

# Vancouver Airport Project Opposition for Richmond

VAPOR- A Society for Vancouver Airport Fuel Project Opposition for Richmond

11631 Seahurst rd, Richmond BC, V7A 4K1

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

604 2401986

Schedule 2 to the minutes of the  
General Purposes Committee Meeting  
held on Monday, January 7, 2013

To Richmond City Council

Jan 7, 2013

General Purposes Committee

Re Item # 3 Engineering and public Works Department

Vancouver Airport Fuel Delivery- Environmental Assessment Office (EAO) update

VAPOR the Vancouver Airport Project Opposition for Richmond is a society created to oppose the VAFFC Jet Fuel Proposal submitted to the British Columbia Environment Assessment office. VAPOR supports looking at other options that are environmentally safer and respect the wishes of the City of Richmond. We are very concerned at the lack of public consultation by the BC EAO and are trying to convince the provincial government to open the process to better options for the need for safe and reliable delivery of Jet fuel to the Vancouver International Airport.

The current proposal and BCEAO process have ignored the many serious concerns of the City of Richmond and we are appalled that the draft assessment report and Table of Conditions has not been made available to VAPOR. WE have been in constant contact with the BCEAO and they are well aware of our involvement.

Conclusion

We request the City of Richmond include in their letter to the BCEAO and Ministers Lake and Coleman permission to provide VAPOR with copies of the Table of Conditions and the Draft assessment report for the Vancouver Airport Jet Fuel Project as it becomes available.

Thanks very much for your continued opposition to the irresponsible proposal for jet fuel delivery by the VAFFC which include Air Canada, West Jet, Air China, Lufthansa and many more airlines.

Carol Day

Chair VAPOR

11631 Seahurst rd

Richmond BC V7A 4K1



Dear:

John Mazure, Executive Project Assessment Director, BC EAO

Honourable Christy Clark, Premier

Honourable Terry Lake, MOE Minister

December 1, 2012

Subject: **Public Requires Suspension in Review of Vancouver Airport Fuel Facilities Corporation - Jet Fuel Transport Proposal**

Over the past 700 days, VAPOR has been in very frequent contact with the BC EAO office relating to the Vancouver Airport Fuel Facilities Corporation (VAFFC) Jet Fuel Transport proposal. In the past year we have sent several letters to Dr. Lake concerning the EAO process that has violated any credible sense of fairness, balance and transparency as related to the public, the Fraser River Estuary, the Vancouver Airport Project Opposition in Richmond (VAPOR) Society and thousands of our supporters. A petition was signed by over 5000 people in 2011 opposing this project that is now being reviewed. A copy of this petition that was presented to the BC Legislative Assembly about 10 months ago is attached.

The lack of feedback on many issues from your offices or the Minister of Environment as related to public input over the past several several months of this review is indeed profoundly disappointing and unjust. Although VAFFC has been given almost a year of suspension time in the review process, to conduct new studies, the most recent series of studies were never made available for public review and input into the review process. Further to this, we documented our latest and comprehensive concerns with this process to the Minister Terry Lake on November 14, 2012 and to date we have received no acknowledgement, consideration or response to our concerns. Why does the Minister and the BC EAO process continue to ignore our concerns? We find this most discouraging from an environmental and public safety review process that should be fully transparent, unbiased and fair.

Again, we respectfully request that the Premier, MOE Minister or the BC EAO respectfully respond to our attached letter and above all create a window of opportunity for public input. To date we have been limited to a 2 minute oral presentation two years ago with a written follow-up submission after we had to lobby for a reasonable time frame to review and respond to the vast amount of materials accompanying the application for this EAO review. When VAFFC provided an amendment on the relocation of the pipeline, the public were again allowed a short window for limited written input after a lengthy suspension so as improve chances of approval of the project.

Since that time VAFFC has taken many months to conduct several additional studies to rationalize their claim of little environmental and public safety impact. These studies were never made available to the public by BC EAO or VAFFC for review and comment into this BC EAO led process. This is totally unacceptable.

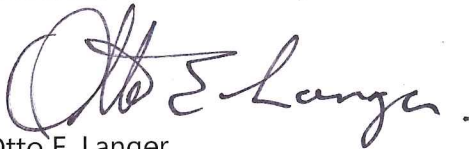
A response to our letter and action to make this a transparent and fair process by now suspending this process for the public interest, review and input is urgently requested. To date, the process has totally favored suspensions and input into the process as arranged by VAFFC, i.e., the proponent's sole development and financial interests are out of balance with the public interest.

We look forward to a prompt and meaningful response and an immediate suspension of the BC EAO process so as to allow public comment on the most recent studies done so as to make this a fair and just review process.

Sincerely yours,



Carol Day  
President, VAPOR Society.



Otto E. Langer  
Vice President, VAPOR Society.

Copy to: Ms. R. Shaw, Project Assessment Manager, BC EAO

Attachments.

- 1) DVD of petition submitted to BC legislature;
- 2) Letter of Nov. 14, 2012;
- 3) Photo of petition documents

**JET FUEL**  
In the Fraser River  
or Estuary

**Petitions**  
Vol 3

WWW.Vaporbc.com  
email vaporgroup1@gmail.com  
604 240 1986  
11631 Seahurst Rd  
Richmond BC, V7A 4K1



November 8, 2011  
The Director of the Environment, Air and Climate Change  
11631 Seahurst Road, Richmond BC, V7A 4K1

**FORWARD TO THE DIRECTOR OF THE ENVIRONMENT, AIR AND CLIMATE CHANGE**  
11631 SEAHURST ROAD, RICHMOND BC, V7A 4K1

Dear Director:

I am writing to you regarding the proposed expansion of the Fraser River Estuary (FRE) and the associated environmental impacts. I am a member of the Vapor Group and I am concerned about the potential impacts of the proposed expansion on the environment and the community.

The proposed expansion of the FRE is a significant project that will have a major impact on the environment and the community. I am concerned about the potential impacts of the proposed expansion on the environment and the community. I am writing to you to express my concerns and to request that you take the necessary steps to ensure that the proposed expansion is carried out in a responsible and sustainable manner.

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NAME (Print) \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_  
PROV \_\_\_\_\_  
COUNTRY \_\_\_\_\_

PH. NO. \_\_\_\_\_  
F-mail Address (Opt) \_\_\_\_\_

When complete return to: WWW.Vaporbc.com / E-Mail: vaporgroup1@gmail.com  
(or mail to: C/O VAPOR, 11631 Seahurst Rd, Richmond BC, V7A 4K1)

1) Case where the proposed project is a sale of land or the development of a new facility, the environmental and future generations must be taken into account. The project must be carried out in a way that does not harm the environment and future generations.

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**TOWNSHIP OF FRASER RIVER PETITION**  
TO THE DIRECTOR OF THE ENVIRONMENT, AIR AND CLIMATE CHANGE  
11631 SEAHURST ROAD, RICHMOND BC, V7A 4K1

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**Rachel Shaw**  
**Chair VAFFC Jet Fuel Project Review**  
**BC Environmental Assessment Office**  
**Victoria, B.C.**

November 14, 2012

Dear Ms. Shaw:

**RE: Status of the VAFFC Jet Fuel Proposal --- BC EAO Review.**

A few weeks ago you informed Jim Ronback of VAPOR Society that BC EAO would not create an opening for further public input into the VAFFC project after the lengthy suspension as requested by VAFFC to complete more studies. In that the VAFFC did state that they were preparing at least three different reports, i.e., 1) Biofilm studies; 2) Aboriginal fishery compensation plans and 3) Spill mitigation plans (in addition to the PMV tanker risk studies - not initially part of the BC EAO review and then later part of that review) we feel it is mandatory that these studies be made available for public review. We have yet to find some of these studies on your website and VAFFC have yet to respond to a single email or telephone call. Also it is absolutely essential that a window now be arranged in the review process for further and possibly final and summary public input. To date we have only had two opening for written input and one two minute opening for a verbal presentation. That latter 'hearing' was a very short evening session and it occurred before any studies were made available for a proper public review.

We have been advised of a number of possible recent developments with your harmonized BC EAO - PMV process that has disturbed us greatly. We had a meeting with PMV that actually threw doubt into whether this is a proper harmonized review process. Unfortunately the process and communications with interveners / stakeholders is very confused and the process you have developed with PMV is undocumented and is very confusing and appears to lack accountability. Further your process has established a Technical Advisory Committee and that has taken many key agencies out of the public process and their input occurs behind closed doors. This is not how government should function in any balanced process affecting the public interest and the welfare of the commons.

**Therefore could VAPOR please have clear and meaningful answers related to the following concerns and questions:**

1). I am advised by the City of Richmond and by a local Richmond newspaper that a window for input into the VAFFC jet fuel project by members of the Technical Working Committee was closed on Nov 9th, 2012. Why this window only open to the TWC? Most recently the City of Delta has submitted their comments on the Technical Conditions to EAO without prejudice. They also submitted a letter to the EAO opposing the marine terminal and jet fuel tankers coming up the Fraser River. They want further information on the pipeline only options.

**Q 1). What window, if any, was or still is open for public review and comment? If a recent comment deadline has passed why would it be closed when we were not even made aware of it despite the fact we have been very active in this process and did**

**inquire about an update on public input just a short while ago? Will BC EAO bend to the need for a final round of public input into this large and significant high risk project?**

2). The PMV clearly advised VAPOR that they did not recognize the BC EAO process as being related to the issue of jet fuel tankers coming into the Fraser River or the issues related to the handling of jet fuel on the river in their port area. Previously the public was given a very clear understanding that this was a full harmonized review and it would examine the shipping of tankers of jet fuel into the Fraser River and Estuary, the building of a marine offloading terminal in Richmond, the building of a large tank farm on the south bank of Lulu Island and the building of a pipeline across Richmond to YVR.

In addition the review was to consider the operational life of the above facilities as 60 years. The Port Manager, Captain Yoss LeClerc with the PMV harmonized review officer present stated that the BC EAO process only would examine the impact of the land based facilities of this project, i.e., the pipeline, the tank farm (and marine terminal?) which is based on land vs. on federal waters. PMV insisted that the tankers and fuel handling out of the tankers was a Port Metro Vancouver's sole responsibility in that they were responsible for safety in the areas surrounding the tanker transport into the estuary and river and the marine terminal. That part of the project would not be not subject to any BC EAO review and approval or rejection. Further, PMV indicated that what was in the tankers was not up for review. PMV was to only assure navigation safety and what was in the tankers while they navigating within the Fraser River was beyond anyone's authorized review. If what was to be in the tankers was to be addressed, that would be at the federal political decision.

**Q 2. Is this your understanding and if it is why was it not communicated to the public in a proper CEAA-BC EAO letter of agreement? PMV says no such letter outlining the process and decision making exists. Why would this been allowed to happen? Why was this presented to the public as a harmonized review when PMV now sees the overall project as a split review and key risks to the environment and public safety are not to be subject to any BCs EAO review?**

3). We insist that the above mentioned outstanding reports must be made available for public review. Further I am informed that meetings of the Technical Advisory Committee are now taking place to review a draft EA report. We would also require a copy of all input and minutes of those meetings that have taken place since the suspension was put in place over 6 months ago. The public has a right to a transparent and fair review process and those meetings should be open to the public. We must see these materials and have a fair opportunity to submit input into the process before your review is complete and recommendations are formed for Ministerial decisions. To do otherwise is grossly against the public interest and it again puts the BC EAO / PMV process in disrepute.

**Q 3a. When will VAPOR be given access to the fishery compensation plan and the spill mitigation plans or studies and the notes of the Technical Advisory Committee? We**

already have the biofilm study but are waiting for an opportunity to provide our final comments to this confused review process.

**Q 3b. When and how will VAPOR and the public be given a fair opportunity to review the above referenced studies and forward comments to BC EAO for their consideration prior to any recommendations or decisions being made?**

4). The combined hazardous stored energy in the jet fuel tanker unloading at the marine terminal and the 80,000,000 litre tank farm is equivalent to more than 1,000,000 tons of TNT. It can result in a horrific explosion fire, spill and result in injuries, loss of lives and an ecological disaster. It is troubling that a System Safety Report by System Safety Engineers, identifying the worst case combined hazard footprints and risk areas of a tanker unloading at the marine terminal and the 80,000,000 litre tank farm has not been provided before any recommendation or decision is to be made to the ministers. It is ludicrous and dangerously foolhardy to consider that any EA decision would be made without such a System Safety Report being completed first and available for public review and comment.

**Q4). When will such a System Safety Report be completed and available for public review?**

5). Considering that this 180 day review has now stretched out over 600 days and your chairmanship of this project review has changed three times and the PMV co-chairmanship has changed twice, should this process now not hold a final public meeting / hearing and allow proper and meaningful public input in that over the past two years the project has been altered and better options have summarily been dismissed without proper study. The review continues to be confusing and the goal posts have often moved while the public is largely shut out of the process.

**Q5). Will BC EAO now consider a properly constituted final hearing of this project including cross examination of key witnesses and studies considering the many changes that have occurred since it began and with the realization that the public has been largely marginalized in the review as directed by the BC EAO?**

6). At the beginning of the review VAPOR did forward s a written inquiry to the first chair of this review. We questioned how would a junior process (i.e. provincial) make any decisions that will be binding on a non-profit organization (i.e. VAFFC) and how would it legally relate to jurisdictions that were almost totally federal in nature i.e. federal airport, federally regulated airlines, federal port, federal shipping laws, federal navigation laws, federal pilotage authority, federally administered fish and migratory wildlife and habitat and federally owned land? Ms.I was advised that BC EAO would not comment on these legal questions and that would be part of the review. We have not seen that in the terms of reference or in any of the studies (i.e. evidence) before the EAO process.

**6). Could BC EAO please provide answers to the above issue/questions raised i.e. what is the legal status of this review given the above concerns and what legal powers do you have to implement any decisions or conditions in an effective and accountable manner?**

7). The BC EAO process is very confusing and based on other studies (eg. BC AG and U. of Victoria Law Centre) and what we see is very ineffective. Recent issues on the Gateway Highway project again confirm that. Further you have confused the process by calling it a 'harmonized review' with PMV yet have no agreement on how this review is to proceed, what it is to cover and how final decisions are to be made that should be more federal than provincial.

**Q7a. If the public is to have some faith and trust in the BC EAO-PMV harmonized review please provide information on the above concerns and please specify who will review the project in the BE EAO-PMV panel and who will receive a recommendation and make a final decision at the political level? How will this decision involve the federal approvals or rejections?**

**Q7b). In that PMV will have a financial gain in that PMV will lease lands to VAFFC for the tank farm and any project approval will enhance port development, how can BC EAO with a clear conscience have PMV as partner in a fair joint harmonized review? Does the concept of a direct conflict of interest in your partner's business interests in this proposed project not mean anything to BC EAO or the Ministers that are to make the final decisions?**

8). In that this project is ten times larger and creates a ten times greater environmental risk over that proposed by VAFFC in 1988 (that was soundly rejected in 1989 by a properly constituted and an open and fair review FEARO review) it appears that in 2012 the public is being short changed on such a proper and transparent review.

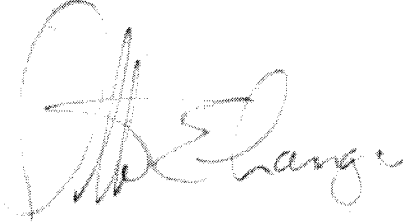
**Q8). Why is the BC EAO (and PMV, EC and DFO) conducting a process of environmental review that has less transparency and public participation and will probably offer much less environmental protection than a similar review of a jet fuel proposal on the Fraser River in 1988-1989?**

A prompt response to these very questions is now essential if we are any faith in this less than democratic and transparent review that has not put fairness and the public interest as a number one priority. To date it is simply unacceptable how a formal organization like VAPOR can be established to relate to this project can be so kept in the dark. We do look forward to full response to these key issues prior to this project review proceeding any further. In addition we request that this letter be listed under official documents submitted to this EA process.



We thank you in advance and look forward to an early response.

Sincerely yours,

A handwritten signature in black ink, appearing to read "O. Langer". The signature is fluid and cursive, with the first letter of the first name being a large, stylized 'O'.

Otto E. Langer Fisheries Biologist and Aquatic Ecologist

Vice Chair VAPOR Society phone 604 274 7655 email <ottolanger@telus.net>

Copy to Mr. T. Leadem QC