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Date: 2/19/2018 4:49:48 PM
Subject: Memo - Oil Spill Planning - Proposal for engagement with local authorities
Attachments: RCAC - Regional Community Advisory Council RCAC Project Proposal - Janu....pdf
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Dear Mayor and Councillors,

On January 30, 2018, the Government of BC announced its intention to initiate consultation on new regulation to enhance readiness and response to oil spills. The attached memo summarizes a proposal that City staff have developed in partnership with other local municipalities and First Nations for creation of a regional community advisory council to facilitate engagement with senior governments on oil spill planning.

The memo includes the following points:

- Background on the prior involvement by City staff in oil spill planning work with provincial, federal and industry agencies and the significant workload associated with such processes for municipal and First Nations governments;
- An overview of the regional community advisory council (RCAC) concept as a leading practice for public oversight of natural resource management;
- The proposal for establishment of a senior government- or industry-funded RCAC for Burrard Inlet as a mechanism to facilitate meaningful engagement by local government authorities on issues related to oil transportation, spill planning and response.

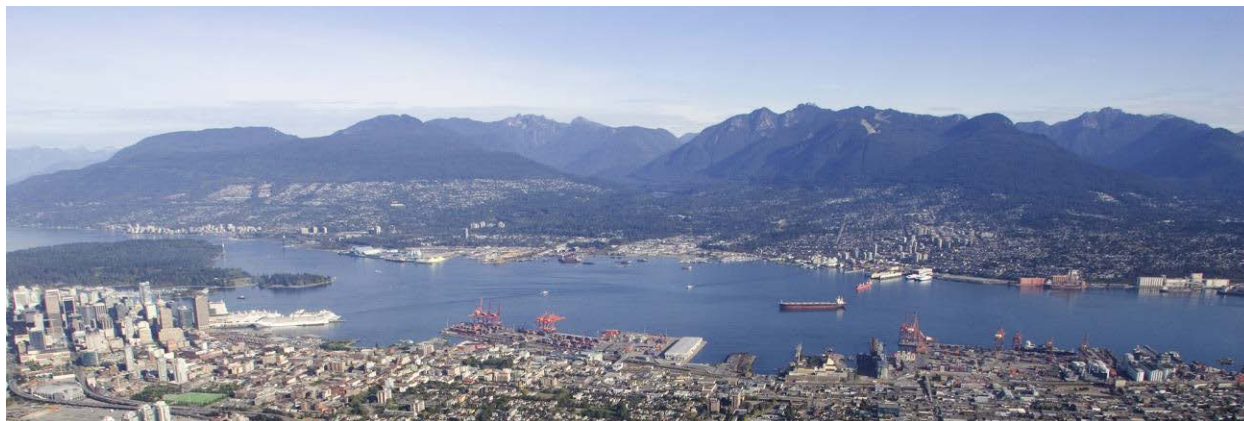
Please contact Paul Mochrie at 604.873.7666 / Paul.Mochrie@vancouver.ca should you have any questions.

Best,
Sadhu

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Regional Community Advisory Council (RCAC) for Oil and Hazardous & Noxious Substances Project Proposal

A team of municipalities and First Nations developed this proposal collaboratively. Contributors include the City of Vancouver, the Tsleil-Waututh Nation, Vancouver Coastal Health, Metro Vancouver, the City of Burnaby, the City of North Vancouver, the District of North Vancouver, the District of West Vancouver, the City of Port Moody, and North Shore Emergency Management.

The first draft of this proposal was circulated in September 2016. It has subsequently been updated to incorporate feedback received from other municipalities, First Nations, health authorities, and representatives of the federal and provincial governments.

Purpose

This proposal outlines the need for an Oil and Hazardous and Noxious Substance (HNS) Regional Community Advisory Council in the Lower Mainland region, and requests support from federal and provincial governments to establish the program with initial funding of approximately \$740,000 and a commitment to identify long term sources of funding for ongoing operations, including from industry.

1. Background

This document summarizes a proposal to form a Regional Community Advisory Council (RCAC) in the Lower Mainland region. RCACs are community-based organizations that enhance stakeholder engagement and improve the safety and environmental performance of natural resource operations. The RCAC will enhance the representation of member organizations in

initiatives related to oil and hazardous or noxious substance (HNS) spills from all sources that may impact the land, water, air, or resources of our member entities.

RCACs: A History of Successful Engagement

The United Nations Environmental Programme recognizes RCACs as an international best practice for oversight of industrial activities.

“The broad mission of an [RCAC] is to enable citizen stakeholders to ensure the highest standards of environmental and social responsibility of an industrial project and/or all industrial activity in a particular region. Its goal is to reduce the deleterious environmental and social impact and risk of resource development, and enhance communication and engagement between civil society, industry, and government.”

-UNEP Perspectives, “Citizens’ Advisory Councils to Enhance Civil Society Oversight of Resource Industries,” 2013

The first RCAC was established in the UK to provide citizen oversight of the Sullom Voe oil terminal. Due to effective RCAC engagement that facility gained a reputation as the “safest terminal in Europe” (US Congress - Oil Pollution Act, 1990). The concept was later adapted in Alaska following the *Exxon Valdez* oil spill, and two RCACs there have operated successfully for over 25 years by enhancing safety and reducing the environmental risk and impact of oil industry operations within their regions.

In 2015, the concept of an RCAC was identified by the Province of BC as a world-leading approach to community and public oversight of oil and gas operations in British Columbia. This project proposal, initiated by local authorities and First Nations in the Lower Mainland, would create Canada’s first community-led RCAC as an organization that would enhance the capability of local communities to meaningfully participate in oil and hazardous materials preparedness and response.

Concept Development

Local authorities and First Nations have invested staff-time and resources to develop an initial concept paper (July 2016), host a facilitated full day scoping workshop (September 2016), develop a formal proposal for broader circulation (October 2016), informally present the proposal to the Metro Vancouver Regional Administrative Advisory Council (January 2017), and hosted a workshop to present the concept to municipal, provincial, federal, and First Nations partners (February 2017). One of the outcomes of this work is a vision statement, developed during the September 2016 scoping workshop, which describes the purpose and function of the RCAC:

The vision of the RCAC is to provide local communities a meaningful role in mitigation, prevention, preparedness, response and recovery from oil and hazardous materials storage, transportation, refining, and related activities in our region.

The proposed RCAC would be self-governing, with a board of directors comprised of staff representatives of member organizations (as designated by the Chief Administrative Officer/Manager), and a small staff to handle programming and administration. Funding to get the organization formed and running, along with a commitment to sourcing long-term operational funding is now sought from the provincial and federal governments.

2. Rationale and Benefits

As home to Canada's busiest Port and most densely populated urban centre, the Lower Mainland, encompassing Burrard Inlet, the Fraser River and surrounding communities, faces significant cumulative risk of spills of different products coming from a wide range of sources. Local communities typically bear the consequences of oil and hazardous materials releases – both during the incident and over the long term, through a range of community impacts. Municipalities and First Nations in this region share a number of common concerns that stem from their duty of care to their community members.

Local authorities and First Nations therefore have a desire to collaborate and broadly engage in activities to mitigate these risks, including through meaningful participation in spill exercises, planning processes, and response and recovery initiated by different levels of government and industry. Federal and provincial governments have also introduced a number of major preparedness and planning initiatives related to oil and HNS on land and water in the last year. These initiatives will require significant input from local communities in their development and implementation and long-term participation in program operations and activities. Local authorities and First Nations in our region have already successfully collaborated on recent activities such as the *M/V Marathassa* oil spill response, the National Energy Board review of the Trans Mountain Expansion Project, and the Greater Vancouver Integrated Response Plan (GVIRP). The RCAC would formalize this collaboration, while also creating opportunities to streamline and harmonize the role of local communities in ongoing and future initiatives related to oil and HNS incidents and environmental emergency planning, preparedness and response.

Consolidation of Effort

Local authorities and First Nations hold significant local knowledge, a deep understanding of community priorities, and retain and manage access to resources (e.g. emergency management infrastructure, boats, equipment, first responder personnel, communications channels, etc.) that are critical to effective planning and response. They also face a common challenge: when municipal or First Nation staff members participate in oil and HNS planning and response, it is often at the expense of other important functions that they serve in their communities. The RCAC provides a forum to consolidate common interests and foster collaboration among local communities. This will reduce the staff and resource burden that local governments and First Nations currently face, which has undermined meaningful participation in the many concurrent oil spill planning, preparedness and response initiatives in our region.

The RCAC would represent communities in cooperative, inter-agency processes, actively contributing to projects that will result in tangible and useful outcomes for local communities. Section 4 outlines three projects the RCAC proposes to take on during the initial phase of operations. Beyond those, there are a wide range of tasks and roles that would benefit from consolidation of effort and resources through the RCAC. For example, the RCAC may contribute, on behalf of its members, to the development and coordination of spill response training and exercises, conduct localized risk assessments, and support the development and prioritization of geographic response strategies. The RCAC could also ensure that local priorities such as evacuation planning and environmental monitoring are addressed through oil spill and hazardous material planning. Moreover, through participation in the GVIRP process, local authorities have identified a number of issues of concern to communities that are best resolved at the local level, but that should be integrated into the regional plan. These include: maintaining an inventory of local resources; possible Incident Command Post locations; regional beach closure and re-opening protocols; and the development of consensus criteria for determining spill clean-up endpoints. The RCAC provides a mechanism to address these issues.

In addition, both the federal Area Response Planning initiative and the Province of BC's land-based spill preparedness regime envision a role for advisory groups. By having a standing RCAC to interact with both federal and provincial initiatives (along with other activities such as response organization planning, drills, and exercises), the RCAC would create continuity across efforts and initiatives and present a consolidated voice for local communities.

The RCAC *would not* serve as a proxy for local governments in Unified Command during response. However, as a convening group that connects local authorities and First Nations across the region, the RCAC could play a role in helping its members to determine how local government can most effectively be represented in Unified Command. The RCAC could also provide technical support to other Incident Command System functions, and RCAC representatives that are embedded within the spill management team would be able to consolidate local government input and coordinate the collection and dissemination of information between the spill management team and member entities.

Proactive Stance

The RCAC provides a mechanism for local communities to take a proactive stance as participants in regional oil spill preparedness initiatives. During the Marathassa oil spill the disconnect between the objectives and process of the existing spill response regime and the expectations and priorities of local communities, meant that First Nations, municipalities and health authorities found themselves in a reactive role. They were forced to improvise to try to stay ahead of the risks and impacts to the public and the local environment. This created a strain on their limited capacity and made it difficult to sustain their involvement alongside other duties and responsibilities.

Furthermore, in the past few years, local communities have found themselves as passive participants in many important processes, reviewing information or policies that they had no

voice in creating and with limited input into defining their participation or prioritizing local concerns. When planning and preparedness initiatives advance without integration of local concerns and priorities, it is likely the outcome will not be acceptable to the very communities which plans and programs are intended to protect.

The proposed RCAC creates an ongoing platform for local communities to consider the multitude of oil spill related initiatives that potentially impact local constituents and to formulate a forward-looking approach to participation. It will also make it easier for other entities – government or industry – to engage with local communities earlier in their scoping and steering processes.

Filling a Gap

The proposed RCAC fills an important gap in the current landscape of regional emergency management organizations, spill response organizations, and advisory groups.

For example, while Transport Canada has established Regional Advisory Councils (RACs), they differ substantially from the mandate and function of the RCAC envisioned for the Lower Mainland area. The existing RACs have an appointed membership and lack dedicated funding and a clear mandate for community representation. Moreover, they have not been engaged in major planning or assessment initiatives including the ongoing Area Response Planning pilot or TERMPOL assessments, and have no formal connection, or consultation or reporting requirements, for local communities. By contrast, the RCAC would have board members appointed by the organizations they represent and be empowered to advance the concerns and priorities of their constituents. The proposed RCAC would also have dedicated funding and technical and administrative staff.

The proposed RCAC also differs from other emergency management initiatives, such as the Integrated Partnership for Regional Emergency Management in Metro Vancouver region (IPREM). IPREM was established in April 2009 through a MOU between the BC Provincial Government and Metro Vancouver Regional District (MVRD) on behalf of its member jurisdictions (21 municipalities, one Treaty First Nation and one Electoral Area) to enhance regional emergency management by providing sub-regional and regional planning on priority emergency management activities. Local Government within the Metro Vancouver region are responsible to develop and implement emergency management plans, including preparation for, response to and recovery from emergencies and disasters as outlined in the *Emergency Program Act* or jointly through municipal bylaws and other agreements including the MVRD. MVRD and BC Provincial Government each equally contributes annual to the Partnership to support three full time staff. By comparison, the RCAC's board of directors would be comprised of all of the communities (municipal and First Nations) that are represented, and would have dedicated staff focused on oil and hazardous materials issues. The RCAC would also involve local health authorities, universities, and industry, and provide mechanisms for NGOs, stakeholder groups, and citizens to provide input. Furthermore, while IPREM is limited to the

boundaries of the Metro Vancouver Regional District, the intent for the RCAC is to allow for flexibility to expand beyond the regional district boundaries.

It should be noted that the RCAC will not duplicate any functions or mechanisms for regional coordination that are already in place. A thorough scan will be conducted to ensure that the RCAC complements other initiatives and organizations.

A Constructive Platform for Community Concerns

All levels of government, along with industry, recognize the need to engage local communities in planning and response. The RCAC will act as a convening organization that can collectively serve the need for local communities to develop their own knowledge base and strategic priorities for oil and hazardous materials risk assessments, planning, and preparedness activities. It will be able to communicate priorities, concerns and recommendations on behalf of member entities, and also to report back to communities with an informed perspective on various initiatives and activities. This ensures that local priorities are accurately understood and that the outcomes of these processes reflect the needs and concerns of the communities they impact.

The RCAC will also provide a means for citizens and stakeholder groups to express concerns and provide input in various planning processes. Currently, there are visibility gaps in how the public understands what is being done at different levels of government to prepare for oil spills, and also in the senior government's understanding of public concerns. The RCAC can bridge these gaps and enhance transparency by synthesizing common community concerns and representing them more cohesively in the context of policy, planning, and response. The RCAC will also report back to community members on what is being done, in a voice that is known and trusted.

We understand that coordinating and engaging across multiple local communities early on in a process can be daunting and pose significant challenges in the face of time and resource constraints. The RCAC will streamline this process by providing a "single point of entry" for government organizations and industry to engage with local communities at the outset of planning processes.

The RCAC *will not* supplant the authority or jurisdiction of any of the member entities. Nor will it be an advocacy or lobbying group. Further, the RCAC will be contractually barred from litigation. The RCAC *will* provide a mechanism for conducting independent analysis, and for consolidating local concerns in a way that makes it easier for community members to understand and participate in planning.

Building Knowledge and Capacity

The RCAC enables knowledge, information and capacity building to benefit local communities. Currently, reports, analyses, datasets, and other information products are scattered throughout the organizations that commissioned their development. The deliberate compilation of this information in a publicly accessible manner would build local capacity. Consolidation of

knowledge and information will also highlight any gaps in that need to be filled and help inform future research and resource acquisition needs across all levels of government with a role or mandate related to oil and HNS spills.

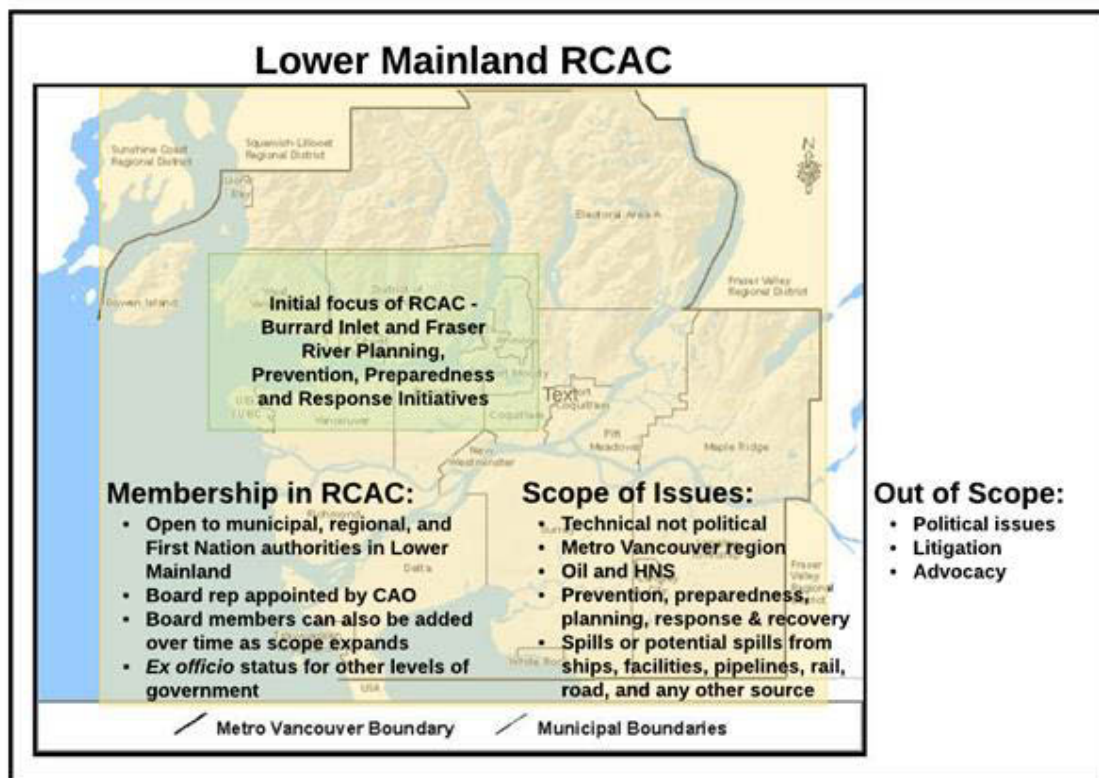
One of the roles of the RCAC will also be to conduct new research. Currently, very few communities have the capacity or resources to undertake needed research. However, with dedicated funding in place as well as partnerships with local universities, the RCAC will be able to commission original research to help inform oil spill and environmental emergency preparedness and response.

3. Proposed Approach

A stepwise approach to establishing the RCAC is proposed, to allow for scaling of the scope and membership over the first few years of operation. Once the RCAC has been successfully established, it may provide a model for other regions of British Columbia and Canada to adopt.

Scaled Approach

The envisioned RCAC will initially focus on risks arising from oil and HNS transportation and storage in and around Burrard Inlet and the Fraser River. The team of municipalities and First Nations that developed this proposal believe that this is the logical place for the RCAC to begin its operations. As the concept moves forward and the RCAC secures additional funding, the scope of the organization's activities may expand to also include land-based oil and HNS spills in communities throughout the Lower Mainland.



Membership

One of the goals of the RCAC is to broadly represent communities and other stakeholders around common issues of concern. As such, participation in the RCAC would be open to a variety of organizations, including universities and research institutes, associations representing industries that would be impacted by oil spills (e.g. tourism, fisheries, etc.), and non-governmental organizations working on issues such as wildlife and the environment. To maintain focus on the organization's guiding vision, membership on the Board of Directors and voting in the organization will be restricted to local government and First Nation authorities from the Lower Mainland region. In addition, non-voting and ex officio members will include federal and provincial agencies, as well as health authorities, companies, and port authorities. Finally, citizens and other stakeholders would have direct access to the RCAC through voting and non-voting members, and a robust outreach program combined with public access to board meetings would ensure that the RCAC connects directly to citizens.

Membership in the RCAC does not supplant the jurisdictional authorities of its member entities, nor does it preclude any organization from adopting positions that may differ from the RCAC at large. Chairmanship of the board of directors would rotate among member entities to ensure a distributed power and to prevent the organization from focusing on issues and priorities specific to any one member entity.

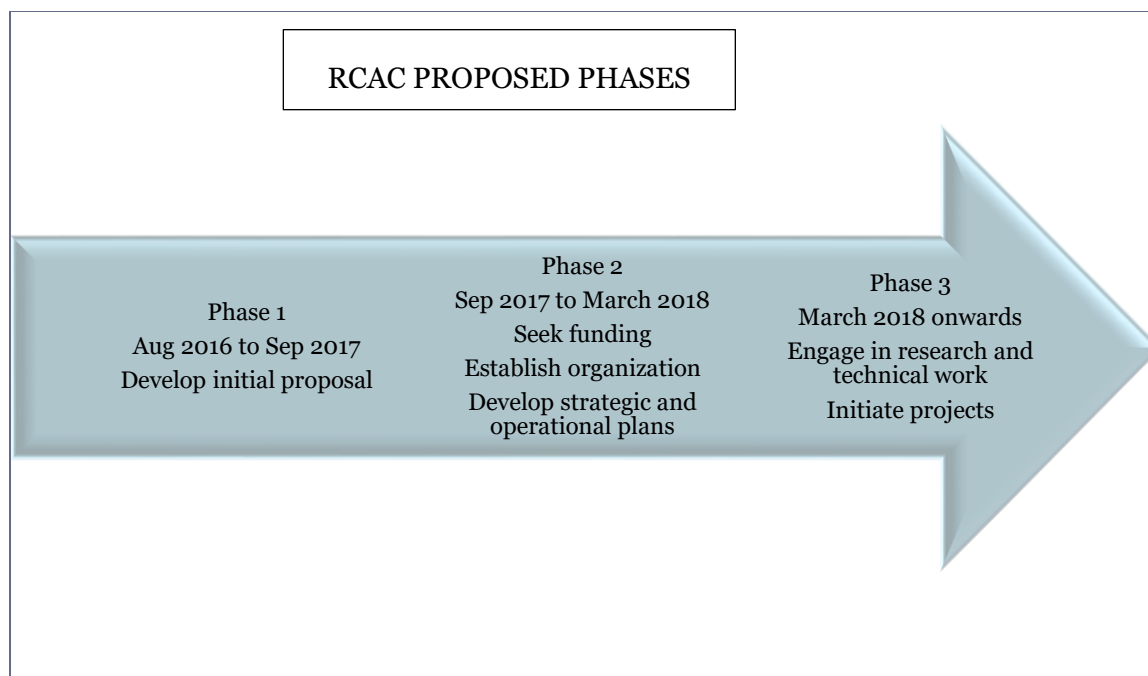
Critical Path for Establishing RCAC

For planning and funding purposes, the proposed approach is organized into three phases:

Phase 1. Establish consensus for need and rationale. Phase 1 has been ongoing since June 2016, and has involved the development of a written proposal (this document), a community workshop in 2016 to refine the vision, and a workshop with federal and provincial partners held in February 2017.

Phase 2. Establish organization and secure funding. During Phase 2, funding will be sought from industry, federal and provincial governments. Once funding has been secured, work will begin to set up the organization. The first step is to establish a legal entity, hire staff, establish a physical office, and assign a board of directors. Professional consultants with expertise in building non-profit organizations will be hired to oversee that process. A project manager will also be hired (may be a partial in-kind contribution from one of the municipalities) to manage the budget and timeline. Once in place, the RCAC staff will develop strategic and operational plans for review and approval by the board of directors.

Phase 3. Long-term operations. Once the entity has been established and strategic/operational plans put in place, the RCAC will transition to ongoing, long-term operations. The organization will engage in technical studies, planning and preparedness, and outreach and education projects. One or more committees may be formed to oversee different types of activities. Based on the feedback received from potential RCAC member entities and external partners, three projects have been identified as initial priorities for the RCAC. These are described in Section 4 of this proposal.



Estimated Budget and Funding Sources

A high level annual budget has been estimated at approximately \$740,000. In Phase 2, this budget would include funding for consultants with expertise in building non-profit organizations to oversee the set up process. Once the RCAC is in place, the funding would transition to Phase 3 and the program work such as the three projects described in Section 4 below. As the RCAC moves into the long-term operations phase, the scope and number of projects can be increased as staff source additional funding through grants, partnerships, and other fundraising efforts.

The scope and nature of activities would include research, education and technical projects. The scale of the RCAC would start small, with the view to gradually growing as the concept proves itself and more funding becomes available.

The budget will be refined as the strategic and operational plans are developed and the work will be scaled to align with the available funds. The number and/or scope of projects may increase as additional funding sources are found.

Assuming an initial staff of three (Executive Director, Project Manager and Administrator) and a board of about 12 members, the initial budget estimate of \$740,000 is laid out in Table 1 below. For context, in 2016, the Prince William Sound RCAC had total expenditures of \$3.4 Million (US), including \$1.8M for salaries and the Cook Inlet RCAC had a 2016 budget of approximately \$1.5 Million (US).

TABLE 1: RCAC ESTIMATED ANNUAL BUDGET

	ESTIMATED ANNUAL BUDGET
Salaries	\$285,000
Consulting	\$300,000
Office Space	\$25,000
Printing	\$20,000
Travel and Expenses for Staff	\$25,000
Board Expenses (assumes 2 x 1 day meetings per year – includes travel, accommodation, and meeting expenses)	\$15,000
Miscellaneous/Contingency	\$70,000
Total	\$740,000

Salary costs include an overhead amount of 25% for equipment and fringe benefits.

Salary costs would cover three employees as follows:

1. Executive Director/Project Manager – this position would oversee the set-up of the organization and the day to day operations. The person in this position would work with consultants to find office space and hire staff. They would manage projects and/or consulting contracts to complete projects and investigate and secure partnerships and additional funding sources.
2. Research/Project Associate – this position would provide research and project support to the Executive Director and consultants.
3. Administrator – this position would be responsible for coordination of information technology, financial management and providing general administrative support for the organization.

Non-government funding is necessary and appropriate to support this effort. Rather than rely solely on taxpayer funding, the RCAC intends to derive some of its funding from industry, among other potential sources. The need for an RCAC derives from industrial activities and the risks they pose within our region. Local communities already incur significant costs in emergency preparedness associated with industrial activities. The RCAC models in place

elsewhere rely primarily on industry-derived funding, either through government-mandated agreements, or via a variety of dedicated taxes and fees. In fact, industrial operators derive many benefits, financial and otherwise, from the activities undertaken by RCACs to mitigate environmental and human health risks; we have identified some of these in Section 5 of this proposal.

The proposed RCAC will also seek to leverage volunteers to participate on committees or projects and to support outreach and education initiatives. In scoping this proposal, both of the Alaska RCACs emphasized how important volunteers have been to their success.

4. Program Plan and Initial Projects

Once funding has been secured, the RCAC proponents intend to get the group up and running as quickly as possible. As the focus transitions from set up to ongoing operations, the RCAC will begin to work engaging with local communities and senior government agencies to identify areas where gaps exist and coordinate input and participation in ongoing oil spill and HNS related activity. In addition to this work, three projects have been identified as initial priorities for the RCAC. Project details can be found in Appendix 1 to this proposal.

1. Burrard Inlet Shoreline Cleanup Endpoint Criteria – develop a matrix that establishes parameters for clean-up endpoints based on a range of factors such as shoreline type, human use, ecological receptors, cultural values and other concerns.
2. Geographic Response Strategy (GRS) Development Support – gather information from local stakeholders on protection priorities and ecological sensitivities throughout Burrard Inlet and the Fraser River to be used in area response planning initiatives.
3. Rail Transport of Oil and Dangerous Goods: Understanding the Risks and Response Capacity – support initiatives to evaluate hazards to human health and safety and the environment from oil and dangerous goods transported through rail corridors.

5. Summary of RCAC Benefits

The proposed RCAC would provide a number of benefits to a wide variety of stakeholders in the Lower Mainland. For example, the RCAC would benefit local communities, First Nations, and other stakeholders by:

- Consolidating common interests, pooling resources and information to avoid duplication of effort, and reducing the burden to communities with limited time and resources
- Empowering local communities to participate proactively in preparedness activities
- Playing a coordinating role in multiple contexts, including planning, policy, and response
- Bridging an existing gap in regional planning and preparedness by creating an organization with members appointed by their respective organizations and mandated to represent the priorities and concerns of citizens and stakeholders

- Providing a pathway to communicate citizen and stakeholder concerns to decision-makers while keeping local citizens informed about oil and HNS spill preparedness and response
- Building knowledge and capacity for municipalities, First Nations, and stakeholder organizations across the region to engage as informed participants
- Fostering relationship-building and better coordination between government, local stakeholders, and industry
- Creating more resilient, healthy, and sustainable communities

For federal and provincial governments, the benefits of an RCAC would include:

- Providing long-term, informed, and engaged participants to represent member organizations in a range of government initiatives, thereby improving outcomes
- Creating a formal mechanism for input from citizens and from non-government stakeholders representing interests such as fishing, tourism, and environment
- Giving agencies an opportunity to deal with local concerns early in the process before those concerns turn into major issues
- Streamlining engagement, thereby reducing the overall time and expense involved
- Contributing independent technical studies to supplement government research
- Incorporating valuable local expertise into plans, drills, and exercises
- Raising the accountability of industry
- Increasing transparency across response planning, drills and exercises
- Enhancing public confidence and credibility of government in ongoing efforts, and strengthen community buy-in for government engagement initiatives
- Contributing to better spill prevention and preparedness, and ensuring the highest level of safety, environmental and health protection

There are also a number of proven benefits of the RCAC model for industry, including:

- Gaining a reliable mechanism to communicate effectively with stakeholders
- Streamlining local engagement, thereby reducing the overall time and expense involved
- Building trust, and fostering collaboration
- Utilizing stakeholder feedback to improve operations
- Improving response plans and outcomes when spills do occur
- Satisfying company shareholders and insurers that corporate risk is better managed
- Improving a company's overall corporate social responsibility profile

While there are many expected benefits, the RCAC will ultimately be considered successful if it accomplishes the key goals of: streamlining local engagement, building institutional knowledge, reducing redundancies, contributing to spill prevention and preparedness, and fostering better coordination across levels of government and between local communities in the event that an incident occurs.

Conclusion

This document outlines a concept and vision for a Regional Community Advisory Council to enhance the capability of local communities to meaningfully participate in oil and hazardous materials preparedness and response.

The team of municipalities and First Nations who contributed to this proposal have committed significant time and energy to develop the RCAC concept, and initial feedback from other parties has been positive. In order for this momentum to continue, partners require cooperation and support from federal and provincial governments to launch phase 2 with initial funding of approximately \$740,000 and a commitment to identify long term sources of funding for ongoing operations, including from industry.

For more information, please contact Katie McPherson, Chief Resilience Officer, City of Vancouver. Katie.mcpherson@vancouver.ca

Appendix 1 – Project Details

Burrard Inlet Shoreline Cleanup Endpoint Criteria

The Issue

Lower Mainland communities and First Nations learned during the *M/V Marathassa* oil spill that shoreline cleanup operations do not continue indefinitely; cleanup endpoints are often established quickly during a spill event and once a beach reaches those endpoints, no further efforts are made to clean the oil from the beach. For the English Bay spill, cleanup endpoints established by the responsible party for high public use beaches required that residual oil on beaches was no longer tacky to the touch. For other shorelines along the Burrard Inlet, beach cleanup was considered to be complete once visible tar balls below a certain size (e.g. 3 cm) had been removed. In many locations, including parts of Stanley Park, segments of shoreline with visible “bathtub rings” of oil staining rocks and seawall were left to naturally degrade.

During the *M/V Marathassa* response, municipalities, First Nations and local health authorities were faced with trying to determine on the fly what would represent an appropriate level of clean up for beaches, including some with very high recreational use. While the responsible party offered a matrix of cleanup criteria, the local representatives had never contemplated how they might determine “how clean is clean?” in a manner that is consistent with their duties to protect human health and the environment, and found the criteria put forward by the responsible party to be unacceptable.

Local authorities and First Nations involved in the Coast Guard-led GVIRP process have expressed the need for the establishment of endpoints and clear processes for determining endpoints to be included in the plan. This process has not yet been initiated, and will require collaboration and input across a range of local stakeholders. The RCAC is an appropriate body to coordinate this process for local stakeholders and provide a tangible input to enhance the GVIRP.

RCAC Involvement

The RCAC would support a project that convenes relevant stakeholders in Burrard Inlet to consider the scientific, technical, and practical issues associated with shoreline cleanup endpoints. The goal of the project would be to develop a matrix that establishes parameters for cleanup endpoints based on a range of factors, such as shoreline type, human use, ecological receptors, cultural values, and other concerns. This matrix would be a consensus document that could be brought into future oil spills or exercises as a reference for developing Shoreline Cleanup Assessment Technique (SCAT) programs and prioritizing beach cleanup.

The Benefits

Pre-planning for shoreline cleanup endpoints could save significant time and effort during a spill response. The consensus document will reflect the input of local stakeholders across a range of sectors (not just RCAC members but also the response community, other levels of governments, and specific user groups); having this information ahead of a spill will facilitate quicker action to mitigate shoreline impacts. Local stakeholders will have more faith in the spill response decision-making process when they understand that their input has been factored into the process. Response organizations may be able to use the cleanup endpoint information to develop pre-SCAT plans for Burrard Inlet shoreline. The endpoint guidelines can then be incorporated into GVIRP.

Geographic Response Strategy (GRS) Development Support

The Issue

The RCAC proponents understand that Western Canada Marine Response Corporation (WCMRC), the response organization for BC, is in the process of developing and updating geographic response strategies (GRS) for Burrard Inlet and Fraser River. While WCMRC is the technical expert for developing the tactics, stakeholder input is vital to the process of assessing sensitivities and prioritizing sites to reflect ecological, cultural, and socioeconomic values. In January 2018, the Provincial government announced plans to consult with communities and First Nations on specific Geographic Response Plans and Strategies. While industry investment and engagement in the process is important, ultimately the communities at risk must be the ones to inform response planning and recovery priorities.

RCAC Involvement

The RCAC could organize and facilitate an outreach component focused on gathering information from local stakeholders on protection priorities and ecological and cultural sensitivities throughout Burrard Inlet and the Fraser River. This information could then be considered by WCMRC and also by the federal government through Area Response Planning initiatives.

The Benefits

This process would demonstrate how the RCAC could provide a convening role for GRS development and, potentially, for future planning initiatives. This outreach would also provide an opportunity for the RCAC to provide local stakeholders and the public with information about what GRS are and are not, and to create realistic expectations about protective booming strategies and similar efforts to mitigate oil spill impacts. The process of prioritizing sites will help stakeholders to appreciate the trade-offs involved in oil spill response decision-making, and help them to understand why resources are focused on certain areas during a spill.

Rail Transport of Oil and Dangerous Goods: Understanding the Risks and Response Capacity

The Issue

Oil and other dangerous goods (hazardous and noxious substances, or HNS) move through the Lower Mainland via different transportation modes. While significant attention has been focused on pipelines and vessels as potential spill sources, oil and dangerous goods are also transported by rail car. A 2015 [study by the Fraser Institute](#) found that the total volume of oil and gas transported by rail increased by 166% from 2003-2013. While significantly less than the volume transported by pipeline, the trend toward increased movement by railcar is expected to continue, regardless if proposed projects such as the Trans Mountain Pipeline expansion are constructed. It is important for organizations such as municipalities, health authorities and Port authorities to understand the risks created by rail transport of dangerous goods and how to protect communities from these risks.

RCAC Involvement

The RCAC would support ongoing work by federal, provincial and municipal partners to evaluate the hazards to human health and safety and the environment from oil and HNS transported through rail corridors, including Fraser River crossings. The RCAC may provide technical or contractor support for risk evaluations or preparedness assessments that consider what is needed to protect communities and the environment from rail car spills.

The Benefits

Several Lower Mainland communities are at risk from rail car incidents, and share common concerns regarding risk-based preparedness. Local health authorities have responsibilities for protecting public health and safety in the event of an incident. By taking an active role in evaluating risks and assessing preparedness, the RCAC will empower local communities and identify information, planning or equipment needs to ensure an appropriate level of preparedness.

The RCAC can support federal and provincial agencies and regulators by contributing to the body of knowledge about oil and HNS moving along rail corridors.

VanRIMS No.: 01-9000-20

MEMORANDUM

February 19, 2018

TO: Mayor and Council

CC: Sadhu Johnston, City Manager
Janice MacKenzie, City Clerk
Lynda Graves, Manager, Administration Services, City Manager's Office
Rena Kendall-Craden, Director, Communications
Kevin Quinlan, Chief of Staff, Mayor's Office
Naveen Girn, Director of Community Relations, Mayor's Office
Katie McPherson, Chief Resilience Officer
Darrell Reid, Fire Chief/ GM, VFRS and Emergency Management
Daniel Stevens, Director, Office of Emergency Management

FROM: Paul Mochrie, Deputy City Manager

SUBJECT: Proposal for a Regional Community Advisory Council for Oil Spill Planning and Response

Dear Mayor and Council,

On January 30, 2018, the Government of British Columbia announced its intent to undertake consultation on a set of new regulations to improve preparedness, response and recovery from potential oil spills. This memo provides an update on the City of Vancouver's participation in previous consultation and planning work related to oil and hazardous materials spills and a proposal developed jointly with other Metro municipalities and First Nations to facilitate effective engagement with the federal and provincial governments on these issues.

Background

Since the beginning of 2016, City staff have been invited to participate in more than 50 training exercises, regulatory reviews, planning meetings, and workshops related to oil and hazardous substances transportation, emergency preparedness, and response and recovery in our region. While the City of Vancouver has a direct interest in this work, the volume of

requests from multiple federal and provincial agencies and industry groups represent an unmanageable expectation for involvement and contribution on the part of staff. Staff from other local municipalities and First Nations have expressed similar challenges.

Over the past two years, the provincial government introduced new legislation relating to land-based spill preparedness and the federal government announced \$1.5 billion in funding for marine spill preparedness. Both of these initiatives include projects that will require further engagement and input from local governments. Additionally, as indicated above, the Province has recently announced a new phase of consultation regarding additional spill response regulations and an intention to engage local government, First Nations, and industry stakeholders for input on a range of topics:

- Response times, to ensure timely responses following a spill;
- Geographic response plans, to ensure resources are available to support an immediate response, that take into account unique characteristics of a given sensitive area;
- Compensation for loss of public and cultural use of land, resources or public amenities in the case of spills;
- Maximizing application of regulations to marine spills; and
- Restrictions on the increase of diluted bitumen (“dilbit”) transportation until the behaviour of spilled bitumen can be better understood and there is certainty regarding the ability to adequately mitigate spills.

All of the above are issues on which the City of Vancouver and other local authorities have articulated positions and that require ongoing advocacy to ensure outcomes that address the unique needs of our region. However, given the scope and technical complexity of these issues, the capacity limitations of the City of Vancouver and other local authorities represent a barrier to effective engagement with the provincial and federal governments.

Regional Community Advisory Council Proposal

During the summer of 2016, City of Vancouver staff began informal discussions with staff from other municipalities and First Nations regarding demands associated with participation in oil spill planning and response activities in Burrard Inlet.

These discussions led to development of a proposal for a Regional Community Advisory Council (RCAC) for Burrard Inlet. RCACs are community-based organizations that have been established in other jurisdiction to enhance engagement with local stakeholders and improve the safety and environmental performance of natural resource operations. In fact, the Government of BC has identified RCACs as a world-leading approach to public oversight of oil and gas operations.

In this instance, a RCAC is proposed as a model to formalize regional collaboration and lead local government/First Nation engagement in regulatory reviews, planning processes, exercises and related initiatives. The RCAC would reduce duplication of effort and create a shared, independent and trusted source of expertise for local authorities and the communities they represent.

While municipal partners have collaborated informally on oil spill related issues such as the 2015 *Marathassa* Oil Spill, the Trans Mountain pipeline expansion and the development of a Greater Vancouver Integrated Response Plan, the proposed RCAC would fill a gap in the current landscape of regional emergency management organizations, spill response

organizations, and advisory groups, and enable meaningful local engagement in spill preparedness planning and response initiatives.

A proposal paper outlining the recommendation for a Regional Community Advisory Committee for Burrard Inlet has been developed cooperatively by staff from the City of Vancouver, Vancouver Coastal Health, Metro Vancouver, City of Burnaby, City of North Vancouver, District of North Vancouver, District of West Vancouver, City of Port Moody, North Shore Emergency Management, and the Tsleil-Waututh Nation. The proposal was shared with senior staff in the BC Ministry of Environment, Transport Canada and Environment Canada in late 2016 and reviewed in detail in a working session in early 2017. The RCAC proposal has also been validated with the Metro Vancouver Regional Administrative Advisory Council (RAAC).

While provincial and federal staff have expressed interest in the recommendation, neither government has provided any indication regarding a funding commitment to establish or operate at RCAC.

A copy of the RCAC proposal is attached for reference.

Next Steps

In the context of the provincial government's recent announcement, we will be undertaking further communication with senior staff of the BC Ministry of Environment regarding the barriers to effective engagement on the part local authorities and the merits of the RCAC concept as an opportunity for partnership in addressing those barriers.

If you have any questions regarding this matter, please do not hesitate to contact me.

Sincerely,



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Deputy City Manager

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