not limited to the health of the spawning sites for Salmon, the recent recovery of the area from the last construction project, and the maintenance of the wetlands as improved carbon storage sinks. Although the proponent has provided plans describing their efforts to minimize impacts, due to their history with the local Stó:lō communities involving unkept promises, long term environmental damage and poorly administered plans, the STSA communities feel that as stewards of S'ólh Téméxw they must reject this

application. .

Please Note: Where applicable, PRRO expects to be continuously updated on any status and scope change of this application, as well as on any direct consultation with the engagement entities or info-sharing with the proponent.

STSA Approval of Final Report

PRRO AUTHORIZED SIGNATORIES

Recommended By

DocuSigned by:
Nathaniel Point
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Date Signed 2024/08/19 | 09:13:17 PM

Nathaniel Point (Referral Officer, PRRO)

Approved By

DocuSigned by:
Dave Schaepe
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Date Signed 2024/08/29 | 17:56:29 PM

Dave Schaepe, Ph.D. (General Manager, PRRO)

Approved By

DocuSigned by:
Eddie Gardner
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Date Signed 2024/08/19 | 12:36:25 PM

Eddie Gardner

Please Note: The PRRO Receives and responds to referrals in accordance with the SSEA on behalf of the Stó:lō Nations that are signatory on the SSEA. As per Section 15.1 of the SSEA, the PRRO is authorized to act on behalf of a Stó:lō First Nation in respect of a Proposed Activity. The intent of this report is to capture information sharing and communication between the Province, proponents, and the communities involved. This report may contain sensitive and confidential information, and thus may not be duplicated, distributed or shared without prior consent of the Signatory Stó:lō First Nations involved.