

**PORT METRO VANCOUVER  
ROBERTS BANK TERMINAL 2 PROJECT  
PROJECT DEFINITION CONSULTATION**

**Multi-Stakeholder Meeting 2  
October 23, 2012**

Notes from a multi-stakeholder meeting for the proposed Roberts Bank Terminal 2 Project, October 23, 6:00pm – 8:00pm, at the Coast Tsawwassen Inn, Delta, BC.

**Stakeholders:**

Chris Hopkins  
Clint Morgan, Delta Chamber of Commerce  
David Ryall, Delta Farmers' Institute  
Don Bruchet  
Izabella Wieckowski  
John Lindner, SNC-Lavalin  
Marek Wieckowski  
Nav Brar  
Pam Tattersfield, South Fraser Perimeter Road  
Susan Jones  
Vicki Huntington, MLA

**Port Metro Vancouver:**

Judy Kirk, Kirk & Co. Consulting Ltd., Facilitator  
Cliff Stewart, Acting Vice-President, Infrastructure Delivery  
Rhona Hunter, Acting Director, Infrastructure Development  
Sarah McPherson, Manager, Project Communications  
Ben Wheeler, Senior Environmental Advisor, Container Capacity Improvement Program  
Matt Skinner, Kirk & Co. Consulting Ltd., Meeting Recorder

*The record notes that the meeting commenced at 6:00pm*

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## KEY THEMES:

- Participants questioned Port Metro Vancouver's demand forecasts and the justification for additional capacity.
- Participants expressed concern about noise and air quality impacts from the existing port facilities, as well as impacts to birds, fish and other wildlife.
- Ship-to-shore power and noise attenuation barriers were identified as potential solutions to noise pollution that should be implemented immediately.
- Participants expressed concern that Port Metro Vancouver's approach to mitigation and compensation does not adequately deal with the impacts that may be caused by this type of project.
- Participants expressed concern about the proposed location of the Roberts Bank Terminal 2 Project. Participants did not agree with Port Metro Vancouver's assessment that this orientation would have the least environmental impact.
- Participants wanted more information about the project and wanted their concerns and opposition to be heard.
- Participants asked to see the Terms of Reference for each baseline study, and suggested that the baseline studies should compare environmental values that existed prior to any port development.

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*(Abbreviations will be used and mean – Q: Question, A: Answer, C: Comment)*

### 1. Welcome and Introductions – Judy Kirk

*Judy Kirk welcomed participants to the multi-stakeholder meeting and explained the format of the meeting, and introduced the Discussion Guide and Feedback Form. Judy Kirk informed participants that the meeting was being recorded for accuracy. Roundtable introductions followed.*

### 2. Review of Consultation Discussion Guide – All

#### ***Why Do We Need More Capacity for Containerized Trade***

*Cliff Stewart reviewed the introduction to the Discussion Guide, including ways to participate in the consultation, as well as the list of information items and consultation topics. He then provided an overview on the need for container capacity, including the forecast demand and planned capacity increases on the West Coast of Canada (page 4 of the Discussion Guide).*

Q: *Marek Wieckowski: Why are you calling this an improvement?*

A: *Cliff Stewart: Page 6 actually talks to that, because in fact there are a number of things that we want to do before we have to build the new terminal all around continuing to ensure that there is capacity, capable capacity available. Building the terminal is the last step in the process. First of all, we worked to increase the efficiency of existing terminals. We looked to expand the*

capacity of existing terminals, the Deltaport Terminal, Road and Rail Improvement Project is an example of that. The last step is to build the new terminal.

Q: *Marek Wieckowski:* I think the important thing is that before you jump with both feet, you fix the Terminal 1 problems. How can you talk about the Terminal 2 if you show your incompetence on Terminal 1? On the infrastructure? How can you do this?

I am talking about traffic and noise from the containers. How do you do that? Why? Don't you think that it could be very logical to fix the problems, the existing problems, because you say, "oh, yeah, we have so much demand ten years from now."

C: *Judy Kirk:* So, sir, let me ask Cliff to at least address the question, which I think is "How can you even propose T2, having not solved the problems created by the initial Port development?"

A: *Cliff Stewart:* And I guess what I would say about that is that Port Metro Vancouver has active and ongoing programs to address a whole range of concerns. You mentioned truck congestion. There are a couple of things that I can say about that. One of them is significant investments by both the provincial and federal governments in cooperation on the South Fraser Perimeter Road, which is designed to address truck traffic, the recent announcement by the Premier of B.C. to address the George Massey Tunnel which is, I know, a significant traffic concern in this community.

With respect to pollution, we have the Eco-Action Program which has, and continues to significantly reduce emissions, ship emissions and the Truck Licensing System which has been very successful in significantly reducing truck emissions. So there are a whole host of other programs that are going on in concert with this. Certainly we are not in any way saying that things are today the way they need to stay for the next ten years. And colleagues of mine are working actively on those programs as well.

My particular focus is this project - whether you want to call it a luxury for me to be able to look at the future - is to talk about something that wouldn't come to pass for probably about ten years.

Q: *Marek Wieckowski:* But you mentioned about the emissions from trucks. What about the emissions from the ships?

A: *Cliff Stewart:* Well, there are a number of things that have been done, and in fact Port Metro Vancouver was a leader in that field with the Eco-Action program that's now been picked up by the International Maritime Organization, and is leading to what's called an ECA, which is an Emissions Control Area, which is leading to a requirement that ships burn ultra-low-sulphur diesel when they're in, I think it's 200 miles or 200 nautical miles off the coast. And so in fact as a result of that program, the majority of the contaminants of concern that arise from ships burning -- running their engines -- comes from the sulphur content in the fuel, and by the time that's fully in place next year, it will be -- I think we're going from 2 percent sulphur fuel down to 0.1 percent sulphur fuel. So it's about an 80 to 90 percent reduction in the contamination.

Q: *Marek Wieckowski:* Why don't you test -- you know, I am sorry to say it, but figures can lie. And you should give us percentages. They don't mean anything. I live on the bluff. And I look at the pollution coming from the containers. And if you say that that's an improvement, it's an outrageous lie. Okay? That's not an improvement. What you have to do is to put shore power in. Why don't you do that?

- A: *Cliff Stewart:* Well, let's talk about that, because that is an element of this project. We believe that shore power will be available by the time this project is deployed.
- C: *Marek Weickowski:* It has to be now.
- A: *Cliff Stewart:* Well, that's a separate conversation. I'm happy to have that, but, I mean, we're here today and we've invited people to come and talk about this, and I'm happy to talk about this project. I'm certainly happy to have the conversation about shore power off-line. I will tell you this: that by the time there is a ship available to plug into shore power, it is most likely that shore power will be available for that ship to plug into.
- C: *Judy Kirk:* And, sir, what I would say as well is that we're getting your concerns down as well, and I don't think that Cliff is going to be able to answer all the questions you may have. But we're certainly getting it down.
- C: *Marek Wieckowski:* Just for your information, I've had so many discussions with Port Authorities. And I was asking about shore power. And nobody can tell me when.
- Q: *Clint Morgan:* Just a quick question regarding what the gentleman just talking about. I realize that none of the existing vessels are equipped for shore power. Is there a rule now for new-built vessels that they all must be equipped with shore power? Like something international?
- A: *Cliff Stewart:* No, but there is a new standard coming out of the International Maritime Organization for what that shore power should look like -- what the plug should look like. And that either has just been released or is about to be released. So that then allows sort of the final step, which is people designing and planning for it. So, you know, new ships will almost certainly have it available. Ships that are already built may or may not be converted, depending on, you know, what their primary trade routes are.
- Q: *Clint Morgan:* So it's not a requirement right now yet?
- A: *Cliff Stewart:* It's not a requirement right now.
- C: *Susan Jones:* Just referring to the graph on page 4. First let me say I share the agitation and the concerns expressed by Marek. I'm very angry about this. I'm very upset about this. I'm very agitated about this. So I'm trying to keep calm about it, because it's the same charade that we went through before with Deltaport Third Berth and the South Fraser Perimeter Road. So I come here with great frustration.

Page 4, there is a huge credibility gap of your statistics here. And you mentioned that you have a forecast in 2002 that you said, "We have fallen within that range." If you go to the documents for the Deltaport Third Berth, it says the lowest-case scenario we would have 2.8 million TEUs by 2010. That has never happened. We still aren't there. And that was your lowest forecast back there for Deltaport Third Berth. So, we've had 2.5 million TEUs from what, 2007 to 2011. So it is only beginning to go up now.

That's 2.5 million TEUs, with all the capacity in B.C., we can go anywhere right now, for anywhere from 6 million to 10 million TEUs, depending on whose statistics you look at. We've already got capacity with what we've got and the planned expansions, particularly of Prince Rupert.

So, I question your statistics. I question this graph. I think it's totally wrong. I don't know what you've based it on. I don't know what you based your statement on about the 2002 forecast, because the one for the Deltaport Third Berth has never been realized.

It's all about justification of what you're doing. If you don't present us with a proper projection of TEUs, the whole thing is based on a false premise. Of course we need containers, and of course we're not in Grade 4. Everybody here understands what a container carries and what it does. What we're here about is, what does B.C. need? What has B.C. got? Why Roberts Bank, when we've got a deep-sea harbour in Vancouver, we've got Prince Rupert, which is doing very well. There is absolutely no justification. And if you base it on false statistics that are based on some projection that I don't know where it comes from, we're just starting in the wrong place. I just think this graphic is not correct.

Q: *Marek Wieckowski:* I just want to answer Clint's concern. Because you mentioned that the new ships don't connect to the shore power. And the present flotilla does not have to have it. Somehow, Los Angeles resolved that problem. All the ships which come to Los Angeles have shore power? How do they do that, and you cannot?

A: *Cliff Stewart:* Well, first of all, not all ships going to Los Angeles do have shore power. Some do.

Q: *Marek Wieckowski:* So all the ones that do, they come to Canada?

A: *Cliff Stewart:* So, Prince Rupert for example, has installed shore power. They've had it installed for over a year. But they haven't actually plugged in a single ship, because the ships that are on the north Pacific trade routes don't currently have the ability to plug in. So our commitment is to be ready so that when the ships are able to be plugged in, that we will plug them in.

Q: *Susan Jones:* These ships that you're talking about, is it possible for them to after-the-fact equip themselves to use shore power? Or will it only be new ships?

A: *Cliff Stewart:* No, they could be retrofitted, but it's very, very expensive.

Q: *Susan Jones:* So it's not going to happen. The cost isn't too great, you know.

A: *Cliff Stewart:* Well, it depends on the age of the ship, certainly, and depends on where else it's going and whether or not shore power is available. If it goes to 10 to 12 ports in its rotation and shore power is available in 10 or 12 places, they probably will. If it's available in one, they probably won't.

Q: *Nav Brar:* Is it not true that in Vancouver there is some cruise ships that plug into shore power now?

A: *Cliff Stewart:* There are, yes.

Q: *Nav Brar:* So it's coming?

A: *Cliff Stewart:* Oh, it's coming. I mean, Deltaport Third Berth was built with the capability to add shore power, so the conduits and knockouts are there on the dock. And certainly the Terminal 2 will be designed for it.

### ***Containerized Trade On The Canadian West Coast***

*Cliff Stewart provided information regarding existing containerized trade on the West Coast of Canada (page 5 of the Discussion Guide), as well as an overview of opportunities for creating*

*additional container capacity (page 6 of the Discussion Guide) and other related transportation infrastructure designed to support growth at Roberts Bank (page 7 of the Discussion Guide).*

Q: *Judy Kirk:* So, Cliff, just before you move on, Pam, you're representing South Fraser Perimeter Road, just one question. Is it on schedule?

A: *Pam Tattersfield:* Yes.

Q: *Judy Kirk:* It is. And the completion is estimated for?

A: *Pam Tattersfield:* End of December, 2013.

### **Roberts Bank Terminal 2 Project**

*Cliff Stewart provided an overview of the proposed Roberts Bank Terminal 2 Project, including estimated economic impact (page 10 of the Discussion Guide).*

Q: *Izabella Wieckowski:* Essentially we are building a second artificial island in around the most important habitats for salmon at the mouth of the Fraser River. Also you can't tell me that there is not going to be an impact on the habitat as well as on the wetlands, and it will not conflict with the flyway, which is one of the most important migratory flyways. When you actually notice the results of the destruction, there is usually nothing that can be done to reverse what has been happened. And I think that you don't even know yet the impact of your Terminal 1 on the environment. We start noticing it now. You know, there is no Orcas any more, okay? There is more pollution, more dead birds.

You also said when -- I remember when you were building the Terminal 1 you said that you were going to bury the power lines, I believe, and I believe that power lines are still over ground. Is that correct?

A: *Cliff Stewart:* That's correct.

C: *Izabella Wieckowski:* So how are you going to look to your grandchildren in the future and say, "I destroyed it? I don't care."? I agree with Susan, it's a global world, okay? We are going to have containers, but do we need to import garlic from China to here? How long can we actually sell the garlic from China for a dollar, cheaper than the ones here? I mean, come on.

Q: *Vicki Huntington:* Cliff, I'm extremely interested in the illustrations, the artist rendering of the proposed project on page 11. The last one I saw was three options that the port was proposing. Do you have a picture of those three options here with you?

A: *Cliff Stewart:* No. Are you talking about the previous process from a decade ago?

Q: *Vicki Huntington:* No, I'm talking about the options that were being considered for the placement of Terminal 2. One was this new island out -- you say sub-tidal. I would like to ask some questions about that if we have time at some point. The other was an extension of the existing terminal, so that it would be larger rectangle, and the third was a rectangle that went down the causeway further.

A: *Cliff Stewart:* Yeah. I think what you're talking about is from the last process, which was, believe it or not, almost a decade ago now.

Q: *Vicki Huntington:* What I saw was very recent, Cliff.

- A: *Cliff Stewart:* Well, this is the first document that's been produced for this phase of work on Terminal 2.
- Q: *Vicki Huntington:* I know, which is why I'm worried. I guess what I'll ask, is this the place Terminal 2 will go if it is allowed to be built? Is this your preferred option and is this the option you're basing all of your studies on?
- A: *Cliff Stewart:* Yes.
- Q: *Vicki Huntington:* That's it, we won't change it?
- A: *Cliff Stewart:* Not at all. This is the place that we believe has the lowest environmental impact at Roberts Bank for this terminal, but it isn't final at all.
- C: *Judy Kirk:* But I think you asked another question, Vicki, which was would there be any changes to this.
- Q: *Vicki Huntington:* I've seen three proposals for the placement of Terminal 2.
- C: *Judy Kirk:* So can I get you to turn to page 12, because Cliff, correct me if I'm wrong, this shows at least two orientations. Now, to Vicki's point, was there a third orientation?
- A: *Cliff Stewart:* There were four orientations.
- Q: *Vicki Huntington:* I recall three, and the other one was farther down. But if there were four, then I apologize. All I want to know is, because we saw this concept and it was always, until the moment it started being built, a concept design. And then when the P3 was let, or the construction started, the engineering company had the right to change the design for financial reasons or whatever else might have gone the other way.
- Is this what you are planning on constructing if the process is approved?
- A: *Cliff Stewart:* Yes, subject to whatever changes the process may recommend or impose.
- Q: *Vicki Huntington:* Okay, and is the Port aware of anything that is likely to change in terms of the essential placement of this?
- A: *Cliff Stewart:* Let me put it this way. This is something that we believe can be built, can be compensated or mitigated and will work. So, this is the essence of what we will, subject to the consultation we're doing here now, this is what we will put forward as a project when we do the project description. So the project description is the beginning, it's the first step in the environmental process. For this project, and obviously this is an artist's rendition, but this is the project that we're proposing.
- Q: *Nav Brar:* The Roberts Bank Rail Corridor. Is that on schedule? Is there anybody here to speak to that material? Because we've seen parts of it constructed in the local community but not going up to Langley.
- A: *Cliff Stewart:* Yeah. It is on schedule for completion, I believe by the end of 2014, possibly sooner. Several elements have already been delivered. We have the 41B and 80<sup>th</sup> Street overpasses are delivered. There was an event kicking off the 192<sup>nd</sup>, 196<sup>th</sup>, 54<sup>th</sup> and 56<sup>th</sup>, which collectively are called the Combo Project. So they're underway. 232<sup>nd</sup> Street is underway. I know that the Mufford and 64<sup>th</sup> is gone back, back and forth, but I think it's now designed and is nearing completion on that.

So yes, they're all either delivered or well underway for a 2014 delivery.

Q: *Nav Brar:* Okay, and you were also involved with the Container Capacity Improvement Project as well?

A: *Cliff Stewart:* Yeah. So this, this project falls under the Container Capacity Improvement Program.

Q: *Nav Brar:* Okay, so part of the CCIP, you have some construction that was planned on the Deltaport Causeway and some improvements at Deltaport?

A: *Cliff Stewart:* That's right. That's called the Deltaport Terminal, Road and Rail Improvement Project, and we are in the final stages of getting approvals and project agreements, and if all goes according to our schedule, we would begin construction in the new year.

Q: *Nav Brar:* Is that not something that was supposed to be started in the summertime?

A: *Cliff Stewart:* Yes, it's taking a little longer to work out some of the details, but it's still scheduled for completion by the end of 2014.

Q: *Nav Brar:* So how does that project affect the forecast that you've presented?

A: *Cliff Stewart:* It's actually built into that forecast on page 4. It's one of the two projects in the 2015 timeframe. See there DTRRIP and Prince Rupert phase 2, stage 1. So that volume has already been accounted for.

Q: *Susan Jones:* In terms of this diagram and this location for the proposed Terminal 2, again, as far as I'm concerned, there's a huge credibility gap in terms of saying this is the least affecting the environment. It could be the most affecting the environment for all we know.

In 2003 the Department of Fisheries and Oceans wrote three letters to Port Metro Vancouver saying, we will not even consider a location here for a terminal. And they explained why, and now that's all gone by the wayside because they've gutted the Fisheries Act. So those guys don't count any more. But they were very clear that they wouldn't even discuss it further with the Port. They had a meeting with the Port, they had three letters, they're on record, they said this is very detrimental to fish habitat.

Now you're saying by moving it out of this area that you're taking it out of the habitat on the North side.

A: *Cliff Stewart:* No, what they said was they would not consider it on the south side as a shoreward extension of the existing terminal. They said they would not consider it on the north side in this intertidal area here. So, I'm going back to what Vicki said, she remembers three. There were actually four, four potential locations at that time, a decade ago.

Q: *Susan Jones:* So you just moved it over a bit?

A: *Cliff Stewart:* No, we actually responded to what they said. They said that of those four there are two that really were non-starters, and so we didn't consider those.

Q: *Susan Jones:* So we're not going to hear from them anymore because they don't have any power any more. They destroyed the whole Fisheries and Oceans department, so it doesn't matter what they say. But this area out here, I think it's nonsense to say it won't affect the habitat. This is other habitat. This is not one piece of habitat. There's a whole inter-connected bunch of habitats, and you put mud pollution out here, noise pollution, you dredge, you fill,

you've got to be a fool to think that you're not going to have an effect on the fish, the wildlife, the migratory birds, the Orcas.

So I don't know who came up with this, but again, huge credibility gap.

A: *Cliff Stewart:* So what we're actually saying, if I could just respond to that, is that we believe that the impacts of this project can be mitigated or compensated. We're not saying that there aren't impacts. What we're saying is that it's possible to deliver the project and address the impacts that result from it.

Q: *Susan Jones:* Compensation and mitigation are words bandied around. They mean nothing when you did the Deltaport Third Berth. You destroyed everything. They compensated way far away from here, over on some islands where they dug out a deep water trench for Ducks Unlimited to shoot ducks. They got paid all the money.

I mean, there was never any scientific information about how that -- what we destroyed and what we compensated. It was just money, \$1.2 million that went to Pacific Salmon Foundation and Ducks Unlimited, to who knows what because you go through all this process, you're going through a process for two or three years, and you know what at the end of it? It's going to be mitigated and compensated. They don't tell you how, they don't provide any science. This is what happened with DP3. Still don't know the science behind any of that. It's not in there.

### ***Marine Terminal***

*Cliff Stewart provided information regarding the proposed marine terminal design and berth structure (page 12 and 13 of the Discussion Guide).*

Q: *Nav Brar:* What was used at the Deltaport Third Berth? What style of construction and what kind of feedback did you get from that?

A: *Cliff Stewart:* It was caisson. Similar to what the first two berths at Deltaport were as well.

Q: *Nav Brar:* And what kind of feedback did you get from the community?

A: *Cliff Stewart:* I'm not sure at that point whether or not there was a consultation on the caisson versus pile and deck. I would say for the first berth there probably wasn't. That was about 18 years ago.

Q: *Nav Brar:* For the Third Berth there must have been?

A: *Cliff Stewart:* I'm not sure whether it was offered as a consultation opportunity.

Q: *Vicki Huntington:* Sorry, I just wonder how, how you expect people to get this in an evening, not having had a chance to read it.

C: *Judy Kirk:* So what I made very clear at the beginning of the meeting is that the consultation is from October through the end of November. And so this is on-line. You can return it on-line at the end of November if you like, but it's not tonight. Tonight is for you to hear what the project team has to say and to ask questions. And there are other meetings on the inside cover, which I think is important for you too, Vicki.

C: *Cliff Stewart:* There's one other thing, and that's a new feature for us in this community, and it's a thing called Port Talk, and it's available on the project website and it enables you to put questions in and have those responded to very quickly.

- Q: *Vicki Huntington*: How could I knowledgeably comment on caissons versus rock fill without some independent authority that could advise me?
- C: *Judy Kirk*: But you know what, Vicki? You know I've been doing this a long time and if we don't ask people these questions early on, you know, they'd say, "Well why didn't you ask us about the caisson versus the pile and deck?"
- C: *Vicki Huntington*: The point is whether we can provide meaningful input and whether we'll be listened to.
- C: *Judy Kirk*: They have been analyzed, and what the Port is sharing with you is that we've looked at these trade-offs and think that the noise created by pile driving would be more than the community would want to sustain.
- C: *Vicki Huntington*: Versus the number of trucks that was required to bring rock and fill in for a 200-acre deep sea port. Do you know what that is?
- A: *Cliff Stewart*: I think you can assume that for the delivery of the bulk of those types of constructions materials for either design would come in by barge, most likely.
- C: *Judy Kirk*: But you know, Vicki, further, you raise a really fair comment, which is if you felt and others felt that there wasn't enough information here at this stage to provide comment on this, then that's what you should say.
- C: *Cliff Stewart*: So there are a number of opportunities over the next I guess three weeks to be in both this type of format meeting and also in open houses. There's a significant amount of information available on-line, on the website, and I mentioned before you came in there are now about 100 historic documents that we have available on the website for people who are interested in digging more into the details of this.

And you identify a challenge in providing an opportunity for input. You know, the questions are challenging questions. But I think it's fair to point out, and in every case of things we're asking for consultation on, we are recommending a particular direction, but we're not coming out and saying, "Well, you tell us what you think and then we'll figure it out." We have done the initial work and said, "This is what we think is the appropriate way to go, but...." There are three technical and one other consultation suggestions, plus the opportunity to comment on anything, whether we've asked for consultation feedback or not.

- Q: *Vicki Huntington*: Just one other question then. If we approach the Port and say "Could we have the two technical studies and the analysis done on these two options", would they be made available to us?
- A: *Cliff Stewart*: Probably. I can't imagine why they wouldn't be.
- Q: *Vicki Huntington*: Because unless we can see your analysis, it's very hard for some of us who do fairly deep examinations on some of these topics -- unless we can freely see your analysis, we can't comment.
- A: *Cliff Stewart*: We will get back to you on that. I can't imagine a reason why we wouldn't be prepared to share that.
- Q: *Susan Jones*: I agree with Vicki. I mean, my question to you is, why would you possibly ask us this question at this time when there's been no information given about environmental effects, costs or priorities or where this comes from. My guess is you've been sitting at a table with a lot

of people for a lot of years, you've already decided all this and we're just going through a PR process here, because that seems to be what happens every time.

I think you're looking for what you call manufactured consent here. This first question is about if you want this guy or this guy, and I couldn't possibly know. But to me it's like asking, you want to be ruled by Hitler or Mussolini? Like I don't want either, thank you very much.

And so I really protest here, and I think this is a very stupid question to ask us at this time. There's no information. We're talking about Terminal 2, you're saying it's a given, it's going to happen. I don't know. There's no justification for the project. It's environmentally disastrous, and we're not talking about any of that. We're talking about whether we want this or that or whether we want to put the buildings here or the buildings there. I don't want any part of it.

So I think this is manufactured consent. I think it's a stupid question, and I'm certainly not qualified to answer it or talk to any of it.

A: *Cliff Stewart:* So on page 31 we have an area for additional comments. We're also happy to receive on-line feedback or written submissions.

Q: *Susan Jones:* We've been giving so much feedback for years. None of it has ever been listened to, none ever been responded to. Twenty years. We've got thousands of submissions to the Port.

### **Marine Terminal**

*Cliff Stewart provided information regarding the project elements (page 14 of the Discussion Guide), as well as the trade-offs between potential locations of the terminal intermodal yard (page 15 of the Discussion Guide).*

Q: *Vicki Huntington:* This is on top of the DTRRIP?

A: *Cliff Stewart:* This is on top of DTRRIP, that's right. And Deltaport Way would need to be widened, our initial studies indicate to four lanes in the section where the signalized intersections are shown as the green line there.

Q: *Don Bruchet:* Just curious on the whole rail line as far out as 72<sup>nd</sup>, I had been given to understand that all of these expansions of the rail line are taking place on land that is already owned by the Port or the rail system. In other words, it's not swallowing up currently any farm land.

A: *Cliff Stewart:* Let me clarify that. You're absolutely right on the first point, the land is owned by BC Rail. It has been designated by the Agricultural Land Commission as rail right-of-way, and some of it is currently being farmed. So in other words, it's recognized that it is intended for future rail use when that requirement comes along.

And just to put it in perspective, the land in question is called the Option Lands. It's about 18 hectares. Vicki asked the question about whether or not it's in addition to. So the Deltaport Terminal, Road and Rail Improvement Project requires about 8 hectares of that 18 hectares, and Terminal 2, as we proposed it, requires the remainder of that 18 hectares.

Q: *Susan Jones:* Just a question on that. The Terminal 2 requires more than the road and rail improvement now, is that what you're saying?

A: *Cliff Stewart:* Yes, a further 10 hectares.

- Q: *Susan Jones:* But that hasn't gone to the Agricultural Land Commission yet?
- A: *Cliff Stewart:* No, the entire rail area, the Option Lands, the 60-metre strip, was designated as rail right-of-way in 2008 by the Agricultural Land Commission, subject to a plan. They've now received the plan and they've approved that subject to the agreement on the agricultural compensation. And so a similar process would be undertaken for Terminal 2 for the additional 10 hectares.
- Q: *Susan Jones:* Oh, so there would be another application to the Agricultural Land Commission?
- A: *Cliff Stewart:* Well, it's not an application because the approval has been given in principle, subject to the provision of the additional information. So when that information is ready to be provided, then that would go to the Agricultural Land Commission.

### **Marine Terminal**

*Cliff Stewart provided information regarding the trade-offs between potential locations of the terminal intermodal yard (page 15 of the Discussion Guide).*

- Q: *Don Bruchet:* Is any of that, Alternative 2 in particular, included in the TFN lands at all?
- A: *Cliff Stewart:* We haven't done any work on Alternative 2. It's not what we're proposing. What we're saying is and we're not proposing it because we don't think that it is the preferred alternative to the community. But we're not making that choice. We're saying there could be work done to develop a plan for that if there was an interest in that as an alternative to Alternative 1A.
- Q: *Don Bruchet:* I'm just curious to know is any part of the TFN land being used for any of the intermodal yard?
- A: *Cliff Stewart:* In Alternative 1A, which we actually have planned and designed, no. We haven't done any planning work on Alternative 2. We're saying if there an interest in that as an alternative, in which case we could do some work on it. Would it involve TFN lands? It might or it might not. We haven't done the work.
- Q: *Clint Morgan:* Well, am I correct to think that there would be an intermodal yard being built on the stretch, you know, along Deltaport Way to accommodate the increase of capacity of the existing Terminal 1 to kind of maximize its capacity and maybe move some of the rail operation off the terminal?
- A: *Cliff Stewart:* No. What has been proposed is rail storage tracks. And just so I'm being absolutely clear, I'm not trying to play with words. I want you to understand, an intermodal yard is a working facility where containers are lifted on and off of trains and a rail yard is just storage for trains arriving and departing. So the answer to your question is no, there is no plan for an intermodal yard along there as part of the DTRRIP project. But for both that project and this one, we are proposing storage tracks along there.
- Q: *David Ryall:* The 18 hectares that you have got permission from the ALR to use your right-of-way, you said there was some compensation to agriculture for taking that 18 hectares out. What is it?
- A: *Cliff Stewart:* Well, that is a conversation that's currently underway between BC Rail, who own the land, and the Agricultural Land Commission. For the first 8 hectares, that's part of the

- DTRRIP project. And we'll talk about that actually. It is a consultation topic we want to talk about. So if you could hold that question, we'll come back to that a little bit later.
- Q: *Nav Brar:* With the Alternative 2, so if you're including the intermodal yard upland, does that fall within the current Option Lands or does that take more farmland out of the ALR in addition to the current option lands?
- A: *Cliff Stewart:* As I say, we haven't actually done design on that but it would likely take some additional lands.
- Q: *Nav Brar:* From page 14 going back to page 10, so we're talking about jobs at the operating terminal, direct and indirect employment. Do you have the stats on Deltaport right now versus what you're projecting? Because with the terminal here, this new terminal you're also talking about a lot of automation. So to get a company coming in from somewhere around the world running an automated terminal, how are these job numbers compared to Deltaport and similar terminals.
- A: *Cliff Stewart:* Okay. We can get you that. My understanding is that these would be similar. Automation on a terminal doesn't make a huge difference to the amount of employment that's created.
- Q: *Nav Brar:* I don't know if you have seen some of the automation videos from around the world but there's no people. I'd strongly disagree with what you're saying. So if we're saying there's going to be 18,200 direct and indirect jobs, that's hard to swallow if there's heavy automation by some company from around the world.
- A: *Cliff Stewart:* To put it in context, Deltaport, post DTRRIP, which would be about the same sized terminal, the actual on-terminal employment is about 800 to 900 jobs out of a similar sort of 18,000 jobs that are direct jobs that are created.
- Q: *Nav Brar:* Okay so now we're saying a similar size terminal that's going to have automation will give us how many jobs?
- A: *Cliff Stewart:* If it were a manual terminal like Deltaport in the neighbourhood of 800 to 900 jobs of the 18,000. If the terminal were automated, something less than 800 to 900 of the 18,000. So there would be a similar reduction in the 18,000.
- Q: *Nav Brar:* Well that's easy to understand. For Deltaport you're saying 800 to 900 which is probably a number that I would agree with, working there. It says "Direct employment here estimated 9,200". So 10 times more jobs in an automated terminal that's a similar sized terminal?
- A: *Cliff Stewart:* No. Don't confuse what's in the terminal from direct employment related to the terminal. So truck drivers, people who work on the railroad, people -- those are all included. Direct employment includes people who work on the tugboats, people who work for customs, people who work on the terminal, people who drive trucks, people who work in the warehouses that unload the containers and people work in the warehouses that load the containers.
- Q: *Nav Brar:* So what's the number for Deltaport after DTRRIP or before DTRRIP? Which of those do you have?
- A: *Cliff Stewart:* It's available on the website. I just don't have the number. But if you look at the DTRRIP, the same document was produced for DTRRIP, and has the post-DTRRIP numbers so you

can get a sense. I just want to go back to what you said about automated terminal, there's no people. That's a bit of a marketing -- that's a bit of a marketing tool for people who sell automation. Automated terminals have lots and lots of people. What they don't have is people on the ground in the container yard. That's where the big difference is.

### **Road and Rail Infrastructure**

*Cliff Stewart provided information regarding road and rail infrastructure on the causeway (page 16 of the Discussion Guide).*

Q: *Clint Morgan:* I thought I seen a preliminary design that was showing an elevated road alongside the causeway? So that's no longer the case?

A: *Cliff Stewart:* Well, I can't say that it's no longer because I don't know that ever was but it isn't in this design. Apart from the question Vicki asked earlier about location, we really started from scratch. We didn't sort of take what someone had done.

Q: *Clint Morgan:* Because you would think that the existing causeway, which is strictly servicing Terminal 1 and the coal terminal. We're doubling capacity of the container terminal with Terminal 2, probably going to double traffic so you would think the causeway wouldn't be sufficient to accommodate traffic.

A: *Cliff Stewart:* Yeah the amount of traffic there is a two-lane road with free flow that can handle that volume of traffic. The only reason that when you get up to Deltaport Way on the mainland that it has to be widened is because the traffic stops at stop lights and so you need more width in order to accommodate that.

The existing road is utilized pretty much as is out to near the Westshore turnoff, at that point there'll be another overpass leading to a road that goes the rest of the way out to Terminal 2. There would be a vehicle access and control system to ensure that particularly the trucks that are going to the terminal are supposed to be at the terminal.

The other aspect that's currently in the design, although it's not definitive, it's been suggested by our operations folks, is on the north side of causeway north of the new rail yard is simply a space for what they're calling an emergency access road. Two-lane gravel in the event that there was a problem on the existing road, the possibility of having traffic divert around that.

The other thing that would be on the causeway would be transmission line improvements to handle the additional power requirements and also to extend the transmission line from where it currently terminates near West Shore out the rest of the distance to Terminal 2.

Q: *Susan Jones:* And will they all be buried, those lines?

A: *Cliff Stewart:* We're not recommending that at this point. We do have studies ongoing. There have been a number of studies over the last several decades looking at the effects of the work that's been done to mitigate against bird strikes.

Q: *Susan Jones:* Everything can be mitigated.

A: *Cliff Stewart:* Those studies indicate that there's been a dramatic reduction in bird mortality.

Q: *Izabella Wieckowski:* Have you ever considered that there's less birds?

A: *Cliff Stewart:* And so we have studies ongoing right now to confirm or refute that, but based on our current understanding we would not be recommending that the power lines be buried.

Whether an independent environmental panel process recommends that is a separate conversation.

Q: *Vicki Huntington*: I'm curious about the sentence under causeway widening.

"The causeway needs to be widened to the northwest but to reduce potential impacts on sensitive marine habitat, the northwest side of the causeway would be widened to different widths along the side."

What do you know about those marine habitats now?

A: *Cliff Stewart*: Near the base of the causeway there is biofilm and in that area, the causeway is narrowed to avoid impacting the biofilm. So that's an example.

C: *Susan Jones*: Just a question on the road and rail improvements. It's very unclear what's being done now and what's going to be done for Terminal 2 because your diagrams don't really show it. There's no visual here that will show this is being done now and this is what's going to be needed for Terminal 2. I mean you're stating it here but a visual at some point would be much more beneficial.

Q: *Vicki Huntington*: This new turning wye, near Arthur Drive for locomotive turning. It's the first I've heard of that one and it would be useful to know what that means.

A: *Cliff Stewart*: if you think about a locomotive, if it's pointing west and you want it to point east, you need to turn it around. A wye helps you accomplish this. In theory they're supposed to be able to go backwards or forwards. What happens today if they need to turn them for some reason is they turn them through the loop tracks at Westshore. So what we're suggesting is that there may be a need to build a turning wye because Westshore may not always be in a position to facilitate that particularly as the number of trains increase for both operations.

If that were to need to happen, then our suggestion is somewhere in the neighbourhood of Arthur Drive there may need to be a construction of a wye.

Q: *Vicki Huntington*: So could your guide then show what the implications are. Maybe there are none, but in terms of the track widening, that it's useful to know where you're looking at it and what it needs. So you're looking at the Deltaport Way being widened four lanes from east of Arthur Drive to where you want to be. How far east of Arthur Drive?

A: *Cliff Stewart*: I can't tell you exactly how far east but if you look on page 14 there is a faint green line just north of the red line in that area which is supposed to be indicative of sort of the general --

Q: *Vicki Huntington*: So basically the Highway 17?

A: *Cliff Stewart*: No, it doesn't go quite that far. Sort of half way between.

Q: *John Lindner*: Well are there 4 lanes already?

A: *Cliff Stewart*: No it's actually just two lanes. But the right-of-way is there. The right-of-way is there to allow it to be widened. And the exact distance is a function of something the traffic engineers would have to sort out but in essence the reason for the widening is that that traffic needs to be able to stop at a stoplight. There has to be enough room for it, to accelerate to get going again to be able to achieve the same throughput in one end of it and out the other end of

it where there are no traffic lights by South Fraser Perimeter Road and the causeway road and so that's what that widening would be about.

And this obviously would be subject to detailed design, consultation with the Province. All we're saying is that, you know, we've done the preliminary look-see and what the traffic engineers say is in that area you need to have more capacity and that's the most likely way to achieve it.

### **Habitat Replacement**

*Cliff Stewart provided information regarding environmental impacts and habitat replacement (page 17 of the Discussion Guide).*

- C: *Clint Morgan:* Yeah, you just said that the total amount would be 210 acres and most of it would be represented by the terminal itself. And that's a question that I've asked earlier on, because I thought I saw the answer on page 12 – it says that the terminal land created would be 115 acres, so that's almost half of the 210
- A: *Cliff Stewart:* The total direct is about a 190 hectares direct. And then there's another about 20 hectares of what's called indirect. So that's what coastal process is. So once this is built, then coastal process will change about 20 hectares of the adjacent environment, which we would also need to compensate.

### **Road and Rail Infrastructure**

*Cliff Stewart provided an overview of planned road and rail improvements as part of the project (page 16 of the Discussion Guide), as well as Port Metro Vancouver initiatives to address increased truck traffic volume and emissions (page 19 of the Discussion Guide).*

- Q: *Nav Brar:* What portion of the trucks that are currently in the fleet in the industry are compliant with that 2007 standard?
- A: *Cliff Stewart:* That's a good question. I can't tell you the answer to that. That standard isn't required today except for new trucks. So any new truck entering the fleet has to have that today. By 2015 all trucks will have to meet that standard or they will no longer be in the fleet. I don't know what the number is today.
- Q: *Nav Brar:* I don't know if it was part of the DTRRIP or the whole CCIP but at one point there was a concept that I read over the years of trucks carrying two containers at once, similar to what they do in Alberta.
- Q: *Cliff Stewart:* That's called the turnpike doubles. That is a possibility. There are fairly significant logistic challenges with that at both ends of the chain. The thing to understand about why the majority of containers that go onto a truck at the port in Vancouver is that these same containers are rehandled at an off-dock facility somewhere in the local region. And as soon as you put two containers on a truck, there are two main problems with that. One is it is very difficult to process those containers. The other is the public is not really happy driving alongside what amounts to a container train.
- So we are not saying that's not a possibility, but we are not pursuing that. We are designing to allow for it if that's where the industry and the government chooses to move, but that's not something that we are depending upon.
- Q: *Vicki Huntington:* I'd just like to offer a consideration for mitigation of the road and rail noise, and I feel that the port should build sound attenuation fences along that causeway and along

where the rail yards are going to be developed near Ladner there and the agricultural lands in there. I don't think there's any excuse not to have noise fencing along that causeway.

I don't know how TFN puts up with it. I don't know how people on the bluff put up with it, and there's no excuse for not having it at least on the southern side. The northern side for people on Westham Island, if they find it difficult too. But I think it's part of your social obligation to do whatever you can to mitigate that being done. And it's not a difficult achievement. And it's a strong recommendation I have.

I don't know if anybody else agrees with me, but it's a simple way of providing some mitigation for the community.

Q: *Nav Brar:* To add to Vicki's comment there, along the causeway you're proposing a widening. On the north side it's admitted, you're saying there's lots of sensitive marine habitat. Obviously there are both sides. Why aren't you widening to the south and then combine that with some sort of a noise attenuation fencing along the causeway there. And you can widen to the south, that's side's already -- you just disturbed it a little while ago.

A: *Ben Wheeler:* I think it's a good question, Nav. I think part of the answer lies in what came out of DP3. So there were some commitments the Port undertook to offset or compensate for some of the habitat that was affected along that south side. And that's what we call the east causeway habitat improvement area. It's roughly four kilometres, and some very substantial habitat improvement project was just built there. Fisheries and Oceans would probably not look favourably to us touching that. And so that's one of the reasons why we stay away from that area.

Q: *Nav Brar:* Is that not something that we should look at maybe rebuilding that again, further out south, and leave the other side the way it is?

A: *Cliff Stewart:* It's a policy question. Fisheries & Oceans generally do not allow what's called "compensatory habitat" to be re-disturbed. If they were open to that it could be considered.

C: *David Ryall:* Well, I think Vicki's comment on the noise, is certainly something that's on the social side for this community. You know, tens of billions of dollars are being spent on this project.

C: *Cliff Stewart:* Billions, please. Not tens of billions.

C: *David Ryall:* Well, no, you added it up going across Canada and the trains and infrastructure, all of it, and you go to through our community and I don't think you're putting enough infrastructure to keep this community where it was. And I would say, not only that, we're looking at decades, as a matter of fact, centuries, for this project. And I think all of Canada can help support our social being here a lot better than they're doing, by far.

C: *Susan Jones:* You got that right.

Q: *David Ryall:* What's the stumbling block with these trucks leaving empty? Cliff, it's good to hear that you're working on it. But as a layperson, it looks pretty silly, trucks going empty. So what's the biggest stumbling block at getting this approved? It's not a priority, so therefore it doesn't get attended to. It's only how it is perceived that it becomes something that should happen.

C: *Vicki Huntington:* The Port doesn't make any of these social issues a priority.

- C: *David Ryall:* And the other one which was good to hear and that's the trucks stopping on the Deltaport Way. I think -- and I realize the Port recognizes to some degree that they have to attend to this, but maybe it's because I haven't gone along that causeway as much. And I'm just talking about from Highway 17 to the causeway. Those trucks are still parking along there far too much, and, you know, when you've got to travel down that road, it's not safe. So I would suggest trying to improve on that specifically.
- C: *Cliff Stewart:* Yeah. And let me just comment on that, which we're not looking to wait a decade to address that. We're assuming for the purposes of this conversation that that will have been dealt with.
- C: *David Ryall:* Yeah, well, it needs to be. Because I tell you what, nobody else in our society could pull that off. To have it go from 41B all the way to highway 17, no one else in this community could do that on the basis that you do it.
- C: *Cliff Stewart:* The trucks know that if they can get on Deltaport Way today, there is nothing anybody can do about it, because there is nowhere to turn them around. So one of the things that's being incorporated into the design of the DTRRIP project is a truck turnaround.
- So, today, when the police come along and the truck is pulled over, what -- the only choice that the police have is to tell the truck to go up and drive through either 41B or Arthur Drive up the country roads of Ladner.
- C: *David Ryall:* But, listen, to be running a port this size, it's not really good planning. It's unacceptable to leave the poor truck drivers in this situation. I mean, we had a farm there, they were parking, knocking over our posts, and so it's really unacceptable to have that happen.
- C: *Cliff Stewart:* I agree.
- Q: *John Lindner:* I was just confused to what you said before about the empty trucks, in regards to a regulatory problem. Can you elaborate on that? I don't quite understand.
- A: *Cliff Stewart:* Well, there are a number of players involved in moving containers around. In other words, there are a number of customers and they have their own contractual arrangements with who they choose to have haul their containers. So if, for example, the container that needs to come off the terminal is an empty container that belongs to a particular steamship line, they have a contract with a particular company to haul their containers. If there is a loaded container coming into the terminal to be exported, then the person who owns the contents of the container is paying for that truck to be hauled, and they have their particular favoured service provider. So it may be that a container coming up to the terminal, I mean, it looks really easy. Well, we should just be able to make this person, you know, use that truck and that person use that truck. It's somewhat akin to the problem of single-occupancy vehicles at commuter rush hour. That problem could be easily solved if we could tell people they had to drive to work with their neighbours. We kind of don't have that ability either. And it's like that kind of a problem. It's probably not quite as intractable as that, but it is of similar complexity.
- Q: *Clint Morgan:* Is there any staging for trucks planned on Terminal 2? Because effectively what I'm hearing is that essentially the road that leads presently to Terminal 1 will eventually lead to Terminal 2, which is Deltaport Way and the causeway. And that's going to be re-enhanced in terms of the ability to handle trucks. And we have seen trucks, like we said, lined up alongside the Deltaport way waiting to get into Terminal 1. Granted, there is not much staging on Terminal

1. So my question is, are you planning on having some kind of staging to handle X amount of trucks on the terminal so they don't spill onto the road?

A: *Cliff Stewart:* Yes, if this sort of thing is still required in 10 years, that is the intention.

### ***Environmental Assessment Process***

*Cliff Stewart provided information regarding compensation for agricultural land (page 19 of the Discussion Guide) as well as an overview of the environmental assessment process (page 20 of the Discussion Guide).*

Q: *Izabella Wieckowski:* Is there a list somewhere of which ones have you commenced, and who is conducting them, and how is the process of awarding the actual environmental assessments to a particular organization. How was this decision made that this particular organization is going to be assessing.

A: *Cliff Stewart:* No, there isn't. These are the guys that are doing it, right down here. Hemmera.

Q: *Izabella Wieckowski:* Are you planning to put it out?

A: *Cliff Stewart:* Do you want to know who has actually been awarded the subcontract for particular specialties?

Q: *Izabella Wieckowski:* Yes, and what the process was like. I would like to have access to information, how are you actually conducting the process of awarding the contract to conduct the assessment and studies.

C: *Judy Kirk:* You're asking for the Request for Proposal, I think, is what it's sounding like?

Q: *Izabella Wieckowski:* No, I'm talking about the responses to the RFP and how you evaluated the responses.

A: *Judy Kirk:* The RFP is public. But the responses are not public.

A: *Susan Jones:* It's always the same one. It's always Hemmera.

Q: *Izabella Wieckowski:* And why? I mean I work for the public organization, and that information is public.

A: *Judy Kirk:* Okay, we've noted that.

Q: *Vicki Huntington:* Where do we find the RFPs that the Port has put out, whether it's for terminal operations?

A: *Cliff Stewart:* Generally on our website, or on BC Bid. Now, they don't stay there forever.

Q: *Susan Jones:* You say you put out a bid for proposals and so forth, and I have sent in questions for the Port for the terms of reference for the studies, and all we're getting is a very, very broad general description. So my question is two-fold. One, when you put out the Request for Proposals, did you have a terms of reference so that you knew specifically what you were asking the people bidding to do? And why aren't there, by now, specific terms of reference so we know exactly what those people are doing?

A: *Cliff Stewart:* Okay. That's a great question. Let me answer that by talking about the process. So if you look on page 20, we are in what's called the pre-environmental assessment phase. So in other words, we haven't actually commenced the formal environmental assessment process.

That would take place starting probably in April or May of next year, in what's called the pre-panel review stage. And one of the key deliverables of that pre-panel review stage of the formal environmental assessment process is the delivery of Environmental Impact Statement Guidelines. So the documents that you're talking about form part of the environmental impact statement guidelines.

- C: *Susan Jones:* I'm talking about the terms of reference for the individual studies that you're paying to get done.
- Q: *Judy Kirk:* You mean the baseline studies?
- A: *Susan Jones:* There's just general discussion, "we're going to look at the lighting, and how it affects the people". Anybody that has any science background here knows what a terms of reference is, and we don't have these studies. And those should be out before these people even begin their work in the field.
- C: *Judy Kirk:* So, Susan Jones, you're request is that you're looking for the terms of reference for each of the baseline studies?
- Q: *Susan Jones:* And when they were put together, and were they part of the proposal. There's just a vague description here. I'm not talking about the terms of reference for the whole assessment. That's another ball game.
- Q: *Vicki Huntington:* But I think there should be no reason why we couldn't have the specific terms of reference for each study.
- A: *Judy Kirk:* Okay. So we've noted it as a request.
- C: *Cliff Stewart:* So, the formal environmental assessment process commences with the submission of a document called the Project Description. And that is what kicks off the formal -- and some people have heard that it's a one-year process, some people have heard it's a two-year process. In reality it's a two-year stop-clock process for environmental assessment.
- And by that, I mean that the federal government, and we assume it will be a joint federal/provincial panel, but that decision obviously isn't ours to make. The panel and the regulators have two years to do the things that they're required to do. But every time they turn back to us, they stop the clock and say, "Now, back to you, go and do this thing, study that thing, develop this report," and when we deliver it back, they deliver it back to us, the clock will start again. So when people hear two years, it generally -- we think it will take about four to four-and-a-half years to actually achieve the two-year time frame that is discussed there.
- Q: *Susan Jones:* Under this pre-panel review, "submission of Project Descriptions". At what stage here is this put up on the federal website? With the Deltaport Third Berth is, we didn't know anything about it. It was put up on the federal website, which usually has nothing on it. And we had, I think, was it 30 or 60 days to respond? I think it was 30. But they did it in the summer. Nobody knew anything about it.
- And that determined the whole process, and yet people didn't even know about it. And they had no input, because by the time it came to the next stage, terms of reference, oh, that was already decided. So there is a very short -- you've got this two-year process, but right at the beginning they've cut this process federally, which I don't understand, and it's not written here. And it's probably the most important part.

You say you've got a two-year process, but if you don't get in in that first 30-day thing, you're hooped.

A: *Judy Kirk:* But you know what, Susan, I would say that Cliff can't answer specific questions about the environmental assessment process.

C: *Susan Jones:* Yes, he can, because it's written in law.

A: *Judy Kirk:* Well, actually, the determination of how long that public comment period is --

C: *Susan Jones:* No, it's fixed.

A: *Judy Kirk:* It isn't. You should ask CEAA and the BCEAO. It is not fixed. And if I were you, because you're very interested, I would inquire of them now what they are thinking about with respect to those timelines.

C: *Susan Jones:* But surely that's the Port's job to let the public know. You're letting us know about all this.

C: *Judy Kirk:* Susan, in all honesty, the Port cannot speak on behalf of the regulators. They cannot.

C: *Susan Jones:* No, but they're doing the process.

C: *Judy Kirk:* No, they're not. I want to be really clear here. The Port is coming out early now but is not undertaking the beginning of the environmental review. They are out here talking to you before that. So any questions you would have about -- of the regulators of those kinds of time frames, you would need to ask them.

Q: *Vicki Huntington:* But the baseline studies are underway and we don't have the terms of reference.

A: *Judy Kirk:* I hear you loud and clear on that. And I think that's a request that needs to be considered.

C: *Susan Jones:* But when you have that process, you have a proponent. But when you're saying the Port of Vancouver is not the proponent.

C: *Judy Kirk:* Not yet, because they haven't filed the Project Description.

C: *Susan Jones:* And I'm just saying that if it's not clear, people don't know this.

C: *Cliff Stewart:* The key to the door of the environmental assessment process is this document called the Project Description. That document is currently under development, based on the design that you see here. And it will be informed by the feedback we get from this process of Project Definition Consultation. The submission of that is what kicks off the process, and then what actually happens at each stage along there is the purview of the provincial and federal environmental assessment agency offices.

C: *Susan Jones:* So that could happen like it did before, in July, and people have to the end of August to reply while we're away on vacation.

C: *Ben Wheeler:* Susan, I hear your comment and it's a good one. The process that we're expecting to be led through by the regulators is one of the more intense environmental assessment models there are. And there are several opportunities during that environmental assessment where the public has an opportunity to participate. And this won't be the first time in April or

May when this is kicked off. It's our anticipation, although the regulators will tell us exactly, but it's our anticipation that there will be several opportunities for people to comment.

- C: *Susan Jones:* But we had that before. But, that Project Description was the key. And anything that wasn't in there didn't count.
- Q: *John Lindner:* You say that once the Project Description is submitted by the Port Authority, that's when the process kicks off, and the regulators will come and say "there is now going to be a public consultation period for 30 days". But you have no control over how long that is. But you can then turn around and say to the public, that the regulators said this is now in the last 30 days. You could then turn around and inform the interested public that this is when the period is, so that they don't necessarily have to find out from the government's website?
- A: *Judy Kirk:* Actually John, you would be surprised how the regulators control their purview of publicizing the process. They do require proponents to advertise in the newspapers. They require that. But otherwise, they do not allow proponents to publicize in a whole bunch of other ways. So, I just wouldn't want the impression left that somehow the Port has free rein to publicize the process. It's not their process. It's the regulator's process.
- Q: *Vicki Huntington:* This would be my request that the Port do everything it can to as quickly as possible release the terms of reference on the studies. And as the studies become available, or I would say before they define the project, and develop their project definition document to submit, that maybe you come back, release those studies, so that people can look at them and comment, prior to the final project definition. It's those studies that form your project. And to the extent you can release those to the public to review them would be incredibly helpful.
- A: *Judy Kirk:* I don't think they're complete yet for the project.
- A: *Cliff Stewart:* No. And I think it's important to understand, some of the studies aren't even started. We will take that away and understand what we can or can't do there.
- But the other thing you asked for was, finish the studies and give them to you before we launch the Project Description. We can't even understand what the regulator's desires for studies are, let alone do them and complete them and share them with the public, before we start the process. I can assure you that as part of the process, ultimately the studies will all be made available to the public, because it is a public process.
- Q: *Izabella Wieckowski:* I just would like to understand the process, that's all.
- A: *Cliff Stewart:* The Project Description does not include the studies. It simply says, "Here's what we propose to do." Then you spend about two years developing first a set of guidelines, in conjunction with what's called technical working groups. And then the Environmental Impact Statement, which -- and that document does include the studies, but there is a public process around that will occur between that and when the Project Description is submitted.
- Q: *Izabella Wieckowski:* So, I understand that. So the Environmental Impact Statement is being done between September and April? Or is it going to be done after April 2013?
- A: *Cliff Stewart:* After April, 2013, between the submission of the Project Description and the joint panel referral. So, until you have completed the Environmental Impact Statement and the draft mitigation plans, you can't launch into the actual panel process, and it's in the panel process that you actually get to see the study reports, because they aren't completed until them.

Because up until that point, the regulators are still deciding whether they agree that those are the right studies and the right terms of reference and so on and so forth.

- Q: *Vicki Huntington:* So the baseline studies provide you with the opportunity to define the project that you will then submit and go through the process?
- A: *Judy Kirk:* Not quite. I think that the regulator really needs to come out and talk to you, Vicki, and to others, and I think tell you themselves. The difference is the baseline studies also have to be agreed to by the regulator in that second step. In other words the Port can start those but it can't finish them until the regulator says to them, "You've met a terms of reference we think is adequate."
- A: *Cliff Stewart:* They don't form a part of the Project Description. They all come after. We're gathering data because the more years of data we have the more likely we are to meet whatever requirements there are.
- C: *Judy Kirk:* I just want to add something because, Vicki, you know I've been doing this kind of work for a long time. The misunderstanding here about what happens when across the country is also a serious problem. But quite aside from whether it's above board here, I'm just making an observation based on work that I've done over the years, there's a lack of understanding of how the regulators set that terms of reference and when.
- Q: *Susan Jones:* The last time we did the studies for the Deltaport Third Berth, we were surprised to learn that they only used 2002 as a baseline for all the data. It was all measured from 2002, which is not a good baseline for what's happened since the coal port. So is this the same thing here? Is 2002 the baseline for all these studies?
- A: *Ben Wheeler:* Well, I think actually that's a good question. We're in a good position because we do have some data going back to 2002. So this is 2012 and actually the port has been conducting studies ever since 2002.
- Q: *Susan Jones:* That there was a huge impact before that that's not taken into account to cumulative effects. So again there's a credibility validity problem here. You only start at 2002. You don't include all the damage that's already been done, which is huge.
- C: *Cliff Stewart:* Yeah, and it's almost a philosophical point and I understand, Susan, where you're coming from on that. Well, the answer is certainly not before 2002, and for some things it won't be 2002. It will probably be 2012. It could even -- if somebody comes along and says, "We want you to study something that we don't even know exists," then the baseline will be whatever year we hear about it and start studying it.
- Q: *Susan Jones:* Yeah, but you know, you've got to consider the big picture. This is the mouth of the Fraser. This is the migratory bird flyway. This is a big issue. And so if you only go back to 2002 you're saying, well, cumulatively we're not doing any damage to be compensated or litigated. You're not giving a complete picture.
- Q: *Marek Wieckowski:* I don't know whether it's possible, but we talk about this regulator. Would it be possible to coordinate a meeting with the regulator?
- A: *Judy Kirk:* Yes. We've done it before on other projects, and I'm going to make the suggestion here. We can't speak on behalf of them and I think it's a good suggestion and we'll see if we can do that. Now, because the board isn't in the process yet I don't know what their answer will be, but we will ask and come back to you and let you know.

- C: *Cliff Stewart*: Okay. So again, I cannot emphasize enough, notwithstanding your view of what has or hasn't been done, if you see something that's missing here please let us know.
- C: *Vicki Huntington*: Dollars to help people engage in the process.
- C: *Judy Kirk*: So which, by the way, Vicki and David, the process does in that box, that April 2013-15, when the EIS Guidelines are being discussed, they do seek for application for funding.
- C: *Cliff Stewart*: We have to be extremely careful not to tread on the prerogatives of the regulator. So that is the regulator that manages that.
- C: *Judy Kirk*: But Vicki, you know, you're in a very good position to ask those questions of the regulator.
- Q: *Vicki Huntington*: I'm asking, yes, I understand that of the regulator. I asked if the Port could possibly assist in that regard before the process starts?
- C: *Judy Kirk*: That has been noted.

### ***Environmental Assessment Process***

*Cliff Stewart provided information regarding community legacy benefits (page 22 of the Discussion Guide).*

- C: *Vicki Huntington*: Does that include the increased taxes?
- C: *Cliff Stewart*: No, because that flows naturally from the construction.
- C: *Izabella Wieckowski*: It's not enough though, because they are capped.
- C: *Vicki Huntington*: The noise attenuation, the way you fellows will probably work is rather than consider it for instance to be a social mitigation factor, you'll work on the levels of decibels that are hitting somebody's front window rather than looking at it as a compensation or a legacy. So I don't know why you would say it isn't noise because I would think that some decibels don't count and the fence will still go. And I'm sorry, I don't mean to be putting words in your mouth.
- C: *Judy Kirk*: So Vicki, in your view, what you would like to see considered, if the noise attenuation that you've suggested in this meeting was not considered a requirement by the environmental regulators, then you are saying, "Look, Port, why don't you consider that as a benefit, as a legacy benefit?"
- C: *Cliff Stewart*: Certainly we would happily do that if that was what the community felt was required. In other words, if the regulator came back and said, "No, there isn't a noise problem, you don't need to do anything about it," and you said, "Well, we still want something done about noise," then that would become a community legacy benefit.
- Q: *Vicki Huntington*: What does it take to convince the Port that the community is interested? Does it take a statement from the mayor? Does it take a referendum? What does it take?
- A: *Cliff Stewart*: That's a really interesting question and to a certain extent the discussions regarding community benefits will help to clarify that. Articulating what it is you want and the priority you put on things is part of the process.
- Q: *Marek Wieckowski*: No, no, I just resent what you said the regulator might say that noise is not a problem.

C: *Judy Kirk:* No, all I was trying to do was to make sure that there was clarity around the fact that noise attenuation could be considered, could be considered as mitigation and/or as of community benefit.

C: *Vicki Huntington:* And I'm saying it should be a social responsibility rather than a legacy benefit.

*Cliff Stewart wrapped up the meeting and encouraged participants to complete the feedback form and encourage their friends and others to participate.*

*The meeting ended at 8:18pm.*