

Apr 25, 2014

District of Peachland

Response to Comments of the Ministry of Forestry Referrals on New Monaco Zoning Application

The following outlines responses to the Ministry of Forests comments on the New Monaco zoning draft from the referrals process.

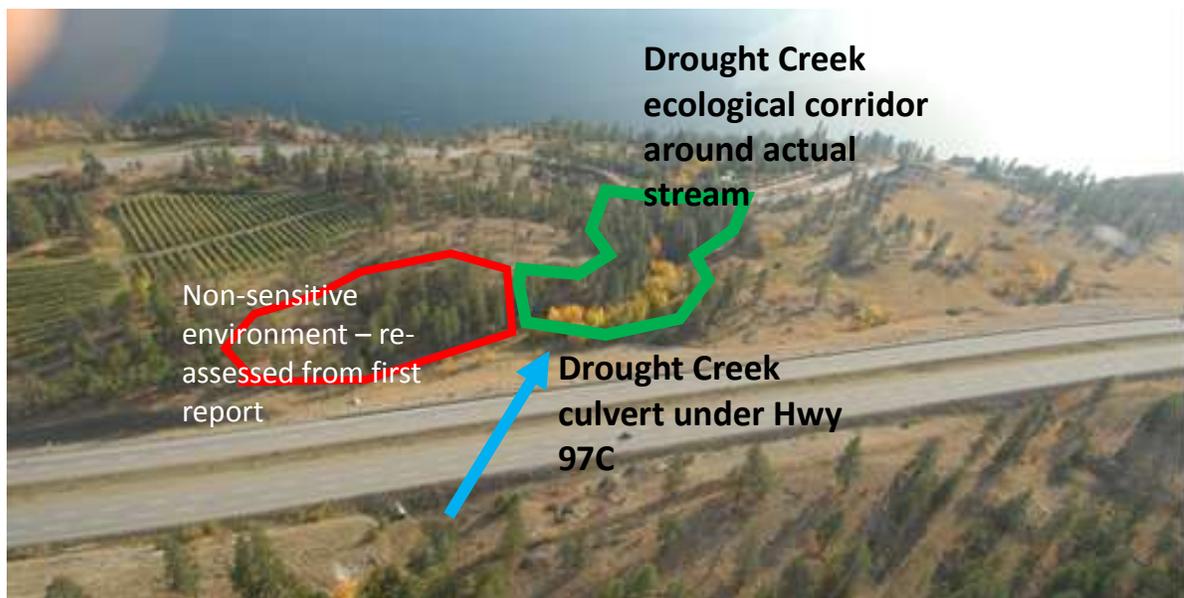
On Jan 23, 2014, the Ministry drafted an assessment of the New Monaco zoning application that highlighted some concerns. The concerns are based on their best practices manual - *Develop with Care*.

The concerns raised are as follows:

1. The size and setbacks of the sensitive area along Drought Creek and its future tenure.

○ **Response:**

- The map in the original sensitivity study was revised in subsequent correspondence on this issue, which maybe the reviewer did not read. Ecoscape noted that the sensitivity in the upper area was due in part to slope and continuity with the area around the creek, but was not sensitive in and of itself.



The site was walked in detail with the biologist to identify where development footprints would be acceptable, and how best to locate roads and trails to minimize impact.

- Drought Creek is not a fish bearing stream and as such, the required setbacks are to be in the order of 15m. Our secured protection area is approximately 25m on either side of the creek – and therefore meets and exceeds the minimum standard. Ecoscape has confirmed this to be the case.
- It is our intent, as discussed with you in the Parks planning discussion, to turn ownership of this area over to Peachland - so it will be held in public hands in perpetuity.
- It is also our intent to provide fencing and protection for key areas of the area.
- The trails in the area are expected to have minimum disturbance in the area and minimize access to the water as recommended.
- The details of the design-for-protection can be finalized as part of our Parks Master Plan.



Image from re-assessed area including Drought Creek Culvert mouth – seriously disturbed, little forest cover.

2. Implications of the road location.

○ **Response:**

- The revised sensitivity plan identifies that where the roundabout is located is outside the sensitive area – the reviewer just didn't connect those comments from the correspondence that occurred subsequent to the original map.
- We relocated where the road was intended to cross the stream from the OCP/ ASP stage, where it crossed in the middle of the sensitive area (where the current agricultural culvert crossing is) to the upper area, because it would cause less disturbance. The maps in the report are small and overlaid with colored areas and since reviewer has not walked the property they could not know that the upper area where our road is proposed is already a riprap area, completely disturbed and devoid of riparian quality. It is the one location that will cause the least disturbance.
- The existing wildlife culvert there, in our current plan, may be retained, but the actual probable access that wildlife will use will be the full road access tunnel, providing much greater access for the wildlife than the culvert currently offers. Speeds in the area will be slow (30-50km) and therefore provide sufficient safety margins in case of wildlife moving in the area.





3. Protection of sensitive areas elsewhere on the site.

○ **Response:**

- The steep and sensitive areas elsewhere on the site are expected to be preserved and turned over to Peachland as part of the parks, protected areas and trails network.
- The blue-listed habitat has been noted and will be protected.
- The plan shows a large swath of “developable land” but that land will largely not be disturbed as there are only a few building sites on the slopes – it is expected and can be managed at point of Development Permit that disturbances are not permitted on any of those areas.



4. Species at risk reviews

- **Response:**

- We have completed the species at risk studies for the area around Drought Creek which is the only sensitive area to be near development for the first phases of development – and no species at risk were found.
- Any such studies completed on other parts of the site would be out of date by the time any development was to occur near them, and as such it was agreed with the environmental consultant to wait until development is to occur near them and then we would undertake such studies prior to a development permit applications.

Mark Holland MCIP RPP LEED

Vice President - Development

New Monaco LP

mark.holland@newmonaco.ca

(250) 713-9789

340 Machleary St

Nanaimo, BC, V9R 2G9