

SEA-TO-SKY HIGHWAY IMPROVEMENT PROJECT (the 'PROJECT')

RECOMMENDATIONS OF THE EXECUTIVE DIRECTOR AND REASONS FOR RECOMMENDATIONS

Pursuant to section 17 of the *Environmental Assessment Act* S.B.C. 2002, c. 43 (the Act), the Executive Director of the Environmental Assessment Office (the EAO) provides the following recommendations and reasons relating to the Project. In preparing this document, the following has been considered:

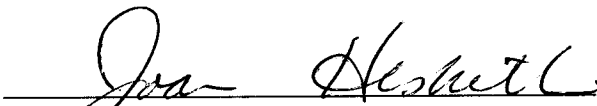
- Ministry of Transportation (the MoT) Application for an Environmental Assessment Certificate (the Application);
- All subsequent Project review material identified in Schedule A to the proposed environmental assessment certificate (the Certificate);
- Sea-To-Sky Highway Improvement Project Assessment Report (the Assessment Report); and
- The request from the MoT for certification of Option B and Option D.

The Executive Director recommends that a Certificate for the Project be issued for the following reasons:

1. In August 2003, the EAO initiated a fifty-nine day public comment period on the Application. During the comment period the EAO received 105 written comments from the public. Identified public concerns included the matters of highway construction and operation noise; connectivity and alignment/design issues; recreational impacts; and pedestrian safety. Further, the EAO also consulted with the public relating to MoT's clarification reporting on Project design and alignment issues in Lions Bay and in West Vancouver. The EAO is satisfied that public concerns have been identified and considered by the MoT.
2. The Project falls within the asserted traditional territories of four First Nations: Squamish Nation; Lil'wat Nation (Mt. Currie Indian Band); Tsleil-Waututh Nation (Burrard Indian Band); and Musqueam Indian Band. The Squamish Nation and Lil'wat Nation actively participated in the environmental assessment and have entered into Accommodation Agreements-in-Principle with the Province of British Columbia which resolves their outstanding issues of accommodation and consultation in respect of the Project. The Tsleil-Waututh First Nation provided comments on the Application. The Musqueam Indian Band, although consulted, did not participate in the assessment. The EAO has carried out its fiduciary responsibilities to First Nations in accordance with the *Provincial Policy for Consultation with First Nations* (October 2002).
3. The EAO conducted the assessment in accordance with the scope, procedures and methods of the Section 11 Order issued for the Project on June 27, 2003. The scope of the Project included: the works necessary to improve the existing highway; methods and locations for disposal of rock, surplus material and other waste; construction, use and maintenance of new

ancillary facilities; ancillary road system modifications adjacent to the Sea-to-Sky Highway associated with construction, operation and maintenance of the Project; all off-site facilities; any off-site environmental compensation works associated with and necessitated by implementation of the Project; all activities associated with the construction, operation and maintenance of the upgraded highway, including ongoing maintenance and traffic management; and any other physical works or activities which, in the view of the EAO, form an integral part of the Project. The scope of the assessment included the potential environmental, economic, social, heritage and health effects which comprise the scope of the assessment of the Project.

4. All potential significant adverse effects of the Project are considered to be manageable to an acceptable level through:
 - the implementation of commitments and mitigation measures identified in the Application and the documents in Schedule A to the Certificate including the actions described in the *Owner's Commitments and Responsibilities: Sea-to-Sky Highway Improvement Project*,
 - compliance with the conditions of the Certificate; and
 - compliance with subsequent statutory permits, licenses and approvals, or any authority required under any other enactment.
5. The EAO is also satisfied that, based on the information in the Application and supporting documents in Schedule A of the Certificate, and provided that the MoT implements the actions described in the *Owner's Commitments and Responsibilities: Sea-to-Sky Highway Improvement Project*, there will be no significant residual Project impacts.
6. Issues identified by the public, First Nations and local, provincial and federal government agencies that fall within the scope of the review as defined in the Section 11 Order have been considered during the environmental assessment. The EAO concludes that the Project adheres to the provincial goals of environmental protection, economic development and community stability.


Joan Hesketh
Executive Director and Deputy Minister
Environmental Assessment Office

Dated: May 20/04