



To: General Purposes Committee **Date:** December 21, 2012
From: Cecilia Achiam, MCIP, BCSLA **File:** 10-6125-30-002/Vol 01
 Interim Director, Sustainability and District Energy
Re: Vancouver Airport Fuel Delivery - Environmental Assessment Office (EAO) Update

Staff Recommendation

That:

1. A letter, on behalf of Council, be sent to Terry Lake, Minister of Environment, and Rich Coleman, Minister of Energy, Mines and Natural Gas and Deputy Premier to reiterate Richmond's opposition to the proposal and the transportation of jet fuel on the Fraser River and to express concern that the key elements of the City's technical input to the EAO as part of the Environmental Assessment process have not been incorporated into the EAOs *Table of Conditions (ToC)*.
2. A meeting request, following up on the letter above, on behalf of Council, be sent to Terry Lake, Minister of Environment, and Rich Coleman, Minister of Energy, Mines and Natural Gas and Deputy Premier to reiterate Richmond's opposition to the proposal and the transportation of jet fuel on the Fraser River and to express concern that the key elements of the City's technical input to the EAO as part of the Environmental Assessment process have not been incorporated into the EAOs *Table of Conditions (ToC)*.

Cecilia Achiam, MCIP, BCSLA
 Interim Director, Sustainability and District Energy
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REPORT CONCURRENCE			
ROUTED TO: Engineering Engineering Planning Fire Rescue Policy Planning Transportation	CONCURRENCE <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	CONCURRENCE OF GENERAL MANAGER 	
		REVIEWED BY SMT SUBCOMMITTEE	INITIALS:

Staff Report

Origin

Since the last update to Council on October 16th, 2012, the City has received confirmation from the British Columbia EAO that the Vancouver Airport Jet Fuel Project has been referred to the Minister of Environment and Minister of Energy, Mines and Natural Gas.

The Ministers have 45 days in which to make a decision, however, this timeline can be adjusted through a legal order by a Minister. The 45 day period ends on January 28, 2013.

Analysis

As a Working Group member, City staff have been involved in the VAFD Environmental Assessment since December, 2008. Throughout the EA process City staff have provided comments to the EAOs *Table of Conditions (ToC)* and, more recently, have made comments to the draft assessment report. The City's last submission of comments to both the *ToC* and the draft assessment report were submitted to the EAO on November 9th, 2012. The EAO has accepted many of the City's comments to the draft assessment report, however, very few of the City's key technical concerns expressed in the City's *ToC* comments have been included in the referral submission to the Ministers.

The following list highlights the significant City requests that were excluded from the *ToC*:

- For the proponent to commit to the completing of a Municipal Access Agreement prior to any works on City lands. This agreement would outline liability and indemnity, standards for construction, impact mitigation on City infrastructure, interaction between City utilities, third party utilities, project infrastructure and other topics of concern to the City.
- For Richmond Fire and Rescue (RFR) to be the Authority having jurisdiction in all cases of approvals, inspections and enforcement in regards to all issues identified under the BC Fire Code, BC Building Code, Worksafe BC Regulations, City of Richmond Bylaws and all applicable National Fire Protection Association (NFPA) standards.
- For the proponent to supply, install and maintain a fully equipped and staffed Fire Hall in close proximity to the tank farm to comply with Industry Standards for Emergency Response.
- For the proponent to fund the supply of and maintenance of a fire boat that complies with **NFPA 1925: Standard on Marine Fire Fighting Vessels**. The Port Metro Fire Boat consortium resources are coming to the end of their useable lifecycle. As a result, plans are being finalized by Vancouver Fire and Rescue Services to reduce the number of fire boats within the consortium and the area of response to not include the south arm of the Fraser.

- To provide clarification on landuse and other restrictions imposed on City lands, and how the City will be compensated for associated costs such as construction, excavation or other activity within the pipeline corridor.

The exclusion of these comments in the *ToC* and referral documentation to the Ministers is substantive in terms of their future ramifications for the City.

Staff recommend that Council take action by sending a letter and requesting a meeting attended by Mayor and Council representative(s) with the Hon. Terry Lake, Minister of Environment and the Hon. Rich Coleman, Minister of Energy, Mines and Natural Gas to discuss the City's ongoing opposition and specific concerns that have not been included in the *referring* documentation to the Ministers for this project.

At this point, the costs to the City have been minimal and related to technical review as members of the Working Group. This technical review requirement will continue into the next phase of project design and construction should the Ministers issue a certificate for the VAFD project.

Financial Impact

None.

Conclusion

The timeline for the decision to issue a certificate for this EA by the Ministers would typically, unless a legal order is put in place, be announced by or on January 28, 2013. This 45 day referral period represents the last phase of the EA process whereby the City is in a position to send a letter and request a meeting with the Minister(s) to assert the City's interests.



Lesley Douglas, B.Sc., R.P.Bio.
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