Dear Minister Murray:

The Boundary Bay Conservation Committee (BBCC) wants to bring to your attention a gross misrepresentation of public input and other issues that breach the conditions set by your ministry on the sale of Crown land in Mud Bay to the City of Surrey. A public advisory committee, that included a member of staff from the Ministry of Water, Land and Air Protection, had no input into the Mud Bay Park development plans that have consequently lead to a loss of wildlife habitat adjacent to the provincial Boundary Bay Wildlife Management Area.

History of the Sale of Crown Lands on Mud Bay

The BBCC expressed concerns about the proposal to sell Crown land in Mud Bay, Surrey to the City of Surrey (November 27, 2000). We were told by BC Assets and Land Corporation (BCALC) (December 22, 2000) that “these parcels will not be sold unless the Ministry of Environment, Lands and Parks is satisfied with the proposed park plan ...”.

The Ministry of Environment, Lands and Parks (MELP) stated their conditions in a letter to BCALC on December 22, 2000, summarizing:

1. “BCALC commits to enter into meaningful discussions with the Pacific Estuary Conservation Programs regarding the remaining Mud Bay Greenbelt Lands prior to March 31, 2000”.

2. “Consideration of the existing older paved area to the north of Lot C as the main parking area.”

3. Commitment to:

   - “City of Surrey will designate the lands “conservation”. Conservation means management for wildlife and soil based agriculture as the priority.”
• “MELP involvement in the design of a by-law to protect the future park....”

• “Establishment of a Management Advisory Committee that includes ... White Rock/Surrey Naturalists, Boundary Bay Conservation Committee and the Federation of BC Naturalists.”

• Preparation of an implementation plan strategy that is acceptable to BC Environment.”

4. “All lands associated with Parcels A, B, C and D outside of the existing dyke should remain within the WMA.”

The final Offer to Purchase Agreement captured most of these conditions and amplified some. For example, The Management Advisory Committee’s (MAC) role was clearly stated:

• ... no development on the Land will occur until after the Management Advisory Committee... has been established to consider and approve any proposed development on the Land”

Outstanding Issues:

Management Advisory Committee

The Boundary Bay Conservation Committee (BBCC) along with other representatives listed above (under Number 3) attended 5 Management Advisory Committee (MAC) meetings between May 15 and November 27, 2001. No detailed development plans were ever presented to the MAC by the City of Surrey just e.g. “Conceptual Trails” and a “Conceptual Parking Lot”. The response by staff to specific issues e.g. size and site of parking area was: “it is only conceptual” or for the new loop trail: “this will be examined further in detailed design”.

Members were told at the last meeting (November 27, 2001) that staff: “will work on detailed designs and circulate them in advance of the next meeting”. No further meetings were ever held.

So no development plans were circulated for the MAC “to consider and approve” (see above Agreement Conditions). Nine months later we receive an invitation to the “New Park on Mud Bay Grand Opening Ceremony” on September 20, 2002. So all the development of the site was done in the interim without any consultation with the members of the MAC or the Ministry of Water, Land and Air Protection in violation of the Agreement to sell these Crown lands (March 27, 2001).
Conservation Area

The City of Surrey has not indicated in naming the land Mud Bay Park that it understands that: "Conservation means management for wildlife and soil based agriculture as the priority." Have they or are they planning to designate it "conservation" in their OCP? Are they going to educate the public that this is a "conservation area"?

Limits of the Park

The map of the park (Attachment A) distributed at the Opening Ceremony shows the Park Boundary outside the dyke on the foreshore in violation of the MELP condition that: "All lands associated with Parcels A, B, C and D outside of the existing dyke should remain within the WMA".

Parking Lot

In spite of many attempts by the MAC to get specifics on the size of the "small parking lot", the City has developed a large parking lot by filling an area of scarce oldfield habitat vital to the Boundary Bay ecosystem. There appears to have been no: "Consideration of the existing older paved area to the north of Lot C as the main parking area" another MELP condition.

Trail and Filling

Much discussion took place on the MAC about the width of trails. The Greater Vancouver Regional District pushed for a 4 m wide trail from the first. Our understanding is that 3m was agreed on because it accommodates emergency vehicles and minimizes habitat loss. In fact, one of the "conceptual trail" photographs distributed to members at a meeting of the MAC shows an: "existing road: 3 m width, no alterations".

Members of the MAC were astonished to see that trail development has resulted in 4m wide trails throughout the park. Further, large areas of habitat have been destroyed along and off the trails to a width of up to 10 m in some places by the addition of many truck loads of fill on the land. Filling had never been raised by staff with members of the MAC.

Loss of Habitat

The result of the development of the Mud Bay Park by the City of Surrey is loss of habitat adjacent to the Boundary Bay Wildlife Management Area. Further loss of habitat from poorly developed public recreation in Mud Bay Park appears inevitable. For example, the intrusion of the large parking lot and new loop trail into the oldfield habitat of the former agricultural land on the site will allow access
to public and dogs-off-leash into this vital, scarce wildlife habitat and harass any wildlife there.

The goal of the Draft Boundary Bay Wildlife Management Area Plan is “to sustain and enhance wildlife and habitats ... ”. From the plan, the FBCN understands that the boundary of the WMA “includes all areas seaward of the toe of the dykes in Boundary, Mud and Semiahmoo Bays”. Vital foreshore habitat for feeding and resting shorebirds and waterfowl in Mud Bay is now under increased threat from the park boundary outside the dyke (Attachment A).

For the WMA to be effectively managed, the BBCC understands that the MWALP will use its best efforts to bring influence to bear in jurisdictions adjacent to the WMA where activities could have an impact on the integrity of the Boundary Bay ecosystem. Will MWALP investigate the apparent breaches in the Agreement between the City of Surrey and your ministry to sell the Mud Bay Crown Lands?

Yours respectfully,

\[Signature\]

Jim Previer
BBCC Representative
Mud Bay Conservation Park Management Advisory Committee

Attachment A: Map of Mud Bay Park

cc: Parks Recreation and Culture, City of Surrey
Federation of BC Naturalists
David Riley, White Rock Surrey Naturalists
Margaret Cuthbert, Friends of Semiahmoo Bay
Paul Skydt, Regional Parks, GVRD