

## Attachment 8

### *General Environmental Overview Report*

May 2, 2023

PLG File: 23-2613

Dominion Landmark Development Ltd.  
6211 Chatsworth Road  
Richmond, BC  
V7C 3S4  
Attn: Gurdial Dhillon [Gsdhillon@shaw.ca](mailto:Gsdhillon@shaw.ca)

Dear Mr. Dhillon,

**Re: Environmental Consulting Services – General Environmental Overview  
114 & 118 Spruce Street, New Westminster, BC**

This letter presents the results of a preliminary general environmental overview ("memo"/"summary") conducted by Pacific Land Group (PLG) at the request of Mr. Dhillon, on behalf of Dominion Landmark Development Ltd. (i.e., the "Client") for the properties located at 114 & 118 Spruce Street, New Westminster, BC (i.e., the "Subject Properties/Site"). It is understood that this memo has been prepared at the request of the City of New Westminster as a due diligence to confirm breeding bird activity and nesting potential within the Subject Properties as part of a proposed new ten (10) unit development. In addition to a review of bird activity and general bird use of the property, PLG has summarized existing habitat and vegetation and provides best practices that should be considered prior to any future clearing or development of the Site.

At this time, no building demolition or tree/vegetation clearing is proposed and this memo is provided as a due diligence survey to confirm breeding bird habitat potential and whether any active bird nests or raptor nests were present within trees and understory vegetation located on or directly adjacent to the Subject Property. The BC Provincial *Wildlife Act* and the Federal *Migratory Birds Convention Act (MBCA)* provide protection for native bird species, including raptors and passerines, as well as their nests and young, from habitat disturbance or direct harm during the Provincially recognized songbird nesting/breeding season from March 1 – August 31, and raptor nesting/breeding season from March 1 – September 30, as identified in the BC Develop with Care Best Management Practices (BMP) Guidelines<sup>1</sup>. Please note that for project planning purposes, the nests of some raptors (e.g., bald eagles and ospreys) are protected year-round. Additionally, July 2022 updates to the Migratory Birds Regulation, in association with the MCBA provide additional protection to Schedule-1 species including pileated woodpecker (*Dryocopus pileatus*) whereby, if a cavity nest is found a 36-month waiting period with routine monitoring is required to prove inactivity before clearing may proceed.

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<sup>1</sup> BC Develop with Care BMP Guidelines: [https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/best-management-practices/raptor\\_conservation\\_guidelines\\_2013.pdf](https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/best-management-practices/raptor_conservation_guidelines_2013.pdf)

## 1.0 Survey Methods

In consideration of the July 2022 updates to the Federal Migratory Birds Regulation (MBR), in association with MBCA, PLG has adapted our field methodology to ensure Schedule 1-listed species are appropriately considered.

The field protocol used during the BNS was based on the following publicly available guidance documents:

- Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia (2014). Section 4 – Environmentally Valuable Resources<sup>2</sup>;
- Develop with Care 2014: Environmental Guidelines for Urban and Rural Land Development in British Columbia (2014). Section 5.6 – South Coast Region<sup>3</sup>;
- Environment Canada's Safeguarding: Protecting migratory birds, colonies, nesting, guidelines, management practices<sup>4</sup>.
- BC Ministry of Environment (BCMOE) Resources Inventory Standards Committee (RISC) – Inventory Methods for Forest and Grassland Songbirds (1999)<sup>5</sup>;
- BCMOE RISC – Inventory Methods for Raptors, Version 2.0 (2001)<sup>6</sup>; and
- Guidelines for Raptor Conservation during Urban and Rural Land Development in British Columbia (2013)<sup>7</sup>.
- BC Ministry of Forests (BCFOR) Inventory Methods for Woodpeckers (1999)<sup>8</sup>
- ECCC's Pileated Woodpecker Cavity Identification Guide (2022)<sup>9</sup>

In addition to the above guidance documents, PLG utilizes a combination of habitat availability (i.e., available stand of trees, dead and decaying timber, hardwoods and stumps), presence/not detected surveys, relative abundance reviews, and absolute abundance surveys. To remove potential surveyor bias, PLG utilizes a minimum of two (2) qualified surveyors to change positions / rotate positions, during property reviews to ensure an adequate level of effort was used to detect potential active breeding and/or nesting habitat. Surveys are completed in the morning hours starting between approximately 30-mins before sunrise and noon, depending on the time of year

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<sup>2</sup> <https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/best-management-practices/develop-with-care/dwc-section-4.pdf>

<sup>3</sup> <https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/best-management-practices/develop-with-care/dwc-section-5-6-south-coast-region.pdf>

<sup>4</sup> <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds.html>

<sup>5</sup> <https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/nr-laws-policy/risc/songml20.pdf>

<sup>6</sup> [https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/nr-laws-policy/risc/rapt\\_ml\\_v2.pdf](https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/nr-laws-policy/risc/rapt_ml_v2.pdf)

<sup>7</sup> [https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/best-management-practices/raptor\\_conservation\\_guidelines\\_2013.pdf](https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/best-management-practices/raptor_conservation_guidelines_2013.pdf)

<sup>8</sup> <https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/nr-laws-policy/risc/woodml20.pdf>

<sup>9</sup> <https://www.canada.ca/en/environment-climate-change/services/avoiding-harm-migratory-birds/pileated-woodpecker-cavity-identification-guide.html>

and during favourable weather conditions, avoiding events such as rain, fog, smoke, high winds, and periods of extreme cold or hot weather.

The Subject Properties (Figure 1, below) are surrounded by residential development and roadways with an existing single-family dwelling within the northeastern portion of 118 Spruce Street and no visible development within 114 Spruce Street (single-family dwelling demolished after 2019, as per CityView Maps).

The assessment was conducted by two (2) of PLG's biologists on April 25, 2023 between 07:30 and 09:30 during dry weather conditions (i.e., sunny with a temperature of approximately 6°C), to evaluate trees and understory vegetation within the Subject Properties for potential breeding habitat, nests, and/or breeding bird behavior. Survey methodology included use of binoculars to complete an audio-visual scan for bird activity and/or nests, including ground nests and nest cavities, within and adjacent to the Site, stationary 15-minute presence/not-detected surveys at multiple locations within the Site, and observations of any direct evidence (e.g., defensive calls and/or physical displays) or indirect evidence (e.g., pellets, prey remains, molt feathers, etc.) of breeding behavior and/or active or potential nesting.



**Figure 1.** New Westminister CityViews 2020 aerial image of Subject Properties outlined in red.

## 2.0 Survey Results

At the time of the assessment, minimal bird species were observed within the Subject Properties, with most species observed off-Site, which is not uncommon in an urban adapted area. The bird species visually observed and/or audibly detected (e.g., flying overhead, perched within evaluated trees and vegetation) during the assessment are listed in Table 1, below. During the assessment, on-Site birds were mainly passing through (e.g., flying through or perched within vegetation for short periods of time before flying away), and no breeding behaviors (e.g., calls, songs, breeding displays, nest building, etc.) were observed.

**Table 1.** Bird species visually and/or audibly observed during the assessment conducted on April 25, 2023 at 114 & 118 Spruce Street, New Westminster BC.

Species	Observation Type	Observation Location
Black-Capped Chickadee ( <i>Poecile atricapillus</i> )	visual and audible	on-Site
Bewick's Wren ( <i>Thryomanes bewickii</i> )	Visual and audible	on-Site
Anna's Hummingbird ( <i>Calypte anna</i> )	audible	on-Site
Northern Flicker ( <i>Colaptes auratus</i> )	visual and audible	on and off-Site
American Crow ( <i>Corvus brachyrhynchos</i> )	visual and audible	on and off-Site (flying overhead)
Ruby-Crowned Kinglet ( <i>Regulus calendula</i> )	visual and audible	off-Site
Song Sparrow ( <i>Melospiza melodia</i> )	audible	off-Site
American Goldfinch ( <i>Spinus tristis</i> )	audible	off-Site
American Robin ( <i>Turdus migratorius</i> )	audible	off-Site

The Site was observed to be relatively flat. One (1) single-family dwelling was observed within the northeastern portion of the northern Subject Property at 118 Spruce Street and one (1) accessory structure (i.e., shed) was noted within the southwestern portion. The northeastern portion of 118 Spruce Street was comprised mainly of manicured lawn grass, and mixed garden variety trees and shrubs with a stand of coniferous trees noted along the central northern perimeter. The southwestern portion consisted almost exclusively of non-native/invasive, dense thickets of Himalayan blackberry (*Rubus armeniacus*) and reed canary grass (*Phalaris arundinacea*). The southern Subject Property located at 114 Spruce Street was observed as un-developed lot with a visible flat, open area within the northeastern portion where a single-family dwelling was previously located. Vegetation within 114 Spruce Street was comprised mainly of manicured lawn grass and garden variety trees within the northeastern portion and dense Himalayan blackberry and reed canary grass, with a southern perimeter of red alder (*Alnus rubra*) and black cottonwood (*Populus trichocarpa*) within the southwestern portion. The Subject Properties were dominated by non-native, introduced and invasive species with minimal native vegetation observed other than the coniferous and deciduous perimeter trees. Please see Photographs 1-5, attached and Table 1, below for an inventory of observed vegetation species.

**Table 2.** Vegetation observations made during the April 25, 2023 assessment at 114 & 118 Spruce Street, New Westminster BC.

Common Name	Scientific Name	Status
<b>Trees</b>		
Red Alder	<i>Alnus rubra</i>	Native
Western Redcedar	<i>Thuja plicata</i>	Native
Black Cottonwood	<i>Populus trichocarpa</i>	Native
Chusan Palm	<i>Trachycarpus fortune</i>	Non-Native
Fishpole Bamboo	<i>Phyllostachys aurea</i>	Non-native
Pissard Plum	<i>Prunus cerasifera</i>	Non-native
Pear	<i>Pyrus spp.</i>	Non-native
Cherry	<i>Prunus spp.</i>	Non-native
<b>Shrubs</b>		
Himalayan Blackberry	<i>Rubus armeniacus</i>	Invasive
Cherry Laurel	<i>Prunus laurocerasus</i>	Invasive
English Holly	<i>Ilex aquifolium</i>	Invasive
<b>Ground Cover, Grasses, and Herbs</b>		
Reed Canary Grass	<i>Phalaris arundinacea</i>	Invasive
English Ivy	<i>Hedera helix</i>	Invasive

No active bird nests, including ground nests or nesting cavities, or evidence of foraging/fecal wash were observed within vegetation on or adjacent to the Subject Properties. Furthermore, no active or inactive raptor nests, or evidence of raptor use (e.g., nest debris, prey remains), and no Schedule-1 species or their nests, including pileated woodpecker nesting, rearing, or feeding cavities were observed within the Site during the assessment.

Following the one-day assessment, PLG confirms that no breeding behavior (e.g., defensive calls, alarm calls, nest building, mating displays, etc.), breeding evidence (e.g., fecal wash or prey remains), or nests were observed on or adjacent to the Subject Properties. Additionally, the Subject Properties are dominated by mainly non-native, invasive and introduced vegetation, and while these species do offer potential nesting habitat for breeding birds, invasive species are considered low quality habitat compared to their native counterparts.



### 3.0 Recommended Development Considerations and Best Management Practices

The Subject Properties were primarily dominated by dense sections of non-native and invasive reed canary grass and Himalayan blackberry with minimal native vegetation restricted to a few coniferous and deciduous perimeter trees. While invasive reed canary grass and Himalayan blackberry present potential nesting habitat for breeding birds, invasive species are considered low quality habitat compared to native species. Additionally, no active or inactive nests, breeding bird behaviour, and minimal bird activity were noted within or directly adjacent to the Subject Properties. Future development is not anticipated to pose high risk to breeding birds especially if BMPs to reduce contraventions to the BC *Wildlife Act* and Federal *MBCA* are followed. The following BMPs should be adhered to prior to and during construction activities to reduce inadvertent harm to breeding birds, their nests, eggs, and/or young:

- Schedule land clearing during the least-risk timing windows for songbirds and raptors (i.e., September 1 – February 28, and October 1 – February 28, respectively);
- If land clearing activities must occur during the Provincially recognized songbird and raptor nesting windows (i.e., March 1 – August 31, and March 1 – September 30, respectively), then a Bird Nest Survey (BNS) is required by a Qualified Environmental Professional (QEP) to ensure no potential active nests are present prior to works commencing;
  - BNS results are only valid for three (3) to five (5) calendar days, depending on timing within the breeding season, and if full land clearing, including felled vegetation and debris removal off-Site, does not occur within this time a secondary BNS must be conducted before clearing work can continue; and
- Given the dense vegetation within the southwestern portion of the Subject Properties (i.e., Himalayan blackberry and reed canary grass) making it difficult to observe potential bird nesting during a one-day survey, a full-time Environmental Monitor (EM) should be present for the duration of clearing activities within these areas.

Given this report was prepared as a due diligence review only, any future development expected to be planned during the provincially recognized songbird and raptor nesting window would require a formal bird nest survey be completed and memo prepared and submitted to the City to confirm no new nests or bird related activity is occurring within the Site.

We trust that this letter provides information on breeding behaviour within the Subject Properties with accompanying best management practices to guide future development. Should you require additional information or clarification, please do not hesitate to contact the undersigned at 604-501-1624.

Sincerely,

**Pacific Land Resource Group Inc.**



Kyla Milne (Bryant), RPBio, QEP  
Lead Biologist

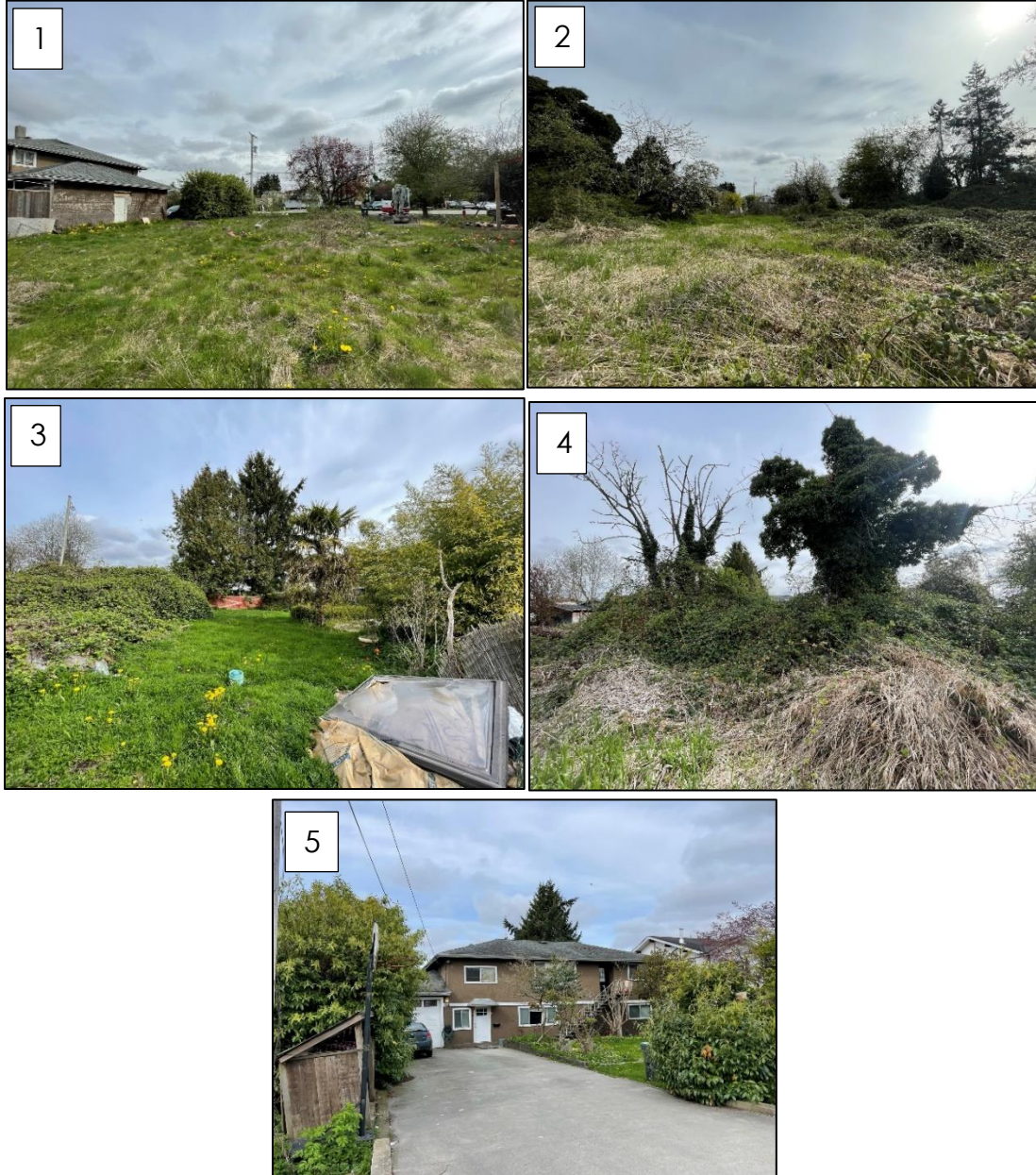


Bridgette Knowlan, BIT  
Junior Biologist



Kim Nguyen  
Environmental Technician

## Site Photographs – April 25, 2023



**Photographs 1-5.** **(1)** Facing northeast, looking at the northeastern portion of the southern Subject Property (i.e., 114 Spruce Street) with vegetation along the perimeter and an open, primarily low-grass dominated central portion where a single-family dwelling was historically located. **(2)** Facing northeast, looking at the southwestern portion of 114 Spruce Street dominated by reed canary grass and dense thickets of Himalayan blackberry. **(3)** Facing north, looking at the central portion of 118 Spruce Street within the backyard of the existing single-family dwelling showing the transition between the manicured backyard lawn and garden trees/shrubs within the northeast and the dense Himalayan blackberry to the southwest. **(4)** Facing northeast, looking at the southwestern portion of 118 Spruce Street, dominated by dense, matted reed canary grass, dense thickets of Himalayan blackberry, and English ivy. **(5)** Facing west, looking at the existing single-family dwelling surrounded by laurel hedges, and garden shrubs.