

Meeting Date: April 24, 2008

Construction Update

Construction Schedule

- Completion is still anticipated for fall/09. So far, there are still no significant changes to the overall schedule. Some fill sequencing changes have been made to keep the project on schedule.

Barge Incident/Wind Storm

- The two damaged caissons will be repaired on site after refloating, not in Esquimalt drydock as previously anticipated. Refloating the first of the six settled has started.

Pile Driving/Placement and Densification Testing

- The sheet pile placement for the tug basin bulkhead has been completed.
- Additional sheet piles and steel pipe piles are needed for reinforcing temporary construction at the end of Caisson 16, because of soil problems.
- The mattress rock densification testing is expected to continue until late June, but may go a bit longer depending how much remediation (of the densification) is required. Another 38 densification tests are still anticipated.

Dredging

- The Columbia cutter suction dredge is expected to return to site in mid-June for about 4 weeks, to transfer sand from the underwater stockpile to the fill area and to grade and trim the ship turning basin.
- After that, the dredge will only return if additional fill is needed to compensate for settlement of the terminal fill, depending on assessment in late 2008.

DP3 Densification Probe Incident

- As per previous updates provided to the committee, on Monday, March 3, 2008, a densification probe tip broke below the seabed while working on the Deltaport Third Berth Project. It is estimated that 100 litres of the vegetable-based hydraulic oil was released below the seabed and eventually made its way to the surface of the water.
- The hydraulic oil used in the densification probe was Esso UNIVIS BIO 40. This is non-toxic vegetable based oil with a biodegradation rate of 97% within 21 days.
- The oil was contained immediately and no fish or wildlife (including coastal seabirds and waterfowl) were affected by the incident. Scuba divers conducted subtidal survey assessments, which indicated that no oil is present on the seabed.

HWY 17 Commercial Lane Implementation

- VFPA met with Delta Engineering and MoT on April 9 and VFPA is proceeding with a Road Safety Audit, as requested by Delta council. Due to traffic volumes, MoT requires the construction to take place during evening hours and Delta Engineering will seek council approval for this.
- It is still expected that construction will start in May/June with completion in July/August. Tender should be out in a week or so and should close in May. Contractor is expected to start around May/June, with completion in July/Aug.

Environmental Update

Ocean Disposal Incident

- Environment Canada Investigation is still in progress.

Habitat Compensation

- **East causeway enhancements:** VFPA is working with DFO on a temporary barge berth application, which is being proposed for the delivery and removal of material for this project. The barge berth would mean that VFPA could avoid trucking materials through the community of Delta. Work on the causeway enhancements is expected to begin in the late summer or early fall. Baseline monitoring work is underway.
- **Log removal and salt marsh restoration:** Log removal has been completed. The details of a proposal for the installation of a pair of culverts and the extension of some of the drainage channels by more than 500 m (both to improve fish access and marsh function) are currently undergoing environmental assessment, with construction expected to be carried out this summer. Baseline monitoring work is under way.
- **Caisson refugia:** Caisson habitat is being incorporated into three of the caisson structures as they are constructed. Caisson installation will be initiated this year.
- **Subtidal rock reef:** Equipment targeted for rock placement has not been available. Rock placement may proceed by the end of the year (weather permitting) but will be completed next year. Baseline monitoring work has been completed.
- **Sandbar stabilization:** After consultation with Fisheries and Oceans Canada and Canadian Wildlife Services, a pilot project has been designed that may lead to a larger project if warranted by the success of the pilot. Detailed engineering is currently under way with a view to completing the pilot stage of the work this summer. Baseline monitoring is under way.
- **Off-site compensation:** An engineering assessment of Rose-Kirkland Island has been completed and a detailed plan is undergoing assessment by the FREMP Environmental Review Committee. The work is expected to be completed this summer.

Adaptive Management Strategy - Annual Report

- The draft annual report has been prepared, and the Scientific Advisory Committee for the Adaptive Management Strategy will be conducting their review of the report through May 2008, with the report expected to be finalized in June 2008. The final report will then be available to the DCLC, as well as to the public through its posting on the project website.

Other Items

DP3 Open House

- Scheduled for May 29 from 5pm to 9pm at the Coast Tsawwassen Inn. Advertisements will be placed in local papers two weeks prior to event.
- Please advise Naomi if you are able to attend as a DCLC representative.

Truck Licensing System - New Opacity and Truck Age Requirements

- On April 1, 2008, the Vancouver Fraser Port Authority (VFPA) implemented stricter environmental standards as part of the Truck License System (TLS). The TLS is a licensing, audit and enforcement provision that applies to container trucks and container truck operators who access the Port.
- Through the TLS, the Port is committed to developing a safer, cleaner, more sustainable container truck fleet to service the Port's container facilities. The following new standards were implemented as of April 1, 2008:
 - All trucks older than 1994 must be opacity tested and passed; and,
 - All trucks older than 1989 must also have an approved VFPA age emission reduction measure on their truck.
- Trucks that do not meet the TLS Environmental Requirements will not be granted a license to access port property. 250 truck licenses were suspended from the TLS on April 1, 2008 as a result of these new standards.

Response to Questions from February 28th Meeting

Winter Storm and Caissons

What is the impact of the caissons?

The caissons are sitting on or in the seabed where they are temporarily stored, at a seabed elevation of approximately 13.5 metres below low water. A biophysical assessment for the area identified that the benthic habitat of the area affected (a total of approximately 730 sq.m. per caisson x 8 caissons, i.e. approximately 5,820 sq.m.) is predominated by a benthic delta sedimentary habitat, supporting relatively few species of infauna. No long-term impacts are anticipated as these habitats should re-colonize and assume their former productivity following caisson removal.

What damage is being done while they are grounded?

Benthic fishes and macro-invertebrates will temporarily be excluded for a short-term period of time. Benthic fishes might re-locate to similar benthic habitats. Benthic infauna will be forced to evacuate compressed sediments.

What damage could be done when they are brought up?

The VFPA is working with the contractor and environmental monitors and the recovery is now underway. Care is being taken to ensure there is no excess turbidity, or interference with pelagic biota caused by the excavation required for refloating the caissons. It is anticipated that a portion of the excavated material placed immediately next to the caisson locations will migrate back into the depressions in the seabed presently occupied by the caissons. If this does not take place to a satisfactory degree, the holes will have to be backfilled by DCL using a clamshell dredge.

Hansard Questions - John Cummins Wildlife Questions

How many acres (or hectares) of farmland will be used for Roberts Bank port and rail related developments now underway or under study?

The Deltaport Third Berth Project does not require farmland as part of the expansion. Additional rail tracks are required for the project but will be constructed within the British Columbia Rail Company's (BCRC) existing property on the Roberts Bank causeway and within their existing right-of-way adjacent to Deltaport Way.

Did the Vancouver Port Authority undertake to work jointly with the Tsawwassen Band to ensure the removal of the Agricultural Land Reserve designation from the farmland and, if so, why and what alternate measures?

Vancouver Fraser Port Authority was not involved in TFN's treaty negotiations, nor have we been involved in the band's negotiations surrounding ALR land as part of their treaty.

Did it put in place to protect farmland adjacent to the Roberts Bank port, rail and highway expansion?

The Deltaport Third Berth Project does not require farmland as part of the project.

Did the Vancouver Port Authority agree to jointly develop with the Tsawwassen Band a container handling facility on the farmland protected by the B.C. Agricultural Land Reserve designation and, if so, why did the Vancouver Port Authority enter into such an agreement rather than develop container handling facilities further inland in a less environmentally sensitive area?

In 2004, the Vancouver Fraser Port Authority entered into a Memorandum of Agreement with the Tsawwassen First Nations. The Memorandum of Agreement deals with compensation for past infringements on the TFN's claimed aboriginal interests at Roberts Bank, as well as compensation and mitigation for future infringements related to the VFPA's proposed container terminal expansion projects. Under the Memorandum of Agreement, the TFN will receive:

- the sum of \$2.5 million for settlement of the legal dispute, which will be used to mitigate impacts from the existing facilities. These funds may potentially be used towards a boat launch and moorage facility to enhance access to traditional shellfish and crab harvesting grounds;
- compensation of \$4.5 million for past and future infringements on claimed aboriginal rights and title caused by the development and operation of Roberts Bank port facilities;
- a \$1 million development fund for education and skills training;
- employment and contracting opportunities associated with port development and ongoing port operations; and,
- a \$10 million fund to facilitate joint investment in port-related businesses including a potential container handling facility if required.

Has the Vancouver Port Authority considered the secondary destruction of farmland and wildlife habitat from the expanded rail yards and the construction of the container storage area on the environmentally sensitive lands adjacent to Roberts Bank and, if so, what measures has it put in place to protect farmland and the ability of wildlife now making use of the area to continue to be able to rely on these farmlands?

The Deltaport Third Berth Project does not require farmland as part of the expansion. TFN development on their own land will be independent from the DP3 Project and subject to their permitting requirements and community plan.

How much farmland and wildlife habitat will be destroyed as a result of the rail yards and rail line expansion both on the farmland and Deltaport Causeway as part of the Roberts Bank port expansion and how much will be destroyed as a result of the related highway construction?

As mentioned previously, the Deltaport Third Berth Project does not require farmland as part of the expansion. Additional rail sidings are required for the project but will be constructed within BCRC's existing property on the Roberts Bank causeway and within their existing right-of-way adjacent to Deltaport Way.

Did the Vancouver Port Authority consider the use of less environmentally sensitive land further inland for the storage of containers as well as the unpacking and reshipment of the containers and, if so, what are the options considered and why did it not adopt such options for the port?

The Deltaport Third Berth Project does not require the development of inland container storage facilities. As part of the port's overall strategy, we are looking at various initiatives to reduce the impact of the container sector on local communities. These initiatives include short-sea shipping, inland container storage and transshipment facilities that could be located along the Fraser River up to and including Maple Ridge and Langley.

What part of the farmland adjacent to Roberts Bank is available for the wintering of migrating waterfowl of the Pacific flyway and how many birds did the farmland adjacent to Roberts Bank support in the winters of 2005, 2006 and 2007?

This question should be referred to the Canadian Wildlife Services who track this information.

Has the Canadian Wildlife Service and Environment noted snow geese and trumpeter swan crowding in the over wintering areas adjacent to Roberts Bank?

This question should be referred to Canadian Wildlife Services.

Was culling of the snow geese and trumpeter swan population considered as an option and, if so, how many birds would have to be culled due to the loss of farmland and wildlife habitat to the Roberts Bank port development?

VFPA is not involved in any culling program. This question is best addressed by Canadian Wildlife Services as it refers to controlling bird populations for species that are covered under the *Migratory Bird Act*. The Deltaport Third Berth Project does not require farmland as part of the expansion.

Did the Vancouver Port Authority agree to support efforts to remove the Wildlife Management Area designation or to refrain from so designating water lots at Roberts Bank and, if so, did the Port request the Province to refrain from making the Wildlife Management Area designation and, if not, has the Port requested the Province to designate the remainder of the Roberts Bank area a Wildlife Management Area and, if not, why?

The proposed Roberts Bank Wildlife Management Area is a provincial initiative that has involved consultation with a number of stakeholders including the Port. The VFPA has not

been opposed to the Roberts Bank WMA. Please refer to the Ministry of Environment for the current status of the Roberts Bank WMA.

Has the Vancouver Port Authority received from B.C. the water lots identified in the Memorandum of Agreement and, if so, which water lots were received?

The Province has transferred ownership of Water lot A to the Federal Government. The Water lot is owned by the federal government and managed by VFPA on their behalf.