



**Regular Council Meeting**

**Monday, January 23, 2012**

Time: 7:00 p.m.

Place: Council Chambers  
Richmond City Hall

Present: Mayor Malcolm D. Brodie  
Councillor Chak Au  
Councillor Linda Barnes  
Councillor Derek Dang  
Councillor Evelina Halsey-Brandt  
Councillor Ken Johnston  
Councillor Bill McNulty  
Councillor Linda McPhail  
Councillor Harold Steves

Corporate Officer – David Weber

Call to Order: Mayor Brodie called the meeting to order at 7:00 p.m.

RES NO. ITEM

**MINUTES**

- R12/1-1 1. It was moved and seconded  
*That:*
  - (1) *the minutes of the Regular Council Meeting held on Monday, December 19, 2011,*
  - (2) *the minutes of the Special Council Meeting held on Monday, December 19, 2011, and*



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(3) *the minutes of the Regular Council Meetings for Public Hearings held on Tuesday, December 20, 2011, and Monday, January 16, 2012;*

*each be adopted as circulated, and*

*That the Metro Vancouver 'Board in Briefs' dated Friday, December 16, 2011 and Friday, January 13, 2012 be received for information.*

**CARRIED**

**AGENDA ADDITIONS & DELETIONS**

R12/1-2

It was moved and seconded

*That resolutions from the Closed Council meeting of January 23, 2012 relating to "Disposition of 3391 Sexsmith Road and a Portion of Closed Road Adjacent to the Rear of 3391 Sexsmith Road to Pinnacle International Regarding RZ 10-544729" be added to the Council Agenda to be considered in conjunction with Item No. 13.*

**CARRIED**

**PRESENTATION**

With the aid of a PowerPoint presentation (on file City Clerk's Office) Keith Liedtke, Chair of the Board of Directors, accompanied by Simon Johnston, Artistic and Executive Director, Gateway Theatre presented the 2010-2011 Annual Report.



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During his presentation, Mr. Liedtke spoke about the success of several programs at Gateway Theatre including the Main Stage Series, Studio Series and the Gateway Academy. He noted that the Theatre provides a professional scene for plays on the main stage in the studio, and engages local and regional artists in developing new works. Mr. Liedtke also highlighted several productions, including Great Expectations, The Forbidden Phoenix, Sexy Laundry and Burning In. He advised that due to a lack of grants, the Theatre suspended its Play Development Program for one year, and spoke about the impact on the writers who normally submit to the Program. Mr. Liedtke also advised that facility rentals, and overall attendance had decreased at the Theatre.

In conclusion, Mr. Liedtke spoke about sponsorship, partnerships and donations, and thanked the Theatre's volunteer board for its dedication and support, the Gateway staff for an outstanding job in bringing excellent theatre experiences throughout the year, and the City for its continued support of the performing arts in the community.

Mayor Brodie thanked the delegation for the presentation, and requested that the volunteers and staff of Gateway Theatre be thanked on behalf of the City.

Simon Johnston spoke about the upcoming production, Tempting Providence, noting that the entire production consists of a table, two chairs, a table cloth and five actors. The play will run for three weeks starting in February 2012. Mr. Johnston also thanked the Theatre and City for 12 wonderful years, and announced his plans to leave the Theatre as of the end of April 2012.

**COMMITTEE OF THE WHOLE**

- R12/1-3    2.    It was moved and seconded  
*That Council resolve into Committee of the Whole to hear delegations on agenda items (7:12 p.m.).*

**CARRIED**



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3.    Delegations from the floor on Agenda items:

Item No. 7 – Vancouver Airport Fuel Delivery Project Environmental Assessment Update

John Roston, 12262 Ewen Avenue, member of the Vancouver Airport Pipeline Opposition for Richmond (VAPOR) spoke in opposition to the Vancouver Airport Fuel Facilities Corporation (VAFFC) proposal that would result in tankers in the Fraser River. He encouraged the City to take a strong political and environmental stance regarding the matter, and suggested a publicity campaign aimed at the Minister of Environment and the Premier. Mr. Roston also spoke about the decline in passenger loads at YVR since 2008, and questioned the VAFFC's rationale in predicting future needs for jet fuel. Mr. Roston's submission is attached as **Schedule 1** and forms part of these minutes.

Item No. 7 – Vancouver Airport Fuel Delivery Project Environmental Assessment Update

Otter Langer and Barbara Huisman, members of VAPOR, congratulated the City for sending letters about the City's opposition to the Proposal, and expressed agreement with the previous speaker's thoughts on a publicity campaign, stating that organization of a higher level of protest was needed.

Mr. Langer submitted copies of several letters that have been sent by VAPOR to various stakeholders and government officials, attached as **Schedule 2**, and forming part of these minutes. Mr. Langer also submitted a 5500 name petition on a CD, as well as a DVD from VAPOR entitled *Jet Fuel Proposal Video*, (both the CD and DVD are on file, City Clerk's Office).

The delegation also stated that the City's position on "no new pipelines" may limit the City with regards to options, and expressed concerns about how the VAFFC has ignored the City's concerns related to fire safety, and the difficulties associated with getting media coverage outside of Richmond on the matter.



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Item No. 7 – Vancouver Airport Fuel Delivery Project Environmental Assessment Update

Carol Day, 11631 Seahurst Road, Chair, VAPOR, thanked City Council for its support regarding the VAFFC Proposal, and asked if the City was in a position to insist that Environment Canada conduct a more thorough technical and scientific study on the proposed Project. Ms. Day also asked Council to clarify its position on the Cherry Point option for the pipeline, and expressed concerns that VAPOR had not been advised by City staff that the matter was on the Council agenda, as she learned of it in the local newspaper. Ms. Day's submission is attached as **Schedule 3**, and forms part of these minutes.

A discussion ensued amongst members of Council and City staff about the alternative option of an extended pipeline from Cherry Point. Staff advised that this option was not on the table for the VAFFC to consider at this time, and since the City does not have jurisdiction over the pipeline or the Environmental Assessment (EA) process, the City can only continue to insist that the VAFFC put forward such an option, but it cannot compel the VAFFC to do so.

Discussion also took place about the complications related to the Cherry Point option, including cross-border jurisdiction, and the requirement of a Presidential permit. It was also noted that such an option would result in a longer pipeline, which would cross more communities and many streams which would raise further environmental concerns.

Staff further advised that the Cherry Point option was initially considered a viable option, however it was taken off the table prior to the start of the VAFFC process, and that Environment Canada has stated that further environmental study and assessment would require financial assistance from the VAFFC.



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Item No. 7 – Vancouver Airport Fuel Delivery Project Environmental Assessment Update; Item No. 15 – Farm Based Wineries – Possible Options for Zoning Regulation; Item No. 25 Application by Sanford Design Group for Agricultural Land Reserve Non Farm Use at 16880 Westminster Highway (Lulu Island Winery); Item No. 26 – Truck Parking on Properties on River Road East of No. 6 Road; Item No. 12 – Application by 0754999 BC Ltd. for Rezoning at 8800, 8820, 8840, 8880, 8900, 8920, 8940 and 8960 Patterson Road and 3240, 3260, 3280, 3320 and 3340 Sexsmith Road from Single Detached (RS1/F) to High Rise Apartment and Artist Residential Tenancy Studio Units (ZHR10) – Capstan Village (City Centre); and Item No. 13 – Application by Pinnacle International (Richmond) Plaza Inc. for Rezoning at 3391 and 3411 Sexsmith Road from “Single Detached (RS1/F)”, together with a Portion of Unopened City Lane on the North Side of Capstan Way between Sexsmith Road and No. 3 Road, to “Residential/Limited Commercial (RCL4)”

Michael Wolfe, 9731 Odlin Road, spoke to Item No. 7, and stated his belief that the City of Richmond should continue to oppose the Vancouver Airport Fuel Delivery (VAFD) Project, and discontinue its participation in the Environmental Assessment Office (EAO) process.

With regard to Item No. 15, Mr. Wolfe spoke in support of option two in the related report with some modifications, to include size limits to 750m<sup>2</sup>, as well as limits on retail space.

In speaking to Item No. 25, Mr. Wolfe stated that farmland is in the Agricultural Land Reserve (ALR) and is for food production. He expressed disagreement with making land use changes and recommendations to the Agricultural Land Commission (ALC), and suggested that the land should be used for some existing non-farm uses such as road side stands for produce, farm education, or a seed lending library rather than the proposal which would result in the land being used as a banquet hall.

With regard to Item No. 26, Mr. Wolfe stated that he agreed with option two in the related staff report to rescind the short-term action plan to prevent further rezoning. He also expressed his belief that the 2041 Official Community Plan (OCP) update requires a change related to the Metro Vancouver Industrial designation.



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In speaking to Item Nos. 12 and 13, related to the Capstan Village, Mr. Wolfe stated that the density bonuses will make the region unsustainable, and that the proposed recommendation commits the City to a less liveable community in the long-term. He also expressed concerns about the number of trees that would be cut down as part of the proposed development, and made reference to a letter from the Chair of the School Board regarding the School Board's inability to accommodate increased number of students.

- R12/1-4    4.    It was moved and seconded  
*That Committee rise and report (7:55 p.m.).*

**CARRIED**

**CONSENT AGENDA**

- R12/1-5    5.    It was moved and seconded  
*That Items 6 through 24 be adopted by general consent.*

**CARRIED**

**6.    COMMITTEE MINUTES**

*That the minutes of:*

- (1)    the General Purposes Committee meeting held on Monday, January 16, 2012;*
- (2)    the Planning Committee meeting held on Tuesday, January 17, 2012;*
- (3)    the Public Works & Transportation Committee meeting held on Wednesday, January 18, 2012; and*
- (4)    the Council/School Board Liaison Committee meeting held on Wednesday, January 18, 2012;*

*be received for information.*

**ADOPTED ON CONSENT**



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**7. VANCOUVER AIRPORT FUEL DELIVERY PROJECT – ENVIRONMENTAL ASSESSMENT UPDATE**

(File Ref. No.10-6600-06-01) (REDMS No. 3437242, 3426280, 3362233)

- (1) *That having reviewed the Vancouver Airport Fuel Delivery (VAFD) proposed Highway 99 Addendum pipeline route option, the City reiterate its position by stating that City Council continues to be opposed to the transportation of jet fuel on any arm of the Fraser River, and continues to support the expansion and upgrading of the existing Kinder Morgan Pipeline;*
- (2) *That the City continue to participate in the EAO and Oil and Gas Commission processes;*
- (3) *That the City engage with the provincial Ministry of Transportation on the review of issues related to the Highway 99 route proposal;*
- (4) *That letters be sent to Port Metro Vancouver requesting a meeting regarding the dangers related to tanker traffic on the Fraser River as well as the offloading and storage of jet fuel;*
- (5) *That staff be directed to enable correspondence reflecting citizen opinion, including mail and emails received, to be forwarded to the VAFFC, BCEAO, the Provincial Minister of Environment, and Port Metro Vancouver; and*
- (6) *That the Federal Minister of the Environment be advised that the City of Richmond insists that an environmental assessment be conducted by the federal government.*

**ADOPTED ON CONSENT**

**8. RICHMOND OLYMPIC OVAL – LEGACY CONVERSION UPDATE**

(File Ref. No. 06-2050-20-ROO/Vol 01) (REDMS No. 3451494)

*That the adjustment of the remaining legacy conversion projects and funding as outlined in the staff report entitled “Richmond Olympic Oval – Legacy Conversion Update” dated January 13, 2012, by the Director, Project Development, be approved.*

**ADOPTED ON CONSENT**





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**9.    APPLICATION BY HARPREET JOHAL FOR A REZONING AT  
10131 BRIDGEPORT ROAD FROM SINGLE DETACHED (RS1/D) TO  
COACH HOUSES (RCH)**

(File Ref. No. 12-8060-20-8836, XR: 08-4430-00, RZ 11-578325) (REDMS No. 3406432, 3409413, 280247, 3370153, 3260545)

- (1)    *That the following recommendation be forwarded to Public Hearing:***
- (a)    *Single-Family Lot Size Policy 5448 for the area bounded by Bridgeport Road on the south, River Drive on the north, Shell Road on the east and No. 4 Road on the west (Section 23-5-6), adopted by Council on September 16, 1991, be amended to permit:***
  - (b)    *Properties along Bridgeport Road between No. 4 Road and McKessock Avenue to rezone and subdivide in accordance with the provisions of Compact Single Detached (RC2) or Coach Houses (RCH) provided there is lane access (as shown on Attachment 3 to the report dated November 15, 2011 from the Director of Development); and***
- (2)    *That Bylaw No. 8836, for the rezoning of 10131 Bridgeport Road from "Single Detached (RS1/D)" to "Coach Houses (RCH)", be introduced and given first reading.***

**ADOPTED ON CONSENT**

**10.    APPLICATION BY RUMI MISTRY FOR REZONING AT 10380  
WILLIAMS ROAD FROM SINGLE DETACHED (RS1/E) TO  
COMPACT SINGLE DETACHED (RC2)**

(File Ref. No. 12-8060-20-8850, RZ 11-591646) (REDMS No. 3418237, 3419961)

***That Bylaw No.8850, for the rezoning of 10380 Williams Road from "Single Detached (RS1/E)" to "Compact Single Detached (RC2)", be introduced and given first reading.***

**ADOPTED ON CONSENT**



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11. **APPLICATION BY RANJIT POONI FOR REZONING AT 9271 FRANCIS ROAD FROM SINGLE DETACHED (RS1/C) TO COMPACT SINGLE DETACHED (RC2)**

(File Ref. No. 12-8060-20-8851, RZ 11-581922) (REDMS No. 3420594, 3430590)

*That Bylaw No.8851, for the rezoning of 9271 Francis Road from “Single Detached (RS1/C)” to “Compact Single Detached (RC2)”, be introduced and given first reading.*

**ADOPTED ON CONSENT**

12. **APPLICATION BY 0754999 BC LTD. FOR REZONING AT 8800, 8820, 8840, 8880, 8900, 8920, 8940 AND 8960 PATTERSON ROAD AND 3240, 3260, 3280, 3320 AND 3340 SEXSMITH ROAD FROM SINGLE DETACHED (RS1/F) TO HIGH RISE APARTMENT AND ARTIST RESIDENTIAL TENANCY STUDIO UNITS (ZHR10) – CAPSTAN VILLAGE (CITY CENTRE)**

(File Ref. No. 12-8060-20-8837/8838/8839/8840, RZ 06-349722) (REDMS No. 3433683, 3412510, 3412533, 3427268, 3428931, 3428196)

*(1) That Bylaw No. 8837, to amend the Richmond Official Community Plan, Schedule 2.10 (City Centre), to facilitate the implementation of a funding strategy for the construction of the future Capstan Canada Line station, by:*

*(a) Inserting in Section 4.0, density bonus policy applicable to developments that voluntarily contribute funds towards the construction of the Capstan Canada Line station and provide additional park, together with a definition for Capstan Station Bonus in Appendix 1;*

*(b) Inserting the Overlay Boundary – Capstan Station Bonus Map (2031) and inserting the Capstan Station Bonus Map boundary in the Generalized Land Use Map (2031), Specific Land Use Map: Capstan Village (2031), and reference maps throughout the Plan; and*

*(c) Making related Plan amendments providing for rezoning to proceed in Capstan Village on the basis of the Capstan Station Bonus density bonus policy;*

*be introduced and given first reading.*



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- (2) *That Bylaw No. 8838, to amend the Richmond Official Community Plan, as amended by Official Community Plan Amendment Bylaw No. 8837, to facilitate the construction of multiple-family residential and related uses on the subject site, by:*
- (a) *In Schedule 1, amending the existing land use designation in Attachment 1 (Generalized Land Use Map) to relocate “Public and Open Space Use” in respect to the subject site; and*
  - (b) *In Schedule 2.10 (City Centre), amending the existing land use designation in the Generalized Land Use Map (2031), Specific Land Use Map: Capstan Village (2031), and reference maps throughout the Plan to relocate park within the block bounded by Sexsmith Road, Sea Island Way, Garden City Road, and Capstan Way and designate the subject site as “Institution”, together with related minor map and text amendments;*
- be introduced and given first reading.*
- (3) *That Bylaw No. 8837 and Bylaw No. 8838, having been considered in conjunction with:*
- (a) *the City’s Financial Plan and Capital Program; and*
  - (b) *the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;*
- are hereby deemed to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act.*
- (4) *That Bylaw No. 8837 and Bylaw No. 8838, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, be referred to the:*
- (a) *Vancouver International Airport Authority; and*
  - (b) *Board of Education, School District No. 38 (Richmond);*
- (5) *That Bylaw No. 8839, to amend the Richmond Zoning Bylaw No. 8500, to facilitate the implementation of a funding strategy for the construction of the future Capstan Canada Line station, by:*
- (a) *Inserting Section 5.19, Capstan Station Specific Use Regulations, in respect to developer contributions to the Capstan station reserve, and related text amendments; and*



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*(b) Inserting "RCL4" and "RCL5" in the "Residential/Limited Commercial (RCL)" zone to provide for a density bonus that would be used for rezoning applications in the Capstan Station Bonus Map area designated by the City Centre Area Plan to achieve City objectives in respect to the Capstan Canada Line station;*

*be introduced and given first reading.*

*(6) That Bylaw No. 8840, to amend the Richmond Zoning Bylaw No. 8500 as amended by Zoning Amendment Bylaw No. 8839, to create "High Rise Apartment and Artist Residential Tenancy Studio Units (ZHR10) – Capstan Village (City Centre)" and for the rezoning of 8800, 8820, 8840, 8880, 8900, 8920, 8940, and 8960 Patterson Road and 3240, 3260, 3280, 3320, and 3340 Sexsmith Road from "Single Detached (RS1/F)" to "High Rise Apartment and Artist Residential Tenancy Studio Units (ZHR10) – Capstan Village (City Centre)", be introduced and given first reading.*

**ADOPTED ON CONSENT**

**13. APPLICATION BY PINNACLE INTERNATIONAL (RICHMOND) PLAZA INC. FOR REZONING AT 3391 AND 3411 SEXSMITH ROAD FROM "SINGLE DETACHED (RS1/F)", TOGETHER WITH A PORTION OF UNOPENED CITY LANE ON THE NORTH SIDE OF CAPSTAN WAY BETWEEN SEXSMITH ROAD AND NO. 3 ROAD, TO "RESIDENTIAL/LIMITED COMMERCIAL (RCL4)"**

(File Ref. No. 12-8060-20-8841/8842 RZ No. 10-544729 No.3414179, 3412538, 3408434)

*(1) That Bylaw No. 8841, to amend the Richmond Official Community Plan, as amended by Official Community Plan Amendment Bylaw No. 8837, to facilitate the construction of multiple-family residential and related uses on the subject site, by:*

*(a) In Schedule 1, amending the existing land use designation in Attachment 1 (Generalized Land Use Map) to relocate "Public and Open Space Use" in the area bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road; and*



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- (b) *In Schedule 2.10 (City Centre), amending the existing land use designation in the Generalized Land Use Map (2031), Specific Land Use Map: Capstan Village (2031), and reference maps throughout the Plan to relocate areas designated for park and road purposes within the block bounded by Capstan Way, No. 3 Road, Sea Island Way, and Sexsmith Road, together with related minor map and text amendments;*
- be introduced and given first reading.*
- (2) *That Bylaw No. 8841, having been considered in conjunction with:*
- (a) *the City's Financial Plan and Capital Program; and*
- (b) *the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans;*
- is hereby deemed to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act.*
- (3) *That Bylaw No. 8841, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, be referred to the:*
- (a) *Vancouver International Airport Authority; and*
- (b) *Board of Education, School District No. 38 (Richmond);*
- for comment on or before Public Hearing on February 20, 2012 on OCP Amendment Bylaw No. 8841.*
- (4) *That Bylaw No. 8842, to rezone 3391 and 3411 Sexsmith Road from "Single Detached (RS1/F)", together with a portion of unopened City lane on the north side of Capstan Way between Sexsmith Road and No. 3 Road, to "Residential/Limited Commercial (RCL4)", as amended by Zoning Amendment Bylaw No. 8839, be introduced and given first reading.*
- (5) *That Road Closure and Removal of Road Dedication Bylaw 8845 (Portion of Road Adjacent to 3391 Sexsmith Road) be introduced and given 1st, 2nd and 3rd readings;*
- (6) *That the required notice of road closure and disposition of the closed road be advertised prior to final adoption;*



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- (7) *That staff be authorized to file a certifying statement executed by the Corporate Officer at Land Title Office cancelling the right of resumption in the closed road pursuant to the Resumption of Highways Regulation;*
- (8) *That staff be authorized to take all necessary steps to raise title to the closed road portion and transfer such area of ±2,702 square feet (±251 square metres) to Pinnacle International (Richmond) Plaza Inc. or their designate ("Pinnacle") for \$350,000;*
- (9) *That the sale of 3391 Sexsmith Road of ±22,238 square feet (±2,066 square metres) to Pinnacle for \$2,890,000 be approved; and*
- (10) *That staff be authorized to take all necessary steps to complete all matters detailed herein including authorizing the Chief Administrative Officer and the General Manager, Business and Financial Services to negotiate and execute all documentation required to effect the transactions, including executing all required Land Title Office documentation."*

**ADOPTED ON CONSENT**

14. **APPLICATION BY ORIS DEVELOPMENT (KAWAKI) CORP. FOR AN OCP AMENDMENT TO LONDON/PRINCESS SUB AREA PLAN AND FOR REZONING AT 6160 LONDON ROAD AND 13100, 13120, 13140, 13160 AND 13200 NO. 2 ROAD FROM "LIGHT INDUSTRIAL (IL)" TO "COMMERCIAL/MIXED USE (ZMU20) – LONDON LANDING (STEVESTON)" AND "SCHOOL & INSTITUTIONAL (SI)"**  
(File Ref. No. 12-8060-20-8817/8818, RZ 09-466062) (REDMS No. 3448508, 3300784, 3248548, 3450092)

- (1) *That Bylaw No. 8817, to redesignate 13100, 13120 and 3140 No. 2 Road from "Use to be Determined" and "Public Open Space" to "Mixed-Use", and to redesignate the southern portion of 6160 London Road from "Mixed-Use" to "Public Open Space" in the London/Princess Land Use Map in Schedule 2.4 of the Official Community Plan Bylaw 7100 (Steveston Area Plan), be introduced and given first reading;*
- (2) *That Bylaw No. 8817, having been considered in conjunction with:*
  - (a) *the City's Financial Plan and Capital Program; and*



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- (b) *the Greater Vancouver Regional District Solid Waste and Liquid Waste Management Plans*  
*is hereby deemed to be consistent with said program and plans, in accordance with Section 882(3)(a) of the Local Government Act;*
- (3) *That Bylaw No. 8817, having been considered in accordance with OCP Bylaw Preparation Consultation Policy 5043, is hereby deemed not to require further consultation;*
- (4) *That Bylaw No. 8818, to create "Commercial/Mixed-Use (ZMU20) – London Landing (Steveston)" and for the rezoning of 13100, 13120 and 13140 No. 2 Road and the northern portion of 6160 London Road, from "Light Industrial (IL)" to "Commercial/Mixed Use (ZMU20) – London Landing (Steveston)", and for the rezoning of 13160, 13200 No. 2 Road and southern portion of 6160 London Road from "Light Industrial (IL)" to "School & Institutional (SI)" be introduced and given first reading; and*
- (5) *That staff be directed to take the required steps to redesignate that portion of FREMP Management Unit II-29 approximately between the western property boundary of 6240 Dyke Road and the western boundary of No. 2 Road within the FREMP-Richmond Area Designation Agreement from "Icw" (Industrial-Conservation-Water Oriented Residential/Commercial) to "Rcw"(Recreation/Park-Conservation-Water Oriented Residential/Commercial); and.*
- (6) *That the net funds from the land transactions be transferred to an account which would be specifically intended for Arts, Culture and Heritage capital purposes.*

**ADOPTED ON CONSENT**

**15. FARM BASED WINERIES – POSSIBLE OPTIONS FOR ZONING REGULATION**

(File Ref. No. XR: 08-4430-03-08; 12-8060-20-8860) (REDMS No. 3434333, 3434382)

*That Bylaw No. 8860, to amend the definition of "farm-based winery" and to include specific use regulations limiting their size, be introduced and given first reading.*

**ADOPTED ON CONSENT**



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**16. HAMILTON AREA PLAN – COMMITTEE UPDATE #1 –  
CLARIFIED TERMS OF REFERENCE, WORK PLAN AND  
TIMELINE**

(File Ref. No. 08-4045-20-14) (REDMS No. 3438210, 3440040)

*That the staff report dated January 4, 2012 from the General Manager, Planning and Development, entitled: “Hamilton Area Plan – Committee Update #1 – Clarified Terms of Reference, Work Plan and Timeline” be approved to guide the Hamilton Area Plan Update process.*

**ADOPTED ON CONSENT**

**17. RICHMOND COMMUNITY SERVICES ADVISORY COMMITTEE  
2011 ANNUAL REPORT AND 2012 WORK PROGRAM**

(File Ref. No. 01-0100-20-RCSA1-01) (REDMS No. 3433597)

*That, as per the General Manager of Community Services’ report dated December 16, 2011, entitled “Richmond Community Services Advisory Committee 2011 Annual Report and 2012 Work Program”, the Richmond Community Services Advisory Committee’s 2011 Work Program be approved, with thanks.*

**ADOPTED ON CONSENT**

**18. CHILD CARE DEVELOPMENT ADVISORY COMMITTEE 2011  
ANNUAL REPORT AND 2012 WORK PROGRAM**

(File Ref. No. 01-0100-20-CCDE1-01) (REDMS No. 3428025, 3426324)

*That, as per the General Manager of Community Services’ report dated December 13, 2011, “Child Care Development Advisory Committee: 2011 Annual Report and 2012 Work Program”, the Child Care Development Advisory Committee 2012 Work Program be approved, with thanks.*

**ADOPTED ON CONSENT**

**19. RICHMOND SENIORS ADVISORY COMMITTEE 2011 ANNUAL  
REPORT AND 2012 WORK PROGRAM**

(File Ref. No. 01-0100-20-SADV1-01) (REDMS No. 3430457, 3398481)

*That, as per the General Manager of Community Services report dated December 13, 2011, “Richmond Seniors Advisory Committee 2011 Annual Report and 2012 Work Program”, the Richmond Seniors Advisory Committee’s 2012 Work Program be approved, with thanks.*

**ADOPTED ON CONSENT**





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**20. 2011 ANNUAL REPORT AND 2012 WORK PROGRAM:  
RICHMOND INTERCULTURAL ADVISORY COMMITTEE**

(File Ref. No. 01-0100-20-RIAD1-01) (REDMS No. 3418924, 3392816)

*That, as per the General Manager, Community Services report dated January 3, 2012 entitled "2011 Annual Report and 2012 Work Program: Richmond Intercultural Advisory Committee", the Richmond Intercultural Advisory Committee 2011 Annual Report and 2012 Work Program (Attachment 1) be approved, with thanks.*

**ADOPTED ON CONSENT**

**21. FUEL PURCHASES AGREEMENT – BC PETROLEUM PRODUCTS  
BUYING GROUP**

(File Ref. No. 03-1000-02-055) (REDMS No. 3424005)

*(1) That the City participate in the BC Petroleum Products Buying Group fuel purchases contract with Chevron Canada Ltd., commencing December 14, 2011 for a three-year period, with the option to renew for two additional one year periods, to a maximum of five years; and*

*(2) That staff review the School District's policy on biofuels and report back on the feasibility of a similar policy for the City of Richmond.*

**ADOPTED ON CONSENT**

**22. ADVANCE CAPITAL BUDGET APPROVAL – 2012 LULU WEST  
WATERWORKS AREA (WILLIAMS ROAD)**

(File Ref. No. 10-6050-01, XR: 10-6340-20-P.11404) (REDMS No. 3438433)

*That 2012 Capital Project Submission 4719 (Lulu West Waterworks Area) as detailed in Attachment 1 of the staff report dated January 5, 2012 from the Director, Engineering be approved for expenditure and commencement of work.*

**ADOPTED ON CONSENT**



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**23. RICHMOND COMMUNITY CYCLING COMMITTEE -- PROPOSED 2012 INITIATIVES**

(File Ref. No. 01-0100-20-RCYC1/2012) (REDMS No. 3414787)

- (1) That the proposed 2012 initiatives of the Richmond Community Cycling Committee regarding cycling-related engineering and education activities, as described in the report from the Director, Transportation, be endorsed, with thanks;*
- (2) That a copy of the report from the Director, Transportation entitled "Richmond Community Cycling Committee - Proposed 2012 Initiatives" be provided to the Council School Board Liaison Committee and Vancouver Coastal Health for information; and*
- (3) That staff examine the possibility of expanding the Richmond Community Cycling Committee beyond bicycling.*

**ADOPTED ON CONSENT**

**24. TRAFFIC SAFETY ADVISORY COMMITTEE -- PROPOSED 2012 INITIATIVES**

(File Ref. No. 01-0100-20-TSAD1-01) (REDMS No. 3410268)

- (1) That the proposed 2012 initiatives for the Traffic Safety Advisory Committee, as outlined in the report from the Director, Transportation, be endorsed, with thanks; and*
- (2) That a copy of the above report be forwarded to the Richmond Council-School Board Liaison Committee for information.*

**ADOPTED ON CONSENT**



Regular Council Meeting  
Monday, January 23, 2012

RES NO. ITEM

NON-CONSENT AGENDA ITEMS

PLANNING COMMITTEE –  
Councillor Bill McNulty, Chair

25. **APPLICATION BY SANFORD DESIGN GROUP FOR AGRICULTURAL LAND RESERVE NON FARM USE AT 16880 WESTMINSTER HIGHWAY (LULU ISLAND WINERY)**  
(File Ref. No.; AG 11-579881) (REDMS No. 3434363)

R12/1-6

It was moved and seconded

*That:*

- (1) *authorization for Sanford Design Group, on behalf of Lulu Island Winery, to apply to the Agricultural Land Commission for a non-farm use for the purposes of developing a food and beverage service lounge as an accessory use to the existing farm-based winery facility at 16880 Westminster Highway be granted;*
- (2) *Richmond City Council recommend to the Agricultural Land Commission for the registration of a legal agreement on title that prohibits use of the proposed accessory food and beverage service lounge and existing farm-based winery facility as a banquet hall or stand-alone event hosting venue as part of the Agricultural Land Commission's review of the non-farm use application; and*
- (3) *Lulu Island Winery undertake consultation with neighbouring properties regarding the food and beverage service lounge proposal and the findings be reported out to Richmond City Council prior to advancing the non-farm use application to the Agricultural Land Commission.*

**CARRIED**  
OPPOSED: Cllr. Steves



**Regular Council Meeting**  
**Monday, January 23, 2012**

RES NO.    ITEM

**26. TRUCK PARKING ON PROPERTIES ON RIVER ROAD EAST OF  
NO. 6 ROAD**

(File Ref. No. 08-4040-01) (REDMS No. 3434401, 2303774, 1999636)

R12/1-7

It was moved and seconded

***That:***

- (1) the "Interim Truck Parking Action Plan" (Interim Action Plan), as amended by Council in February 2008, be continued until the end of 2012 to allow for consideration of further rezoning applications for commercial vehicle parking and storage within the plan area in the 16000 Block of River Road;***
- (2) a daily traffic count be undertaken over two (2) one-week periods on No. 7 Road (between Bridgeport Road and River Road) and on River Road (East of Nelson Road) in 2012 either by the City or by future applicants' consultants, to the satisfaction of City staff, as part of rezoning applications that facilitate commercial vehicle parking and storage within the Plan Area;***
- (3) staff report back to Planning Committee with an update on such daily traffic count trends by the end of 2012 to consider the option of amending the Interim Action Plan to allow only commercial outdoor storage and not commercial vehicle parking in the short term, depending upon the City's review of traffic counts in 2012;***
- (4) the existing 1999 OCP "Business and Industry" designation and policies allowing for a range of long-term intensive industrial uses for the 16000 block of River Road as well as the agri-industrial uses set out in the Long-Term Action Plan be considered for inclusion in the proposed, updated OCP; and***
- (5) the City send a letter to Port Metro Vancouver regarding the shortage of truck parking in the City of Richmond, inquiring about opportunities for truck parking on Port land.***

**CARRIED**

**OPPOSED: Cllrs. Steves**



**Regular Council Meeting**  
**Monday, January 23, 2012**

RES NO.    ITEM

**COUNCIL/SCHOOL BOARD LIAISON COMMITTEE –**  
Councillor Linda Barnes, Chair

**27. RICHMOND EARTH DAY YOUTH SUMMIT 2012 (READY SUMMIT)**

(File Ref. No. 11-7400-20-EART1) (REDMS No. 3445519, 3445521)

R12/1-8

It was moved and seconded

*That the City endorse and continue working with the Board of Education for the development of the Richmond Earth Day Youth Summit 2012 (REaDY Summit) program.*

**CARRIED**

**28. NEIGHBOURHOOD LEARNING CENTRE STAFFING AND POLICY**

(File Ref. No. 0100-20-CSBL1-01) (REDMS No.)

R12/1-9

It was moved and seconded

*That City staff work with School Board staff on ideas for the operation of the Neighbourhood Learning Centre.*

**CARRIED**

**29. LONG RANGE FACILITIES PLAN**

(File Ref. No. 01-0100-20-CSBL1-01) (REDMS No.)

R12/1-10

It was moved and seconded

*(1) That the Steveston Secondary lands issue be referred to the Planning Committee; and*

*(2) That the Richmond School District Long-Range Facilities Plan be referred to the Planning Committee.*

**CARRIED**



**Regular Council Meeting  
Monday, January 23, 2012**

RES NO.    ITEM

**ANNOUNCEMENT OF APPOINTMENTS TO ADVISORY  
COMMITTEES**

• **Richmond Economic Advisory Committee**

*Two-year term:*

- *Michael Priest;*
- *Parm Sandhu;*
- *Kristi Searle;*
- *Tom Corsie;*
- *Debbi-Jo Matias;*
- *Bruce Rozenhart; and*
- *Ray Segat; and*

*Sheila Luft is appointed as EAC Chair for the year 2012.*

**ANNOUNCEMENT OF ROAD NAMING**

**ROAD NAMING**

*That the name "Pearson Way" be selected for the new road located in Sections 5 and 6, Block 4 North, Range 6 West (as requested by the owners, Oval 8 Holdings Ltd.).*



**Regular Council Meeting  
Monday, January 23, 2012**

RES NO.    ITEM

**BYLAWS FOR ADOPTION**

R12/1-11

It was moved and seconded

*That the following bylaws be adopted:*

*Vehicle for Hire Regulation Bylaw No. 6900, Amendment Bylaw No. 8801*

*Notice of Bylaw Violation Dispute Adjudication Bylaw No. 8122,  
Amendment Bylaw No. 8802*

*Richmond Zoning Bylaw No. 8500, Amendment Bylaw No. 8699  
(7900 Bennett Road, RZ 10-521539)*

**CARRIED**

**DEVELOPMENT PERMIT PANEL**

R12/1-12

30. It was moved and seconded

*(1) That the minutes of the Development Permit Panel meeting held on  
Wednesday, December 14, 2011 and Wednesday, January 11, 2012,  
and the Chair's report for the Development Permit Panel meetings  
held on January 11, 2012, November 30, 2011, July 27, 2011, and  
July 13, 2011, be received for information; and*

*(2) That the recommendations of the Panel to authorize the issuance of:*

*(a) a Development Permit (DP 10-545704) for the property at 7900  
Bennett Road; and*

*(b) a Development Permit (DP 10-538908) for the property at 8851  
Heather Street;*

*be endorsed, and the Permits so issued.*

**CARRIED**



**Regular Council Meeting  
Monday, January 23, 2012**

RES NO.    ITEM

**ADJOURNMENT**

R12/1-13            It was moved and seconded  
*That the meeting adjourn (9:41 p.m.).*

**CARRIED**

Certified a true and correct copy of the  
Minutes of the Regular Meeting of the  
Council of the City of Richmond held on  
Monday, January 23, 2012.

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Mayor (Malcolm D. Brodie)

---

Corporate Officer (David Weber)



**Submission on the VAFFC Jet Fuel Transport Issue from John Roston,  
12262 Ewen Ave., to Richmond City Council, January 23, 2012.**

1. The EAO process will just say yes or no to the VAFFC preferred option of tankers on the Fraser. It will not decide that another particular option is superior. While an excellent job has been done of filing objections to tankers on the Fraser, there is a danger that it will be approved on the basis of being better than the other available options. The best outcome from the EAO process would be a rejection of the VAFFC proposal (Option 1) on the basis that other options deserve much more thorough investigation than has been done to date. Achieving this outcome requires making it a political decision as much as an EAO one. The City's commendable participation in the EAO process must be accompanied by a publicity campaign aimed at the BC Premier and the BC Minister of the Environment. If the City isn't able to get the Vancouver newspapers to do major articles on the issue then full page ads may be required.
2. The publicity campaign must make the case that at least one other option has the potential to be superior. It also has to be shown that there is time for a proper investigation of other options, contrary to the VAFFC assertion that time is very short and there will be a critical shortage of jet fuel in 2013.
3. The future rate of increase in the demand for jet fuel is a matter of speculation and will almost certainly be less than the rate shown on the VAFFC chart [figure 2.3.2] "Historic and Forecast Daily Peak Fuel Consumption at YVR." It shows a historic high in 2000 and lower consumption in the following years 2001-2009 with the demand both rising and falling from year to year and then suddenly only rising steadily as it heads into the future. This is based on a YVR chart [figure 2.3.3] showing future passenger projections with a similar straight line rising steadily into the future. In fact, passenger levels have historically shown a rising and falling pattern with 16.8 million passengers in 2010 [YVR 2010 Annual Report], down from a peak of 17.9 million in 2008, despite the Olympics. It's unlikely that even a steady 2% annual increase in passengers would result in much more fuel being required in 2013 than was required in 2008. Occasional peak demand can be met with additional fuel trucks from Cherry Point.
4. The point has to be made forcefully that Option 3 (upgraded Trans Mountain pipeline from Burnaby), and perhaps Option 8 (pipeline from Cherry Point), deserve much more thorough investigation than has been done to date. The U.S. Pipeline and Hazardous Materials Safety Administration in its *Report on the State of the National Pipeline Infrastructure* states, "It is far safer to ship these products [gas and hazardous liquids] through a pipeline than it is to ship it by truck, train, boat, or any other mode of transportation." [p.4]
5. Most major North American airports have their jet fuel delivered by pipeline. This includes those like YVR located close to an ocean where there are similar options for transporting jet fuel by land or by sea – e.g. New York's JFK and Seattle's Sea-Tac. JFK's jet fuel is delivered through a 64 km pipeline from Linden, New Jersey, that passes through the New York boroughs of Staten Island, Brooklyn and Queens. Sea-Tac's jet fuel is delivered through an approximately 160 km pipeline (the Olympic Pipeline) from the same BP Cherry Point refinery that provides jet fuel for YVR. The Olympic Pipeline is 65% owned by the Canadian company Enbridge.
6. While the various VAFFC documents and studies refer to many expert consultants, the list doesn't appear to include anyone from Trans Mountain or Enbridge, the companies with the most experience shipping jet fuel in our region.

**V.A.P.O.R**



**VAPOR BC**

[www.vaporbc.com](http://www.vaporbc.com)

11631 Seahurst Road, Richmond, BC, V7A 4K1

Phone: 604 240-1986

Fax: 604 271-5535

Email: <[vaporgroup1@gmail.com](mailto:vaporgroup1@gmail.com)>

**VAFFC Airlines (see Distribution List):**

January 23, 2012

Dear Mr. Chief Executive Officer:

Schedule 2 to the minutes of the Regular Council meeting held on Monday, January 23, 2012

**Re: Need for Airlines to Address Opposition to VAFFC Jet Fuel Delivery Proposal.**

VAPOR was formed as a citizens group to oppose your Vancouver Airport Fuel Facilities Corporation's (VAFFC) proposal to transport toxic and flammable jet fuel to YVR by means of barges and Panamax tankers into the Fraser River Estuary. The barges and tankers would enter the main South Arm of this globally significant river and estuary and at a point upstream of a navigation bottleneck (i.e., Massey Tunnel) off load that fuel into a marine terminal and store it in 80 million liter capacity tank farm near the river before pumping it across Richmond by means of a pipeline to YVR. Many citizens were initially upset when they saw the less than thoughtfully planned route could go through residential neighborhoods.

The majority of citizens in the Fraser Valley soon realized that they should be much more concerned about the overall proposal in that it was a high level threat to the river and its vast fish and wildlife resources and supporting habitats. It appears that VAFFC has little corporate memory in that in 1988 a properly constituted Federal Environmental Assessment Review Office (FEARO) panel reviewed and rejected a similar proposal by VAFFC to barge jet fuel into North Arm of the river due to its hazards to the river, its estuary and its abundant fish and wildlife populations. Now you have submitted a proposal that is probably several fold more threatening to the river and has been voluntarily submitted for a voluntary review to the BC Environmental Assessment Office (BC EAO). Despite your claims of an exhaustive review by the BC EAO, your wishful claims are simply not supported by the facts.

The BC EAO has been roundly criticized by many in that it expedites such project approvals and has a notorious record of not refusing projects and does little to enforce conditions related to its approvals. This may favor your objectives but it does absolutely nothing to address public concerns and does not provide an acceptable plan in a realistic time frame to secure a safe and secure supply of fuel for YVR.

As part owner of VAFFC you must be aware of the great difficulty VAPOR has had in contacting Mr. Pollard of VAFFC and getting any response to our letters to him. Why has VAFFC and the airlines gone out of the way to discredit and refuse to study a more reliable pipeline only fuel supply system options from the areas two refineries that now supply 100% of your needs and will serve best your future fuel needs and best protect the environment, property and public safety.

We are disappointed when we review the environmental policies of the airlines and see how they are largely ignored by the design of this jet fuel supply proposal. Do the environment and the public concerns not deserve at least equal consideration as the apparent airline agenda to have a fully controlled and a cheaper supply of jet fuel? Despite the fact that you attempted such in 1988 and failed to get approval

and did little over the past two decades to properly address a long term solution that is environmentally friendly and secure jet fuel supply system that has minimum regrets in case of an accident

We are especially upset about the lack of leadership shown by VAFFC. VAFFC initially submitted an outrageous proposal that would create maximum opposition the citizens of Richmond and then had to 'suspend' the proposal for over eight months to put in a relatively unchanged proposal that does absolutely nothing to address the major issues most upsetting the public, i.e., the shipping, unloading and storage of toxic and flammable jet fuel in the Fraser River Estuary.

The environment, property and public safety and your customers shouldn't be the victims of your failure to plan responsibly over the long term. We also feel Transport Canada and the Airport Authority have also been negligent in planning a world class airport and then providing a totally inadequate consideration for a safe, secure and environmentally friendly jet fuel supply for YVR.

The City of Richmond, home of YVR and many airline industry workers officially oppose what you are trying to do. First Nations are very concerned and Environment Canada has taken the position that:

***"The project would present a new and unacceptable risk to the locally, nationally and internationally-important fish and wildlife populations of the Fraser River Estuary, including migratory birds and species at risk..." and "Environment Canada is of the opinion that there is a limited ability with currently available technologies to effectively control a potential Jet-A fuel spill in the Fraser river Estuary" (EC to BC EAO August 8, 2011).***

Doesn't this position mean anything to the airlines or do you feel the questionable and inadequate harmonized and junior BC EAO and Port Metro Vancouver environmental screening review process you have selected will rubber stamp your proposal adequately so that the public will accept it?

Over 5500 individuals have signed a legal Petition opposing you in the jet fuel transport option using the Fraser River Estuary. This petition has been presented to the BC Legislative Assembly and will be soon be presented into the House of Commons. In addition, a legal Environmental Petition has been registered with the Auditor General of Canada objecting to how the review of this project has been handled. We look for leadership in your industry that should be on the cutting edge of technology and environmental responsibility and safety.

We wrote letters to all airlines in the past. Only a few of the bigger airlines responded. It appears that your responses were cookie cutter letters and you steadfastly maintained that the transport of toxic and flammable jet fuel in Panamax tankers into the Fraser River is safe and secure. That is simply not supported by the views of many experts including those in Environment Canada, local government, VAPOR and the citizens of this region.

It is respectfully requested that you again examine what your jet fuel corporation, VAFFC, has done to tarnish your airlines' image, the image of YVR and to cause such great opposition to your proposal from the majority of citizens in the Vancouver area.

We urge you to withdraw the present proposal including the Addendum and again ask you to set a responsible example – simply show environmental leadership by maintaining your present supply of fuel from the Chevron refinery by an existing pipeline and building a new pipeline some short 75 km from the ARCO refinery at Ferndale to YVR. You have already planned to build the first 15km of that pipeline. Both the Westridge and the Cherry Point facilities have large tanker docks with offloading facilities that can allow VAFFC to import jet fuel during the 60 year life of the project. These options are much more preferable over that proposed by VAFFC including the Addendum. Although the initial cost may be higher, the manpower and the cost to run a pipeline is much more economical in the long run and being on North American soil it is the safer and the most secure source of jet fuel in uncertain times.

We look forward to a early and more environmentally positive response which minimizes any regrets in the event of an accident than what we have received in the past.

Sincerely yours

Carol Day, Chair VAPOR

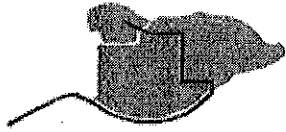
Otto Langer, BSc MSc, Fisheries Biologist, Vice-Chair VAPOR

Jim Ronback, BAsC, PEng (retired), Systems Safety Engineer, VAPOR Director

VAFFC DISTRIBUTION LIST: Air Canada, WestJet, KLM, British Airways, Air China, Lufthansa, JAL, QUANTAS, US Airways, Cathay Pacific, Continental Airlines, Delta Airlines, Eva Air, Air North, Air Transat, Alaska Airlines, Cargojet Canada,

Copy to: Transport Canada, DFO, Environment Canada, BC MOE, YVR, First Nations, ENGOs, BC EAO, CEAA , Richmond, Delta, Vancouver, West Vancouver, North Vancouver, Dist. of North Vancouver, Burnaby, Port Moody, New Westminster, Surrey, White Rock, TV, Radio and Newspapers.

V.A.P.O.R



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Mr. Randy Kamp

MP for Maple Ridge BC

Parliament Buildings

Ottawa, Ontario.

January 18, 2012

Dear Mr. Kemp and BC Vancouver Area Conservative Caucus Members:

**Re: Opposition to Proposal to Ship Jet Fuel Into the Fraser River.**

On September 8, 2011 I wrote a letter to you with a copy to your Vancouver area Conservative caucus and to key government Ministers. The letter concerns the Vancouver Airport Fuel Facilities Corporation to transport Panamax sized tankers of toxic and flammable jet fuel into the Fraser River and unload it there, store up to 80 million litres in storage tanks and then pump it across Richmond in a pipeline. Our original to you is attached. You did note that you would get back to me. The letter is now some five months old and I have received little response back from you or any of your fellow MPs or Cabinet members other than Ms. Wong and Ms. Findlay noting that they could not take a position on that matter at this time.

This project has received no leadership in terms of accountability to the public and the environment and above all its improperly delegated review has again undermined the environmental assessment process of the Federal government. The only paper opposition this high risk and threat to our environment, property and public safety has received is one letter from a junior Environment Canada official to the junior BC voluntary review process. That official on August 8, 2011 advised the BC EAO that:

***“ The project would present a new and unacceptable risk to the locally, nationally and internationally-important fish and wildlife populations of the Fraser River Estuary, including migratory birds and species at risk...” and “Environment Canada is of the opinion that there is a limited ability with currently available technologies to effectively control a potential Jet-A fuel spill in the Fraser river Estuary”.***

This project is of special concern in that it poses a great threat to the property along the river, public safety and above all, as noted by the EC officer, is a great threat to the globally

significant fish and wildlife populations of the Fraser River and its estuary. In 1988 the VAFFC proposed a similar but smaller proposal of this sort and in 1989 a properly constituted Federal Government review rejected the proposal. Why in 2012 has the Harper government allowed this much larger project come back and expose the Fraser River to an even greater threat than the 1988 proposal?

Above all, why in 2011 -2012 is this new greater threat not being properly reviewed by the federal CEAA process in that this project is on Federal land (the terminal), supplies fuel to a Federal airport, is in a Federal harbour, in a river and associated ocean approaches governed by Federal navigation and pilotage laws and above all is in a sensitive ecosystem that has Federally protected fish and wildlife resources and critical habitat in it?

The citizens of the Vancouver area are largely against this project in that there is an excellent alternative fuel supply system for YVR that VAFFC has consistently refused to consider in that they are blindly pushing along a terrible proposal just so they can have a facility that will give them 100% ownership of the local fuel delivery infrastructure.

5500 Vancouver area citizens have signed a petition against tis project. This petition has been accepted by the Victoria Legislature and is to be presented to the House of Commons by MP Fin Donnelly. We asked Mr. Donnelly to present it to the House in that we received no interest from within your caucus to do this.. First Nations are extremely concerned and the City of Richmond, home toYVR and many in the airline industry has officially opposed any jet fuel transport anywhere into the Fraser River i.e. on September 12, 2011, Richmond City Council unanimously passed a motion that Council ***"is opposed to the transportation of jet fuel on any arm of the Fraser River"***.

In this matter the pipeline option from Ferndale and from Burnaby or a combination of the two is a win - win option. Why would the Federal Government not take the leadership to show VAFFC and all voters in the Vancouver area that this government cares about the environment. We are not a group of green radicals or obstructionists as your Prime Minister has unfortunately described other environmentally concerned organizations. We support a safe and stable jet fuel supply system for YVR and this can only be delivered by means of a pipeline(s).

A copy of a recent press release and updated project backgrounder is attached for your information. It is most urgent that you look into this issue and provide your ministries with the environmental leadership that is sadly lacking in this matter. I look forward to a more positive response than we have received to date.

Sincerely yours:

Carol Day

Otto Langer

Copied to John Cummins, Min of Envir., Transport Canada, DFO and the PMO.

Copies: the media



Letter to: Lower Fraser River First Nations (see Distribution List):

January 17, 2012

Dear Chiefs and Band Members:

**Re: Opposition to Jet Fuel Delivery into the Fraser River and its Estuary.**

VAPOR is a Lower Fraser River citizens group formed to oppose the proposal by the Vancouver Airport Fuel Facilities Corporation (VAFFC) to ship giant quantities of toxic and highly flammable jet fuel into the Fraser River and its estuary, build an off loading terminal upstream of the Massey Tunnel and then store up to 80 Million liters of this fuel in storage tanks on the banks of the Fraser River and then transport it across Richmond to the Vancouver International Airport (YVR) by means of a new pipeline.

VAPOR does not oppose YVR and their airlines from having a safe and secure source of fuel for their aircraft to serve business and the public. We are however totally opposed to the above mentioned plan in that it poses a great risk and threat to the Fraser River, its estuary, its abundance of fish and wildlife and to property and public safety. VAPOR is joined in this opposition to the proposal by the City of Richmond. We commend the city for being concerned about public safety and our natural environment and the future of the Fraser River and its wildlife and its fishery. We know First Nations value that resource as much if not more than any other group. Jet fuel transport in the Fraser river is a real threat to those resources and can be avoided.

VAPOR has always advocated a safer option – the delivery of jet fuel to YVR from the two existing refineries via land based pipelines from the Chevron Refinery in Burnaby (pipeline now exists) and the construction of a new pipeline to the ARCO refinery in Washington State that now supplies 60% of the fuel (via trucks and barges) used at YVR by about 28 different airlines. The ARCO pipeline would only require a short 60km extension from what VAFFC has now proposed. By pipeline standards, this is a very short pipeline and is by far the safest from a safety and environmental point of view.

VAPOR has recently issued a press release on the latest developments related to this poorly thought out proposal and we attach it along with a backgrounder for your information. We respectfully ask that your First Nation and /or Band join the City of Richmond and VAPOR in asking the proponents and key government agencies to reject the present proposal and opt for an environmentally friendly option (ie a pipeline based jet fuel supply system from ARCO and Chevron Refineries) to supply YVR.





We feel that any letters to the BC EAO, the Cities of Richmond and Burnaby, and the BC Minister of Environment and the Department of Fisheries and Oceans and Environment Canada and Port Metro Vancouver would promote a rational and common sense plan to supply fuel to YVR. Any letters to the major airlines would also be very helpful. A list of suggested contacts is attached.

VAPOR is most agreeable to appear in your offices on your lands to discuss this matter further. Your dedication and concern for our future generations and the future of the fish and wildlife resources in the Fraser River and its estuary is fully appreciated.

Sincerely yours,

Carol Day Chair

Otto Langer Co Chair

**Suggested Contacts:**

**BC EA Office** <eaoinfo@gov.bc.ca>

**BC Minister of Environment:** Terry Lake <env.minister@gov.bc.ca>

**Minster of Department of Fisheries and Oceans:** Keith Ashfield <minister@dfo-mpo.gc.ca>

**Minister of Environment Canada:** Peter Kent <minister@ec.gc.ca>

**Metro Port Vancouver:** <juergen.baumann@vfpc.ca>

**Cities: Richmond:** <MayorandCouncillors@richmond.ca> **Surrey:** <mayor@surrey.ca>

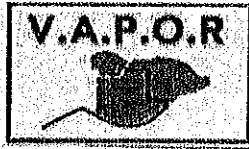
**Vancouver:** <MayorandCouncillors@vancouver.ca> **Burnaby** <mayor.corrigan@burnaby.ca>

**Delta:** <mayor-council@corp.delta.bc.ca>

**Airlines:** Lufthansa, Air Canada, Westjet, Air China, Japan Airlines, KLM, Korean Airlines (see attached contact list)

Vancouver Airport Fuel Facilities Corporation: <info@vancouverairportfuel.ca>

**Distribution List:** Tsawwassen First Nation, Musqueam First Nation, Cowichan Alliance, Semiahmoo First Nation, Kwantlan First Nation, Sto:lo First Nation



Mr. Scott Vaughan  
Commissioner of the Environment and Sustainable Development  
Office of the Auditor General of Canada  
Attention: Environmental Petitions  
240 Sparks Street  
Ottawa, Ontario, K1A 0G6

November 22, 2011

Dear Commissioner Vaughan:

**Re: Environmental Petition to the Commissioner of the Environment and Sustainable Development of Canada**

The following is our petition to your office as per the provisions in Section 22 of the *Auditor General Act of Canada*. I trust that the nature and subject matter in this petition meets your criteria for acceptance.

**1.0. Contact Information:**

Carol Day - Chair of VAPOR  
11631 Seahurst Road, Richmond, B.C., V7A 4K1  
phone: 604 240-1986  
email: [carol@catsigns.ca](mailto:carol@catsigns.ca)

Otto Langer - Co-Chair of VAPOR  
6911 Dunsany Place, Richmond, B.C., V7C 4N8  
phone: (604) 274 7655  
email: [ottolanger@telus.net](mailto:ottolanger@telus.net)

**2.0. Names and Addresses of Petitioners:**

Carol Day - Chair of VAPOR  
11631 Seahurst Road, Richmond, B.C., V7A 3H6

Otto Langer - Co-Chair of VAPOR  
6911 Dunsany Place, Richmond, B.C., V7C 4N8



### **3.0. Title of the Petition:**

**Roles of Environment Canada (EC), Department of Fisheries and Oceans (DFO) and Transport Canada (TC) and the Federal Environmental Assessment and Review Office (FEARO) and Port Metro Vancouver (PMV) in the Environmental Review of the Proposal by a Vancouver International Airport jet fuel delivery corporation to ship toxic and flammable jet fuel into the Fraser River Estuary to supply the Vancouver International Airport (YVR).**

### **4.0. Name of Group Submitting this Petition:**

**VAPOR** (Originally called Vancouver Airport Pipeline Opposition Richmond but is now referred to as "VAPOR"). The directing members of VAPOR are listed in Appendix 4. VAPOR is a citizen's group organized to oppose the shipping and handling of jet fuel anywhere in the Fraser River Estuary where it will pose a threat to the environment, property and public safety.

### **5.0. Background Information:**

In 2008 the Vancouver International Airport jet fuel delivery corporation (herein called the 'jet fuel delivery corporation') made a voluntary application to the British Columbia Environmental Assessment Office (BC EAO) for their voluntary review of a proposal to ship very toxic and flammable jet fuel (Appendix 5) into the Fraser River Estuary and up the main, i.e., South Arm of the Fraser River to a point upstream of the George Massey Tunnel whereby the fuel barges and large Panamax tankers would unload the fuel into a marine terminal and then pump the fuel into six large storage tanks (80 million liters) to be constructed on the north bank of the South Arm of the Fraser River. The original proposal then calls for a pipeline to be built across City of Richmond farmlands, roads and residential neighborhoods to deliver the jet fuel some 15 km to the Vancouver International Airport (YVR).

VAPOR is a citizens' group formed to assess the proposal as made public by the BC EAO in 2011. VAPOR members respectfully submit this petition to the Environmental Commissioner of the Office of the Auditor General of Canada in that we believe the federal government of Canada has abdicated its responsibilities and has allowed the jet fuel delivery corporation to voluntarily allow the BC EAO to voluntarily assess the proposal in harmony with the Port Metro Vancouver (PMV) despite the fact that this seems to create a conflict of interest in that PMV will lease land and have other jurisdictional and business relationships with the fuel delivery corporation.

Also the *British Columbia Environmental Assessment Act* is not empowered to review and enforce standards against federal agencies with federal responsibilities such as that related to the many fish, wildlife, habitat, shipping and navigation laws under federal mandate. Also the BC EAO and its operations have been criticized for not doing a full and proper job of evaluating and fulfilling its mandate to achieve its own stated environmental conditions as documented by the British Columbia Auditor General's Office<sup>7</sup> study of 2011 and the study by the University of Victoria Law Centre<sup>8</sup> in 2010. The public has little faith or trust in the BC EAO and associated environmental review process that it has initiated for this project. The BC EAO, as the leader in the harmonized process, has undertaken very limited public consultation and has an apparent record of facilitating development as a primary goal over the protection of the environment.

The purpose of this petition is to inquire why the federal government seems to have allowed such a development to be proposed without proper federal *Canadian Environmental Assessment Act* (CEAA) review and above all allow delegation of federal responsibilities to the Port Canada organization and the British Columbia Environmental Review Office. This improper de facto delegation to PMV and the BC EAO appears to fetter the influence and authority of the federal government and that is not in the public interest.

VAPOR and our supporters are very concerned about why in 2011 have the federal government allowed federally mandated and sanctioned facilities or activities that can harm environmental conservation provisions under federal jurisdiction to proceed as they have under the guidance of a British Columbia Environmental Assessment Office (BC EAO) led environmental review process. This can very well undermine key federal legislation and international agreements and thereby harm Canada's often stated priorities of conservation and sustainability. Further, why has the interpretation and application of our

conservation and environmental assessment needs been so diluted so as to not represent the present public interest and the needs and options of future generations?

## **6.0. The Petition Questions and Requests:**

**Whereas**, the Canadian Heritage Fraser River and the Fraser River Estuary lies within the globally significant Pacific migratory bird fly-way (Reference 1) and in that only 11% of the wetlands of the Estuary have survived human activity (Reference 2), this critical remnant habitat must be given maximum protection;

**Whereas**, Boundary Bay, Roberts Bank, Sturgeon Bank (Fraser River Estuary) wetlands qualify or are RAMSAR sites and much of the estuary is a Wildlife Management Area and the area downstream and adjacent to the jet fuel delivery project is home to the Reifel Migratory Bird Sanctuary and the Alaksen National Wildlife Area;

**Whereas**, the Fraser Estuary is vital to the survival of Pacific salmon and being the world's largest salmon river it also provides essential habitat for endangered sturgeon and over 70 other fish species (Reference 3);

**Whereas**, the proposed fuel delivery corporation's proposal is to ship barges and Panamax tankers containing toxic and flammable jet fuel into the Fraser River and its estuary, construct a terminal along the Fraser River in an area prone to floods and severe shaking and liquefaction during earthquakes and a similar application to build such by VAFFC was rejected in 1989 due to its threat to the estuary (Reference 4);

**Whereas**, the jet fuel delivery corporation has stated high frequencies of jet fuel spillage into the Fraser River during normal transfer of fuel at the proposed marine terminal and the immediate upstream and extensive downstream areas have many sensitive fishery and wildlife habitats and is home to many riverside residential, recreational and commercial areas (Reference 5);

**Whereas**, spilled jet fuel is highly toxic, persistent and spreads quickly over water it would have a great negative impact on the Fraser River, its fish and wildlife and the many sensitive habitats including the very large marshes and mudflats in the Steveston and Ladner areas and on Roberts and Sturgeon's Banks and in the North Arm Musqueam Marshes (Reference 6 and Appendix 5);

**Whereas**, dense residential areas and a recreational complex are located just 350 meters downstream from the tankers docked at the proposed jet fuel terminal and tank farm during a spill, explosion or fire the resultant aftermath could drift into that area causing an impact to human life and their enjoyment of life;

**Whereas**, pipelines exist or could be built to existing refineries in BC and Washington State, thus eliminating the need for marine shipping on the Fraser, these safer and smaller carbon footprint alternatives need to be thoroughly explored;

**Whereas**, global warming must now be addressed and with the need to reduce fossil fuel consumption, the future of our environment and future generations of our children must receive consideration;

**Whereas**, a proposal by the jet fuel delivery corporation applied for approval in 1988 to barge fuel up the North Arm of the Fraser River and that was rejected by a proper Federal Environmental Assessment and Review Office (FEARO) Public Panel review in 1989 (Reference 4);

**Whereas**, on August 17, 2011 Environment Canada (letter to B.C. Environmental Assessment Office<sup>9</sup>) have taken the technical position; *"The Project would present a new and unacceptable risk to the locally, nationally and internationally important fish and wildlife populations of the Fraser River Estuary including migratory birds and species at risk"*;

**Whereas**, over 5500 citizens in the Lower Fraser region have signed a petition opposing the jet fuel corporation proposal to ship toxic and flammable jet fuel into the Fraser Estuary, unload it and store it on the banks of the Fraser River and build a pipeline through residential areas (Appendix 1 and 2),

**We therefore petition the Department of Fisheries and Oceans (DFO), Environment Canada (EC including FEARO) and Transport Canada (TC – including Ports Canada and Port Metro Vancouver) to respond to the following questions:**

- (1) Why has Canada not developed the guidelines, rules or regulations on the application of the *Canadian Environmental Assessment Act (CEAA)* to include a large proposal such as the construction of a marine terminal and a jet fuel storage complex on the banks of the Fraser River which is to accommodate weekly jet fuel transport in barges and Panamax tankers into the Fraser River and Estuary for unloading and storage considering that in 1988 the then federal Environmental Assessment and Review Process (EARP - the CEAA predecessor) did conduct a Public Panel Review of a much smaller such proposal by the same proponent and rejected it as too great a threat to the estuary (Reference 4 and Appendix 3)?**
- (2) Why in 2010- 2011 would Canada not have the screening guidelines or law list triggers or adequate regulations in place and take the lead and demonstrate proactive stewardship in protecting Canada's key habitat areas and fish and wildlife resources by conducting a proper CEAA led Public Panel Review of the much larger and high risk 2011 fuel delivery corporation's proposal in the same manner they did for the much smaller 1988-1989 jet fuel delivery corporation's fuel transport project?**
- (3) Why in 2011 would the federal government with a large mandate to protect the estuary and its biological resources, navigation and public safety allow statutory provisions of their mandates and resources to be assessed by a more junior level of government (British Columbia) using their less than satisfactory *British Columbia Environmental Assessment Act* and the B.C. Environmental Assessment Office and processes and why would Canada allow that to be undertaken with the local Port Metro Vancouver in a harmonized assessment? Has all federal legal due diligence been addressed in this arrangement as to enforcement of conditions and any fettering of federal powers?**
- (4) Why has the federal government delegated the authority to conduct environmental reviews to Transport Canada (i.e., Ports Canada and Port Metro Vancouver) in that those agencies have a mandate to develop ports and shipping business? How can TC and their port agencies properly and in an unbiased manner, free of any apparent or real conflict of interest be delegated the authority to evaluate environmental impacts of their own decisions or relating to their property and financial gain when they do not have a legitimate mandate to deliver on or administer the various environmental protection provisions found in federal environmental legislation (i.e., *Fisheries Act, Migratory Birds Convention Act, Species at Risk Act and the Canadian Environmental Protection Act*)? How has that delegation ensured an unbiased environmental review process?**
- (5) Further to 4) above, why has Canada (e.g., EC, DFO and the FEARO) allowed the delegation of the *Canadian Environmental Assessment Act* to Port Metro Vancouver (Ports Canada) for the review of any project in the Port Metro Vancouver area of the Fraser River Estuary or environs where they will financially benefit from the approval of the project and thereby introduces a great concern for bias and a real conflict of interest? Will this conflict of interest be addressed and if so, how and when?**
- (6) Why has DFO, EC, and TC not put into place proactive policies to not allow the bulk transporting and handling of highly toxic and flammable jet fuel or any other such toxic and very flammable bulk commodity anywhere in the Fraser River Estuary or the building of any new jet fuel storage facilities beside or near the river or estuarine shoreline?**
- (7) Why has EC, DFO and TC not called upon the management of the jet fuel delivery corporation, Vancouver International Airport (YVR) and the airlines operating out of YVR to adopt the option of a safer pipeline delivery of jet fuel to Vancouver International Airport from US and Canadian jet fuel refineries and locate any new pipeline away from residential and environmentally-sensitive areas and abandon the high risk proposal of shipping jet fuel directly into the Fraser River Estuary**

by barges and Panamax tankers? Why has DFO and EC slipped into the role of advisors to another subordinate process than taking a lead in protecting habitat in a direct manner as required by the intent of the legislation that they administer and are responsible for implementing?

- (8) Why has Transport Canada not used their good offices to foster a integrated plan to allow the environmentally safer delivery of toxic and flammable jet fuel to a major Pacific coast federally regulated international airport that is under their jurisdiction (i.e. the Vancouver International Airport) so as to meet the demands of the airport and of the various Federal environmental and navigational and shipping laws applicable to protect the interests of the public and all Canadians?
- (9) Why is Transport Canada (and Port Metro Vancouver) and possibly FEARO not subject to the rules that require DFO and EC to legally respond to this petition and provide the public with transparency and a rationale for this omission in federal environmental openness and responsibility? Why would any federal agency with any ability to do environmental harm and/or assessments be excused from such public inquiry as to their actions? It is also requested that DFO and EC respond to this question.

## **7.0. Summary and Signatures:**

We look forward to a prompt response to this very important issue relating to the conservation of one of the world's globally significant estuaries with its wealth of fish and wildlife resources and safety of property and human life.

**We hereby submit this petition to the Auditor General of Canada under section 22 of the *Auditor General Act*.**

VAPOR Chairpersons (signed on November 22, 2011);

Carol Day, VAPOR Chair, Richmond – Business owner and community activist.

Otto Langer, VAPOR Co-Chair, Richmond – Retired fisheries biologist and aquatic ecologist

## 8.0. References:

1. Butler, R.W., and R.W. Campbell. 1987, The birds of the Fraser River delta; populations, ecology and international significance, Occasional Paper No. 65, Canadian Wildlife Service, Delta, BC.
2. Langer, O.E., Hietkamp, F., and Farrell, M., 1996, Human Population Growth and the Sustainability of Urban Salmonid Streams in the Lower Fraser Valley, AFS Conf. April 26-30\96. Victoria, B.C., pages 349 – 362 in "Sustainable Fisheries Management: Pacific Salmon", Lewis Publishers, New York. 724pp.
3. Northcote, T.G., and Larkin, P.A., 1989, The Fraser River: A major salmonine production system, pages 172-204 in D.P. Dodge, editor, Proceedings of the International Large River Symposium, Canadian Special Publication of Fisheries Aquatic Sciences. Number 106, DFO, Ottawa, Ontario.
4. FEARO, 1989, Sea Island Fuel Barge Facility - Federal Environmental Assessment Review Office, Report of the Environmental Assessment Panel, No. 33, March 1989, Vancouver, B.C.
5. VAFFC 2011, Environmental Assessment Certificate Application for the Vancouver Airport Fuel Delivery Project prepared for the Vancouver Airport Fuel Facilities Corporation by Hatch Ltd., February 15, 2011, Executive Summary.
6. Langer, O.E., 2011, Vancouver Airport Fuel Delivery Project, Brief to the British Columbia Environmental Assessment Office, April 26, 2011, Richmond, B.C.
7. Sydor, M., W. Schmitz, A. Haret and T. Wood. 2011. An Audit of the Environmental Assessment Office's Oversight of the Certified Projects. Office of the Auditor General of British Columbia. Rpt. 4, July 2011 Victoria, B.C. 25 pages.
8. Haddock, M. 2010. Environmental Assessment in British Columbia. Environmental Law Centre, University of Victoria, Faculty of Law. Nov. 2010, Victoria, B.C. 82 pages.
9. Parker, N. 2011. Environmental Assessment of the Proposed Vancouver airport Fuel Delivery Project – Environment Canada Comments on Supplements and July 2011 Issues Tracking Table. Environment Canada, Vancouver, B.C. 10 pages.

## 9.0. Listing of Appendices:

**Appendix 1.** Public petition form signed by 5500 citizens.

**Appendix 2.** Copy of the scanned-in 5500 public petitions as signed by 5500 citizens (to be handled as private information as specified by federal government law and OAG privacy policies).

**Appendix 3.** Copy of the Media Back Grounder of November 8, 2011.

**Appendix 4.** Directors of VAPOR

**Appendix 5.** Brief by Otto Langer to the BC Environmental Assessment Office, Vancouver Airport Fuel Delivery Project, Victoria, BC, April 2011.

**Appendix 6.** Open letter from the Boundary Bay Conservation Committee in support of this Environmental Petition, November 8, 2011.



**Open Letter to:**

**November 8, 2011**

- **Prime Minister Stephen Harper**
- **Ministers of Fisheries and Oceans Canada, Environment Canada and Transport Canada**
- **Members of Parliament**

**Re: Proposal By the Vancouver Airport Fuel Facilities Corp. (VAFFC)  
to Ship Jet Fuel into the Fraser River Estuary.**

VAPOR is a Vancouver area grass root citizens' group formed to oppose a fuel delivery proposal by the airlines at the Vancouver International Airport (YVR). The proposal is to ship large quantities of toxic and flammable jet fuel into the Fraser River Estuary on barges and Panamax tankers and up the Fraser River and there unload it at a marine terminal. There it will be stored in a large tank farm on the banks of the river and then piped across Richmond to the airport.

This proposal poses a great risk to the Fraser River Estuary, its abundant fish and wildlife populations and their habitats. It will also endanger property and human safety along the river. Yet the proposal is not being assessed by the Federal FEARO process. Instead a voluntary environmental assessment is being done by the Province of BC in harmony with Port Metro Vancouver (PMV). This is unacceptable since vast responsibilities rest with the federal government and PMV has a conflict of interest in that it will lease land to VAFFC and benefit from the proposal. When FEARO reviewed a similar proposal from VAFFC in 1989, it was rejected because of the high environmental risk to the Fraser River Estuary.

VAPOR has documented the need and identified alternative options for a more environmentally friendly and safer way of getting jet fuel to YVR i.e. by using pipelines from the Chevron Refinery in Burnaby and the ARCO Refinery in Ferndale Wash. State – the two sources of 100% of YVR's present jet fuel supply.

VAPOR has presented its concerns to the airlines, the federal and provincial governments and received little positive feedback. The City of Richmond (home of the airport/fuel shipping proposal) is totally opposed to the VAFFC proposal. We have accordingly prepared a petition for the public to review and sign. About 5500 citizens of the Fraser Valley and Canada have signed this petition opposing the VAFFC proposal and the BC Environmental Assessment Office's "voluntary" assessment.





We respectfully submit three volumes of petitions for your review and request action to protect the very productive and fragile Fraser River and its estuary from the high risk of transporting jet fuel into this globally significant habitat area and better protect property and public safety from any toxic and flammable jet fuel spills and delivery mishaps. Petition Volume One also includes a series of letters received from a number of groups including an Environment Canada technical staff letter. The attached letters support the position or concerns VAPOR has taken against the VAFFC proposal. They are from:

1. Garden City Lands Coalition Society;
2. Wreck Beach Preservation Society;
3. Environment Canada, Environmental Protection Operations, Environmental Stewardship Branch Pacific and Yukon;
4. Dogwood Initiative;
5. David Suzuki Foundation;
6. Waterstone Pier Strata BCS 1965;
7. The Federation of Canadian Naturists;
8. Pacific Spirit Park Society;
9. Naturist Action Committee;
10. Save the Fraser, Gathering of Nations, 'Save the Fraser Declaration'.

We look forward to your consideration of this VAPOR initiative and urge you to protect the Fraser River Estuary for future generations of fish, wildlife and Canadians.

**Sincerely yours,**

**Carol Day - VAPOR Chair**

**Otto E. Langer - VAPOR Co-Chair**

**Attachments:**

- 10 letters of support
- Three volumes of petitions.



**Open Letter to:**

**November 18, 2011**

- **Premier Christy Clark**
- **Ministers of Environment; Energy and Mines; Forests, Lands and Natural Resources; Public Safety and Solicitor General**
- **Members of the Legislative Assembly**

**Re: Proposal By the Vancouver Airport Fuel Facilities Corp. (VAFFC)  
to Ship Jet Fuel into the Fraser River Estuary.**

VAPOR is a Vancouver area grass root citizens' group formed to oppose a fuel delivery proposal by the airlines at the Vancouver International Airport (YVR). The proposal is to ship large quantities of toxic and flammable jet fuel into the Fraser River Estuary on barges and Panamax tankers and up the Fraser River and there unload it at a marine terminal. There it will be stored in a large tank farm on the banks of the river and then piped across Richmond to the airport.

This proposal poses a great risk to the Fraser River Estuary, its abundant fish and wildlife populations and their habitats. It will also endanger property and human safety along the river. Yet the proposal is not being assessed by the Federal FEARO process. Instead a voluntary environmental assessment is being done by the Province of BC in harmony with Port Metro Vancouver (PMV). This is unacceptable since vast responsibilities rest with the federal government and PMV has a conflict of interest in that it will lease land to VAFFC and benefit from the proposal. When FEARO reviewed a similar proposal from VAFFC in 1989, it was rejected because of the high environmental risk to the Fraser River Estuary.

VAPOR has documented the need and identified alternative options for a more environmentally friendly and safer way of getting jet fuel to YVR i.e. by using pipelines from the Chevron Refinery in Burnaby and the ARCO Refinery in Ferndale Wash. State - the two sources of 100% of YVR's present jet fuel supply.

VAPOR has presented its concerns to the airlines, the federal and provincial governments and received little positive feedback. The City of Richmond (home of the airport/fuel shipping proposal) is totally opposed to the VAFFC proposal. We have accordingly prepared a petition for the public to review and sign. About 5500 citizens of the Fraser Valley and Canada have signed this petition opposing the VAFFC proposal and the BC Environmental Assessment Office's "voluntary" assessment.



We respectfully submit three volumes of petitions for your review and request action to protect the very productive and fragile Fraser River and its estuary from the high risk of transporting jet fuel into this globally significant habitat area and better protect property and public safety from any toxic and flammable jet fuel spills and delivery mishaps. Petition Volume One also includes a series of letters received from a number of groups including an Environment Canada technical staff letter. The attached letters support the position or concerns VAPOR has taken against the VAFFC proposal. They are from:

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5. David Suzuki Foundation;
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7. The Federation of Canadian Naturists;
8. Pacific Spirit Park Society;
9. Naturist Action Committee;
10. Save the Fraser, Gathering of Nations, 'Save the Fraser Declaration'.

We look forward to your consideration of this VAPOR initiative and urge you to protect the Fraser River Estuary for future generations of fish, wildlife and Canadians.

**Sincerely yours,**

**Carol Day - VAPOR Chair**

**Otto E. Langer - VAPOR Co-Chair**

Attachments:

- 10 letters of support
- Three volumes of petitions.



## VAPOR PRESS RELEASE

January 9, 2012

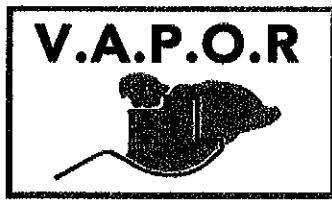
VAPOR has learned that the Vancouver Airport Fuel Facilities Corporation (VAFFC) has recently submitted an addendum to the BC Environmental Assessment Office for review. The public has been given from January 11 to February 1, 2012 to comment on this amendment. The proposal was to ship large quantities of toxic and flammable jet fuel to the Vancouver International Airport (YVR) on barges and large Panamax tankers into the Fraser River and its estuary, build an offloading terminal upstream of the Massey Tunnel and store up to 80 million litres of jet fuel in a large tank farm on the banks of the estuary near the Riverport recreational and the Riverside condominium projects. They then are to deliver the jet fuel in a 15 km pipeline across Richmond through farmland and residential neighbourhoods to YVR.

VAFFC has given in to endless public objections to one part of this overall poorly thought out proposal and now wants to amend their application. **The addendum submitted by VAFFC is only for the option of relocating and installing the pipeline along Hwy 99 to avoid it going through residential areas of Richmond** They now say this is their preferred choice but without relinquishing any other unacceptable options through Richmond.

**All the other highly unacceptable aspects of their proposal such as the frequent oil tanker traffic to an offloading terminal and storage in a tank farm which poses a great risk to the Fraser River and its estuary, the large populations of fish and wildlife and property and public safety has been left unmodified.** This is most unfortunate.

VAPOR is extremely disappointed with this inadequate amendment which does not eliminate jet fuel tanker traffic on the Fraser River still results in a totally unacceptable proposal. We again ask where is the leadership in Air Canada, Westjet, Air China, KLM and Lufthansa and over 20 other airlines at YVR that own the fuel corporation. Why would they ignore their own environmental policies and stubbornly refuse to accept that the transporting and handling of giant quantities of toxic and flammable jet fuel via giant tankers in the Fraser River is highly hazardous to public safety and where a major incident such as a collision, explosion, fire, or spill can endanger human life and irrevocably damage and pollute the fragile environment and the human habitat along the Fraser River estuary and its shores for decades to come?

We are also disappointed that the Federal government including Environment Canada, Department of Fisheries and Oceans, Transport Canada and the Vancouver Port Authority have shown poor environmental leadership and that has allowed this dangerous proposal with



risks of very high consequence to public safety and the environment during its 60 year life to reach this stage in that it affects major federal mandates including the fishery, wildlife, ship transport, navigation, river pilotage and a federal airport and harbour. Why has this project been the subject of a voluntary environmental review by the BC Environmental Assessment Office when a similar proposal by the same fuel corporation some 22 years ago was rejected by a properly constituted federal environmental review process?

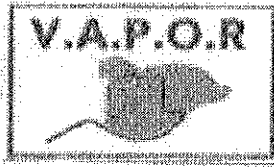
VAPOR will now step up its campaign to have the Cities of Vancouver, West Vancouver, North Vancouver, Burnaby and Surrey join the City of Richmond in opposing this most hazardous project with unacceptable risks to public safety and the environment... Also VAPOR has had Viki Huntington, a Delta independent MLA, present a VAPOR petition of over 5500 names to the BC Legislative Assembly opposing this project. Also Fin Donnelly, the NDP MP from New Westminster will be presenting this brief to the House of Commons in Ottawa.

VAPOR is very disappointed in the lack of political leadership by the BC Liberals and the Federal Conservatives in allowing this dangerous proposal to reach this stage especially when safer and more environmentally friendly options are available. We continue to advocate a more secure and environmentally friendly and safer option to deliver fuel to YVR. It is strongly recommended that the airlines direct their fuel corporation, VAFFC, to maintain fuel supplies from the Burnaby Chevron refinery by means of an existing pipeline and the rest of their jet fuel that they now get from the ARCO Ferndale refinery in Washington State be now transported to YVR by a pipeline from that refinery directly to YVR.

The above option would eliminate all present and future fuel transport on barges and tankers into the Fraser River and Burrard Inlet and be much safer and cheaper to operate over the long term. The public and local governments and First nations are encouraged to ally themselves with VAPOR to push for an environmentally responsible Vancouver International Airport and its client airlines that are supplied by a safer, more environmentally friendly and secure pipeline only based system of delivering fuel to YVR. VAFFC is now willing to build a pipeline across Richmond along Highway 99. We simply ask that they now extend that pipeline to Ferndale for another short 60 km to achieve a best solution for everyone involved.

**For more information – see attached backgrounder and please contact:**

**Richmond: Carol Day VAPOR Chair 604 240-1986**  
**Otto Langer Co-Chair 604 274-7655**  
**Delta: James Ronback 604 948-1589**  
**Fraser Valley: Judy Williams 604 856-9598**



## **VAPOR Media Backgrounder**

**Richmond, B.C. -----January 8, 2012.**

**Re: VAFFC Amends Jet Fuel Delivery Proposal to YVR but only amends the option of relocating the pipeline along Highway 99 to avoid Richmond residential areas. All other highly unacceptable risks to the Fraser River and estuary have remained unchanged.**

In April 2011 a group of citizens met to form VAPOR. It was a spontaneous ad hoc grass roots group of citizens from the Lower Fraser Valley. They are opposed to the Vancouver Airport Fuel Facilities Corporation (VAFFC) proposal to ship large quantities of toxic and flammable jet fuel in barges and Panamax tankers into the Fraser River Estuary and the river's South Arm to a point upstream of the George Massey Tunnel. Here they proposed the building of a marine terminal to unload the fuel and store it in a large tank farm on the banks of the estuary. To make matters worse, VAFFC then proposed to build a pipeline through Richmond residential neighborhoods to deliver the fuel to Vancouver International Airport (YVR).

Despite a recent Addendum to the original VAFFC application, the proposal continues to pose a great risk to the rich fish and wildlife populations, their habitat, recreation, navigation, property and public safety in the Fraser River Estuary. VAPOR has mobilized a great deal of interest in this matter and the inappropriate and unsatisfactory manner in which its environmental and social impact reviews are being conducted by the Federal and Provincial governments. Issues of great concerns and a project update include:

- VAFFC made a smaller but similar proposal in 1988 and that was registered with the Federal Environmental Review Process (FEARO) and a Public Panel held hearings and the proposal was rejected in 1989 due to the threat such transport and terminal would pose to the globally significant Fraser River Estuary and its rich fish and wildlife resources.
- The environmental review legislation has been so watered down since 1988 that VAFFC was not legally required to do any public review of this project. VAFFC applied for a voluntary review by the BC Environmental Assessment Office (BC EAO) and that was accepted by EAO.
- EAO has 'harmonized' its voluntary review with Port Metro Vancouver (PMV) with the Province taking the lead. This provincially led review attempted to

conduct a rush review and limited the public to two minute presentations in the spring of 2011 and the public and local government had to demand an extension in the comment period to allow for the submission of written comments to EAO. Further the BC EAO refuses to consider more environmentally friendly alternatives in their assessment in that they will only evaluate one option.

- Despite that the period of public comment was terminated, the BC EAO has continued to work with select parties and VAFFC on possible other options to the proposal to address the many public criticisms. The expedited EA process has been put into indefinite suspension while VAFFC reconsiders what it can better do to address public complaints.
- While the VAFFC proposal is in suspension, VAFFC indicated that they want to now examine the options of shipping more fuel via Burrard Inlet to YVR via barges and pipeline or revisit their 1988 proposal of barging fuel up the North Arm of the Fraser River to YVR – the proposal that was rejected by the Federal Government in 1989.
- **Despite the confusion caused by VAFFC and exactly what they are proposing, they have just re-activated their project review with the BC EAO and on January 4, 2012 the BC EAO notified the public that an addendum (amendment) has been submitted and the public has from January 11 until February 1, 2012 to comment on it. The amendment is ONLY for the option of relocating and installing the pipeline along Highway 99 to avoid Richmond residential areas. However VAFFC has stated that they will not relinquish their other options though Richmond farmlands and neighbourhoods. VAFFC had earlier rejected this highway option in that it would interfere with highway expansion.**
- **Further to the Highway 99 Addendum, all the other highly unacceptable aspects of this proposal such as the frequent oil tanker traffic to an offloading terminal and storage in a tank farm which poses a great risk to the Fraser River and its estuary, the large populations of fish and wildlife and property and public safety has been left unmodified. This continued disregard for the Fraser River and estuary is truly most unfortunate.**
- VAPOR has contacted the three most directly affected municipalities (Richmond, Delta and Vancouver) to elevate their level of concern of such a high risk development in the Fraser River Estuary. Richmond has shown the greatest leadership by strongly coming out against any jet fuel transport anywhere into the Fraser River.
- VAPOR has written letters to Air Canada, Westjet, KLM, Lufthansa and the 20 or more other airlines that own VAFFC and to date VAPOR has only received limited responses and all have followed the same cookie cutter response. Despite the rejection of their Fraser Estuary option in 1989 the airlines see no real concern

despite the fact that what they have proposed is contrary to their stated environmental policies designed to protect the environment.

- The VAFFC proposal indeed admits that repeated jet fuel spills will occur into the Fraser estuary during the operation of the facilities over the next several decades but they feel this is of little concern in that the solution to pollution is simply Fraser River dilution and atmospheric evaporation. They indeed have proposed to simply flush spills out into the Fraser River as a key part of spill mitigation.
- The irony of this proposal is that the BC led EA harmonized review with Port Metro Vancouver is at odds with government mandates, the public trust and public interest. This is a proposal to deliver fuel to a Federal airport, via a Federal waterway under Federal rules of pilotage and navigation, in a Federal port, involving Federally protected fish and wildlife resources and their habitats yet the Federal government sees no strong need to take a direct and lead role in the assessment of this proposal. This totally contradicts what the Federal Government did in 1989.
- VAPOR asks the Federal Government to again show proactive leadership and remind VAFFC of their 1989 jet fuel river transport proposal rejection and advise them to quit wasting taxpayer resources and avoid causing a great risk to the estuary, its life and people and their property and direct the airlines and VAFFC to develop an environmentally friendly solution to address airport fuel needs.
- As part of the above, VAPOR strongly feels that the best solution to deliver fuel to YVR is by a pipeline(s) from the refinery sources (Chevron Burnaby and ARCO- Ferndale) directly to YVR. This would eliminate all present and future jet fuel transport into the Fraser River Estuary and Burrard Inlet for supplying YVR.
- Air Canada has indicated that a local pipeline from the ARCO Ferndale refinery is risky due to homeland security concerns, too expensive and has to cross too many jurisdictions. To use this as an excuse is truly unfortunate. In North America we have thousands of miles of pipelines crossing hundreds of jurisdictions including Canadian pipelines that deliver oil to the USA on a continuous basis. The operation of pipeline(s) to supply jet fuel to airports is widely practiced in North America as the most reliable way to deliver fuel. Also a pipeline is much easier and more economic to operate than daily shipping from various North American and overseas sources of fuel including that from South East Asia. Although VAFFC wants to import jet fuel from SE Asia, the crude oil has to be shipped to SE Asia for refining and then shipped about 15,000 km to YVR. It is near non-comprehensible how that can be a more secure source of fuel in times of turmoil.
- VAPOR is of the firm belief that the present BC EA process as harmonized with Metro Vancouver Port is not in the public interest in that the BC EA process has been documented to be incomplete and inadequate by the BC Auditor General and the University of Victoria Law Centre reports.



- VAPOR strongly feels that Canada has abdicated its responsibility by allowing the MVP to work with the Province to conduct an EA of a project that affects their own jurisdiction related to port development and financial gain i.e. PMV is in a conflict of interest.
- VAPOR continues to demand accountability in the environmental review process and above all demand that the Federal Government provide the leadership required to protect the many resources and jurisdictions that is largely under their constitutional mandate as related to this proposal.
- VAPOR also asks that the many airlines including Air Canada, Westjet, Lufthansa and KLM show greater environmental leadership and live up to the spirit of their environmental policies and not just use them as window dressing as they propose a project that poses an unacceptable risk to the Fraser River Estuary, its rich natural life, property and the safety of local residents.

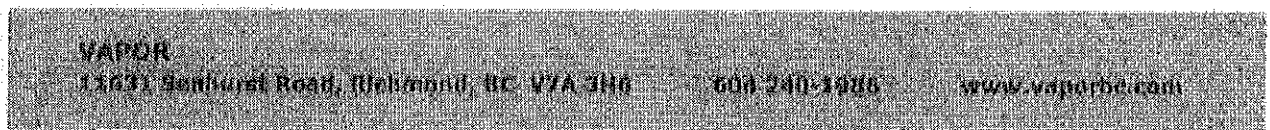
To this end VAPOR has registered a legal petition to the Commissioner of the Environment and Sustainable Development of the Office of the Auditor General of Canada. We are questioning why Canada and their agencies (DFO, DOE, TC, PMV and CEAA) have allowed this project to unfold as it has and to explain their less than proactive approach and their apparent abdication of direct EA and environmental stewardship responsibilities as expected from their legal mandates.

The concerns objections and actions of VAPOR are now supported by over 5500 citizens that have signed a petition opposing what VAFFC has proposed. This is supported by many groups including VAPOR and its many supporters, the Fraser River Coalition, Wreck Beach Preservation Society, Boundary Bay Conservation Committee and local government. VAPOR has presented this petition to MP Fin Donnelly (Coquitlam, New Westminster and Port Moody) for presentation to the House of Commons. Also Independent MLA Vicki Huntington (South Delta) has accepted this same petition and has presented it to the Legislative Assembly in Victoria.

**For further information please contact [www.vaporbc.com](http://www.vaporbc.com) or call:**

<b>In Richmond:</b>	<b>Carol Day VAPOR Chair</b>	<b>604 240-1986</b>
	<b>Otto Langer Co-Chair</b>	<b>604 274-7655</b>
<b>In Delta:</b>	<b>James Ronback</b>	<b>604 948-1589</b>
<b>In the Fraser Valley:</b>	<b>Judy Williams</b>	<b>604 856-9598</b>

OEL Jan 8, 2012





## **Oppose Tankers of Toxic and Flammable Jet Fuel, a Marine Terminal and 80 Million Litre Storage Tanks in the Fraser River Estuary.**

**Voice your Opinion to the BC Environmental Assessment Office**

**The BC EAO will be accepting public comments from now until Feb 1, 2012 on Vancouver Airport Fuel Facilities Corporation (VAFFC) proposal to change the pipeline route from residential neighborhoods to Hwy 99 right of way. However, this new proposal does nothing to address significant public safety and environmental concerns posed by transportation of large tankers of toxic and flammable jet fuel up the Fraser River where it will be unloaded and stored on the banks of the river in 80 million litre tank farm.**

**Go to BC EAO website and the comment link can be found at:**

**Vancouver Airport Fuel Delivery Project Comment form**

[http://www.eao.gov.bc.ca/pcp/forms/VAFD\\_form.html](http://www.eao.gov.bc.ca/pcp/forms/VAFD_form.html) .

**Also attend the VAFFC OPEN HOUSE: Jan 28, 2012 10:00 am to 2:00 pm**

**East Richmond Community Hall**

**12360 Cambie Road**

**Richmond BC**

**Come and state your opposition to this high risk proposal that is a threat to the public, the river, its estuary and its fish and wildlife populations.**

**It is also very important to send your comments and opinions to Local, Province and Federal representatives below are a few suggested e-mail contacts:**

- **BC Minister of Environment - Honourable Dr. Terry Lake <env.minister@gov.bc.ca>**
- **BC Premier - Honourable Christy Clark <christy.clark.mla@leg.bc.ca>**
- **Canada Minister of Fisheries and Oceans – Honourable Keith Ashfield FAX: 613 996 9955**
- **Minister of Environment Canada – Honourable Peter Kent <minister@ec.gc.ca>**

To Richmond City Council

Jan 23rd , 2012

**Thanks to Council for continuing to oppose the VAFFC jet fuel proposal .**

**City Council instructed staff to review**

**" (a) the options for various pipelines, including Cherry Point, as well as the feasibility of increasing the flow of the Kinder Morgan Pipeline:"**

**This has not happened and this information is critical in the opposition to the VAFFC proposal.**

**May I suggest that the following action items be taken by Council...**

- **That City Council arrange an EMERGENCY Meeting with the three Richmond MLA's and two MP's to attempt to gain their support in opposing the Jet Fuel Proposal.**
- **That City Council meet immediately with the Richmond Firefighters in order to ask for a plan to deal with the containment of a catastrophic fire or Jet Fuel Leak both on and off the land. In the event no such plan has been created then request a letter from the Richmond Firefighters that states they do not have a contingency plan or the infrastructure needed.**
- **Council repeat to staff the direction to review various pipelines including Cherry point , the staff report simply refers to the VAFFC rational for discounting their alternative, an independent study is needed**
- **Environment Canada report of Aug 17<sup>th</sup> details that EC has offered " to provide some technical and scientific rigor for aspects of the Proposal project that EC finds lacking... contingent on receipt of financial support from the proponent " we request City Council write to the stakeholders and the VAFFC to instruct them to work with Environment Canada and that a study should be completed before any decisions are made by the EAO or Provincial ministers.**
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- **VAPOR wishes to clarify with Richmond City Council whether or not they support option 8 the pipeline to the Cherry point refinery. We also ask that City Council make a statement publicly whether or not they will provides services to the proposed marine terminal and Tank farm for example water ,sewer, roads etc. ?**

**Thanks once again for your opposition and we would like to work with Richmond City Council to continue the campaign against the VAFFC Jet Fuel Proposal**

**Thanks very much Carol Day Chair VAPOR**