

20 August 2019

School District 62 Board of Education
3143 Jacklin Road
Victoria BC V9B 5R1

RE: Development Site, 950 Worrall Drive & 809 Latoria

Dear Trustees,

Thank you for your letter of July 22, 2019. It is encouraging that School District 62 (SD62) is committed to acquiring lands for more schools in light of recent and future community growth. We agree that this is an important objective for the community, and we note that securing a location in South Langford for an elementary school is a high priority for the District. As concerned citizens we believe that elected officials seek to make informed decisions based on relevant information, therefore we feel compelled to bring forward some important hurdles in the proposed development site being offered to the District for an elementary school which run offside the District's strategic goals.

Ecological

Please find enclosed the Environmental Impact Study and Riparian Area Assessment dated November 2017 conducted by Corvidae Environmental Consulting Inc. This report was sponsored and paid for by the property owner in support of this development. This report identifies threats to endangered species that reside on this property which the developer proposes for a future school. It is important to note that this study is only a field assessment which assesses the present wildlife and habitat values, not the potential or capability. Key points include:

- Corvidae identified much of the proposed school property as green space to be preserved and warns that blasting and development in the area will significantly impact the wildlife populations. Indeed, the BC Conservation Database identified 91 Plant Species at Risk and 61 Wildlife Species at Risk which have the potential to occur on this site. In examining the parcel reserved for the elementary school on the east side of the development, the report shows that the endangered Sharp-Tailed Snake habitat (see Figure 3), and Garry Oak are present on the proposed school property. Recovery of species at risk and restoration of imperiled habitats associated with Garry oak ecosystems will contribute to biodiversity, health and functioning of the environment.
- Other threatened species and endangered species on the property have been located on the property such as the Northern Red Legged Frog. Corvidae warns that changes in the habitat such as increased water temperature through deforestation, introduction of non-native species and threats through human activities will provide a competitive advantage to invasive species and predators. Moreover, any changes to Riparian Areas will impact local fish habitats, both streams feed into Pritchard Creek, home to cutthroat trout and spine stickleback.

- The Manager of Aquatic Habitat for the Province of BC advises that Langford is among the few municipalities that has not submitted its processes and plans for implementing the Riparian Areas Regulations to the province. He questions what values led to having the riparian buffer reduced from 40 meters to 15 meters and how were the ecological values identified. He indicates that replacing ecological values with human values is not acceptable under the Riparian Areas Regulation. The Corvidae assessment does not indicate what mitigation measures would be used to allow for the set back. Based on this information it is unclear if the proposal, or Langford's requirements, are in keeping with the conservation laws of the province and federal government.
- Per local lawyer Ben Van Drimmelen: "The entire development is within the CDF (Coastal Douglas Fir) ecosystem, but the report doesn't recognize its rarity. This CDF ecosystem is tiny, only 0.3% of BC. Eighty percent of the global range occurs right here in the southern Strait of Georgia area and only 9%, 23,500 hectares, is government owned. The 91% that is on is private land is already mostly developed. Thus, the remaining undeveloped parcels of the CDF ecosystem have a very high priority for preservation, provincially, nationally and even globally. For a lot more on how scarce and precious the remaining pockets of CDF are, go to <http://www.cdfcp.ca/index.php/about/why-is-the-cdf-at-risk>."

The development proposal and the Corvidae assessment have been reviewed by a local professional biologist, Joanna Preston, R.P.Bio. She has listed numerous concerns about missing information, timing, and thoroughness of the report are noted (the details are enclosed).

Risk Management

Inherent with any project, there is a degree of residual risk after mitigation measures are applied. To that end, the District will need to address the following risks associated with this parcel of land:

- Deadly poisonous hemlock located at the front of the proposed school property adjacent to a patch of poisons hemlock on a neighbouring property with seeding potential and a proposed trail system running through it.
- If development is permitted under the federal *Species At Risk Act*, the financial risk cost to SD62 to develop this piece of property would be unreasonable. The property will require significant blasting to construct a school on a steep slop location, as well, the District will be responsible for the shoring and damage to the neighbouring homes that rely on the slope for stability.

The federal Species at Risk Coordinator has indicated that they will be reviewing the property and proposal and assessing protection needs for the species identified. These may present unforeseen costs in terms of mitigation measures.

Public Perceptions of Bias

Based on an article published by the *Goldstream Gazette* on July 9, 2019 one might conclude that the school district is perhaps putting pressure on the planning department and our councillors to secure a school site on this location: "Blackwell said she received a call from Ravi Parmar — SD62 trustee — on

the weekend saying it was important to get a site set aside for a new elementary school in the area.” At the rezoning hearing on July 8, Denise Blackwell stated three times that the development will not proceed if the school does not form part of the proposal. At the same time the Olympic View development project anticipates 917 dwellings with space set aside for a school, yet there is very little public knowledge about this; perhaps the District is being steered away from the Olympic View location and toward the subject property.

Possible Way Ahead

The Corvidae assessment recommends leaving as much green space as feasible to natural habitat with open meadows, Douglas fir forest and rocky outcrops instead of manicured green spaces. There are many suitable areas of the property that can be developed. The District can request the developer, and the city, for a different parcel of land in the development, one that that does not damage the habitat of endangered species and is rated lower in terms of residual risk.

We urge the School Board to have the Corvidae report reviewed by a suitable professional to ensure it has a complete and independent picture of the environmental impact and the risk therein.

The Citizens of South Langford for Sustainable Development wish to see areas that contain sensitive and important ecosystems protected and preserved; and included in the developer’s green space contribution. Based on the rezoning meeting of 8 July 2019 (which you were present), the results of our online survey, and our ongoing petition, the overwhelming majority of residents wish to see a large contiguous natural green space included in the community as part of this development.

We believe this can be achieved and we seek the assistance of SD62 in promoting responsible development that meets our mutual interests.

Kind regards,

On behalf of The Citizens of South Langford for Sustainable Development

Tim Allan
Nicole Polet

Sarah Hull
Sean Rodman

Frank Lyne

CC:

Trustees: Ravi Parmar, Chair ; Dianna Seaton, Vice Chair ; Bob Beckett ; Wendy Hobbs , Margot Swinburnson, Bob Philips, Alison Watson; Superintendent Scott Stinson; Secretary/Treasurer Harold Cull

Enclosures: 2

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