

## **Vancouver Airport Fuel Delivery Project Environmental Assessment Certificate Decision Frequently Asked Questions**

### **Q 1. Who is the proponent for this project?**

The proponent is the Vancouver Airport Fuel Facilities Corporation (VAFFC), a not-for-profit consortium of 25 commercial airlines that owns and operates shared aviation fuel facilities at the Vancouver airport.

Consortium members include almost all of the domestic and international airlines operating out of YVR. Similar fuel facility corporations operate at all of the major international airports across Canada.

VAFFC provides efficient sharing of facilities, costs, and risks between member airlines for operating and maintaining the fuel facility system at YVR, as well as working with the Vancouver Airport Authority and Transport Canada to comply with regulations.

### **Q 2. What is the Port's role in the Vancouver Airport Fuel Delivery Project?**

Under the Canada Port Authority Environmental Assessment Regulations, PMV was required to conduct an environmental assessment of the proposed project because part of the project requires Port land in order to proceed. This assessment is the federal part of a harmonized review; the BC Environmental Assessment Office (BC EAO) is conducting the provincial portion.

Before the project can proceed, it must also receive a Permit through the PMV Project Review Process, a process that is similar to a municipal development review.

### **Q 3. Is the federal government also undertaking an environmental assessment review of the proposed project? How is Port Metro Vancouver involved in this and why?**

Yes. A federal screening-level environmental assessment was undertaken by Port Metro Vancouver, as the lead federal authority. The federal environmental assessment process was conducted in cooperation with the provincial process.

### **Q 4. Which other federal agencies contributed to the federal EA?**

As part of the federal environmental assessment, Port Metro Vancouver gathered expert advice from federal agencies including: Transport Canada, Health Canada, Fisheries and Oceans Canada, Environment Canada, the Canadian Coast Guard, the Canadian Transportation Agency, and the Canadian Wildlife Service.

### **Q 5. What is a harmonized environmental review?**

Under the Canada-British Columbia Agreement on Environmental Assessment Cooperation, projects that require an environmental assessment by both the federal and provincial governments will undergo a single assessment, administered cooperatively by both governments. This cooperative approach reduces overlap and duplication, allowing both governments to allocate public resources more efficiently. It also results in information sharing, a single contact person, effective public consultation and coordinated communications.

The federal and the provincial EA decisions must be made independently, although the harmonized review process means that information about the project, its impacts and the mitigation is reviewed jointly.

**Q 6. What kinds of studies were completed for this EA?**

Many studies were conducted. Some of the studies completed, according to the Vancouver Airport Fuel Facility Cooperation's (VAFFC) application on the BC EAO website, include assessments of heritage effects, spill probability and risk, navigation, and environmental effects. More information can be found on the [project website](#).

Port Metro Vancouver also conducted the [Fraser River Tanker Traffic Study](#), a navigational risk assessment of liquid bulk tankers on the Fraser River. Port Metro Vancouver has also taken into consideration the Fraser River Tanker Traffic Study in the decision making process.

**Q 7: What other reviews and permits must VAFFC now go through?**

The proposed project will also be subject to further reviews, including permits by the Vancouver Airport Authority, Ministry of Transportation and Infrastructure, the BC Oil and Gas Commission, and the City of Richmond, in addition to the Port's Project Review Process.

**Q 8: What is Port Metro Vancouver's project review process?**

Proponents are required to submit an application to PMV's Project Permit Process. These reviews are similar to a municipality's development permit but with a greater scope, as they include, for example, consideration of marine and navigation issues. If the findings of the EA are favourable, any conditions for mitigating adverse environmental effects would be attached to the Permit as minimum conditions. The Port might also have additional, non-environmental conditions to be met that are developed through project review.

**Q 9. What does VAFD have to do to satisfy the Port's requirements for the Project Permit Process?**

Our Project Permit Process looks at new developments to see if it meets our standards for minimizing environmental and community impacts. It focuses on specific details such

as building structures, the site, traffic impacts, landscaping, marine infrastructure, emergency and fire response, First Nations interests, and municipal and public concerns.

**Q 10. What are the components of the project?**

There are several major components and activities of the proposed Project that were included in the Environmental Assessment:

- Upgrade and operation of an existing marine terminal for receiving aviation fuel on the south arm of the Fraser River;
- Construction and operation of a jet fuel storage facility adjacent to the marine terminal on Port Metro Vancouver land;
- Construction and operation of a 0.6 km fuel delivery pipeline from the marine terminal to the fuel receiving facility;
- Construction and operation of an approximately 15 km-long fuel delivery pipeline from the fuel receiving facility to the airport;
- Movement of vessels to and from the marine terminal, within the south arm of the Fraser River, including fuel offloading and transfer; and
- Spill management control and emergency response.

**Q 11. What portions of the proposed VAFD Project is on port lands?**

The only part of the proposed project on port land is the fuel storage tanks, for which VAFFC will have to rent land from the Port. The rest of the project's footprint (e.g. marine terminal) is on land already owned by VAFFC. The province of BC holds the waterlot lease for the vessel berth area.

**Q 13. What is the Table of Conditions attached to the approval of the project?**

There are 64 separate conditions (many with numerous sub-conditions) attached to the EA Certificate which together with the design specified in the Certified Project Description will mitigate potential impacts of the Project. Each of the conditions is a legally-binding requirement that VAFFC must meet to comply with the project's EA Certificate.

Key conditions for the Vancouver Airport Fuel Delivery project include that VAFFC must:

- Prepare and implement a Fire Safety Plan in consultation with the City of Richmond Fire Rescue, the Corporation of Delta Fire, Provincial Emergency Services, and the BC Oil and Gas Commission.
- Develop and implement a Construction Environmental Management Plan, an Operations Environmental Management Plan, a Traffic Management Plan and an Oil Pollution Emergency Plan;
- Complete rare/at risk plant surveys, a bird nest survey and a raptor nest survey, all conducted by suitably qualified professionals;

- Identify and implement measures to reduce air contaminants and greenhouse gas emissions at the marine terminal;
- Provide a link to any sections of the dike trail system that the City of Richmond develops upstream and downstream of the marine terminal property;
- Equip the fuel receiving facility and marine terminal with emergency spill response equipment and have insurance that meets or exceeds the prevailing industry standard to cover pollution liability due to a spill of aviation fuel from the construction sites or operational facilities;
- Specify that all aviation fuel delivery vessels using the facility are:
  - Double-hulled; and
  - Insured for pollution liability at the prevailing industry standard and that coverage limits are sufficient to insure the potential liability of the vessel owner and operator to cover emergency spill response, clean-up, and environmental remediation and to compensate for loss by aboriginal food, social, and ceremonial fishers licensed under the Fisheries Act caused by a spill of aviation fuel from the vessel;
- Arrange to have two dedicated spill response vessels available at or near the marine terminal during tanker arrival and berthing, and for the duration of aviation fuel unloading;
- Have at least one escort tug accompany each aviation fuel cargo barge and at least two tugs accompany each aviation fuel tanker to the marine terminal; and

**Q 14. Why was the project reviewable under the Environmental Assessment Act?**

Under the Environmental Assessment Act, the project did not need to be reviewed according to the criteria set out in the Reviewable Projects Regulation. However, on November 28, 2008, VAFFC requested that the Executive Director of the Environmental Assessment Office designate the proposed Project as a reviewable project under the Act.

The proposed Project was accepted by the Environmental Assessment Office as a reviewable project in February 2009 because the storage capacity of the fuel receiving facility was almost at the Reviewable Projects Regulation threshold. That meant that the project had the potential to result in significant adverse effects, and was expected to generate strong public interest.

**Q 15. The assessment report is a joint BC Environmental Assessment Office/Port Metro Vancouver document. How did Port Metro Vancouver use the report?**

As the lead federal agency for this project, Port Metro Vancouver used the assessment report to inform its decision regarding whether the project is likely to cause significant adverse environmental effects. The assessment report is used as the basis for the Port's formal Decision Statement.

**Q 16. What decisions does Port Metro Vancouver have to make with respect to the project?**

As the lead federal agency with decision-making responsibility for this project under the Canadian Environmental Assessment Act, Port Metro Vancouver, taking into account the implementation of appropriate mitigation measures, determined the project is not likely to cause significant adverse environmental effects.

This decision is separate from the Port's permitting process. In the case of the Vancouver Airport Fuel Delivery project, the Port's permitting process would cover the fuel receiving facility and the areas of the marine terminal within Port Metro Vancouver's jurisdiction. To date, Port Metro Vancouver has not received a permit application for this project.

**Q 17. How does Port Metro Vancouver's permitting process work? What's the next step? What happens now?**

In the case of the Vancouver Airport Fuel Delivery project, the Port's permitting process would cover the fuel receiving facility and the areas of the marine terminal within Port Metro Vancouver's jurisdiction. To date, Port Metro Vancouver has not received a permit application for this project.

When a permit application is received, as the lead federal agency with decision-making responsibility for this project under the Canadian Environmental Assessment Act, Port Metro Vancouver will take into account the implementation of appropriate mitigation measures.

Each project application is carefully considered and rigorously reviewed on its merits, impacts to local communities, and what mitigation measures are necessary (impacts, benefits, business case).

In exercising its mandate Port Metro Vancouver upholds the highest standards of review process, dictated by the nature of a proposed project and related to the handling and movement of goods.

**Q 18. When you receive a permit application, will Port Metro Vancouver automatically approve it?**

When a permit application is received, as the lead federal agency with decision-making responsibility for this project under the Canadian Environmental Assessment Act, Port Metro Vancouver will take into account the implementation of appropriate mitigation measures.

Port Metro Vancouver completes a separate project review for any work which falls within PMV jurisdiction – in this case, this includes the proposed fuel storage facility and the navigation channel

In exercising its mandate Port Metro Vancouver upholds the highest standards of review process, dictated by the nature of a proposed project and related to the handling and movement of goods.

Each project application is carefully considered and rigorously reviewed on its merits, impacts to local communities, and what mitigation measures are necessary (impacts, benefits, business case).

A project permit will not be issued by the Port until all technical reviews and any required municipal, First Nations, and community consultation are complete.

More can be found on the Port's project review process here:

<http://www.portmetrovancover.com/en/projects/ProjectReviewAndPermits.aspx>

**Q 19. What were the key issues considered during the environmental assessment?**

The key issues were:

- Project alternatives considered by VAFFC;
- Alternative pipeline routes through Richmond (leading to the assessment of the preferred route along Highway 99);
- Toxicity of the dissolved constituents of jet fuel in water;
- Potential impacts of aviation fuel on biofilm<sup>1</sup>;
- Spill prevention and emergency response measures and their effectiveness;
- Risk of vessel and marine terminal spills;
- Air quality and climate impacts; and
- Human health impacts.

**Q 20. How did the environmental assessment process contribute to enhanced protection of human and environmental health and safety?**

Because of the EA process, VAFFC was required to:

- Consider an entirely different pipeline route through Richmond than was originally included in their application. This resulted in the Highway 99 option, which has far fewer potential impacts to residents and city streets than the original proposal;
- Conduct field test spill response measures during the environmental assessment;
- Conduct extensive field and lab studies on potential impacts resulting from a spill on biofilm (which is a key food source for the Western Sandpipers);

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<sup>1</sup> Biofilm is composed of many species of bacteria and archaea and can form on any surface that is exposed to bacteria and water. Biofilm is an important food source for migrating shorebirds (e.g. Western Sandpiper).

- Conduct additional spill risk assessment, including analysis of potential consequences of small- and medium-sized spills

In addition, the recommended conditions to the EA Certificate exceed existing legal requirements and will result in enhanced spill response capabilities on the South Arm of the Fraser River. This will result in an overall benefit to the spill response capabilities for existing and future users of the South Arm of the Fraser River, not just VAFFC.

**Q 21. What are the compliance reporting requirements for this Project?**

The EA Certificate requires that VAFFC submit a report on the status of compliance with the EA Certificate:

- a. one month prior to substantially starting construction of any of the Project facilities;
- b. one month prior to operations;
- c. on or before December 31 in each year during which the Project is being constructed or operated;
- d. one month prior to the start of decommissioning; and
- e. one month after the completion of decommissioning.

The Executive Director of EAO may adjust or extend this reporting at their discretion.

**Q 22. The City of Richmond had asked that the BC Environmental Assessment Office add conditions for VAFFC to follow Richmond bylaws or to otherwise grant Richmond authority for certain components (such as requiring a Municipal Access Agreement for the pipeline or granting Richmond Fire Rescue authority at the fuel receiving facility). Why didn't that happen?**

The BC EAO did not do so because:

- EAO cannot provide a regulatory agency or municipality with jurisdiction where it doesn't already exist (i.e. municipal over federal); and
- VAFFC is required to comply with all laws applicable to project activities and EAO does not duplicate requirements under those laws.

**Q 23. Were First Nations consulted in the review?**

Consultation with First Nations and Treaty Nations was led by the Environmental Assessment Office, and included working group involvement, government-to-government meetings and formal correspondence. EAO also directed VAFFC to engage with First Nations throughout the EA. The following First Nations were consulted:

Non-Treaty First Nations

- Hul'qumi'num Treaty Group
  - Stz'uminus First Nation
  - Cowichan Tribes
  - Halalt First Nation
  - Lake Cowichan First Nation
  - Lyackson First Nation
  - Penelakut First Nation
  - Hwlitsum First Nation
- Katzie First Nation
- Kwantlen First Nation
- Kwikwetlem First Nation
- Musqueam Indian Band
- Qayqayt First Nation
- Semiahmoo First Nation
- Tseil-Waututh First Nation

#### Treaty First Nations

- Tsawwassen First Nation
- Tsawout First Nation, under the terms of the Douglas Treaty

#### **Q 24. What is the EA Working Group?**

The EA working group's role is to provide advice about key issues, potential impacts and mitigations. They represent federal, provincial, municipal, and First Nations stakeholders and include:

## Provincial

- Ministry of Environment
- Ministry of Transportation and Infrastructure
- BC Oil and Gas Commission
- BC Utilities Commission

## Federal

- Transport Canada
- Health Canada
- Fisheries and Oceans Canada
- Environment Canada
- Canadian Coast Guard
- Canadian Transportation Agency
- Canadian Wildlife Service

## Municipal

- Richmond Health Services
- Metro Vancouver
- City of Richmond
- Corporation of Delta

## First Nations

- Tsawout First Nation
- Stz-uminus First Nation
- Musqueam Indian Band
- Penelakut Tribe
- Semiahmoo First Nation
- Kwantlen First Nation
- Lake Cowichan First Nation
- Lyackson First Nation
- Chemainus First Nation
- Cowichan Alliance
- Cowichan Tribes
- Halat First Nation
- Hul'qumi'num Treaty Group
- Hwlitsum First Nation

## Other

- YVR
- Sector Environmental Resource

## Consulting

- LGL Ltd
- Keystone Environmental
- Skeena Fisheries Commission

**Q 25. What public consultation was there on this project?**

There were three public comment periods during the environmental assessment process. In addition to the usual public comment periods during the pre-Application and Application phases, there was a third public comment period on VAFFC's Addendum.

During the public comment periods, there were four open houses held in Richmond, attended by a total of approximately 290 people.

In addition, over 560 written comments were received during the three public consultation periods.

VAFFC also conducted public consultation outside of the EA process.