

From: Day, Carol
Sent: Saturday, 20 December 2014 07:49
To: MayorandCouncillors
Cc: Weber, David
Subject: Delta Dec 11, 2014 letter

To Mayor Brodie and fellow councillors

I read the Corporation of Delta letter of Dec 11,2014 and have a strong sense that we need to support them in their serious concerns over the lack of a proper environmental review regarding the Delta port Terminal 2 expansion.

Port Metro Vancouver is seeking to limit the scope of the environmental review and this is a serious threat to Delta and to all communities in BC.

If it pleases the council I wish to move a motion at the Dec 22 Public Hearing or Jan 5th general purposes meeting.

MOTION :

The City of Richmond write a letter of support for the Corporation of Delta regarding the environmental assessment of the RBT2 project to the Province of BC. Richmond asks the Province of BC for a full assessment of the broader community and environmental impacts associated with the traffic impacts of the project.

Thanks very much Carol Day



THE CORPORATION OF DELTA

TO: MAYOR & EACH COUNCILLOR
FROM: CITY CLERK'S OFFICE

From the office of:

cc John Irving
The Mayor,
Robert Griffin

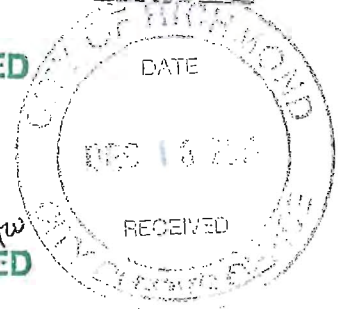
December 11, 2014

Mayor Malcolm Brodie and Council
City of Richmond
6911 No. 3 Road
Richmond, BC V6Y 2C1

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& DISTRIBUTED



Dear Mayor Brodie and Council,

Re: Roberts Bank Terminal 2 – Concerns Regarding Scope of Environmental Assessment

The Roberts Bank Terminal 2 project is a massive three-berth container terminal designed to double the container capacity at Deltaport – already the largest container terminal in Canada – from 2.4 to 4.8 million TEUs annually. The Canadian Environmental Assessment Agency is conducting an environmental assessment of the project through an independent review panel.

A key area of concern for some municipalities, Delta included, is the geographic extent of the study area. Port Metro Vancouver, the project proponent, is seeking to limit the scope of the environmental assessment to land within its jurisdiction which would mean that road, rail and marine traffic impacts beyond the terminal footprint would not be assessed.

Clearly, a development of this magnitude will have significant impacts on local and regional road and rail networks, and there will be marine impacts beyond the terminal berths. Any environmental assessment that does not evaluate these transportation impacts would vastly underestimate the impacts of the project and undermine the credibility of the project review process. We are concerned that this may set a precedent for other similar projects that are subject to review under the *Canadian Environmental Assessment Act, 2012*.

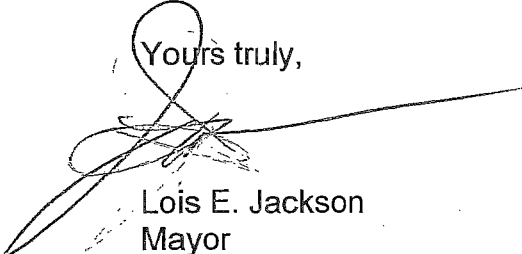
At the December 8, 2014 Regular Meeting, Delta Council considered a report on this issue (copy attached) and resolved to seek the support of other municipalities that may be impacted by the port expansion or may be in a position to mitigate the traffic impacts. For example, there is great potential for the development of inland ports to alleviate traffic congestion problems close to the marine terminal.

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We know that traffic is the number one concern for the Delta community and we wish to be ensured that its evaluation and impact mitigation will be afforded due consideration through the environmental assessment process. If your community has similar concerns regarding road, rail or marine traffic impacts from the Roberts Bank Terminal 2 project, or more general concerns regarding the determination of the scope of environmental assessments, we would urge you to write to the Canadian Environmental Assessment Agency to voice your concerns and request that the environmental assessment include a broad geographic review of traffic impacts and an identification of potential mitigation options along the length of the transportation corridor.

Yours truly,



Lois E. Jackson
Mayor

Attachment

cc: The Honourable Kerry-Lynne D. Findlay, PC, QC, MP Delta-Richmond East
The Honourable Lisa Raitt, PC, MP, Minister of Transport
Jinny Sims, MP Newton-North
The Honourable Todd Stone, Minister of Transportation and Infrastructure
Scott Hamilton, MLA Delta-North
Vicki Huntington, MLA Delta-South
Delta Council
George V. Harvie, Chief Administrative Officer
Sean McGill, Director of Human Resources and Corporate Planning



The Corporation of Delta
COUNCIL REPORT
Regular Meeting

F.15

To: **Mayor and Council**

From: **Human Resources and Corporate Planning
Department**

Date: **December 4, 2014**

**Roberts Bank Terminal 2
Scope of Environmental Assessment**

The following report has been reviewed and endorsed by the Chief Administrative Officer.

▪ **RECOMMENDATIONS:**

- A. THAT the Canadian Environmental Assessment Agency be requested to ensure that the scope of the Roberts Bank Terminal 2 environmental impact assessment includes the wider community and environmental impacts associated with increased road and rail traffic, so that a range of mitigation options can be assessed, including the development of inland port facilities.
- B. THAT letters be sent to the municipalities of Vancouver, Richmond, Surrey, Langley (City and Township), White Rock and Ashcroft, and the regional districts of Metro Vancouver, Thompson-Nicola and Fraser Valley (and their member municipalities), requesting that they write to the Canadian Environmental Assessment Agency to ask that the scope of the Roberts Bank Terminal 2 environmental impact assessment includes the wider community and environmental impacts associated with increased road and rail traffic, so that a range of mitigation options can be assessed, including the development of inland port facilities.
- C. THAT copies of these letters be provided to the Honourable Kerry-Lynne D. Findlay, MP Delta-Richmond East, Scott Hamilton, MLA Delta-North, Vicki Huntington, MLA Delta-South, and the Federal and Provincial Ministers of Transportation.

▪ **PURPOSE:**

The purpose of this report is to highlight some concerns regarding the scope of the environmental impact assessment for the Roberts Bank Terminal 2 Project (RBT2).

▪ **BACKGROUND:**

Since January 2014, when the Federal Environment Minister referred the RBT2 project to an environmental assessment by Review Panel, there have been two opportunities for public comment: (i) on the draft Environmental Impact Statement Guidelines and (ii) on the draft Terms of Reference for the Review Panel.

In both responses, Delta has emphasized the importance of ensuring that the environmental assessment includes the wider community and environmental impacts of the port expansion, particularly with respect to road and rail networks through the region. Other municipalities, including Richmond, Surrey, White Rock, Langley Township and the City of Langley, have

echoed this request. Copies of Delta's submissions are included as Attachment 'A'. All submissions are posted on the public registry at <https://www.ceaa-acee.gc.ca/050/documents-eng.cfm?evaluation=80054>

▪ DISCUSSION:

The geographic scope of the RBT2 environmental assessment is defined in the EIS Guidelines¹ and includes impacts directly associated with the physical components of the project such as the marine terminal, harbour basin, rail intermodal yard and the causeway expansion. It also includes road, rail and marine traffic impacts *"in the proponent's jurisdiction"*.

In response to the many submissions requesting that the geographic extent of the RBT2 environmental assessment be expanded to include road, rail and marine traffic impacts beyond the footprint of the terminal, the Canadian Environmental Assessment Agency sent a letter (Attachment 'B') to Port Metro Vancouver requesting clarification on the port's jurisdiction in this regard, specifically:

"What care and control does Port Metro Vancouver have in relation to marine shipping, rail traffic and road traffic outside of the geographic area of the RBT2 project, and how may that care or control be exercised or applied?"

Port Metro Vancouver has provided its response (Attachment 'C') which states, in essence, that they have no care or control over rail traffic or marine traffic outside of the lands which it manages, and limited care and control over road traffic outside of its jurisdiction (in that it imposes conditions on truck operators and companies through the Truck Licensing System).

The suggestion that Port Metro Vancouver will only be required to assess impacts on land or water over which it has 'care and control' is extremely concerning for Delta and other communities that will be directly impacted by the doubling of container capacity and increased road and rail traffic from RBT2. Irrespective of Port Metro Vancouver's jurisdictional control, an environmental impact assessment which does not evaluate the road, rail and marine traffic impacts from a new container terminal, would vastly underestimate the impacts of the project and undermine the credibility of the project review.

Furthermore, there is a precedent that was established during the environmental assessment for the **Deltaport Third Berth** project. This review included an assessment of road and rail impacts far beyond Port Metro Vancouver's jurisdiction and the Environmental Assessment Certificate was issued in 2006 with several conditions² relating to road and rail improvements that were undertaken by Port Metro Vancouver (in full or in partnership with other agencies) including the construction of the 80th Street overpass; Highway 17 traffic mitigation measures (signal modification, extension of HOV lanes, commercial vehicle lane restrictions); provision of alternative farm access following closure of 57B Street rail crossing and geometric changes to highway ramps at the Ladner interchange.

Solutions to port traffic congestion in the Metro Vancouver area may be found further up the transportation chain. For example, there is great potential for the development of inland ports which are, by definition, geographically removed from the marine terminal. As such, the impact assessment for RBT2 must include a broad geographic review of road and rail impacts and an identification of potential mitigation options along the length of the transportation corridor.

¹ 'Guidelines for the Preparation of an Environmental Impact Statement', CEAA (January 7, 2014)

² Appendix E – Owner's Table of Commitments Deltaport Third Berth project (section 7.1)

It is recommended that the Corporation of Delta reiterate its request to the Canadian Environmental Assessment Agency that the geographic scope of the environmental assessment for RBT2 must include the wider community and environmental impacts of the port expansion, particularly with respect to road and rail networks through the region. It is further recommended that letters be sent to the municipalities of Vancouver, Richmond, Surrey, Langley (City and Township), White Rock and Ashcroft, and the regional districts of Metro Vancouver, Thompson-Nicola and Fraser Valley (and their member municipalities), requesting that they write to the Canadian Environmental Assessment Agency to ask that the scope of the Roberts Bank Terminal 2 environmental impact assessment includes the wider community and environmental impacts associated with increased road and rail traffic, so that a range of mitigation options can be assessed, including the development of inland port facilities.

Implications:

Financial Implications – there are no financial implications.

CONCLUSION:

Port Metro Vancouver has provided clarification to the Canadian Environmental Assessment Agency that it has no or very limited jurisdictional authority over road, rail and marine traffic related to the RBT2 project. Irrespective of Port Metro Vancouver's jurisdictional control, an environmental impact assessment which does not evaluate the road, rail and marine traffic impacts from a new container terminal, would vastly underestimate the impacts of the project and undermine the credibility of the project review. Delta is requesting, therefore, that the environmental impact statement for RBT2 include a full assessment of the broader community and environmental impacts associated with the traffic impacts of the project.


Sean McGill

Director of Human Resources & Corporate Planning

Department submission prepared by: Bernita Iversen, Senior Policy Analyst
F:\Bernita\Port Metro Vancouver\Terminal 2\2014\DecCR.dotx**ATTACHMENTS:**

- A. Delta's submissions to CEAA (November 26, 2013, September 16, 2014)
- B. CEAA request to Port Metro Vancouver (October 3, 2014)
- C. Port Metro Vancouver response to CEAA (November 18, 2014)



THE CORPORATION OF DELTA

From the office of:

The Mayor,
Lois E. Jackson

November 26, 2013

Roberts Bank Terminal 2 Project
Canadian Environmental Assessment Agency
410 – 701 West Georgia Street
Vancouver, BC V7Y 1C6

Dear Sir/Madam,

Re: Roberts Bank Terminal 2 Draft EIS Guidelines (Registry Reference 80054)

On behalf of Delta Council, please accept this submission in response to the request for public comments on the draft Environmental Impact Statement Guidelines for the Roberts Bank Terminal 2 Project. The project guidelines were considered at the November 25, 2013 Regular Meeting and Delta Council endorsed the following resolution:

"THAT a letter be sent to the Canadian Environmental Assessment Office requesting that the Environmental Impact Statement for the Roberts Bank Terminal 2 project includes:

- i. a full assessment of the impacts of the project on the road transportation system in Delta in terms of truck traffic and passenger vehicles; and*
- ii. a cumulative impact assessment of Terminal 2 and other large scale developments in south Delta, such as the Tsawwassen First Nation residential and commercial development proposals.*
- iii. an assessment of impacts on the human environment that is more representative of Delta's land use context, including agriculture, existing and planned commercial uses, transportation corridors and residential communities; and*
- iv. an assessment of human health impacts, for example, with respect to air quality, noise, vibration and lighting."*

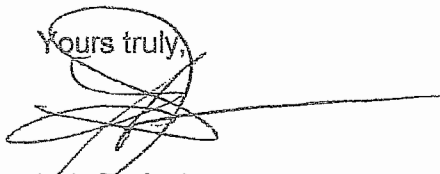
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November 26, 2013

Page 2

The impacts of T2 on road traffic are not explicitly referenced in the guideline document and, since we consider traffic impacts to be one of the top priority issues for the local community, we wish to be assured that its evaluation and mitigation will be afforded due consideration in the environmental assessment process.

Yours truly,

A handwritten signature in black ink, appearing to be "Lois E. Jackson", written over a horizontal line. The signature is stylized and somewhat scribbled.

Lois E. Jackson
Mayor

cc: Robin Silvester, President & CEO, Port Metro Vancouver
The Honourable Kerry-Lynne D. Findlay, PC, MP Delta-Richmond East
Jinny Sims, MP, Newton-North Delta
The Honourable Mary Polak, Minister of Environment, Province of BC
Scott Hamilton, MLA, Delta-North
Vicki Huntington, MLA, Delta-South
Delta Council
George V. Harvie, Chief Administrative Officer



THE CORPORATION OF DELTA

From the office of:

The Mayor,
Lois E. Jackson

September 16, 2014

Debra Myles, Panel Manager
Canadian Environmental Assessment Agency
160 Elgin Street, 22nd Floor
Ottawa, ON K1A 0H3

Dear Ms. Myles,

Re: Roberts Bank Terminal 2 Project (Ref: 80054)

I write in response to your invitation for comments on the draft Terms of Reference for the independent review panel for the Roberts Bank Terminal 2 project. At its Regular Meeting on September 15, 2014, Delta Council passed the following motion:

"THAT the Canadian Environmental Assessment Agency be requested to include a separate section on *Municipal Rights and Interests*, similar to the section on *Aboriginal Rights and Interests*, to address local government issues in the Terminal 2 Review Panel Terms of Reference."

We note that there is a specific section (3.4) in the draft Terms of Reference relating to *Aboriginal Rights and Interests* that the review panel is required to consider. While we fully support this section, it would be beneficial for local governments impacted by Terminal 2 to have a similar section in the Terms of Reference relating to municipal issues and concerns. We would suggest that this new section should be entitled '*Municipal Rights and Interests*' and would include the following elements:

- An assessment of the impacts of the project on the local and regional transportation system;
- An assessment of the impacts on municipally-owned land, utilities and statutory rights of way;
- An assessment of off-terminal facility requirements to support port operations (for example, container storage and stuffing/de-stuffing facilities);
- An assessment of the combined impacts of the T2 project with other developments currently taking place, such as the Fraser Surrey Docks coal facility and Tsawwassen First Nation mall development.

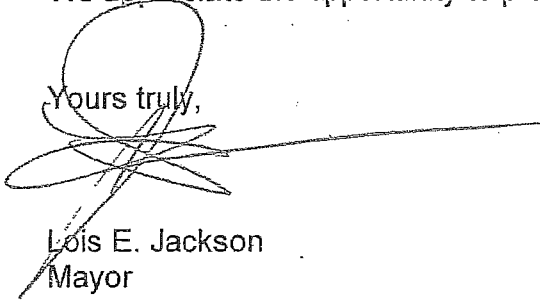
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September 16, 2014
Page 2

We appreciate the opportunity to provide input on this important issue.

Yours truly,

A handwritten signature in black ink, appearing to be "Lois E. Jackson", written over a horizontal line. The signature is stylized and somewhat scribbled.

Lois E. Jackson
Mayor

cc: Delta Council
George V. Harvie, Chief administrative Officer
Sean McGill, Director of Human Resources & Corporate Planning

From: Myles, Debra [CEAA]
Sent: October 3, 2014 2:42 PM
To: Robertson, Kyle (<< emails address removed >>)
Cc: Roberts Bank [CEAA]
Subject: Information requested from Port Metro Vancouver

Kyle

The comment period on the draft Review Panel Terms of Reference for RBT2 closed on September 22, 2014. I can confirm that all of the submissions received by the Canadian Environmental Assessment Agency on the draft Terms of Reference are posted on the public registry at <http://www.ceaa-acee.gc.ca/050/details-eng.cfm?evaluation=80054>.

As you will have noted, a number of the submissions highlighted the importance of the marine environment at Roberts Bank as well as the marine environment beyond the physical boundaries of the proposed RBT2 project. Several submissions maintained that the federal environmental assessment should include the potential effects of container ship traffic activities (for example, in Juan de Fuca Strait, the Strait of Georgia and the Salish Sea) which are not part of the project as defined for the environmental assessment.

Additionally, submissions were received that supported including road and rail traffic outside of the physical boundaries of the proposed RBT2 project in the definition of the project.

The descriptions of managed lands, rail and terminal facilities and navigational jurisdiction provided by Port Metro Vancouver in its project description (September 2013) were appropriate at that time. In June 2014, however, the Agency updated its Guide to [Preparing a Description of a Designated Project under the Canadian Environmental Assessment Act, 2012](#). This guide directs the project proponent to provide a description of the components associated with the designated project, including:

A description of the physical activities that are incidental to the designated project. In determining such activities, the following criteria shall be taken into account:

- nature of the proposed activities and whether they are subordinate or complementary to the designated project;
- whether the activity is within the care and control of the proponent;
- if the activity is to be undertaken by a third party, the nature of the relationship between the proponent and the third party and whether the proponent has the ability to "direct or influence" the carrying out of the activity;
- whether the activity is solely for the benefit of the proponent or is available for other proponents as well; and,
- the federal and/or provincial regulatory requirements for the activity.

It is expected that details on the care and control that Port Metro Vancouver may have over marine, rail and road activities inside and beyond the physical boundaries of the RBT2 project as proposed will be fully described in the RBT2 Environmental Impact Statement. In light of the comments received by the Agency on the draft Review Panel Terms of Reference, however, it is apparent that participants in the environmental

assessment process would benefit from receiving additional clarity now, in advance of the finalization of the Terms of Reference by the Minister of the Environment. Consequently, the Agency requests that Port Metro Vancouver respond to the following as soon as possible:

- What care and control does Port Metro Vancouver have in relation to marine shipping or other marine activities outside of the geographic area of the RBT2 project as defined for the environmental assessment and how may that care or control be exercised or applied?
- What care and control does Port Metro Vancouver have in relation to rail traffic or other rail activities outside of the geographic area of the RBT2 project as defined for the environmental assessment and how may that care or control be exercised or applied?
- What care and control does Port Metro Vancouver have in relation to road traffic or other road transportation activities outside of the geographic area of the RBT2 project as defined for the environmental assessment and how may that care or control be exercised or applied?

Please let me know if you have any questions on the information, above, or this request.

Regards,

Debra Myles

Panel Manager | Gestionnaire de commission

Canadian Environmental Assessment Agency | Agence canadienne d'évaluation environnementale

160 Elgin Street, 22nd floor, Ottawa, ON K1A 0H3 | 160 rue Elgin, 22e étage, Ottawa, Ontario K1A 0H3

Telephone | Téléphone << telephone number removed >>

<< email address removed >>



PORT METRO
Vancouver

Via Email

November 18, 2014

Debra Myles
Panel Manager
Canadian Environmental Assessment Agency
22nd Floor, Place Bell
160 Elgin Street
Ottawa, ON K1A 0H3

**Re: Care and Control Over Marine, Rail and Road Transportation Outside of
Geographic Area of the Roberts Bank Terminal 2 Project**

Dear Ms Myles,

We write in response to your email of October 3, 2014 requesting that Port Metro Vancouver provide additional clarity regarding the care and control which Port Metro Vancouver has over marine, rail and road transportation activities outside of the geographic area of the Roberts Bank Terminal 2 project (RBT2), as defined for the environmental assessment.

The *Environmental Impact Statement Guidelines* issued January 7, 2014 state, at section 3.1, that the scope of the RBT2 project includes "marine, road and rail transportation within the areas for which the proponent has jurisdiction".

Port Metro Vancouver is a port authority created pursuant to the *Canada Marine Act*. In that Act the federal government has delegated certain port related aspects of its constitutional authority with respect to "navigation and shipping" and the administration and management of federal lands to port authorities.

The *Canada Marine Act* gives port authorities the authority to take, or prevent, certain activities within a "port", which is defined as "the navigable waters under the jurisdiction of a port authority and the real property and immovables that the port authority manages, holds or occupies as set out in the letters patent". The letters patent issued for Port Metro Vancouver describe the geographic boundaries of the navigation jurisdiction of Port Metro Vancouver, the federal real property which it manages, and the lands "other than federal real property", namely lands Port Metro Vancouver holds in its own name.

The letters patent further state that Port Metro Vancouver may provide services or carry out activities in connection with transport services "within the port, or within or between" specified municipalities "to provide access to or from the port and its facilities". The specified municipalities are those adjacent to the port, namely Coquitlam, Delta, Maple Ridge, New Westminster, Pitt Meadows, Port Coquitlam, Surrey, Richmond, Vancouver, Burnaby, District of North Vancouver, City of North Vancouver, Port Moody, West Vancouver, Belcarra and the Township of Langley.

Debra Myles
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November 18, 2014

Port Metro Vancouver has therefore interpreted the scope of the RBT2 project as including the marine, road and rail transportation on the real property it manages and within the navigable waters over which it has navigation jurisdiction. The federal real property managed by Port Metro Vancouver and its navigation jurisdiction are shown in the attached map (see *Figure A*). The existing Roberts Bank marine terminal is located on federal lands managed by Port Metro Vancouver, and is serviced by road and rail on the causeway, which is located on lands owned by the Province of B.C and the British Columbia Railway Company (see *Figure B*). Road and rail traffic therefore enters Port Metro Vancouver jurisdiction at the western (seaward) end of the causeway. Access by road traffic at that location will soon be controlled by a recently installed vehicle access gate, activated by a port security pass. The expanded causeway proposed for RBT2 is to be constructed partly on lands owned by the British Columbia Railway Company, to the north of the existing causeway. Port Metro Vancouver is in discussion with the Province of British Columbia and the British Columbia Railway Company regarding acquiring tenure to these lands and it has not yet been determined whether they will come within Port Metro Vancouver jurisdiction.

In providing the requested information, we have interpreted "care and control" as meaning either regulatory authority granted by the *Canada Marine Act* or Port Metro Vancouver's letters patent, or an existing contractual relationship by which Port Metro Vancouver would be able to impose conditions or requirements on the operators of marine, rail or road transportation. Port Metro Vancouver participates in initiatives with other stakeholders and regulatory authorities to address issues of mutual concern, such as traffic in the Metro Vancouver area or optimizing the use of port infrastructure, and programs to encourage environmental sustainability, such as the EcoAction program which promotes emission reduction measures by offering discounted harbour rates to shipping lines. These however are voluntary initiatives and are therefore not considered matters within Port Metro Vancouver's "care and control".

1. What care and control does Port Metro Vancouver have in relation to marine shipping or other marine activities outside of the geographic area of the RBT2 project as defined for the environmental assessment and how may that care or control be exercised or applied?

Port Metro Vancouver has no care and control over marine shipping or other marine activities outside its navigation jurisdiction.

The *Canada Marine Act* sets out the authority of port authorities within a port, which include authority to establish practices and procedures to be followed by ships to ensure efficient navigation or environmental protection (s. 56). In accordance with this statutory authority Port Metro Vancouver has issued a Port Information Guide for marine operations within its jurisdiction.

Regulatory authority in relation to marine shipping outside of Port Metro Vancouver navigation jurisdiction rests with Transport Canada and the Canadian Coast Guard (under the control and supervision of Fisheries and Oceans Canada), together with the Marine Communications and Traffic Services centres in Victoria and Vancouver (operated by the Canadian Coast Guard) and the Pacific Pilotage Authority. Relevant legislation includes the *Canada Shipping Act, 2001*, the *Oceans Act* and the *Pilotage Act*.

Debra Myles
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November 18, 2014

Each of the marine terminals within Port Metro Vancouver jurisdiction is independently owned and operated. Those terminals enter into contractual relations with individual shipping lines which use their facilities. Port Metro Vancouver has the ability to impose fees and dues for use of port facilities, and has retained certain rights to control use of berth corridors associated with each terminal, but does not enter into contracts with the shippers or vessel owners which use the facilities within its jurisdiction.

Port Metro Vancouver therefore has no care and control over marine shipping or other marine activities beyond its navigation jurisdiction.

2. What care and control does Port Metro Vancouver have in relation to rail traffic or other rail activities outside of the geographic area of the RBT2 project as defined for the environmental assessment and how may that care or control be exercised or applied?

Port Metro Vancouver has no care and control over rail traffic or other rail activities outside of the lands which it manages.

Port Metro Vancouver is entitled, further to the *Port Authorities Operations Regulations* issued pursuant to the *Canada Marine Act*, to restrict access to the lands it manages and to regulate the activities on those lands. In practice, Port Metro Vancouver does not restrict the access of any of the railway companies which service marine terminals within Port Metro Vancouver jurisdiction.

Regulatory authority with respect to federal railway companies rests with Transport Canada, pursuant to the *Canada Transportation Act* and the federal *Railway Safety Act*. Provincial railway companies are regulated by the BC Minister of Transportation and Infrastructure, pursuant to the *B.C. Railway Act* and *Railway Safety Act*.

The railway lines located on the Roberts Bank causeway and extending for approximately 24 miles, referred to as the Port Subdivision, are owned by the British Columbia Railway Company (BCR) and managed by BCR Properties Ltd. BCR is operated and regulated by the BC Minister of Transportation and Infrastructure. The Port Subdivision is used by Canadian National Railway, Canadian Pacific Railway and BNSF Railway, which are all federally regulated railway companies, pursuant to Joint Section Agreements with BCR.

There are numerous agreements between Port Metro Vancouver and railway companies regarding a variety of matters such as rights to use or responsibility to pay for port facilities. Port Metro Vancouver has no contractual agreements with any of the railway companies with respect to the provision of rail services to the Roberts Bank marine terminal.

Port Metro Vancouver therefore has no care and control over rail traffic or other rail activities outside of the lands which it manages.

Debra Myles
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November 18, 2014

3. What care and control does Port Metro Vancouver have in relation to road traffic or other road transportation activities outside of the geographic area of the RBT2 project as defined for the environmental assessment and how may that care or control be exercised or applied?

Port Metro Vancouver has some limited care and control over road traffic outside of its jurisdiction, in that it imposes conditions for truck operators and trucking companies which access the lands it manages.

The *Port Authorities Operations Regulations* issued pursuant to the *Canada Marine Act* provide that Port Metro Vancouver shall not provide access to the port by a truck or other road transportation for the pick-up or deliver of containers unless written authorization in the form of a licence has been issued (s. 31.1). The licence must specify minimum conditions, including compliance with a reservation system and that the holder of the licence must ensure minimum specified remuneration for all containers being moved within the Lower Mainland. Further to this regulatory requirement, Port Metro Vancouver established a Truck Licensing System which set out conditions for truck operators and trucking companies which access the lands it manages. In cooperation with the Province, Port Metro Vancouver ensures payment of minimum remuneration for prescribed groups moving containers from marine terminals to container distribution facilities within the Lower Mainland.

Further to the disruption of truck services to terminals within Port Metro Vancouver jurisdiction in early 2014, the federal and provincial governments announced reforms to the Truck Licensing System. Under the new program Port Metro Vancouver is to establish new entry standards and requirements for trucking companies and their trucks requiring access to the lands which it manages and to issue new reformed licences. Further to this, on October 23, 2014, the provincial government introduced legislation to establish a British Columbia Container Trucking Commissioner, who will assume responsibility for and administer all Truck Licensing System licenses after the planned reforms. The new Truck Licensing System is intended to be operational by February 2015.

Port Metro Vancouver therefore has some limited care and control over road traffic outside of its jurisdiction, in that it imposes conditions for truck operators and trucking companies which access the lands it manages.

Sincerely,

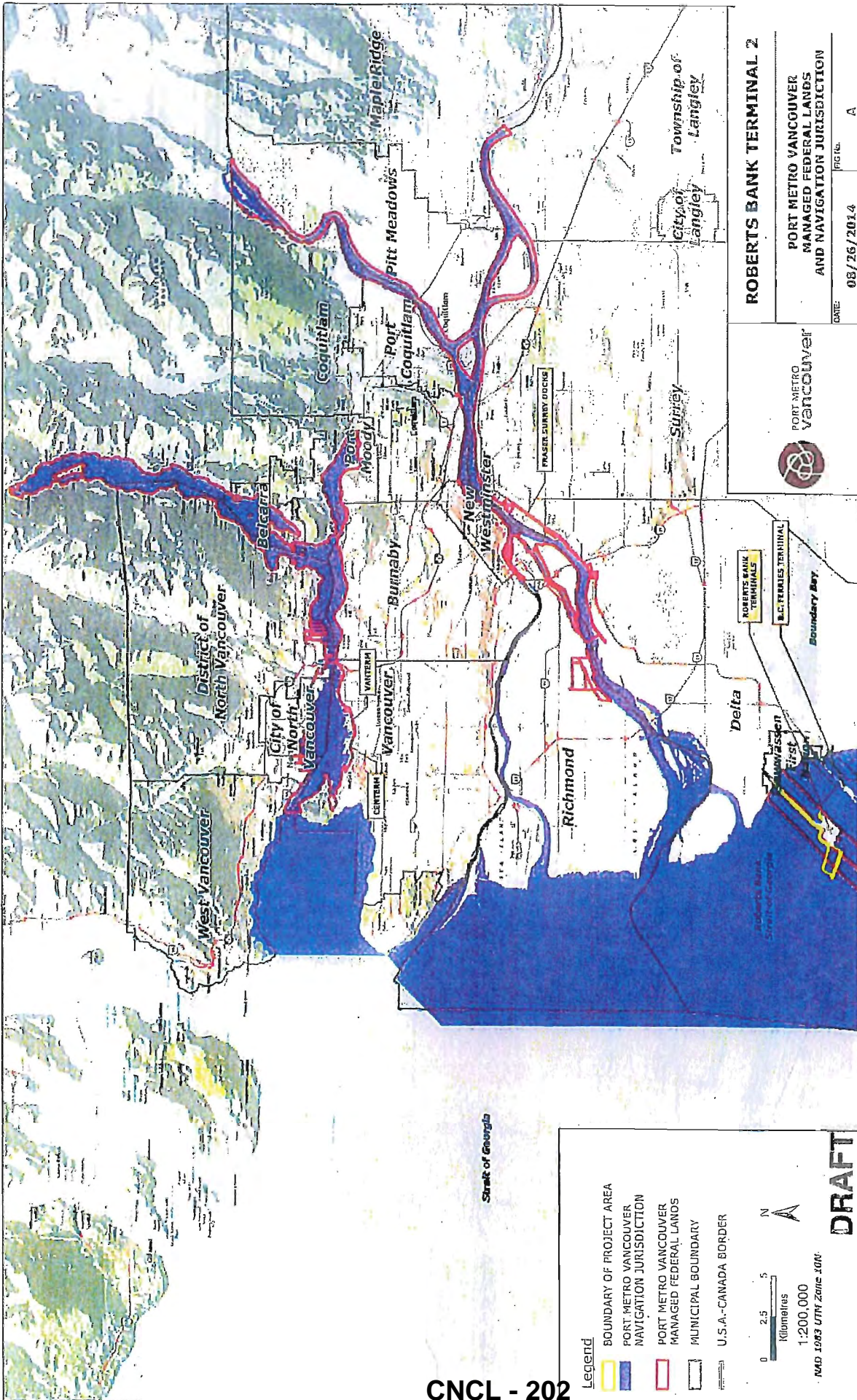
PORT METRO VANCOUVER

<< original signed by >>

Rhona Hunter P. Eng
Director, Infrastructure Sustainability

RH/nj

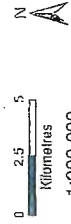
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Legend

- BOUNDARY OF PROJECT AREA
- PORT METRO VANCOUVER NAVIGATION JURISDICTION
- PORT METRO VANCOUVER MANAGED FEDERAL LANDS
- MUNICIPAL BOUNDARY
- U.S.A.-CANADA BORDER



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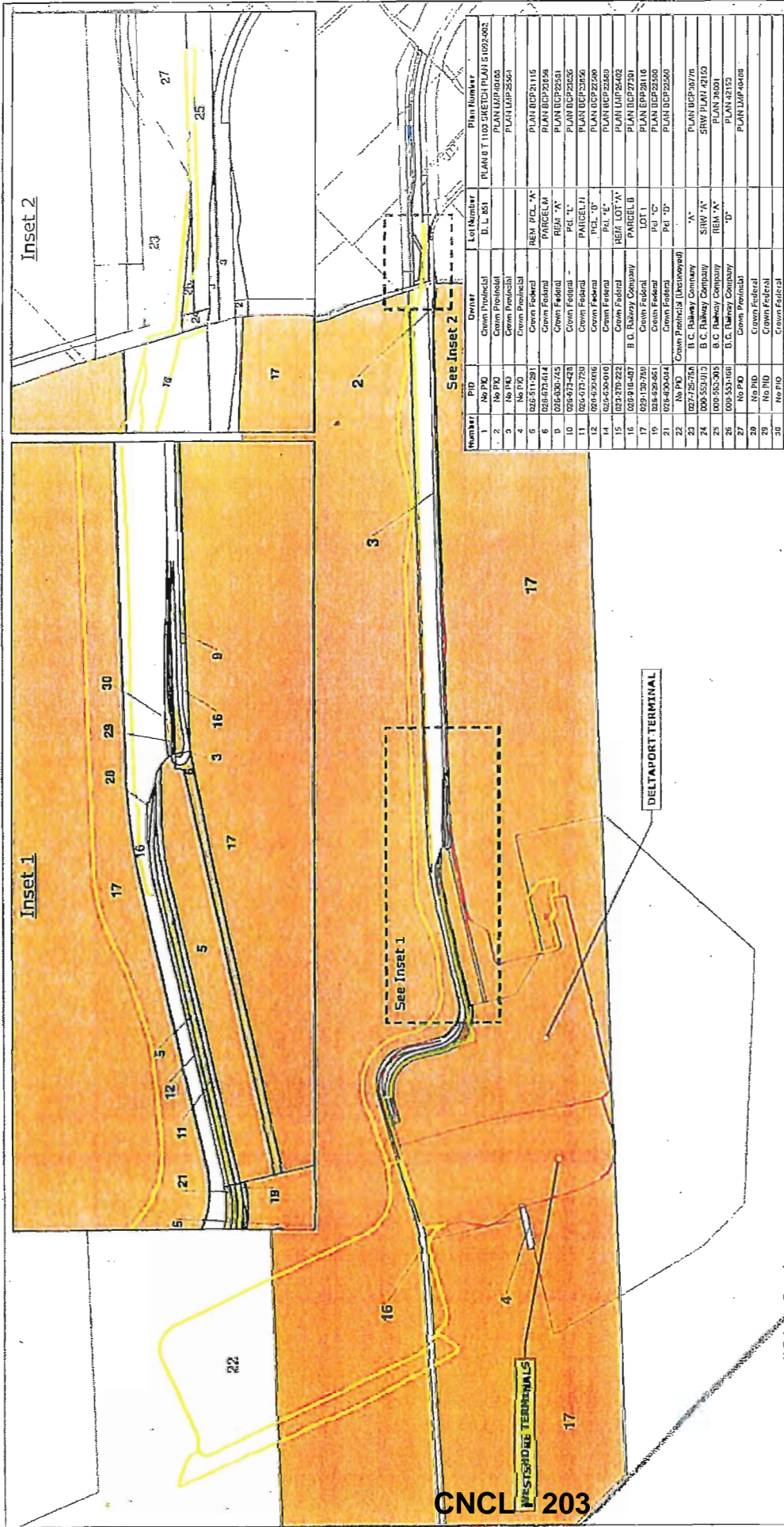
ROBERTS BANK TERMINAL 2

PORT METRO VANCOUVER
MANAGED FEDERAL LANDS
AND NAVIGATION JURISDICTION



DATE: 08/26/2014
PAGE: A

Service Layer Credits: Sources: Esri, HERE, DeLorme, TomTom, Intermap, increment P Corp., GEBCO, USGS, FAO, IHS, NRCAN, GeBCO, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox, © OpenStreetMap contributors, and the GIS User Community



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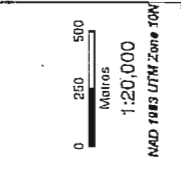
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2	18 P10	Crown Provincial		PLAN LMP 00103
3	18 P10	Crown Provincial		PLAN LMP 25351
4	026-511-291	Crown Federal	REM PCL 'A'	PLAN BCP 21116
5	026-511-291	Crown Federal	PARCELA	PLAN BCP 22059
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18	026-511-291	Crown Federal	PARCELA	PLAN BCP 22059
19	026-511-291	Crown Federal	PARCELA	PLAN BCP 22059
20	026-511-291	Crown Federal	PARCELA	PLAN BCP 22059
21	026-511-291	Crown Federal	PARCELA	PLAN BCP 22059
22	026-511-291	Crown Federal	PARCELA	PLAN BCP 22059
23	026-511-291	Crown Federal	PARCELA	PLAN BCP 22059
24	026-511-291	Crown Federal	PARCELA	PLAN BCP 22059
25	026-511-291	Crown Federal	PARCELA	PLAN BCP 22059
26	026-511-291	Crown Federal	PARCELA	PLAN BCP 22059
27	026-511-291	Crown Federal	PARCELA	PLAN BCP 22059
28	026-511-291	Crown Federal	PARCELA	PLAN BCP 22059
29	026-511-291	Crown Federal	PARCELA	PLAN BCP 22059
30	026-511-291	Crown Federal	PARCELA	PLAN BCP 22059

ROBERTS BANK TERMINAL 2

LEGAL DESCRIPTION OF LAND OWNERSHIP AT ROBERTS BANK

DATE: 11/14/2014

PROJ: B



MISSING NUMBERS IN TABLE CORRESPOND TO PARCELS AT B.C. FERRIES TEANWASSEN TERMINAL WHICH ARE NOT SHOWN ON THIS PLAN.

- LEGEND**
- BOUNDARY OF PROJECT AREA
 - LOT BOUNDARY
 - EXISTING INFRASTRUCTURE
 - CROWN FEDERAL