

**MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE
BRIEFING NOTE**

Cliff #: 204908
July 5, 2012

REGION: Northern
TRAN DISTRICT: Fort George
ELECTORAL DISTRICT: Prince George - Valemont
MUNICIPALITY / Fraser Fort George Regional District
REGIONAL DISTRICT:

I. PREPARED FOR: Decision

II. ISSUE: Routine

Orders in Council - British Columbia Railway Company (BCRC) - to facilitate the disposal of surplus railway land south of Prince George in area locally known as Tabor. See Appendix A.

III. BACKGROUND:

As part of the implementation of the BC Rail Investment Partnership, B.C. Reg. 311/2004 was enacted, which designated certain railway corridor lands as "railway property" necessary for the provision of revitalization rail services.

The *British Columbia Railway Act* provides a regulation-making power whereby railway property determined to be no longer required for railway purposes can be declared surplus to facilitate disposal. Lands declared as surplus are disposed of by BCRC in a manner consistent with the Non-Railway Real Estate Portfolio Disposition Process ("Process") established for BCRC by the Province and previously communicated to BCRC by the Minister of Transportation and Infrastructure. See Appendix B. The Process requires, prior to a sale, consultation with tenants, First Nations and communities through notification of the process and provision of opportunities for these stakeholders to specify their interest in the real estate holdings and future plans for use of the real estate. This process is also consistent with the Shareholders Letter of Expectation and the BCRC Service Plan.

These land disposals do not generate media coverage. They are private transactions between BCRC and adjacent property owners or tenants.

IV. DISCUSSION:

The surplus lands to be disposed of are contained within whole parcels of land, the remainder of which are still required for rail services.

To subdivide and eventually dispose of these surplus lands, two Orders in Council are required:

- a. An Order enacting a regulation which designates the whole parcels as subdividable. [s. 45(2)(c) *British Columbia Railway Act*]

- b. An Order approving a reference plan for each subdividable whole property which shows what land will continue to remain as "railway property." [s. 47(3) *British Columbia Railway Act*]

The attached Orders will facilitate both parts "a" and "b" of this process.

These Orders have yellow tags which outline standard cautions which have appeared on previous tags accompanying Orders of this nature.

V. CONSULTATIONS:

- Richard Myhill-Jones, Director, Real Estate, BCR Properties Ltd.
- Borden Ladner Gervais, legal counsel for BCR Properties Ltd.

VI. OPTIONS:

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VII. RECOMMENDATIONS:

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APPROVED / NOT APPROVED

Honourable Blair Lekstrom
Minister of Transportation and Infrastructure

DATE

Program Area Contact: Annemarie Crawford, Policy Analyst Phone: (250) 356-1734
Director Approval: Greg Gilks, Executive Director, Transportation Policy Branch Date: July 5, 2012
ADM Approval: Jacquie Dawes, ADM, Transportation Policy and Programs

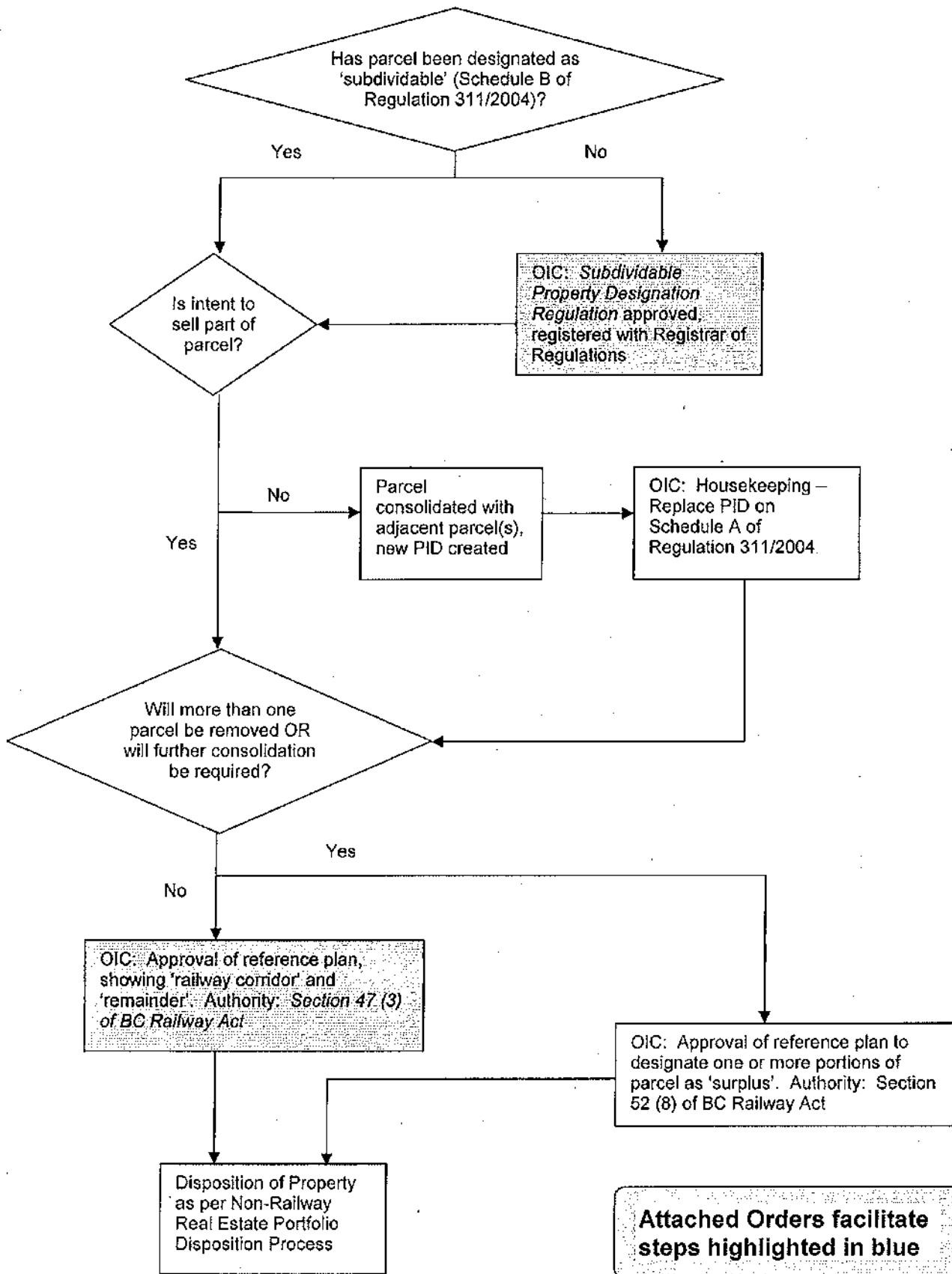
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Appendix A

Location of subject properties

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Appendix B – BC Rail Surplus Property Designation Process



MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE
DECISION NOTE

Cliff #: 205064
July 23, 2012

- I. **PREPARED FOR:** Decision
- II. **ISSUE:** Intercity bus services in British Columbia – Meeting with Greyhound Canada
- III. **BACKGROUND:**

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^{S13} Alberta and Manitoba eliminated economic regulation of their intercity bus industries on October 1, 2011 and July 1, 2012 respectively.

Representatives of Greyhound Canada (Appendix B) have requested a follow-up meeting with the Minister.

IV. **DISCUSSION:**

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Licence applications are the purview of the Passenger Transportation Board, established by the *Passenger Transportation Act* as an independent tribunal with the ability to control its own processes under section 12(1). The current approach taken by the Board for considering intercity bus applications reflects policies based upon economic regulation.

The current mandate of the Board is based upon the Province's 2004 commitment to maintain service to the "heartlands" by requiring Greyhound to maintain service on some routes in

exchange for limited competition on profitable routes.

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Under section 6(5) of the Act, government is authorized to provide general policy directives to the Board with respect to the exercise of the Board's powers and duties.

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V. OPTIONS:

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¹ A general policy directive was issued to the Board in 2007 to indicate the Province's priority to implement greenhouse gas reduction policy in its decisions. Specifically, the directive requested the Board to consider requiring that taxi applications for the GVRD and CRD must be for eco-friendly vehicles only. As a result, the Board implemented a policy that all new taxis in the GVRD or CRD must be eco-friendly vehicles.

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VI. RECOMMENDATION/SUMMARY:

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APPROVED / NOT APPROVED
Grant Main, Deputy Minister

DATE
July 23, 2012

Program Area Contact: Sandy Evans, Manager
Passenger Transportation Policy

Director Approval: Greg Gilks, Executive Director
Transportation Policy Branch

ADM Approval: Jacquie Dawes, Assistant Deputy Minister
Transportation Policy and Programs Division

Phone: 250-953-4940

Date: July 19, 2012

July 23, 2012

APPENDIX A

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APPENDIX B

BIOGRAPHIES

Stuart Kendrick
Senior VP
Greyhound Canada



As Senior Vice President, Canada, Kendrick oversees the operations for Greyhound Canada Transportation Corp., as well as maintenance, labour, and government relations. Stuart joined Greyhound Canada in 1985 in London, Ontario and took on progressive roles in operations management. In 2003 he was promoted Vice President, Passenger Services for Canada, responsible for driver operations, fleet planning, and overseeing labour and government relations. Stuart has over 20 years experience with Greyhound. He is a board member of key industry associations, including the American Bus Association, Canadian Bus Association and Motor Coach Canada.

Stephen Hutchings
Director of Western
Passenger Operations,
Greyhound Canada



Stephen Hutchings has worked for Greyhound Canada for the last eight years. His current role is Director of Operations for Western Canada. Stephen has held several positions with Greyhound including coach operator, dispatcher, Agency Manager and Regional Manager of operations for Alberta. Prior to working with Greyhound, he worked with the Government of Alberta for six years in an IT and Customer Service capacity.

Adam Johnson
Principal, BC
Earnscliffe Strategy
Group



Adam Johnson joined Earnscliffe in February 2006. Before joining Earnscliffe, Adam served as Director of Parliamentary Affairs and as the BC Policy Advisor for the Federal Industry Minister. Prior to his public service, Adam was a senior consultant with a respected global communications firm where he provided strategic advice to his clients on issues pertaining to all levels of Government. As a senior advisor to the Minister of Industry he was responsible for legislation, Parliamentary committees and liaising with the BC government. Adam also served as a policy advisor, where he was the lead advisor on all policy issues for BC, and nationally for energy, forestry, climate change, life sciences, the pacific gateway, transportation and aboriginal issues. In 2011 Adam was elected by his peers in the government relations sector to serve as the founding President of the Government Relations Institute of Canada (GRIC) BC, the industry association. Adam has a degree in Political Science from the University of Victoria.

**Mark Resnick, Principal
The Rothwell Group, Inc.**



Mark Resnick is a founding partner of the Rothwell Group and brings over 25 years of experience as a public affairs professional. Mark came to Ottawa in 1979 as the National Executive Director of the Canada-Israel Committee, responsible for overall management of the organization including its strategic policy and communications activities. In 1988 Mr. Resnick founded Parallax Public Affairs Inc., a government relations and public affairs consulting firm. He built Parallax into one of Ottawa's most discreet and successful public affairs firms while acting on behalf of a broad range of private sector clients including corporations and industry associations in the fields of financial services, telecommunications and broadcasting, transportation, technology, and consumer goods and services. Prior to his public policy career, Mark completed undergraduate and graduate studies at York and McGill Universities in political science and international relations. In 1994, Mark was elected as founding President of the Government Relations Institute of Canada, the national industry association for government relations practitioners.

**MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE
BRIEFING NOTE**

**Cliff #: 205562
August 15, 2012**

REGION: South Coast
MoT DISTRICT: Various
ELECTORAL DISTRICT: Various
MUNICIPALITY / Various
REGIONAL DISTRICT:

- I. PREPARED FOR:** Information
- II. ISSUE:** Disposal of decommissioned BC Ferry vessels.
- III. BACKGROUND:**

The issue of how to manage derelict vessels has been the subject of much conversation and debate in BC for a number of years. A derelict vessel is considered to be one which has been abandoned and has no owner. Transport Canada's Receiver of Wrecks can authorize the seizure and disposal of abandoned vessels (no identifiable owners), though the federal government focuses enforcement on vessels that are navigational or environmental hazards. Transport Canada has worked cooperatively with some municipalities and regional districts to enable them to remove abandoned vessels which were deemed local eyesores.

There are currently three former BC Ferries vessels in BC waters that have been identified as possible derelict vessels. However, the vessels were properly sold and have identifiable owners. None are abandoned and neither BC Ferries nor the Province has any legal obligation with respect to them. Because they are identifiable as former ferries, their existence is cause for media attention.

The three vessels are:

- The Queen of Sidney sold in 2002 (prior to BC Ferries being reorganized into a private corporation) and now moored at private property on the Fraser River at Mission.
- The Queen of Saanich and the Queen of Vancouver were both sold in fiscal 2009/10. These vessels have been stripped and moored in Howe Sound (one off Anvil Island and the other at Woodfibre, across from Squamish). Ministry staff understands that the Queen of Saanich is being or will be towed to a scrapping facility in Mexico.

In addition to these three vessels, BC Ferries has disposed of other vessels which have not created controversy. For example, the Queen of Prince Rupert is now being used in the South Pacific, the Queen of Victoria is being used in the Caribbean, the Queen of the Islands is being used for accommodation, and Queen of Mill Bay is being used as an equipment platform.

BC Ferries, while seeking to maximize the economic return on the sale of their vessels, also has a disposal policy that states if the vessel is not used for a commercial purpose, the buyer shall comply with all applicable laws, regulations and standards relevant to its disposal.

While these three vessels are of specific media interest, there is a wider issue associated with derelict vessels in BC waters. At the 2010 UBCM convention the subject was of such concern that three resolutions were passed to petition provincial and federal governments to develop a coordinated approach to the management of derelict and abandoned vessels.

IV. DISCUSSION:

Jurisdictionally, Transport Canada can take action if a vessel is abandoned, or is posing a navigational concern. Department of Fisheries and Oceans and the Ministry of Environment can take action if the vessel is creating an environmental concern. The Ministry of Forests, Lands and Natural Resources can take action if the vessel is on Crown Land, for example if it is beached or sinks. Local governments could take action if the vessel is on the land and contravenes local government statutes. Currently the Ministry Transportation and Infrastructure has no jurisdictional responsibility.

However, there is a jurisdictional gap with respect to the disposition of the former BC Ferries' vessels. The Queens of Sidney and Vancouver, while unsightly, are legally owned and appear to be legally moored. As the vessels do not meet the definition of a wreck (i.e., they are not abandoned), are not navigational hazards, are not on crown or municipal land and are not leaking hazardous materials into a waterway; there is no statutory power for any jurisdiction to take action.

The issue around derelict vessels and the former BC Ferries vessels has been the subject of some activities which include:

- The Ministry Forests, Lands and Natural Resource, in 2007/2008, investigated this issue and did not find a solution

S13, S16

Transport Canada, and the ministries of Environment, Lands and Natural Resource Operations, the Justice and the Transportation and Infrastructure are planning to meet in early Fall to discuss the issue. This is a complex jurisdictional issue and will take time and significant involvement by the Ministry of Justice.

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V. CONSULTATIONS:

Transport Canada; Ministry of Justice; Ministry of Forests, Lands and Natural Resource Operations; Ministry of Environment.

VI. RECOMMENDATIONS/SUMMARY:

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Program Area Contact:	Reg Faubert Transportation Policy Branch Kirk Handrahan Infrastructure Branch - Marine	Phone: 250.387.7588
Director Approval:	Greg Gilks, Transportation Policy Branch Renee Mounteney Infrastructure Branch	Date: August 15, 2012
ADM Approval:	Jacquie Dawes/Kevin Richter	

**MINISTRY OF TRANSPORTATION AND INFRASTRUCTURE
BRIEFING NOTE**

**Cliff #: 204912
Date: July 6, 2012**

REGION: South Coast
MoT DISTRICT: Lower Mainland
ELECTORAL DISTRICT: Delta South, Surrey-Whalley, Vancouver-Hastings, Vancouver-Mount Pleasant
MUNICIPALITY / REGIONAL DISTRICT: Metro Vancouver

I. PREPARED FOR: Information

II. ISSUE: S13, S21

III. BACKGROUND:

Headquartered in Calgary, Canadian Pacific (CP) is the second largest Class I railroad in Canada, and sixth largest in North America. Canadian Pacific operates approximately 14,700 miles of track in Canada and the U.S., stretching from Vancouver to Montreal, as far north as Edmonton and south into the major U.S. markets of Minneapolis, Chicago, and New York City. Canadian Pacific earned over \$5.05 billion in freight revenue in 2011. The company employs approximately 14,100 people (2011) in Canada and the U.S.

S13, S21

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For decades, Canada has relied almost exclusively on the United States as a purchaser of Canadian crude. However, rising demand from Asia has resulted in a shift in flow away from the U.S. towards China. In 2011, 2.4 million tonnes of crude petroleum were exported through PMV. Of this, 1.73 million tonnes were exported to the United States (-53% from 2010) and 670,000 tonnes were shipped to China (+61% from 2010).

IV. DISCUSSION:

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The benefits of rail as a means of shipping hydrocarbons include:

- The use of existing rail lines;
- Low capital costs – individual tank cars cost approximately \$100-150,000; and
- Flexibility and scalability – infrastructure commitments can easily be altered to reflect changes in demand.

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V. CONSULTATIONS:

- Jim Crandles, Director Planning and Development, Port Metro Vancouver

VI. RECOMMENDATION:

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Program Area Contact: Patrick Elves, Research Analyst
Director Approval: Lisa Gow, Executive Director
ADM Approval:

Phone: 250-356-9092
Date: July 6, 2012

APPENDIX A: Biography

Tracy Robinson

Vice-President Marketing and Sales, Coal and Merchandise
Canadian Pacific Railway



Tracy Robinson was appointed Canadian Pacific's Vice-President Marketing and Sales, Coal and Sulphur in October, 2010.

Ms. Robinson's priority is to advance Canadian Pacific's relationships across and within the coal and sulphur industries while promoting improved communications, engagement and integration across these supply chains. Ms. Robinson also leads Canadian Pacific's internal strategies and initiatives to deliver new efficiencies in the rail mode, identify the appropriate investments to support growth in coal and develop best practices for use across the railway.

Prior to her current role, Tracy held a variety of positions within Canadian Pacific in Marketing and Sales, Finance, Asset Management, Product Design and Customer Service. Most recently these included Vice-President Carload Sales, Vice-President Marketing, Vice-President and Treasurer, and Assistant Vice-President Customer Service. She began her career at Canadian Pacific in 1986 as a Sales Representative in Regina.

Tracy holds a Bachelor of Commerce degree from the University of Saskatchewan and a Masters of Business Administration degree from the Wharton School of Business at the University of Pennsylvania.