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MEETING BRIEFING NOTE

DATE: March 4, 2022

PREPARED FOR: Honourable Rob Fleming, Minister of Transportation and Infrastructure

ISSUE: Provincial Rail Safety

MEETING: Technical Safety BC on March 8, 2022:

- George Abbott, Chair
- Phil Gothe, President and CEO

PURPOSE: to discuss MoTI and Technical Safety BC shared priorities to ensure provincial rail safety

PROPOSED KEY MESSAGES:

- The Province (MoTI) and Technical Safety BC (TSBC) are working collaboratively to ensure the safe and continuous operation of all provincially regulated railways, while supporting the provincial response to extreme weather events.
- These efforts include:
 - Working with provincial railways and municipal road authorities to educate them on the new provincial Grade Crossings Regulations and Standards (GCRS) and available federal funding opportunities to assist with required upgrades; and,
 - Advancing updates to provincial Railway Safety Adopted Provisions Regulation (RSAPR) to ensure continuous harmonization between the federal and provincial rail safety regimes.

PAST INTERACTIONS:

- Minister Trevena met with representatives of TSBC, George Abbott, Chair, and Catherine Roome, previous President and CEO, on May 4, 2020, to discuss COVID-19 impacts and response, the provincial adoption of the new federal GCRS, and other regulatory work.

BACKGROUND:

Under the provincial railway safety framework (see Attachment 2 for overview), the enforcement of adopted federal regulations, rules, and standards is delegated to TSBC. TSBC also conducts annual safety audits of provincial railways, administers operating permit fees based on performance history, and collects reports on railway incidents.

DISCUSSION:

Planned discussion topics for the Minister's March 8th meeting with TSBC include the following:

1. Summer 2021 Wildfire Response

On July 11th, 2021, in response to the catastrophic wildfire in Lytton, BC, the federal Minister of Transport issued an order under the *Railway Safety Act* (Canada) directing federal railways to increase inspections of tracks, locomotives, and cars and fire suppression capacity while operating from Kamloops to Boston Bar. The order also directed all class 1 railways in the country to reduce speeds during high temperatures (i.e., 30 degrees Celsius and above and the fire rating is extreme).



In response to the federal order, TSBC has increased audits of provincial railways operating in high-risk wildfire areas to ensure their compliance with wildfire prevention and response requirements. TSBC has also issued a safety bulletin to reduce speeds during times of high temperatures.

Findings from the Transportation Safety Board investigation determined that unsafe railway operations were not the cause of the Lytton wildfire. MoTI will continue to work in collaboration with Transport Canada, TSBC, and industry to improve railway safety in the province.

2. Fall 2021 Flood Impacts and Response

In December 2021, TSBC carried out track safety inspections of provincial rail clients impacted by November's flooding. None of the industrial rail facilities sustained any substantial track damage from the unprecedented surge of water.

Southern Railway of British Columbia (SRY) conducted track inspections and restoration works at approximately 20-25 impacted sites. Restoration work was undertaken and completed by SRY at a cost of approximately \$700,000. The damage to track infrastructure was a result of one—or a combination of both—landslides and washouts.

Since then, the track network affected by flood has been repaired and is fully operational.

3. Update on Implementation of GCRS

In September 2020, the Province adopted the new federal grade crossing regulations and extended the provincial compliance timeline until January 1, 2028.

In March 2021, MoTI coordinated joint information sessions with TSBC, the Ministry of Municipal Affairs, and the Union of BC Municipalities to support understanding of the new regulatory requirements and existing federal funding opportunities.

Transport Canada has renewed funding of the Rail Safety Improvement Program (RSIP) to assist provincial railways and municipal road authorities in completing the required upgrades. This spring MoTI and TSBC will be meeting with provincial railways and municipal road authorities to continue to educate them about the regulatory requirements and available federal funding opportunities to aid the provincial compliance effort.

4. Provincial Adoption of New Federal Railway Safety Rules

In 2020, the federal Minister of Transport amended Rules Respecting Track Safety (TSR), Work/Rest Rules for Railway Operating Employees (Work/Rest rules), and Canadian Rail Operating Rules (CROR) under the *Railway Safety Act (Canada)*.

TSBC has recommended provincial adoption of the new TSR, Work/Rest rules, and CROR.

MoTI and TSBC are working jointly to complete drafting of the Minister's regulation to adopt the new TSR, Work/Rest rules, and CROR under the *Railway Safety Act*, which is anticipated to be completed for the Minister's review and approval this spring.

Concurrently this spring, MoTI and TSBC are planning joint consultations with provincial railways to educate industry on the new TSR, Work/Rest rules, and CROR.



FINANCIAL IMPLICATIONS:

- None.

Attachments:

1. Biographies
2. Overview of Provincial Railway Safety Framework (overview)
3. British Columbia Railways (map)

PREPARED BY:	REVIEWED BY:	DATE:
Nargiz Rahimova, Policy Analyst Transportation Policy and Legislation Branch Tel: 236-478-1412	Reg Bawa, Assistant Deputy Minister Policy, Programs, and Partnerships Division	22-Mar-1
	Heather Hill, ADM & EFO Finance and Risk Management Division	N/A
	Kaye Krishna, Deputy Minister	22-Mar-4



ATTACHMENT 1: Biographies

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George Abbott, Chair

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Phil Gothe, President and CEO

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ATTACHMENT 2: Overview of Provincial Railway Safety Framework

The British Columbia rail system includes both federal and provincial railways. Federal railways that cross provincial borders are regulated under the *Railway Safety Act (Canada)*. Provincial railways that operate within the boundaries of the province are regulated by the provincial *Railway Safety Act*. Provincial railways include 191 railways most of which are short line industrial railways.

The provincial *Railway Safety Act* (the Act) is harmonized with the technical regulations, safety rules, and standards of the federal legislation through adoption of significant portions of the *Railway Safety Act (Canada)* under the provincial Act. Harmonization ensures seamless operations between federally and provincially regulated rail lines, as well as consistent regulation.

Under the provincial Act, the enforcement of adopted federal regulations, rules, and standards through mechanisms such as notices, orders, and evidence provided to the province is delegated to Technical Safety BC (TSBC). TSBC also conducts annual safety audits of provincial railways, administers operating permit fees based on performance history, and collects reports on railway incidents. TSBC has been the provincial railway safety regulator since 2004. The Act also delegates incident investigation to determine cause and contributing factors to the Canadian Transportation Accident Investigation and Safety Board and dispute resolution authority to the Canadian Transportation Agency. The province through the Registrar of Railway Safety maintains the legislative and regulatory framework.

There are a variety of tools under the Act to prevent or stop any activity that might constitute an immediate threat to safe railway operations. Notices and orders may be issued by TSBC if a railway safety inspector is of the opinion that a person's conduct or anything for which a person is responsible constitutes a threat to the safety or security of railway operations or the safety of persons or property. The Minister may issue an order to stop any activity that might constitute a threat to safe railway operations or to follow the procedures or take the corrective measures specified in the order. Provincial railways and their employees may be charged with offences. And finally, the Registrar of Railway Safety may also cancel an operating permit for non-compliance with a safety management system or any other safety regulation, rule, standard, notice, or order issued by the minister or railway safety inspector made under an adopted provision.



Ministry of
Transportation
and Infrastructure

ATTACHMENT 3: British Columbia Railways

British Columbia Railways Chemins de fer de la Colombie-Britannique



What is happening with Lytton?

From: s.22
To: TRAN.WEBMASTER@gov.bc.ca, premier@gov.bc.ca, WEBMASTER TRAN:EX
<TRAN.WEBMASTER@gov.bc.ca>, OfficeofthePremier, Office PREM:EX
<Premier@gov.bc.ca>
Sent: February 22, 2023 1:03:46 PM PST
Attachments: image003.png, image005.png, image007.png, image008.png, image009.png, image006.png,
image004.png, image001.gif, image002.png

[EXTERNAL] This email came from an external source. Only open attachments or links that you are expecting from a known sender.

What is happening with Lytton? The Fire Disaster happened two years ago and still nothing is completed many people still floating around with no home to go to? Is this what we look forward to if a disaster happens and we lose our homes??? Please what is happening with LYTTON?
I copied what was on FB on their feelings and this expresses it accurately

Kuulth'baska Edwards Â· odepStrnssoaicM: t5emu7r1ma m3i0hyil1ulFfu7h1P1t4 2riu372ba Â·

Trigger warning 

Imagine this for just a moment:

Your walking down the street to meet a loved one for lunch. There are parked cars, ppl walking around, trees and flowers. There is a silent comfort you aren't even aware of yet...you are feeling just that. You see familiar faces smiling and ppl waving or giving you a head knodd as you walk into the building. A familiar building.....one you've walked into for years and years. You know this door so well as to not allow it to slam shut behind you. Inside is the typical view, the typical smells of food and coffee. You sit down and are comforted by just being able to see your loved one, comforted that you have a space to visit, a place to sit, relax, vent, make plans all while you eat a meal you did not have to prepare. Once your done you walk up to the cashier and the friendly smile of someone you know greets you.

These feelings come from a place called home. Home is filled with familiar sensations, feelings, sights, sounds and people. Home is important. Home reminds you of who you are, where you come from. Home can be a person, a place, or even a thing. Home. Is. Comfort.

This is what I think so many ppl do not understand. We have all lost a part of that while we wait.....

We can do nothing but wait.....for our home to be brought back to life.

I miss the people, I miss the streets, the street lights, the sounds of our community, the events, everything.....

I miss Lytton.

I miss our home. 

One day they say it will be rebuilt. Sure. OK. When?

Sometimes I feel so irritated. It's taking so long.....have ppl forgotten? Do ppl care? Part of me wishes everyone could understand how it feels.....to not have a hospital, emergency services, to not be able to go see your family n friends, to not even be able to go to a grocery store or meet a loved one.....to not have restaurants and to feel what it's like to be part of a community and suddenly have it ripped from your heart, burned and tossed aside. I bet if ppl felt that.....they would understand and we wouldn't have been waiting this long.

Sometimes I feel like we've been forgotten. It's almost been 2 years. Other times I'm ok with it because it reminds me.....of how much I value, love and am part of something rare perhaps. Something ppl don't value or cherish.....and take for granted. We are still here. Still in contact with each other. Still waiting. Still fighting.

For our home.

  2021  

#lyttonstrong

    

From: Bushill, Brad J TRAN:EX (Brad.Bushill@gov.bc.ca)
To: Schimpf, Graeme TRAN:EX (Graeme.Schimpf@gov.bc.ca)
Subject: Lytton to Spences Bridge Geo Hazard Assessments
Sent: 11/09/2021 18:22:45
Message Body:

Graeme as per discussion we have had our internal GeoTechnical Team onsite and have provided either preliminary or full assessments of all of the Fire Impacted Drainages from this past summers wildfire activity. The focus is on all of the main drainages ie Saw Creek, Nicomen, Drynoch Slide, Happys Gulch area and any main culvert systems that the rail has above out TCH etc. Also as you know we have used the Elephant Hill Mudslide Protocol as a basis to manage the area which has been successful. This includes added patrols during forecast weather events, above the requirements in the Contract where patrols look at all main watercourses in the corridor.

Basically we look at all known streams and gulches that have produced any flows. In regards to the post wildfire flows we had that one big flush which produced three main slides but since then even with rain events we have seen a much decreased activity with regards to flows. We do have active ditching following the events or any flows to ensure there is capacity for storage and we also look at all of the main drainage culverts with added debris bars etc as well.

Brad Bushill, Operations Manager
Ministry of Transportation & Infrastructure
Merritt, BC
Service Area 14
250-378-0515
Brad.Bushill@gov.bc.ca

From: Feltren, Darren MOTI:EX (Darren.Feltren@gov.bc.ca)
To: Lefneski, Cary MOTI:EX (Cary.Lefneski@gov.bc.ca); Saby, Jeff D MOTI:EX (Jeff.Saby@gov.bc.ca); Agar, Thomas MOTI:EX (Thomas.Agar@gov.bc.ca); Roesnik, Connor MOTI:EX (Connor.Roesnik@gov.bc.ca)
Cc: Johnson, Kristen MOTI:EX (Kristen.Johnson@gov.bc.ca); Schimpf, Graeme MOTI:EX (Graeme.Schimpf@gov.bc.ca)
Subject: FLNRORD Post Wildfire Assessments.xlsx
Sent: 06/20/2023 15:28:25
Attachments: FLNRORD Post Wildfire Assessments.xlsx
Message Body:

Good morning all,

Attached is a copy of the Post Wildfire Assessment from the fires of 2021.

There are noted issues of concerns indicating culverts and ditches mostly in the TND area. If there are any additional comments or any other specific sites that you think were affected from the fires please add them to the spreadsheet. Megan Pasquill is looking to have any further updates by the end of next week. I have also included the link to the sheet in the Emergency Response folder to add comments etc. directly to it.

[M:\THOMPSON-NICOLA\EMERGENCY RESPONSE\8. Wildfires\2021 Fire Season](#)

Thank you for your time on this.

Regards,

Darren Feltren
District DFAA Technician
Ministry of Transportation & Infrastructure
Thompson Nicola District, SA14/15
Darren.Feltren@gov.bc.ca
Cell: 250-280-2715

Post Wildfire Assessment	Fire	Recommendations/Action for MoTI	Recommendation Type	Routes	RAM	District Comments
George Road Fire (Oct 25)	George Road Fire (K70804)	Yes	<ul style="list-style-type: none"> - Monitor (Siska Ck Tunnel) - Monitor drainage appliances (Skuppa N & S) - Consider culvert, Saw Creek at TCH, analysis/design - Monitor culverts for Lytton Ck area 	TCH, Loring Way, Main St, River Road	Carey Lefneski/Caitlin Dobson	Road Area Managers and MC to monitor, maintain and report back of any change of conditions
Nicomen IR (Devils Creek) (Oct 14)	Lytton Creek (K71086)	No	<ul style="list-style-type: none"> - Potential for higher debris flows - Real-time weather system 			
Embleton Mtn Fire Reconnaissance (Sept 1)	Embleton Mtn (21644)	No				
Embleton Mtn Fire Supplement to Sept 7, 2021	Embleton Mtn (21644)	Yes	<ul style="list-style-type: none"> -Consider culvert, creek at HLC Rd WS2, analysis/design -Consider culvert, creek at HLC Rd WE1, analysis/design 	Louis Creek Road potential culvert (pg 5); Heffley Louis Creek road culvert/ditching (pg 7)	Jeff Saby	Road Area Managers and MC to monitor, maintain and report back of any change of conditions
Lytton Fire Reconnaissance (Sept 17)	Lytton Creek (K71086)	Yes		September 2021: Check drainages along Hwy 1/8. Further review regarding bridge near Nicomen on Hwy 1 Final BGC assessment at Nicomen: "No recommendations are provided for downstream transportation infrastructure as these structures are outside of BGC's scope of work." (Pg 40)	Carey Lefneski/Caitlin Dobson	Road Area Managers and MC to monitor, maintain and report back of any change of conditions
July Mountain Fire Reconnaissance (Nov 4)	July Mountain (K61882)	Yes	<ul style="list-style-type: none"> - Maintain ditch and culverts for 2 km stretch N of Brookmere I/C - Monitor/maintain ditch and culverts along Brookmere Rd - Monitor culvert along Coldwater Rd near Hwy 5 (Primary Key 2208225 / 49.882963, -120.901395) - Monitor culvert at Hwy 5 SB ramp at Coldwater (Primary Key 2217562 / 49.883987, -120.903300) - Monitor culverts crossing Hwy 5 (Primary Keys 2203897, 2203882 / 49.865033, -120.919706) - Monitor culvert crossing Hwy 5 (49.849618, -120.922872) - Monitor culverts crossing Hwy 5 (Primary Keys 2204123, 2206464 / 49.828029, -120.937981) 	Hwy 5, Coldwater Rd, Brookmere Rd Primary Key = CHRIS culvert report	Tom Agar	Road Area Managers and MC to monitor, maintain and report back of any change of conditions
Sparks Lake Preliminary Findings (Nov 3)	Sparks Lake (K21001)	Yes	<ul style="list-style-type: none"> - Clean out / monitor main culvert at Tobacco Creek, KM 28/29 (Primary Key 1952678 / 50.997431, -120.941992) - Increased erosion rate at banks adjacent to road. Several points rated at "very high" hazard, even with rip rap in place - Stockpile rip rap in anticipation of increased erosion, consider installing ahead of freshset 	Deadman Vidette Rd Rip Rap Stockpiled 2022		

Post Wildfire Assessment	Fire	Recommendations/Action for MoTI	Recommendation Type	Routes	RAM	District Comments
				Deadman Vidette Rd		
				<p>It is recommended that MOTI review the riprap protective works for potential flooding, erosional scours at bends and channel avulsion of the Deadman River, on the Deadman River Road prior to spring freshet, and then maintain them as required.</p>		
			<ul style="list-style-type: none"> - Review riprap installed at KM 4.8 due to increased risk of flooding - Monitor at KM 10.4 for increased debris flow/landslide risk - Increased culvert inspection - Increased ditch maintenance 	<p>It is recommended that MOTI review areas of potential rockfall or debris flows prior to the spring freshet and take appropriate measures to maintain the road</p> <p>Rip Rap requirements reviewed and completed 2022.</p>		
Sparks Lake Final Report Westrek (Nov 22)	Sparks Lake (K21001)	Yes			Connor Roesnick	Road Area Managers and MC to monitor, maintain and report back of any change of conditions in addition to the noted sites in column D, there is also site of 2km, 4km, 25km, 31km, 39km and the culvert at Mowich Lake. There is also a large river diversion that occurred at 50km with a dollar amount of roughly \$1.5 million to start work on the week of July 3rd.