

THE CORPORATION OF DELTA

Ministry of Environment
Correspondence Unit

JAN 13 2014

From the office of:

The Mayor,
Lois E. Jackson

December 17, 2013

The Honourable Mary Polak
Minister of Environment
PO Box 9047, Stn Prov Govt
Victoria, BC V8W 9E2

MINISTER'S OFFICE – RECEIVED
MINISTRY OF ENVIRONMENT

DEC 30 2013

☒ Min Reply ☐ Reply Direct ☐ DM Reply ☐ Info/File
☐ Send Interim ☐ Redirect to _____
☐ cc: _____
CLIFF# _____

Dear Minister,

Re: Independent Interagency Review Committee

At the December 16, 2013 Regular Meeting, Delta Council unanimously endorsed the recommendations in the enclosed report on the Environmental Impact Assessment for the proposed Direct Transfer Coal Facility at Fraser Surrey Docks.

It is evident from the concerns and comments received that additional work is required to address issues and answer outstanding questions, especially as they relate to potential public health impacts associated with the proposal. For these reasons, Delta is initiating and coordinating the establishment of an independent interagency review committee. The Corporation of Delta will facilitate this committee and I am extending a personal invitation for technical staff from the Ministry of Environment to participate.

The role of this committee would include providing recommendations on the responsibility, scope and terms of reference for further studies required to address issues raised by agencies and the public. We recommend this should include, but would not be limited to, an independent comprehensive assessment of the health and environmental impacts associated with the transportation and handling of coal.

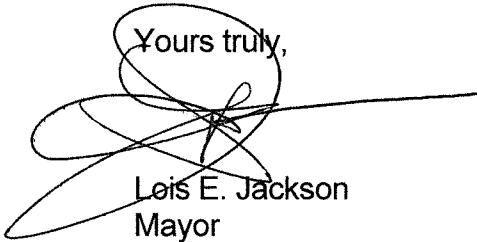
This is a multi-jurisdictional issue that demands expertise in many areas. It is essential that appropriate representatives are at the table and that they are in an environment that fosters the free flow of information. It is our hope that the contribution of expertise from your Ministry to this committee and the collaborative work of its members will produce meaningful, practical recommendations towards further assessment and understanding of the impacts of transportation and handling of coal in our communities.

.../2



Thank you for your attention to this matter, and I look forward to your positive response and the designation of a staff member to this important committee. Please contact my office at 604-946-3210 or email mayor@delta.ca if you have any questions.

Yours truly,

A handwritten signature in black ink, appearing to be "Lois E. Jackson", written over the typed name and title.

Lois E. Jackson
Mayor

Attachment

cc: The Honourable Kerry-Lynne D. Findlay, QC, PC, Member of Parliament for Delta-Richmond East
Jinny Sims, Member of Parliament for Newton-North Delta
Scott Hamilton, Member of the Legislative Assembly, Delta-North
Vicki Huntington, Member of the Legislative Assembly, Delta-South
Port Metro Vancouver Board of Directors
Robin Silvester, President & Chief Executive Officer, Port Metro Vancouver
Jeff Scott, President & Chief Executive Officer, Fraser Surrey Docks
Delta Council
George V. Harvie, Chief Administrative Officer



Reference: 200143

MAR 06 2014

Her Worship Lois E. Jackson
and Councillors
4500 Clarence Taylor Crescent
Delta BC V4K 3E2

Dear Mayor Jackson and Council:

Thank you for your letter of December 17, 2013, regarding the establishment of an Independent Interagency Review Committee for the transportation and handling of coal. I apologize for the delay in responding.

The Fraser Surrey Docks coal terminal expansion proposal is located on federal land, overseen by Port Metro Vancouver. The Ministry's evaluation on the proposal is limited to examining potential discharges to the environment proximate to the docks. Stormwater on the site is treated and discharged into Surrey / Metro Vancouver sewer systems and the Ministry is satisfied there are no discharges associated with stormwater to the Fraser River from this project.

Air emissions, such as dust from coal transfer, fall under Metro Vancouver's delegated responsibility under the *Environmental Management Act*. The Ministry continues to monitor this file but has no regulatory authority over the project.

As you have noted, the transportation and handling of coal is a multi-jurisdictional issue. Standards for the safe operation of railways and rail equipment fall under the jurisdiction of Transport Canada. The federal government does not regulate for coal dust emissions resulting from the transportation of coal by rail. The federal government does regulate the transportation of some commodities, under the *Transportation of Dangerous Goods Act*; however, coal has not been classified as a dangerous good under this Act.

The Ministry has an air quality monitoring program that takes air quality readings at stations throughout the province outside Metro Vancouver. Metro Vancouver also has an extensive air quality monitoring program. The Ministry and Metro Vancouver stations do not monitor for coal dust, but do monitor for finer particulates considered to cause respiratory problems, such as smoke from fires and diesel exhaust.

...2

I appreciate your personal invitation to the Ministry of Environment to participate in an Independent Interagency Review Committee facilitated by the Cooperation of Delta. I am pleased to confirm the Ministry's conditional agreement for involvement on the committee. Staff from the ministry's Victoria office have volunteered to attend the review committee's meetings by telepresence in an observational capacity to determine what, if any, role the Ministry might play. As the Ministry does not have regulatory authority over the Fraser Surrey Docks proposal or the Metro Vancouver airshed, we are limited in our ability to provide recommendations or act in a lead role. The Ministry recognizes the concern in your community around coal and is interested in the committee's work to better understand and define these concerns.

Please contact Mr. Glen Okrainetz, Manager, Clean Air with the Ministry's Environmental Protection Division, directly at Glen.Okrainetz@gov.bc.ca, or at 250 953-3417 to provide information about the committee's upcoming meetings.

Thank you again for writing.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Mary Polak'.

Mary Polak
Minister

cc: Glen Okrainetz, Manager, Clean Air, Ministry of Environment

Jackson, Vickie ENV:EX

From: Jackson, Vickie ENV:EX
Sent: January-14-14 4:27 PM
To: Ainsworth, Diana ENV:EX
Subject: RE: Material for drafting re: Delta's Independent Interagency Review Committee
Attachments: RE: Question: Correspondence from Mayor Jackson - Delta; IN_Coal transport_Update_Jul8.docx; RE: Question: Correspondence from Mayor Jackson - Delta; FW: Question: Surrey Fraser Docks and coal processing

Maybe! Would that be helpful to you?

s.13 , MoTI is the government lead and Jim has had some involvement.

s.13

Make sense or did you have another idea?

Thanks much,

Vickie

Vickie Jackson
Manager, Executive Operations
Ministry of Environment
5th floor-2975 Jutland Rd. Victoria
250 356-5763

From: Ainsworth, Diana ENV:EX
Sent: Tuesday, January 14, 2014 3:46 PM
To: Jackson, Vickie ENV:EX
Subject: Material for drafting re: Delta's Independent Interagency Review Committee

Hi Vickie,

Not sure if I'm mis-remembering, but did you have some material to share for drafting a response to the Corporation of Delta in response to their letter re: Independent Interagency Review Committee (the letter with the big binder)?

Thanks!
Diana Ainsworth
A/Manager, Correspondence Projects
Ministry of Environment
Phone: 250 387-9874

Jackson, Vickie ENV:EX

From: Kennedy, Karla EAO:EX
Sent: January-10-14 12:34 PM
To: Jackson, Vickie ENV:EX
Cc: Caul, Doug D EAO:EX; Lewthwaite, Jennifer EAO:EX
Subject: RE: Question: Correspondence from Mayor Jackson - Delta

Hey,

I discussed with Doug and staff here;

s.13

s.13

From: Jackson, Vickie ENV:EX
Sent: Thursday, January 9, 2014 12:57 PM
To: Kennedy, Karla EAO:EX
Subject: Question: Correspondence from Mayor Jackson - Delta

Hi Karla-

I know you didn't receive this over there but Wes would like Doug to weigh in re: our participation.

Vickie

Vickie Jackson
Manager, Executive Operations
Ministry of Environment
5th floor-2975 Jutland Rd. Victoria
250 356-5763

From: Shoemaker, Wes ENV:EX
Sent: Thursday, January 9, 2014 12:03 PM
To: Jackson, Vickie ENV:EX; Mitschke, Matt ENV:EX; Hancock, Tom ENV:EX; Caul, Doug D EAO:EX
Cc: Przada, Jennifer ENV:EX; Lee, Bonnie ENV:EX
Subject: RE: Question: Correspondence from Mayor Jackson - Delta

We did not receive in the Ministry as far as I am aware,

s.13

s.13

Wes

From: Jackson, Vickie ENV:EX
Sent: Thursday, January 9, 2014 11:40 AM
To: Mitschke, Matt ENV:EX; Hancock, Tom ENV:EX
Cc: Przada, Jennifer ENV:EX; Shoemaker, Wes ENV:EX; Lee, Bonnie ENV:EX
Subject: Question: Correspondence from Mayor Jackson - Delta

Hi folks-

We have not received this at the Ministry. Did you? I don't expect you would as it show no indication of being addressed to MMP or copied to her.

Please advise as they indicate elsewhere that Environment is to be invited to sit on this "independent interagency review committee".

Thanks,

Vickie

Jackson, Vickie ENV:EX

From: Nicoll, Sara ENV:EX
Sent: January-08-14 4:46 PM
To: Jackson, Vickie ENV:EX
Cc: Standen, Jim ENV:EX; Gilmour, Lori ENV:EX; Braman, Jonn ENV:EX; Wakelin, Tony ENV:EX
Subject: FW: Question: Surrey Fraser Docks and coal processing
Attachments: ML223692 Jackson ; 199508.docx

Hi Vickie:

Jim participated in a meeting on this topic in November, along with reps from Health and Transportation. Jonn Braman and Tony Wakelin provided background for IN 199508.

Sara Nicoll
Phone: 250 356-5016

From: Jackson, Vickie ENV:EX
Sent: Wednesday, January 8, 2014 3:26 PM
To: ENV Executive Committee
Cc: ENV EXC Exec Br Support
Subject: Question: Surrey Fraser Docks and coal processing

Hi all-

Please see question from Lara Perzoff. Does anyone have any program staff working on/coordinating this topic?

Please advise.

Thanks,

Vickie

Vickie Jackson
Manager, Executive Operations
Ministry of Environment
5th floor-2975 Jutland Rd. Victoria
250 356-5763

From: Wilson, Anna ENV:EX
Sent: Wednesday, January 8, 2014 3:04 PM
To: Jackson, Vickie ENV:EX
Cc: Ainsworth, Diana ENV:EX; Lee, Bonnie ENV:EX
Subject: RE: Urgent Question: Incoming from Mayor Lois Jackson

Hi Vickie,

The only piece of correspondence I could locate from Mayor Lois Jackson regarding FSD is from MoTI (attached). I searched CLIFF, the Minister's mailbox, the generic env mailbox as well as our Correspondence mailbox. Please let me know if you require anything else.

Cheers.

Anna Wilson
A/Senior Writer - Communications Unit
Ministry of Environment
T. 250 356-7191

From: Jackson, Vickie ENV:EX
Sent: Wednesday, January 8, 2014 2:26 PM
To: Wilson, Anna ENV:EX
Cc: Ainsworth, Diana ENV:EX; Lee, Bonnie ENV:EX
Subject: Urgent Question: Incoming from Mayor Lois Jackson
Importance: High

Hi Anna-

Can you please see if we have an incoming similar to attached? Please let me know today.

Thanks,

Vickie

Vickie Jackson
Manager, Executive Operations
Ministry of Environment
5th floor-2975 Jutland Rd. Victoria
250 356-5763

From: Murphy, Bernadette GCPE:EX
Sent: Wednesday, January 8, 2014 10:06 AM
To: Jackson, Vickie ENV:EX; Lee, Bonnie ENV:EX
Cc: Crebo, David GCPE:EX; Cotton, Brian GCPE:EX; Leake, Greg EAO:EX
Subject: Fwd: ML 223692 Jackson - Information Request

Hi folks - would you please advise? Thanks

Sent from my iPhone

Begin forwarded message:

From: "Perzoff, Lara GCPE:EX" <Lara.Perzoff@gov.bc.ca>
Date: January 8, 2014 at 9:58:53 AM PST
To: "Murphy, Bernadette GCPE:EX" <Bernadette.Murphy@gov.bc.ca>, "Jabs, Ryan GCPE:EX" <Ryan.Jabs@gov.bc.ca>, "Thistle-Walker, Carlene GCPE:EX" <Carlene.ThistleWalker@gov.bc.ca>
Cc: "McAndrews, Caroline GCPE:EX" <Caroline.McAndrews@gov.bc.ca>
Subject: FW: ML 223692 Jackson - Information Request

Hi Bernadette, Ryan and Carlene,

Attached please find our current IN regarding concerns from various groups over the possible health and environmental effects of handling/transporting coal at the proposed Fraser Surrey Docks (FSD) facility. This IN is often changed to reflect the ongoing opposition to the expanded coal handling terminal. I'm hopeful it will help give you an overview of the issue.

The latest development for MOTI is a letter (attached pdf) from Delta Mayor Lois Jackson to Minister Stone, advising that Delta Council has unanimously endorsed the recommendations in the Environmental Impact Assessment (EIA) for the proposed facility at FSD and to provide a copy of that report to the minister, as recommended. She advises that Delta is initiating and coordinating the establishment of an independent interagency review committee (MOE and HLTH have been asked to participate but interestingly, not MOTI) whose role would include providing recommendations on the scope, responsibility and terms of reference for further studies required to address concerns/issues raised by other agencies and the public through the EIA process, with the request that Port Metro not give this project a green light until this work has been done.

My questions to you are:

1. Have your Ministries received similar letters from Delta Mayor Lois Jackson?
2. If so, are your Ministries preparing to respond?
3. Who in your program area is working on this file? (I am asking so my program area contact, Michael Crawford, can get in touch with them as needed to provide a coordinated front moving forward). This issue has been discussed at the executive level between all ministries before Christmas. My understanding is they'll be meeting again soon to strategize on how to handle this one. I will let you know when this could happen again.

MOTI intends to respond to Delta's letter next week. I will loop all of you in on the response as soon as I can.

Lara

Lara Perzoff | Sr. Public Affairs Officer
Government Communications & Public Engagement
Ministry of Transportation and Infrastructure
Direct: (250)356-0825
Cell: (250) 920-9040
e-mail: Lara.perzoff@gov.bc.ca

From: McCullough, Sarah ENV:EX
Sent: Thursday, January 16, 2014 2:01 PM
To: Metcalfe, Shelley ENV:EX
Cc: Braman, Jonn CSCD:EX
Subject: RE: Log 200143 - Due Jan 20 Environmental Impact Assessment for proposed transfer coal facility @ Fraser Surrey Docks

Hi Shelley,

Can you touch base with Jonn on this when you get back? I just spoke to Jonn and he has some more digging around to do on this request before we get back to them.

As you know

s.22

I won't be able to address it before I leave.

Thanks.

Sarah McCullough

Environmental Protection Officer

Ministry of Environment | Environmental Protection Division

Tel: (604) 582-5337 | Fax: (604) 584-9751

From: Braman, Jonn ENV:EX
Sent: Thursday, January 16, 2014 10:17 AM
To: Metcalfe, Shelley ENV:EX
Cc: McCullough, Sarah ENV:EX
Subject: FW: Log 200143 - Due Jan 20 Environmental Impact Assessment for proposed transfer coal facility @ Fraser Surrey Docks

Fraser Surrey – before Jan 20.

Jonn Braman,
Regional Director, Coast
Environmental Protection Division
604 582 5284

From: Becker, Judy S ENV:EX
Sent: Wednesday, January 15, 2014 10:59 AM
To: Braman, Jonn ENV:EX
Subject: FW: Log 200143 - Due Jan 20 Environmental Impact Assessment for proposed transfer coal facility @ Fraser Surrey Docks

Hi Jonn,
Please see below.

Thank you,
Judy

From: Anna.Wilson@gov.bc.ca [<mailto:Anna.Wilson@gov.bc.ca>]
Sent: Wednesday, January 15, 2014 10:29 AM
To: Becker, Judy S ENV:EX
Cc: Jacobsen, Jaclyn ENV:EX
Subject: Log 200143 - Due Jan 20

Hi,

CU drafted a partial response for ERSC staff to edit. Please have ERSC add the conditions for involvement. Final version due to the EPD-ROB for Jan 20.

Thanks. Anna

Ministry of Environment CLIFF Log 200143

First Name	His Worship Lois E.			Written	2013/12/17	Log ID	200143
Last Name	Jackson			Received	2013/12/30	Type	Letter
Title	Mayor			Due	2014/01/17	Action	Min-Sig
Division				Interim		Office	CU- Correspondence
Company	The Corporation of Delta			Signed		Sign By	
Address	4500 Clarence Taylor Crescent			Closed		Entered By	ALLYLEE
				File No.			
City	Delta	Postal	V4K 3E2	Batch			
Province	BC	Phone		Confidential:No Frequent Writer:No Elected Official:No			
Country		Fax		Email			
Subject	Delta Council endorsed the recommendations re: the Environmental Impact Assessment for the proposed Direct Transfer Coal Facility at Fraser Surrey Docks						
Other Info	Binder enclosure help temporarily with Vickie in DMO						
Copied To	See list						
Addressed to	Minister			Division	EPD - Environmental Protection Division		
Issue	Fraser Surrey docks/Texada Island quarry			MLA	Huntington, Vicki (Independent)		
X-Ref				Electoral Dist	Delta South		

Attachments for Log 200143

PDF: 200143 - Jackson - INCOMING

PDF: 200143 - Enclosure 1

PDF: 200143 - Enclosure 2

Document: 200143 - Jackson - DRAFT

Referrals for Log 200143

Sent By	CU-Correspondence	Sent	2014/01/14	Received	2014/01/13	Status	Sent
Sent To	CU-Correspondence	Due	2014/01/17	Active for 1 day		State	Pending
Action	Min-Sig	Completed		File No.			

Comments From Receiving Office2014/01/14T14:19 ALLYLEE (CU-Correspondence) Received in CU and with Diana to hold

2014/01/15T10:03 ANNWILSO (CU-Correspondence) Drafted, sent to ERSC for draft approval.

Sent By	CU-Correspondence	Sent	2014/01/15	Received		Status	Sent
Sent To	ERSC - South Coast	Due	2014/01/17	Active for		State	Active
Action	Draft approval	Completed		File No.			

Comments From Sending Office2014/01/15T10:04 ANNWILSO (CU-Correspondence) CU drafted a partial response for ERSC staff to edit. Please have ERSC add the conditions for involvement. Final version due to the EPD-ROB for Jan 20.

From: McCullough, Sarah ENV:EX
Sent: Thursday, January 16, 2014 11:09 AM
To: Braman, Jonn CSCD:EX
Subject: RE: Log 200143 - Due Jan 20 Environmental Impact Assessment for proposed transfer coal facility @ Fraser Surrey Docks

Hi Jonn,
As you have me on the Cc list for this I'm not sure if you want me to take any action on this today. s.22
s.22

Let me know....

Thanks.

Sarah McCullough
Environmental Protection Officer
Ministry of Environment | Environmental Protection Division
Tel: (604) 582-5337 | Fax: (604) 584-9751

From: Braman, Jonn ENV:EX
Sent: Thursday, January 16, 2014 10:17 AM
To: Metcalfe, Shelley ENV:EX
Cc: McCullough, Sarah ENV:EX
Subject: FW: Log 200143 - Due Jan 20 Environmental Impact Assessment for proposed transfer coal facility @ Fraser Surrey Docks

Fraser Surrey – before Jan 20.

Jonn Braman,
Regional Director, Coast
Environmental Protection Division
604 582 5284

From: Becker, Judy S ENV:EX
Sent: Wednesday, January 15, 2014 10:59 AM
To: Braman, Jonn ENV:EX
Subject: FW: Log 200143 - Due Jan 20 Environmental Impact Assessment for proposed transfer coal facility @ Fraser Surrey Docks

Hi Jonn,
Please see below.

Thank you,
Judy

From: Anna.Wilson@gov.bc.ca [mailto:Anna.Wilson@gov.bc.ca]
Sent: Wednesday, January 15, 2014 10:29 AM
To: Becker, Judy S ENV:EX
Cc: Jacobsen, Jaclyn ENV:EX
Subject: Log 200143 - Due Jan 20

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version due to the EPD-ROB for Jan 20.

Thanks. Anna

Ministry of Environment CLIFF Log 200143

First Name	His Worship Lois E.			Written	2013/12/17	Log ID	200143
Last Name	Jackson			Received	2013/12/30	Type	Letter
Title	Mayor			Due	2014/01/17	Action	Min-Sig
Division				Interim		Office	CU- Correspondence
Company	The Corporation of Delta			Signed		Sign By	
Address	4500 Clarence Taylor Crescent			Closed		Entered By	ALLYLEE
				File No.			
City	Delta	Postal	V4K 3E2	Batch			
Province	BC	Phone		Confidential:No Frequent Writer:No Elected Official:No			
Country		Fax		Email			
Subject	Delta Council endorsed the recommendations re: the Environmental Impact Assessment for the proposed Direct Transfer Coal Facility at Fraser Surrey Docks						
Other Info	Binder enclosure help temporarily with Vickie in DMO						
Copied To	See list						
Addressed to	Minister			Division	EPD - Environmental Protection Division		
Issue	Fraser Surrey docks/Texada Island quarry			MLA	Huntington, Vicki (Independent)		
X-Ref				Electoral Dist	Delta South		

Attachments for Log 200143

PDF: 200143 - Jackson - INCOMING

PDF: 200143 - Enclosure 1

PDF: 200143 - Enclosure 2

Document: 200143 - Jackson - DRAFT

Referrals for Log 200143

Sent By	CU-Correspondence	Sent	2014/01/14	Received	2014/01/13	Status	Sent
Sent To	CU-Correspondence	Due	2014/01/17	Active for 1 day		State	Pending
Action	Min-Sig	Completed		File No.			

Comments From Receiving Office2014/01/14T14:19 ALLYLEE (CU-Correspondence) Received in CU and with Diana to hold

2014/01/15T10:03 ANNWILSO (CU-Correspondence) Drafted, sent to ERSC for draft approval.

Sent By	CU-Correspondence	Sent	2014/01/15	Received		Status	Sent
Sent To	ERSC - South Coast	Due	2014/01/17	Active for		State	Active
Action	Draft approval	Completed		File No.			

Comments From Sending Office2014/01/15T10:04 ANNWILSO (CU-Correspondence) CU drafted a partial response for ERSC staff to edit. Please have ERSC add the conditions for involvement. Final version due to the EPD-ROB for Jan 20.

From: Mike Brotherston [mailto:MBrotherston@delta.ca]
Sent: March-13-14 10:34 AM
To: Okrainetz, Glen R ENV:EX
Subject: Independent Interagency Review Committee

Glen,

We received the correspondence from Minister Polak advising of your conditional agreement to participate on the committee we have established relating to the transportation and handling of coal. Thank you for this response. The first meeting of the committee is scheduled for April 8th at 2 pm. We can facilitate your involvement by teleconference as indicated in the letter and please let me know if you are available at that time. We will circulate a draft terms of reference and agenda closer to the meeting date.

Thank you,

Mike Brotherston
Manager of Climate Action and Environment
The Corporation of Delta
mbrotherston@delta.ca
604-946-3281

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