



AQUAPARIAN

Environmental Consulting Ltd.



October 20, 2016

City of Nanaimo
411 Dunsmuir Street
Nanaimo, BC, V9R 0E4.

Attn: Nancy Skeels
Property Agent

Re: 1411 White Street, Nanaimo, BC
Riparian Vegetation Setback, Variance Process
Riparian Areas Assessment – Variance Application (Revised)

1.0 SUMMARY BACKGROUND

Aquaparian Environmental Consulting Ltd. (Aquaparian) was retained by the City of Nanaimo (City) to complete a Riparian Areas Assessment (RAR) as part of a property sale and development permit requirement. The subject property at 1411 White Street is located immediately adjacent to the Millstone River and within a City of Nanaimo Watercourse Development Permit Area (DPA1) for the Millstone River. The City owns the subject parcel but would like to sell it. The property includes a single family dwelling that has a building footprint approximately 67.5m². The house is currently deemed legal non-conforming because the house is located within the DPA.

The property is relatively small (approximately 28m wide) and is located within the City's 30m Watercourse DPA starting from the Top of Bank. The intention of the RAR assessment is to determine the minimum setback or Streamside Protection and Enhancement Area (SPEA) that could be applied to the property under a development permit if it were sold to the public. The SPEA would allow for the structure to be replaced in case it was severely damaged or lost due to unforeseen events such as a fire or flooding. The existing site conditions are considered to be "Grandfathered" under the RAR.

2.0 RESULTS AND RECOMMENDATIONS

Aquaparian completed a site assessment of the property on June 30, 2016. Measurements taken along the Millstone River found the channel reach adjacent to the subject property had an average channel width of 15.5m and that the corner of the house in the property was approximately 12.6m away from the river's High Water Mark (equal to the Top of Bank). The

Variance for this property would require a 20m reduction from the existing 30m setback requirement.

Aquaparian has no objection to the implementation of a 10m SPEA for this property. The property has supported a single family dwelling for more than 40 years, and has been cleared of most native vegetation to support a lawn. A small wire fence presently exists along the edge of the stream bank and is enclosed in a narrow but thick riparian vegetation strip consisting primarily of Himalayan blackberry. Aquaparian proposes to establish a 10m SPEA offset from the HWM of the Millstone River through a development permit application with a 20m variance which would legalize the siting of the existing house. Though the recommendation is a 10m setback with a 20m reduction variance, Aquaparian does not expect site conditions to change or the reduced setback to result in an impact fish or fish habitat conditions for the Millstone River.

If the property is sold to the public and if the existing structure was completely lost in the future (due to a fire or flood), the new building or any building additions should be confined by the 10m watercourse SPEA. The new 10m SPEA is to be considered a no-disturbance area for any new structures including out buildings, soil disturbance, disposal of yard waste etc. If the variance was not granted and the house was lost, redevelopment of the site would trigger an “undue hardship” application and development permit variance which would result in a reduced setback to allow development of <30% of the usable property area.

3.0 SPEA MITIGATION MEASURES

If the property is sold to the public, Aquaparian recommends the following mitigation measures be implemented to protect the proposed 10m Streamside Protection and Enhancement Area (SPEA):

- That the City of Nanaimo delineate the 10 SPEA along the length of the property with a new wire fence approximately 5ft in height to protect the SPEA ;
- That the City of Nanaimo replace the area of lawn within the 10m SPEA with new native plantings and that the planting follow requirements as produced in a Vegetation Management Plan.
- No deleterious substances are to enter the Millstone River during the fencing and planting works;



1411 WHITE STREET
RIPARIAN VEGETATION SETBACK – VARIANCE PROCESS
OCTOBER 2016 (REVISED)

3

If you have any questions regarding the results of the RAR assessment, or the above recommendations, please contact the undersigned.

Sincerely,

AQUAPARIAN ENVIRONMENTAL CONSULTING LTD.



Chris Zamora, R.P.Bio
Senior Biologist / Principal

\\AQUAPARIAN\Documents\Projects\Projects\N231 White Street RAR\Reports\1411 White St RAR Cover Letter.docx



503 COMOX ROAD, NANAIMO, BC V9R 3J2
SARAH BONAR 250-714-8446 CHRIS ZAMORA 250-714-8864

Riparian Areas Regulation: Assessment Report

Please refer to submission instructions and assessment report guidelines when completing this report.

Date July 8, 2016

I. Primary QEP Information

First Name	Chris	Middle Name	J
Last Name	Zamora		
Designation	R.P.Bio	Company	Aquaparian Environmental Consulting Ltd.
Registration #	992	Email	czamora@aquaparian.com
Address	Suite 201 – 321 Wallace Street		
City	Nanaimo	Postal/Zip	V9R 5B6
Prov/state	BC	Country	Canada
		Phone #	250-591-2258

II. Secondary QEP Information (use Form 2 for other QEPs)

First Name		Middle Name	
Last Name			
Designation		Company	
Registration #		Email	
Address			
City		Postal/Zip	
Prov/state		Country	
		Phone #	

III. Developer Information

First Name	Nancy	Middle Name	
Last Name	Skeels		
Company	City of Nanaimo, Property Agent		
Phone #	250-755-4453	Email	nancy.skeels@nanaimo.ca
Address	411 Dunsmuir Street		
City	Nanaimo	Postal/Zip	V9R 0E4
Prov/state	BC	Country	Canada

IV. Development Information

Development Type	Other		
Area of Development (ha)	0.04	Riparian Length (m)	54m
Lot Area (ha)	0.14	Nature of Development	Redevelopment
Proposed Start Date	2016/07/30	Proposed End Date	2017/07/30

V. Location of Proposed Development

Street Address (or nearest town)	1411 White Street		
Local Government	City of Nanaimo	City	Nanaimo
Stream Name	Millstone River		
Legal Description (PID)	001-677-632	Region	Vancouver Island
Stream/River Type	Stream	DFO Area	South Coast
Watershed Code	920-395400		
Latitude	49° 10' 41.5N	Longitude	123° 58' 09.6 W

Completion of Database Information includes the Form 2 for the Additional QEPs, if needed. Insert that form immediately after this page.

Table of Contents for Assessment Report

Page Number

1. Description of Fisheries Resources Values

2. Results of Riparian Assessment (SPEA width)

3. Site Plan

4. Measures to Protect and Maintain the SPEA
(detailed methodology only).

- 1. Danger Trees.....
- 2. Windthrow.....
- 3. Slope Stability.....
- 4. Protection of Trees.....
- 5. Encroachment
- 6. Sediment and Erosion Control.....
- 7. Floodplain.....
- 8. Stormwater Management.....

5. Environmental Monitoring

6. Photos

7. Assessment Report Professional Opinion

Section 1. Description of Fisheries Resources Values and a Description of the Development proposal

(Provide as a minimum: Species present, type of fish habitat present, description of current riparian vegetation condition, connectivity to downstream habitats, nature of development, specific activities proposed, timelines)

The property at 1411 White Street is legally described as Lot 14, suburban Lot 10, NewCastle Reserve, Section 1, Nanaimo District, Plan 10828. As understood, the property is owned by the City of Nanaimo and is Zoned R-1 Single Dwelling Residential. A house on the property has a footprint of approximately 67.5m² and a floor space of approximately 2300ft². The property also includes a small wooden storage shed or outbuilding that is approximately 36ft².

A site visit of the property documented that much of the property is lawn. Only a narrow 2-4m strip of riparian vegetation exists along the length of the property which is fenced off. Riparian vegetation consists of Douglas-fir and Western red cedar, willow (*salix* sp.) vine maple, snowberry, salmonberry, sword fern, black Hawthorne, and Himalayan blackberry. The property is aligned north to south with the Millstone River. The river is located east of the house. The house also sits on a raised bench of lawn approximately 12m wide starting from the west side of the property line. The property then slopes down to the rivers Top of Bank at about 18% gradient. No trails or small footpaths were observed leading from the property down to the river. The house and outbuilding on the property is currently "grandfathered".

The Millstone River is a 19.7km, third order stream which captures water from most of the Nanaimo area starting from the east side of Mount Benson. A search of the Habitatwizard database identified the following species: chinook salmon (*Oncorhynchus tshawytscha*), coho salmon (*Oncorhynchus kisutch*), chum salmon (*Oncorhynchus keta*), coastal cutthroat trout (*Oncorhynchus clarki clarki*), rainbow trout & steelhead (*Oncorhynchus mykiss*), prickly sculpin (*Cottus asper*), sculpin (*Cottus*), stickleback (*Gasterosteus aculeatus complex*), pumpkinseed (*Lepomis gibbosus*) and lamprey.

The City of Nanaimo Development Permit Area 1 (DPA1) establishes a 30m setback from the top of bank of the Millstone River which encompasses the single residential house and entire property at 1411 White Street. The City would like to sell the property but needs to confirm that if the home on the property was ever lost (i.e. due to fire or other means) that the new owner of the property could rebuild on the site.

The City therefore is required to complete a RAR assessment to determine the Streamside Protection and Enhancement Area (SPEA). The assessment would identify the minimum SPEA that could be applied to the property with a variance and if a new structure of the same footprint could be constructed and identify additional measures required to allow for replacement or potential minor expansion of the buildings existing footprint (i.e. addition of a deck).

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

The resultant SPEA is 30m measured from the high water mark (HWM). The property has a maximum width of 28m from the rivers HWM. Measurements taken along the watercourse resulted in the channel having an average 15.5m channel width thus a 30m SPEA. The existing foundation of the house on the property is presently 12.6m from the edge of the river's HWM. There is a likelihood that the low bench of the lawn may partially flood during extreme seasonal rainfall events.

The difference between the 30m watercourse DPA and minimum SPEA width of 10m is approximately 20m from the rivers HWM. Therefore, the Variance to DPA would be 20m. While significant, the existing site conditions are not expected to change once the property is sold. The property has been cleared for more than 40 years, has a home on it and much of the backyard is lawn. A small wire fence presently exists along the edge of the stream bank and is enclosed in a narrow but thick riparian vegetation dominated by blackberry.

The existing intact riparian vegetation is approximately 2-4 m and very dense. The remainder of the cleared parcel is lawn. Aquaparian proposes to establish the SPEA along the 10m offset line from the HWM through a Variance application which would bring the parcel into conformity. Though the Variance is 20m, it will not change existing site conditions or have any impact on Fish and Fish habitat in the Millstone River.

Measures to protect the SPEA if future reconstruction of the home is necessary:

- No soil disturbance is to occur within the 10m SPEA during any part of construction of the building;
- The shed outbuilding located in the 10m SPEA can only be replaced outside the 10 SPEA.
- The 10m SPEA along the length of the property is to be delineated using snow fence;
- No deleterious substances are to enter the Millstone River;
- Replace the existing 4ft page-wire fence along the riparian boundary with a fence that is 5-6ft in height; and,
- Allow riparian shrubs to grow into the 5m offset line.

If the property is sold to the public and if the existing structure was lost in the future (due to a fire or flood), the new building or any building additions should be confined by the 10m watercourse SPEA. The new 10m SPEA is to be considered a No-Go Zone for any new structures including out buildings, soil disturbance, disposal of yard waste etc.

FORM 1

Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

Section 2. Results of Riparian Assessment (SPEA width)

Attach or insert the Form 3 or Form 4 assessment form(s). Use enough duplicates of the form to produce a complete riparian area assessment for the proposed development

--

2. Results of Detailed Riparian Assessment

Refer to Chapter 3 of Assessment Methodology

Date: July 4, 2016

Description of Water bodies involved (number, type)

1 Stream

Stream	1
Wetland	
Lake	
Ditch	
Number of reaches	1
Reach #	1

Channel width and slope and Channel Type (use only if water body is a stream or a ditch, and only provide widths if a ditch)

Channel Width(m)		Gradient (%)	
starting point	14.9		I, <u>Chris Zamora R.P.Bio</u> , hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>City of Nanaimo</u> c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
upstream	15.4		
	17.3		
	17.9	1%	
	12.2		
downstream	17.0		
	15.8	1%	
	16.3		
	13.3		
	13.9		
	16.1		
Total: minus high /low	140.0		
mean	15.5	1.0	
	R/P	C/P	
Channel Type	x		

Site Potential Vegetation Type (SPVT)

	Yes	No	
SPVT Polygons		X	Tick yes only if multiple polygons, if No then fill in one set of SPVT data boxes
			I, <u>Chris Zamora, R.P.Bio</u> , hereby certify that: a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i> ; b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>City of Nanaimo</u> ; c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.
Polygon No:	1		Method employed if other than TR
SPVT Type	LC	SH	
Polygon No:			Method employed if other than TR
SPVT Type	LC	SH	
Polygon No:			Method employed if other than TR
SPVT Type			

Zone of Sensitivity (ZOS) and resultant SPEA

Segment No:	1	If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons				
LWD, Bank and Channel Stability ZOS (m)	30m					
Litter fall and insect drop ZOS (m)	15m					
Shade ZOS (m) max	30m	South bank	Yes	<input type="checkbox"/>	No	X
Ditch	Justification description for classifying as a ditch (manmade, no significant headwaters or springs, seasonal flow)					
Ditch Fish Bearing	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	If non-fish bearing insert no fish bearing status report	
SPEA maximum	30m	(For ditch use table3-7)				

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons				
LWD, Bank and Channel Stability ZOS (m)						
Litter fall and insect drop ZOS (m)						
Shade ZOS (m) max		South bank	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
SPEA maximum		(For ditch use table3-7)				

Segment No:		If two sides of a stream involved, each side is a separate segment. For all water bodies multiple segments occur where there are multiple SPVT polygons				
LWD, Bank and Channel Stability ZOS (m)						
Litter fall and insect drop ZOS (m)						
Shade ZOS (m) max		South bank	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
SPEA maximum		(For ditch use table3-7)				

I, Chris Zamora R.P.Bio, hereby certify that:

a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;

b) I am qualified to carry out this part of the assessment of the development proposal made by the developer City of Nanaimo;

c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and

d) In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.

Comments

Measurements taken at 11 points (mean of 9 measurements) along a 100m section of the watercourse resulted in the stream having an average width of 15.5m. The LWD ZOS was determined to be 2 times the channel width or a maximum of 30m, the Litter Fall ZOS was determined to be no less than 15m and the Shade ZOS 3 times the channel width or a maximum of 30m (due south); however, also taking in to account that the stream is almost perfectly south to north next to the property.

**Due to hardship of the lots small size and location of the existing residents to the rivers HWM, a variance to the DPA will be required to reduce the DPA setback a total of 20m and to a maximum SPEA width of 10m from the HWM with the river. The variance would be applied to the conditions of sale of the property by the City of Nanaimo and

Form 3 Detailed Assessment Form
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

would allow for the new owners of the property to replace the structure in case is was destroyed by fire or other unforeseen events. A small outbuilding (Shed) located partially in the 10 SPEA would not be allowed to replaced in the new SPEA.

Section 3. Site Plan

Insert jpg file below

Site Plan

A site location map of the property at 1411 White Street in relation to the City of Nanaimo has been included as Figure 1. Figure 2 is a Property Location Plan and illustrates the land parcel owned by the City of Nanaimo. Figure 3 illustrates the 30m DPA for the Millstone River and the SPEA for river and the proposed 10m SPEA with variance in the relation to the subject parcels.

1411 WHITE STREET RAR ASSESSMENT SITE LOCATION

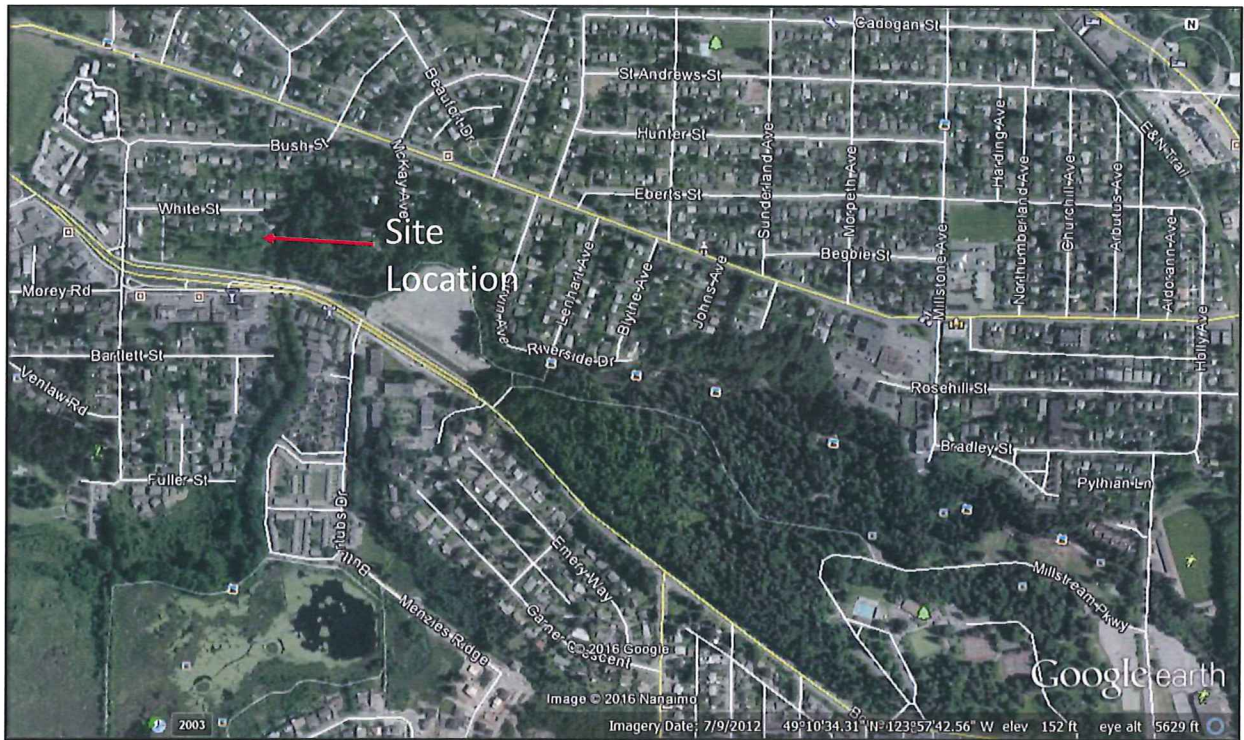


Figure 1

**1411 WHITE STREET PROPERTY LOCATION PLAN
RAR ASSESSMENT WITH MILLSTONE RIVER**

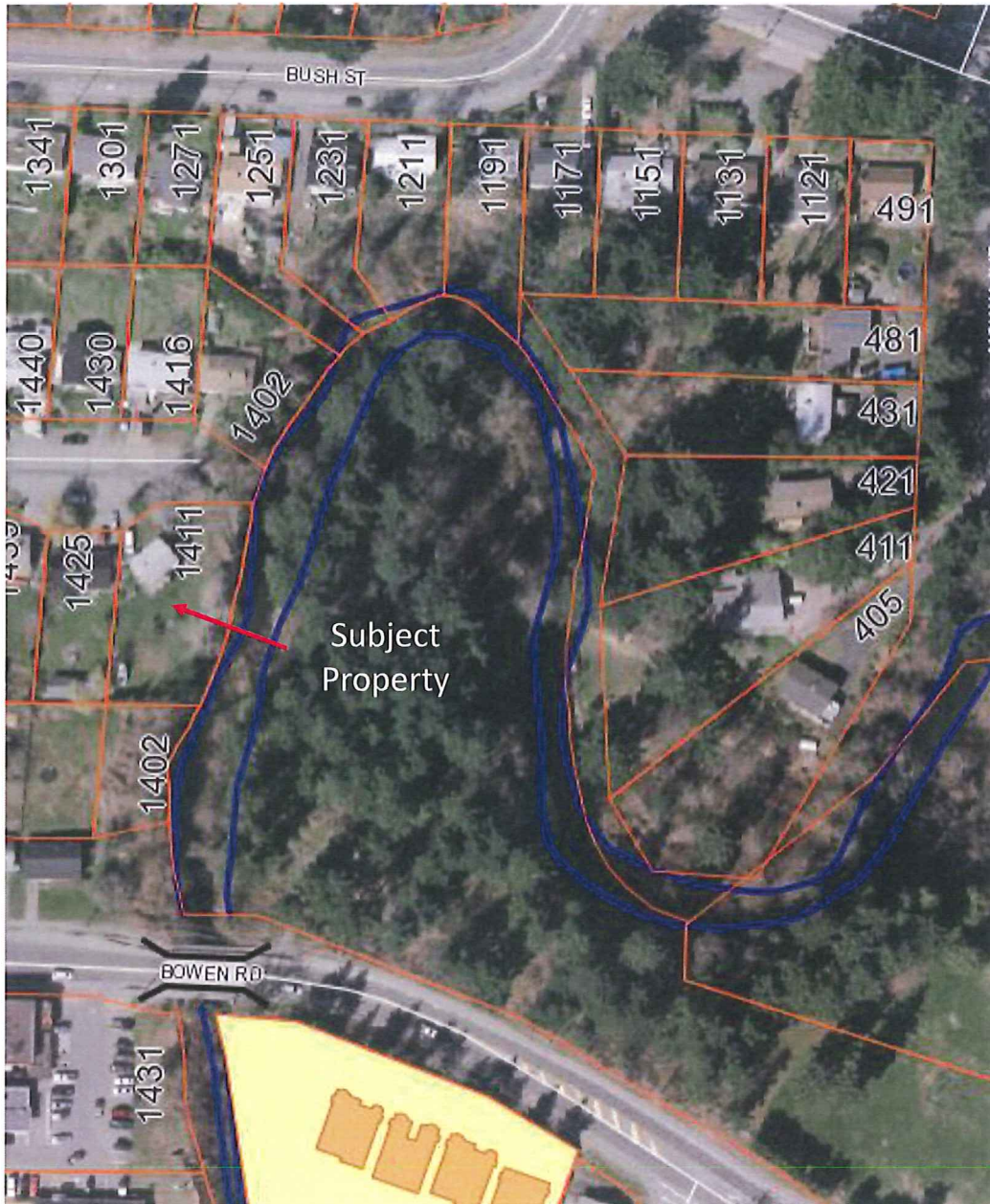
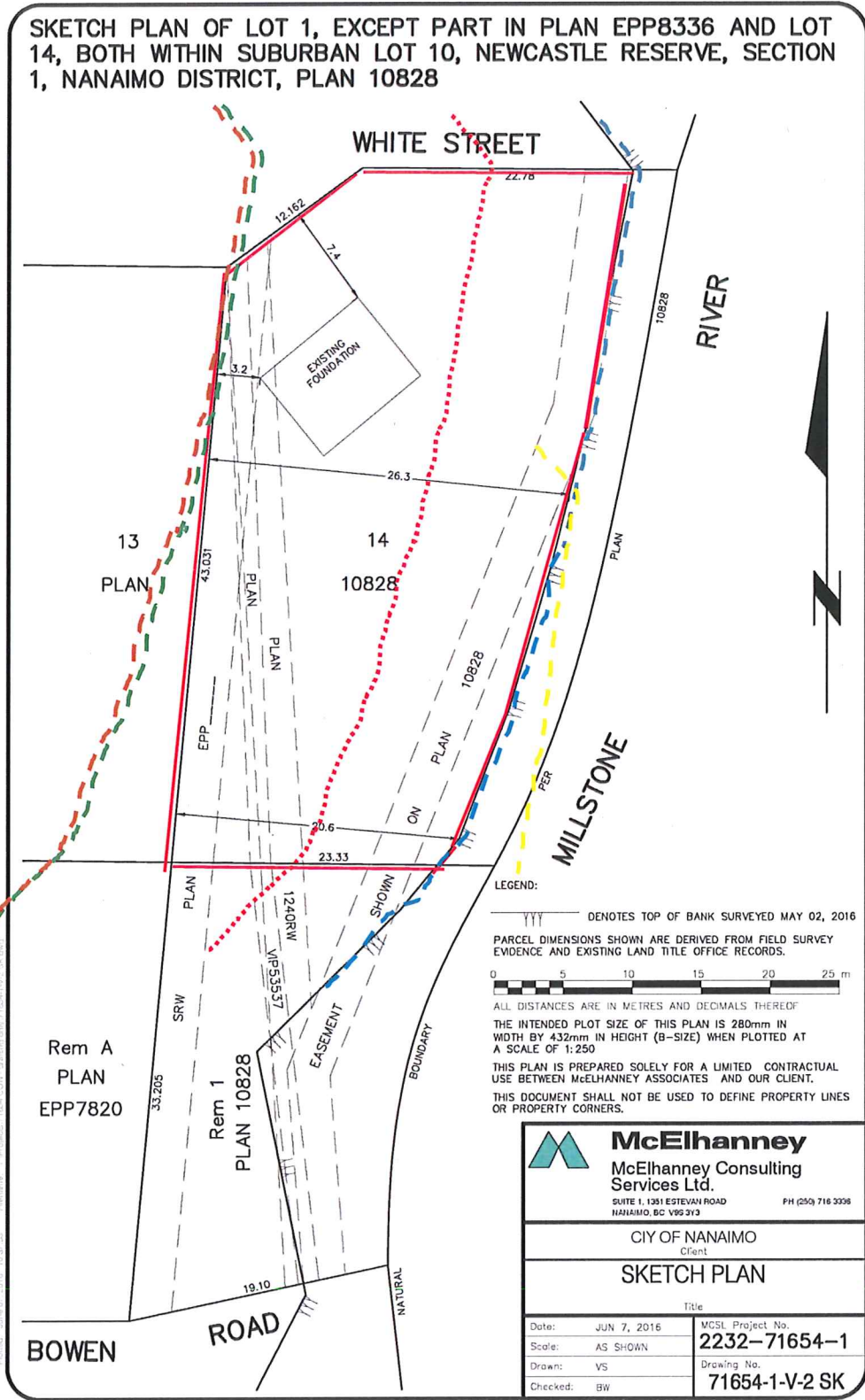


Figure 2

1411 WHITE STREET RAR ASSESSMENT

FIGURE 3 DPA & SPEA LOCATIONS



Legend:

- Property Boundary
- Millstone R. HWM
- CON 30m DPA
- Proposed 10m SPEA
- ZOS LWD 30m
- ZOS Leaf Litter 15m
- ZOS Shade 30m

Section 4. Measures to Protect and Maintain the SPEA

This section is required for detailed assessments. Attach text or document files, as need, for each element discussed in chapter 1.1.3 of Assessment Methodology. It is suggested that documents be converted to PDF *before* inserting into the assessment report. Use your "return" button on your keyboard after each line. You must address and sign off each measure. If a specific measure is not being recommended a justification must be provided.

1. Danger Trees	The property supports a narrow riparian buffer (2-4m wide) between the eastern property line and the Millstone River with some Douglas-fir and Western red cedar trees approximately 60-80 years in age. No danger trees were identified within the SPEA. No development is currently planned on the property. No vegetation removal or changes to the sites present condition is being proposed in this study.
<p>I, <u>Chris Zamora, R.P.Bio.</u>, hereby certify that:</p> <p>a) I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>City of Nanaimo</u> ;</p> <p>c) I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
2. Windthrow	No vegetation removal or changes to the sites present condition is being proposed in this study. No increase in windthrow risk is expected as a result of this assessment.
<p>I, <u>Chris Zamora, R.P.Bio.</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>d) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>City of Nanaimo</u> ;</p> <p>b. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
3. Slope Stability	No vegetation removal or changes to the sites present condition is being proposed in this study. There are no steep slopes on the property.
<p>I, <u>Chris Zamora, R.P.Bio.</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>e) I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>City of Nanaimo</u> ;</p> <p>b. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
4. Protection of Trees	No trees or vegetation removal or changes to the sites present condition is being proposed in this study.
<p>I, <u>Chris Zamora R.P.Bio.</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>City of Nanaimo</u>;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
5. Encroachment	No further encroachment with the Millstone River is proposed to occur on the property. If the site is sold, the

FORM 1
Riparian Areas Regulation - Qualified Environmental Professional - Assessment Report

	10m SPEA is to be visually identified as a no disturbance zone with a fence
<p>I, <u>Chris Zamora, R.P.Bio.</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>City of Nanaimo</u>;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
6. Sediment and Erosion Control	No additional development is to occur on the property. No sediment and erosion control issues. If the house is required to be reconstructed, an Erosion and Sediment Control Plan will be required.
<p>I, <u>Chris Zamora, R.P.Bio.</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>City of Nanaimo</u>;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation.</p>	
7. Stormwater Management	No stormwater issues with the property.
<p>I, <u>Chris Zamora R.P.Bio.</u> hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>City of Nanaimo</u>;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	
8. Floodplain Concerns (highly mobile channel)	No vegetation removal or changes to the sites present condition is being proposed in this study. No new floodplain concerns exist. This is not a highly mobile channel.
<p>I, <u>Chris Zamora, R.P.Bio.</u>, hereby certify that:</p> <p>a. I am a qualified environmental professional, as defined in the Riparian Areas Regulation made under the <i>Fish Protection Act</i>;</p> <p>b. I am qualified to carry out this part of the assessment of the development proposal made by the developer <u>City of Nanaimo</u>;</p> <p>c. I have carried out an assessment of the development proposal and my assessment is set out in this Assessment Report; and In carrying out my assessment of the development proposal, I have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation</p>	

Section 5. Environmental Monitoring

Attach text or document files explaining the monitoring regimen Use your "return" button on your keyboard after each line. It is suggested that all document be converted to PDF *before* inserting into the PDF version of the assessment report. Include actions required, monitoring schedule, communications plan, and requirement for a post development report.

This project will not require any environmental monitoring.

Section 6. Photos

Provide a description of what the photo is depicting, and where it is in relation to the site plan.



Photo 1: Front of house at 1411 White Street



Photo 2: View looking north. Back of house at 1411 White Street. House sits on a bench of land approximately 12m back from HWM of Millstone River (to right).



Photo 3: View looking south. Narrow riparian corridor and Millstone River to the left (east)



Photo 4: View looking north towards corner of house foundation approximately 12.6m distance from HWM of river.

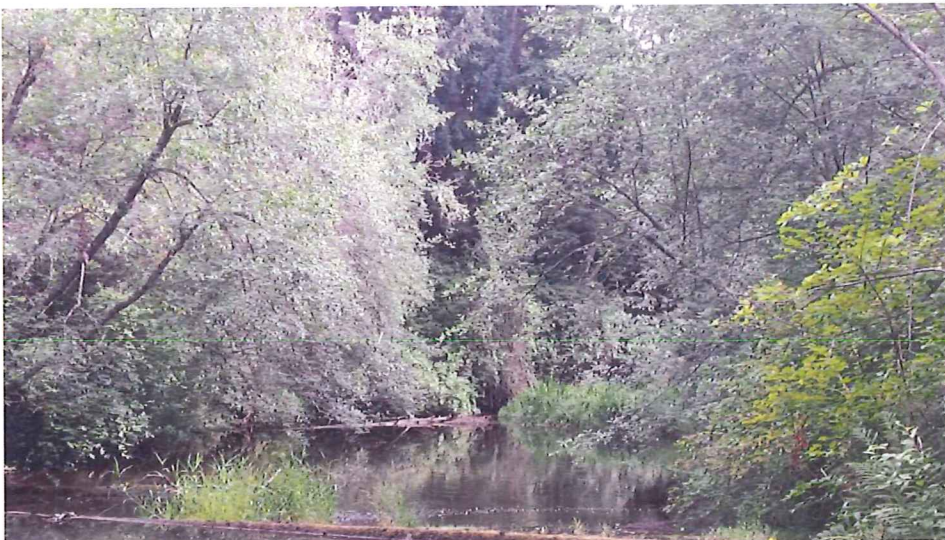


Photo 5 Upstream of property looking down streams after 12hr of rain. Wide section of Millstone River channel over 15m wide.

Section 7. Professional Opinion

Assessment Report Professional Opinion on the Development Proposal's riparian area.

Date

1. I/We Chris Zamora, R.P.Bio.

Please list name(s) of qualified environmental professional(s) and their professional designation that are involved in assessment.)

hereby certify that:

- a) I am/We are qualified environmental professional(s), as defined in the Riparian Areas Regulation made under the *Fish Protection Act*;
- b) I am/We are qualified to carry out the assessment of the proposal made by the developer City of Nanaimo, which proposal is described in section 3 of this Assessment Report (the "development proposal"),
- c) I have/We have carried out an assessment of the development proposal and my/our assessment is set out in this Assessment Report; and
- d) In carrying out my/our assessment of the development proposal, I have/We have followed the assessment methods set out in the Schedule to the Riparian Areas Regulation; AND

2. As qualified environmental professional(s), I/we hereby provide my/our professional opinion that:

- a) if the development is implemented as proposed by the development proposal there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed, **OR**
(Note: include local government flex letter, DFO Letter of Advice, or description of how DFO local variance protocol is being addressed)
- b) if the streamside protection and enhancement areas identified in this Assessment Report are protected from the development proposed by the development proposal and the measures identified in this Assessment Report as necessary to protect the integrity of those areas from the effects of the development are implemented by the developer, there will be no harmful alteration, disruption or destruction of natural features, functions and conditions that support fish life processes in the riparian assessment area in which the development is proposed.

[NOTE: "qualified environmental professional" means an applied scientist or technologist, acting alone or together with another qualified environmental professional, if

- (a) the individual is registered and in good standing in British Columbia with an appropriate professional organization constituted under an Act, acting under that association's code of ethics and subject to disciplinary action by that association,
- (b) the individual's area of expertise is recognized in the assessment methods as one that is acceptable for the purpose of providing all or part of an assessment report in respect of that development proposal, and (c) the individual is acting within that individual's area of expertise.]

Submission Instructions
Riparian Areas Regulation – Qualified Environmental Professional – Assessment Report
RAR-QEP-AR

Forms you will need to complete are

- Form 1 which has the database information, the description of the fisheries resources, development site plan, measures to protect and maintain the SPEA, and environmental monitoring.
- Form 2, if more QEPs are part of the project team.
- Either Form 3 the detailed assessment form(s) or Form 4 simple assessment form(s) which is for the results of the riparian assessment (SPEA width). Use enough copies of the form to complete the assessment of the site.
- Form 5 is the photo form(s). Duplicate for additional photos.

NB: See the Guidelines and the Assessment Methods for detailed instructions on the information required for completing the Assessment Report.

A complete Riparian Assessment Report based on the template forms must be converted to a *single* Portable Document Format PDF file prior to uploading onto the Notification System.

The Assessment Report must be complete, by submitting the information specified, and posted to provide notification to the local government, Ministry of Water, Land and Air Protection and the Department of Fisheries and Oceans Canada.

Tips for working with MS Word Template Forms

Using the forms

- Before beginning, print a hard copy of the form and the guidance files for reference
- Open the template
- Enter data into the shaded fields on the form
- Use TAB to move from one field to another; SHIFT-TAB to go in reverse
- Text and digital photos may be inserted from other applications
- The amount of text that can be entered in each box is limited and cannot be changed by the user; boxes with date information, for example, require input like: yyyy-mm-dd.

Saving the completed form

- Assign name to the completed form
- Save a word document (*.doc file)
- Do not overwrite the Template (*.dot file) with your completed form
- If you do overwrite the template, you can download a new copy from this web site