



Fisheries and Oceans
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Région du Pacifique
Direction de la gestion des écosystèmes
Pièce 200 – 401 rue Burrard
Vancouver (C.-B.)
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June 8, 2021

Our file Notre référence
21-HPAC-00507

Cultus Lake Park Board
Attention: Rachel Litchfield, Manager of Corporate Services/Corporate Officer
4165 Columbia Valley Highway
Cultus Lake, BC
L2R 5B5

Via email: Rachel.Litchfield@cultuslake.bc.ca

Dear Rachel Litchfield:

Subject: Proposed expansion of Crown Land Foreshore Lease No. 242654 in the foreshore area of Cultus Lake BC

The Fish and Fish Habitat Protection Program (the Program) of Fisheries and Oceans Canada (DFO) received your proposal on May 4, 2021.

We understand that Cultus Lake Park Board is proposing to expand the area of its current provincial Crown Land Foreshore Lease No. 242654 in the foreshore area of Cultus Lake. This proposed foreshore lease expansion will allow Cultus Lake Park Board to have more control with respect to safety and management of the foreshore area of Cultus Lake.

We also understand that the proposed foreshore lease expansion is strictly an administrative process and that while the proposed foreshore lease expansion may enable works within the expanded foreshore lease area that may be intended by the Cultus Lake Park Board in the future, no works, undertakings or activities in the expanded foreshore lease area are proposed at this point in time.

The Program notes that the following aquatic species listed under the *Species at Risk Act* may use the area in the vicinity of where your proposal is to be located:

- Coastrange Sculpin (Cultus Population) also known as the Cultus Pygmy Sculpin listed as Threatened.

Our review considered the following information:

- The Request for Review form completed and signed by Rachel Litchfield dated 04/20/2021.
- The Cultus Lake Park Board document “Addendum to 2020 Management Plan. 2020 Management Plan Update Addendum No. 1. Date: February 18, 2021 For Crown Land Tenure Application”.
- Email to B. Naito, Fisheries and Oceans Canada, sent by Rachel Litchfield, Cultus Lake Park Board, on June 4, 2021 regarding “DFO File 21-HPAC-00507 - Request for Review - Cultus Lake Park”.

Your proposal has been reviewed to determine whether it is likely to result in:

- the death of fish by means other than fishing and the harmful alteration, disruption or destruction of fish habitat which are prohibited under subsections 34.4(1) and 35(1) of the *Fisheries Act*; and
- effects to listed aquatic species at risk, any part of their critical habitat or the residences of their individuals in a manner which is prohibited under sections 32, 33 and subsection 58(1) of the *Species at Risk Act*.

The aforementioned outcomes are prohibited unless authorized under their respective legislation and regulations.

As no works, undertakings or activities in the existing or as part of the expanded foreshore lease are proposed at this time, it does not appear that your proposal will result in the death of fish by means other than fishing and the harmful alteration, disruption or destruction of fish habitat or effects to listed aquatic species at risk, any part of their critical habitat or the residences of their individuals.

However, should your plans change and you are proposing any works, undertakings or activities in Cultus Lake, further review by the Program will likely be required. Please consult our website (<http://www.dfo-mpo.gc.ca/pnw-ppe/index-eng.html>) or consult with a qualified environmental consultant to determine if a review may be necessary. It remains your responsibility to remain in compliance with the *Fisheries Act*, the *Species at Risk Act* and the *Aquatic Invasive Species Regulations*.

This letter should not be construed as implying that any works, undertakings or activities within Cultus Lake will be allowed in the future including any works, undertakings or activities within the proposed expanded foreshore lease area should such expansion be granted by the province.

It remains your responsibility to meet all other federal, territorial, provincial and municipal requirements that apply to your proposal.

If you have any questions with the content of this letter, please contact me at our Vancouver office by email at vance.mercer@dfo-mpo.gc.ca. Please refer to the file number referenced above when corresponding with the Program.

Yours sincerely,



Vance Mercer
A/Section Head – Lower Mainland Watershed Regulatory Operations
Fish and Fish Habitat Protection Program

cc: Tyler Kang, Crown Land Authorizations, South Coast Natural Resource Region
FLNRORD File 2412262 (Tyler.Kang@gov.bc.ca)