



# *City of Pitt Meadows*

OFFICE OF THE MAYOR

July 29, 2021

File: 16-8640-01/21

Jeff Edwards, Assistant Vice President  
Canadian Pacific Railway ("CP")  
7550 Ogden Dale Road SE  
Calgary, AB T2C 4X9  
Sent via email: Jeff\_Edwards@cpr.ca

Dear Mr. Edwards:

**Re: CP Logistics Park: Vancouver – City of Pitt Meadows Assessment of the Draft Terms of Reference ("TOR")**

The intent of this letter is to convey the City of Pitt Meadows' ("City") feedback following review of CP's Draft Terms of Reference ("TOR") document for the proposed CP Logistics Park: Vancouver project ("Logistics Park", "proposed project") and to express concerns with the errors, omissions, and lack of clarity for many critical components within the document. Furthermore, the City wishes to express that other written feedback received from CP thus far has not provided the City reassurance that our previously expressed concerns have been heard by CP, or that CP has an intention to adequately address these concerns in a meaningful fashion. This includes the concerns outlined in the City's February 16, 2021 and June 18, 2021 letters to CP.

A brief and non-exhaustive list of select items within the TOR that the City has identified as areas of concern are below, with further detail of each found within Appendix A:

- The area of the existing Vancouver Intermodal Facility ("VIF"), VIF expansion projects (including the proposed Logistics Park), and the cumulative impacts caused by both;
- CP's assessment that the VIF expansion projects do not require assessment under the Impact Assessment Act;
- Key permits, approvals, and the timeline for both;
- Impacts of the proposed project on the City's two unconstructed Highways and future plans for the City's transportation network and associated truck routes;
- Site preparation and preloading;
- Impacts associated with a substantial increase in truck traffic during the construction and operation of the proposed project, including expansion of existing infrastructure capacity,

- maintenance, and future replacement of local and regional roadways/associated infrastructure;
- CP's generalized statements with respect to the proposed project benefits including: employment, operation efficiency gains, greenhouse gas emission reductions, local economic benefit, and increasing Canada's economic competitiveness;
  - CP's use of the "common carrier" mandate to justify the proposed project and associated functions;
  - Layout of the proposed project and apparent inefficient integration of the proposed VIF expansions into CP's existing VIF operations;
  - CP's assessment that the proposed project is largely consistent with the Metro Vancouver Regional Industrial Lands Strategy;
  - Concerns identified by the City related to CP's Comparative Site Evaluation document that have not been alleviated, including:
    - Impact to nearby residents and community amenities, including quality of life
    - Access and impact to emergency services caused by the storage and transportation of substantial quantities of dangerous goods via rail and truck
    - Presence of nearby watercourses and wetlands
    - Drainage impacts, including changes to hydrology, downstream impacts, capacity concerns with the Katzie Slough and Kennedy Pump station, flooding concerns, and maintenance of any detention facilities
    - Removal of prime agricultural land from the Provincial Agricultural Land Reserve
  - The Environmental Effects Evaluation ("EEE"), proposed Valued Components, and the scope and considerations associated with the review of each;
  - Identified Local Evaluation Areas and Regional Evaluation Areas for each Valued Component;
  - Environmental considerations, including human health, air quality, surface and groundwater, fish, wildlife, and vegetation habitat, noise and vibration;
  - Accessibility to resources in the References section.

The City has substantial concerns given the outstanding deficiencies identified above, the limited information provided by CP thus far and the amount of information still to be provided as part of the EEE. CP has indicated their intention to submit their federal application by late 2021, but the City believes that CP is not allocating enough time for stakeholders, rightholders, and other parties to thoroughly review the final EEE assessment and provide meaningful feedback to CP for consideration and incorporation into their proposed project plans/documentation prior to their federal application.

Referring to the Canadian Transportation Agency, it states that "The timing, approach, materials provided, and any other aspect of the engagement activities should ensure that people can...thoroughly review and consider information...ask questions and receive and consider any additional details/answers...formulate their views; and...submit their comments and concerns." Similar requirements are outlined in the Impact Assessment Act, and the City expects that CP will comply with these requirements.

Pitt Meadows Council remains strictly opposed to the proposed Logistics Park; however, we remain open to continuing discussions with CP in order to provide as much information to the public as possible and to provide a channel of communication for the residents of Pitt Meadows. We would like to know much more about how CP plans to better understand the local issues associated with the proposed Logistics Park and adequately address the interests and concerns of the community.

The City remains adamant that when considering the overwhelming drawbacks associated with the proposed project to local environment, watercourses, wildlife, fish, agriculture, infrastructure, quality of life, and other areas, the unsubstantiated business case and minimal economic/employment impacts associated with the proposed project, and the lack of connection to the 'common carrier' mandate, the logical conclusion is that neither the proposed Logistics Park project nor the location within Pitt Meadows are justified.

Yours Truly,

<Original signed by>

<Original signed by>

Mayor Bill Dingwall  
*BGS, LL.B., CPHR*

Mark Roberts, Chief Administrative Officer  
*CPA, AAT; CPA, CPM*

Encl: Appendix A – Detailed City Assessment of CP's Draft Terms of Reference

Cc: City of Pitt Meadows Council  
Chief Grace George, Katzie First Nation  
Hon. Catherine McKenna, Minister of Infrastructure and Communities  
Hon. Omar Alghabra, Minister of Transport  
Hon. Johnathan Wilkinson, Minister of Environment and Climate Change  
Hon. Marc Dalton, MP, Pitt Meadows/Maple Ridge  
Hon. Rob Fleming, BC Minister of Transportation and Infrastructure  
France Pégeot, Chair and CEO, Canadian Transportation Agency  
Julie Lowry, Project Manager, Impact Assessment Agency of Canada  
Hon. Lisa Beare, MLA, Pitt Meadows/Maple Ridge  
Mike LoVecchio, Director, Indigenous Relations and Government Affairs, CP  
Joe Van Humbeck, System Manager Environmental Assessment, CP  
Jeff Knight, Industrial Development, CP  
Robin Silvester, President and CEO, VFPA  
Cliff Stewart, Vice President, Infrastructure, VFPA  
Devan Fitch, Director, Infrastructure Delivery, VFPA  
Peter Cohen, Manager, Infrastructure Delivery, VFPA  
Samantha Maki, Director of Engineering & Operations, City of Pitt Meadows  
Anne Berry, Director of Planning & Development, City of Pitt Meadows  
Justin Hart, Project Manager – Major Projects, City of Pitt Meadows  
Colin O'Byrne, Project Manager – Community Development, City of Pitt Meadows

## Appendix A – Detailed City Assessment of CP’s Draft Terms of Reference (“TOR”)

As stated, the City of Pitt Meadows asserts that the Terms of Reference documentation has errors and omissions for many critical components required for a thorough and meaningful evaluation of the effects of the proposed Logistics Park project. A summary of these errors and omissions identified by the City are below. Note that this is not necessarily an all-inclusive summary of the issues the City may disagree or express concern over, now or in the future. The intent of this detailed summary is that CP considers the feedback and concerns provided and incorporates and addresses them in the ongoing technical assessments prior to the next round of stakeholder engagement. A formal response adding clarity to a variety of items would also be helpful.

### Pages 1-1, 1-2 and 3-1: Impact Assessment Act and Project Area

CP states on Page 1-1 and 3-1 that this project does not require assessment under the federal Impact Assessment Act (IAA). The City disagrees with this assessment.

Section 55 of the Physical Activity Regulations (PAR) enabled under the federal IAA notes that physical activities are designated for the purpose of the definition of project within the IAA if:

- “The expansion of an existing railway yard, if the expansion would result in an increase of its total area by 50% or more and a total area of 50 ha or more”

Section 6 (1)(m) of the IAA identifies it’s purpose is:

- “to encourage the assessment of the **cumulative effects** of physical activities in a region and the assessment of federal policies, plans or programs and the consideration of those assessments in impact assessments;”

Section 87 of the Canadian Transportation Act (CTA) defines a railway to include:

- “branches, extensions, sidings, railway bridges, tunnels, stations, depots, wharfs, rolling stock, equipment, stores, or other things connected with the railway”

With this, it is the City’s assessment that CP is dividing one large expansion of their Vancouver Intermodal Facility (VIF) into smaller projects to avoid responsibilities under the Impact Assessment Act. In addition, lands that have no current function for the VIF, but will have future function for the proposed Logistics Park from their total expansion area seem to be excluded. A list and summary of the multiple VIF railway yard expansions are below, with a visual provided in Figure 1.

- **Proposed CP Logistics Park (40.9 Ha)**
  - This project was announced by CP on December 2, 2020 (<https://vancouverlogisticspark.ca/wp-content/uploads/2020/12/News-Release.pdf>);
  - CP acknowledges that this project is defined as an expansion of a railway yard in their Community Consultation Discussion Guide, and therefore should be defined as a railway under the CTA, as well as a railway yard expansion under the PAR.
- **Maersk Transload and Distribution Facility (8.4 Ha)**
  - This project was announced by CP on September 15, 2020, 78 days prior to CP's proposed Logistics Park announcement (<https://www.cpr.ca/en/media/cp-and-maersk-reach-agreement-that-will-benefit-north-american-customers-and-the-environment>);
  - From CP's press release, the facility is "an expansion of CP's existing Vancouver Intermodal Facility" and therefore should be defined as a railway under the CTA, as well as a railway yard expansion under the PAR.
- **Loop Track (3.4 Ha)**
  - The loop track associated with the proposed Logistics Park project extends from Harris Road to Kennedy Road;
  - CP includes this area as part of the proposed expansion project within their Community Consultation Discussion Guide, as shown below in Figure 2. Therefore, this area should be defined as a railway under the CTA, as well as a railway yard expansion under the PAR;
  - CP also shows this area as included in the project area within the TOR document, as shown in Figure 3.
- **CP Property West of Kennedy Road (3.1 Ha)**
  - Currently this property, although owned by CP, provides no apparent function to the existing VIF. It is the City's understanding that this property is currently leased out to a local trucking company;
  - Although CP has not provided substantial detail on their plans for this parcel of land, based on data that has been shared by CP, including the Logistic Park truck access, quantity of trucks, and other information, the City's assumes that this area could be used as a staging area for trucks entering the proposed Logistics Park in the future;
  - If CP has any plans to utilize these lands for the construction and future operations of the VIF, this property should be defined as a railway under the CTA, as well as a railway yard expansion under the PAR.

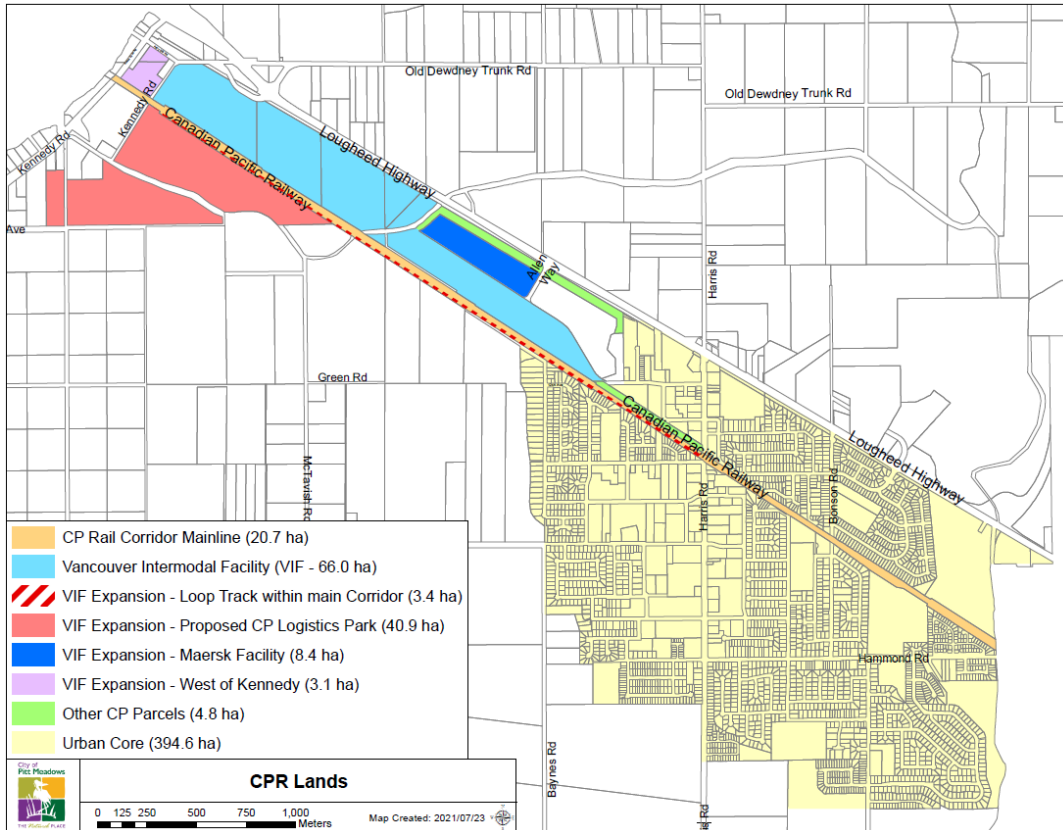


Figure 1 – City's Assessment of VIF Expansion Areas

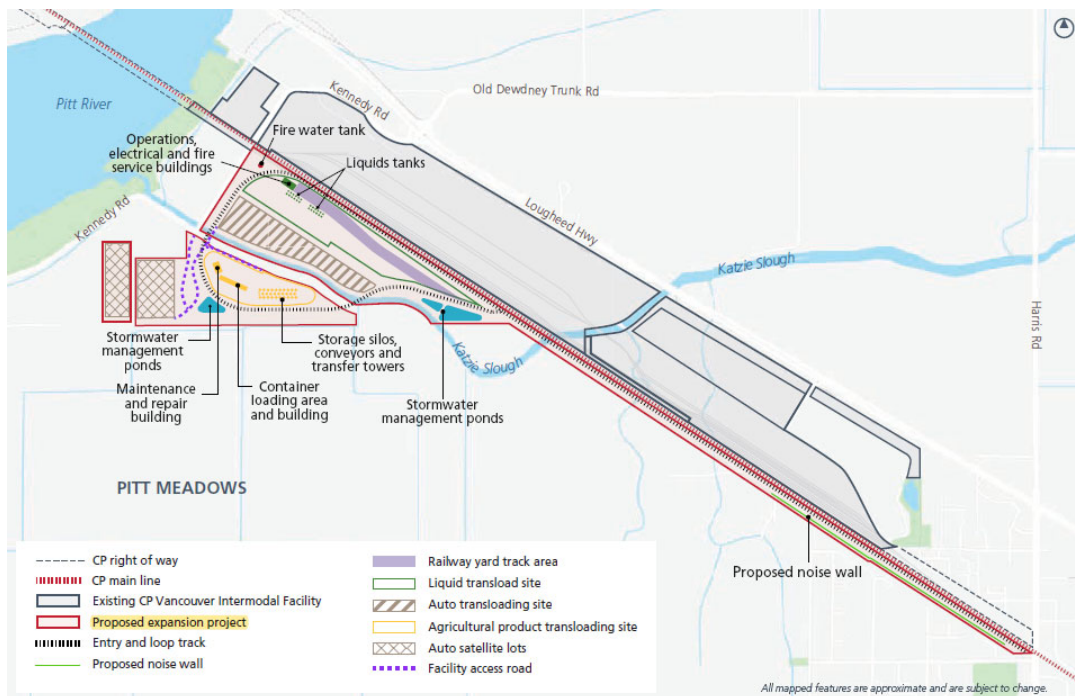


Figure 2 – CP Assessment of Proposed Expansion Project Area (Community Consultation Discussion Guide)

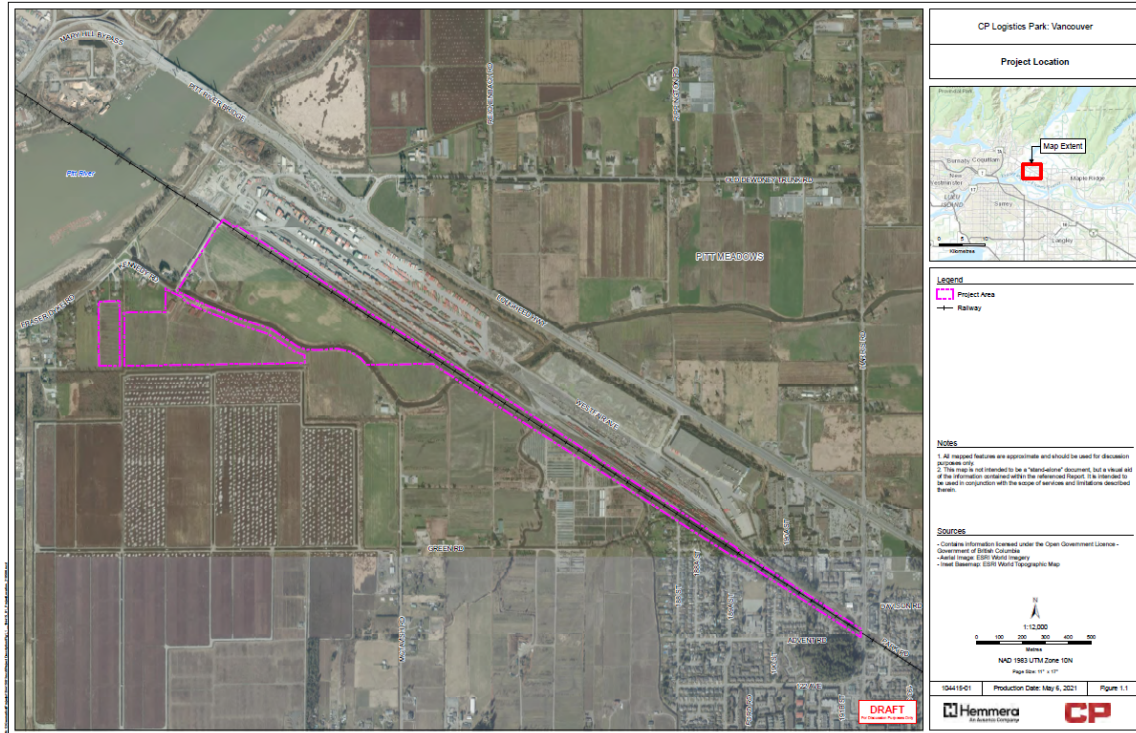


Figure 3 - CP Assessment of Proposed Logistics Park Project Area (TOR)

Summing all the above VIF expansions amounts to a land area of 55.8 Ha. This value is above the 50 Ha total area and 50% expansion criteria thresholds identified in the PAR under the IAA.

The overall expansion of the railyard and operations of the VIF will have cumulative effects and these effects should be accurately described and properly reviewed cumulatively under the IAA.

Without combining the various VIF and/or railyard expansions projects, the City still views the proposed Logistics Park to have substantial local and regional impacts to environmental, health, safety, socio-economic, agricultural, and other factors. For this reason, it is the City's opinion that a review through the IAA should be completed to further encourage the assessment of the **cumulative effects** of physical activities associated with the proposed Logistics Park project.

### **Page 3-2: Key Federal Permits and Approvals**

Within Table 3.1 in the TOR, and as shown in Figure 4 below, CP outlines a list of key federal permits and approvals required for the proposed Logistics Park. The City is requesting that CP provide the following information:

- The table is titled “**Key** Federal Permits and Approvals”, not “**All** Federal Permits and Approvals”. The City requests that CP provide a **complete** list of **all** permits and approvals required for the proposed Logistics Park;
- The City requests that CP provide an expected application date for both the construction and operation stages for each responsible agency;

Permit or Approval	Legislation	Responsible Agency	Activities Associated with the Project	Project Stage Required (Construction, Operation)	Anticipated Responsibility
Application to Construct a Railway Line	<i>Canada Transportation Act, SC 1996, c. 10</i>	CTA	Section 98 (1) A railway company shall not construct a railway line without the approval of the CTA	C, O	CP
Road and Utility Crossing Agreements	<i>Canada Transportation Act</i>	CTA	Road and utility crossings will be required under section 101 of the <i>Canada Transportation Act</i>	C	CP
Railway Operating Permit	<i>Railway Safety Act, RSC, 1985, c. 32</i>	Transport Canada	A Safety Management System is required for operations	O	CP and design engineers
Permit	<i>Species at Risk Act, SC 2002, c. 29</i>	Environment and Climate Change Canada	Disturbance to a species at risk is required if identified in the Project Area	C	CP
Request for Review, potential Authorization	<i>Fisheries Act, RSC 1985, c. F-14</i>	Fisheries and Oceans Canada	Activities adjacent to and across Katzie and Cook sloughs may require review	C	CP and/or contractor
Approval (communication system)	<i>Radiocommunication Act, RSC 1985, c. R-2</i>	Industry Canada	Onsite radio apparatus is required	O	CP
Application for Approval, unless considered a minor work	<i>Canada Navigable Waters Act, RSC 1985, c. N-22</i>	Transport Canada through the Navigation Protection Program	Delivery of preload materials and crossings over Katzie Slough requires approval	C	CP and/or contractor

Figure 4 – **Key** Federal Permits and Approvals (CP)

#### Page 4-1: Existing VIF Size

CP states that the existing VIF is 89.2 Hectares in size and “consists of the double-track mainline, office and maintenance structures, side tracks, container storage areas, material laydown areas, automotive compound, and a cross-dock warehouse, which is currently under construction”. CP’s evaluation of their lands is shown in Figure 5 below.



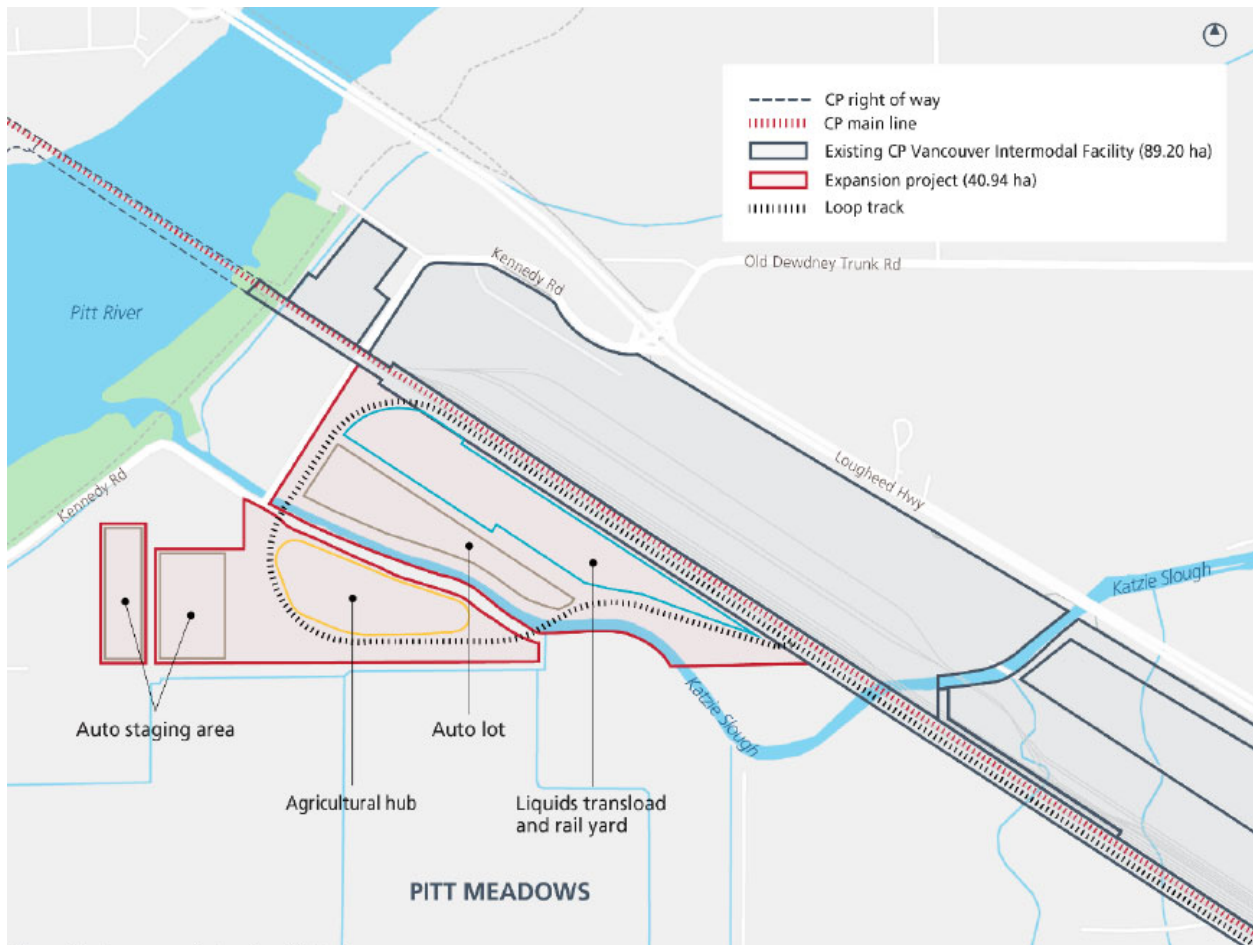


Figure 5 – CP’s assessment of the VIF Area

The City asserts that CP’s conclusion that the VIF is currently 89.2 Hectares is flawed, as this value includes two parcels that should be considered as part of the cumulative railway yard expansion, not the existing VIF. This justification is detailed on Page 2 and includes:

- CP property to the west of Kennedy Road (3.1 Ha)
- Maersk Transload and Distribution Facility (8.4 Ha) under construction

CP’s assessment of 89.2 Hectares also includes parcels that, in the City’s opinion, should not be considered as part of the VIF as our understanding is that they do not currently provide function to the VIF:

- Property between the VIF / Maersk Facility and the Lougheed Highway (2.8 Hectares – shown in green in Figure 1) – this area is fully treed and contains a walking path;
- CP’s Right of Way (ROW) between Harris Road and Kennedy Road (13.7 Ha) – This area consists of two mainline tracks that primarily serves through train traffic (i.e.

doesn't service the VIF). From CP's documentation, up to 28 freight trains per 24 hours travel through Pitt Meadows, with a maximum of 6 (25%) of these trains originating and terminating at the VIF. This ROW area also includes the new loop track (3.4 Ha), which in the City's assessment, should be considered as part of the railway yard expansion, not the existing VIF.

The City's assessment is that the current VIF is 66.0 Ha, as shown in Figure 1. Referring to this value for the current VIF area, plus using 55.8 Ha as the railway yard expansion size as outlined on Pages 2 to 4, the expansion of the VIF as proposed by CP would result in an increase of the total area of 84.5% (55.8 Ha / 66.0 Ha), and therefore the project requires assessment under the federal Impact Assessment Act.

### **Page 4-1 and Table 3.1: Unconstructed Highways**

CP states that the proposed Logistics Park consists of a north and south parcel bisected by the Katzie Slough. Omitted is the fact the two parcels are also bisected by an unconstructed Highway (1.9 Ha in size, with an average width of 30m) intended for a future connector between McTavish Road and Kennedy Road, as per the City's Transportation Master Plan ([https://www.pittmeadows.ca/sites/default/files/docs/city-services/2014-02-25\\_pitt\\_meadows\\_transportation\\_master\\_plan\\_summary\\_report.pdf](https://www.pittmeadows.ca/sites/default/files/docs/city-services/2014-02-25_pitt_meadows_transportation_master_plan_summary_report.pdf)).

It should also be noted that the south parcel is also bisected by a smaller unconstructed Highway (0.3 Ha, average width of 14m). Both of these unconstructed Highways are shown in Figure 6 below. CP's documentation shows multiple road and rail crossings for the proposed Logistics Park at the unconstructed Highway shown in blue below. CP doesn't show any crossings at the unconstructed Highway shown in green below, but the City assumes that crossings are likely required for CP to access the property. Based on documentation available, it is the City's assessment that CP constructing multiple at grade road and rail crossings will render the unconstructed Highways divided and unusable.

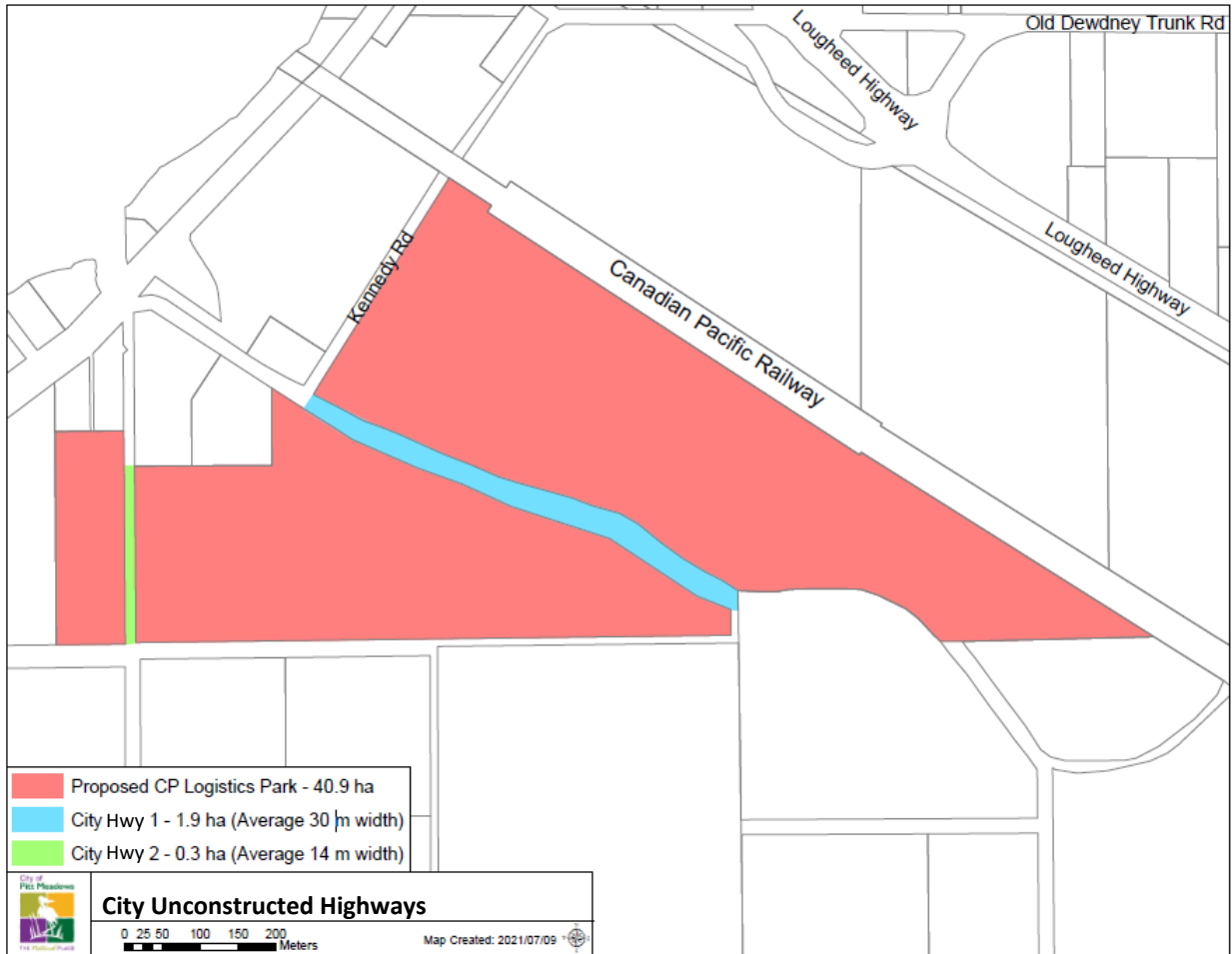


Figure 6 – Unconstructed Highways

**Page 4-8 and 4-9: Site Preparation**

Based on CP’s description that “Vegetation is to be cleared...and the environmental setback will be clearly marked...” the City has concerns that CP intends to mark the environmental setback after vegetation removal. Marking the environmental setback should occur prior to site disturbance. CP should identify if there will be environmental monitoring during construction and operational activities, the qualified consultant selected to conduct this monitoring, and what stakeholders, rightholders, and other groups CP intends to share the monitoring data and reports with.

**Pages 4-9, 4-14, 4-15: Preloading**

The City requests that CP provide the following information, once available:

- When the preload water release plan as described within CP's TOR be available to the City, including CP's plans (if any) to cross the unconstructed Highways with any dewatering/preload infrastructure;
- Reports from the qualified consultant selected to monitor water quality during preload, site preparation, construction, and operation phases;
- Proposed measures to control erosion, drainage, dust, and soil stability during and after deposit and removal (erosion and sediment control plan, stormwater management plan)
- Proposed measures to prevent tracking of soil or other material onto local and regional roads
- Further detail on how CP intends to track and ensure preload materials comply with the *Canadian Soil Quality Guidelines for the Protection of Environmental and Human Health* and the *Canadian Sediment Quality Guidelines for the Protection of Aquatic Life*
- Details on the trucking required for the preload. In previous documentation, CP stated the intent to explore alternates to import soil; however, the TOR states that "the delivery method under consideration for preload materials involves contractors using trucks to access the Project site via the local road network".
  - Assuming a 3 vertical meter preload over the entire 40.9 Ha property results in a quantity of 1,227,000 m<sup>3</sup> of preload material. The City's Soil Removal and Fill Deposit Bylaw 2593 (and amendments) outlines typical City requirements associated with moving such a substantial quantity of material;
  - This represents roughly 153,375 tandem trucks bringing in the preload material, and potentially another 153,375 tandem trucks removing the preload material if the preload material is not repurposed on site;
  - Assuming each truck travels from the Lougheed Highway to the Katzie Slough bridge (2.2 km round trip), this represents an additional 674,850 km of additional wear and tear to local roads. This type of activity would be applicable to the City's Extraordinary Traffic Bylaw No. 583 ([https://www.pittmeadows.ca/sites/default/files/uploads/bylaws/583\\_-\\_extraordinary\\_traffic\\_bylaw.pdf](https://www.pittmeadows.ca/sites/default/files/uploads/bylaws/583_-_extraordinary_traffic_bylaw.pdf)), which involves levies or compensation for the associated degradation;
- Details on the monitoring that will occur before, during, and after preload, including:
  - Monitoring the subsidence, uplift, and water levels of nearby properties, homes, City utilities, roads, bridges, other infrastructure, and the banks of Katzie Slough. Such a substantial quantity of preload will likely cause

neighboring lands to be impacted, therefore monitoring strictly on site is not adequate;

- o Stakeholders, rightholders, and other groups CP intends to share the monitoring data and reports with;
- o Delivery method, frequency, and procedure of this data sharing, as well as identifying a ongoing proper channel of communication for stakeholders and rightholders to express immediate concerns with respect to the impacts of preload before, during, and after preload is completed;

**Page 4-10: Construction of Tracks and Crossings**

CP states that “No at-grade crossings will be constructed that will be accessible by the public”; however, as identified on Pages 7 and 8, the project site is trisected by two unconstructed Highways, including one identified in the City’s Transportation Master Plan for the future McTavish Connector.

**Page 4-11: Railyard Operations**

Can CP clarify the engine type(s) and models that will be used as terminal switchers. Will these be electric only or diesel-electric? If diesel-electric, will they comply with locomotive Tier 3 or Tier 4 emission standards identified in the federal *Locomotive Emissions Regulations*?

**Page 4-13: Anticipated Average Inbound/Outbound Traffic Movements**

As mentioned, the City has concerns with the quantity of trucking associated with this project, both during the construction and operation phases. The quantity of average daily truck trips inbound and outbound for the operation of the project site has also increased substantially from the CP’s Draft Project Description as shown in Table 1 below:

<b>Table 1 – Average DTT Inbound &amp; Outbound – Draft Project Description vs TOR</b>			
<b>Product</b>	<b>Average Daily Truck Trips Inbound and Outbound (CP Draft Project Description – Dec 2020)</b>	<b>Average Daily Truck Trips Inbound and Outbound (CP Terms of Reference – May 2021)</b>	<b>Percent Increase / Decrease</b>
<b>Agricultural</b>	234	372	58.97%
<b>Automobiles</b>	42	90	114.29%
<b>Liquids</b>	292	284	(2.74%)
<b>TOTAL</b>	568	746	31.34%

Assuming 360 days per year of operation (CP's Draft Project Description), 746 trucks per day equals 268,560 trucks per year, all contributing to substantial wear and tear to local roads. Assuming each truck travels from the Lougheed Highway to the Katzie Slough (2.2km round trip), this represents an additional 590,832 km of additional wear and tear on local road *per year*. This would substantially increase the degradation timeline of the local road infrastructure, as well as, associated maintenance and replacement costs.

As expressed in previous written correspondence, introducing such a substantial quantity of trucks to the already failing (LOS F) Kennedy Road and Lougheed Highway intersection would lead to further congestion and safety concerns. As the Ministry of Transportation and Infrastructure (MOTI) has jurisdiction over the Lougheed Highway, the City requests that CP provide information on their discussions with MOTI to date, and/or their intentions to have future discussions with respect to the substantial impacts that the proposed Logistics Park project would have on this intersection. It is the City's opinion that the responsibility of such project impacts to local and regional roadways should be put upon CP.

#### **Page 4-12, 4-13: Traffic Modes, Origin, and Destination**

Throughout the TOR, including at the top of Page 4-12 and Table 4.2, CP states that agricultural products will be transloaded and shipped to local marine ports via rail. If this is accurate, can CP clarify why there also an average of 372 daily inbound/outbound trucks moving agricultural products?

#### **Pages 4-14 to 4-17 Summary of Project Activities**

The City is concerned Pre-construction staging works identified within the TOR do not include installation of adequate erosion and sediment control (ESC) measures and installation of environmental setback protection measures.

Several entries within Table 4.6 identify the monitoring of emissions and storm water quality, but does not mention the qualified consultant that will conduct the monitoring and whether the results will be made available to interested stakeholders, rightholders, and other parties.

The Construction Phase includes the "Construction of right-of-noise mitigation feature". In the event that this project proceeds, this wall should be constructed as early as possible to mitigate the effects of construction activities.

The description of agricultural products and transload operations states that transloading agricultural products will require container trucks to individually move containers between the VIF and the agricultural product handling facility. This appears to be an

inefficient design that will cause endless hauling of agricultural materials from one side of the mainline tracks to the other, emitting substantial quantities of greenhouse gasses in the process. All of these trucks would also need to either cross the unconstructed Highway or use Kennedy Road.

#### **Page 4-18 Workforce Requirements**

Given the size of the project area, 150-250 full time jobs is a relatively low job density (1.48 – 2.47 jobs / acre), particularly since this number includes construction phase jobs. The City requests that CP separate out the number of operation phase jobs and identifies if these will be all-new positions or will some of them be shifted from existing operations elsewhere?

CP states that “hundreds more indirect jobs and employment growth” will be created. Can CP provide further documentation to support this statement? The site is relatively isolated and lacks public transit accessibility. Parking also appears to be an issue. Given the nature of the proposed uses and lack of connectivity, it is difficult to envision how this project will provide a substantive increase in indirect jobs or employment.

#### **Page 5-1 & 5-2: Purpose of and need for the project**

It is the City’s assessment that the ‘common carrier’ mandate does not require railway companies to expand operations based on speculative future growth. The railway company must operate to capacity to satisfy current customer demand, and seek to expand if there is sufficient existing and ongoing demand for additional service. CP states there are anticipated customers for the proposed Logistics Park, but does not provide evidence to substantiate this statement. Instead, phrasing such as “it is anticipated that additional customers will react to the...opportunity” and “innovative market opportunities”, are used, which suggests that currently there may not be enough customer demand to justify the proposed Logistics Park.

Therefore, the ‘common carrier’ mandate does not appear to fully apply to CP’s justification for the Logistics Park, as:

- Transloading agricultural products is an expansion of current business offerings and not a core shipping service;
- The fuel handling component of the project is identified as providing fuel storage to buffer for hypothetical rail service disruptions (i.e. non-foreseeable and non-cyclical);
- The car lot is proposed based on speculation of attracting clients rather than meeting current demand.

### Page 5-1–5.3 : Metro Vancouver Regional Industrial Lands Strategy

CP states the project will provide an efficient use of land and is largely consistent with the Metro Vancouver Regional Industrial Lands Strategy; however, supporting details are not provided. Railyards provide extremely low job densities compared to other industrial and commercial uses and the proposed layout does not seem to demonstrate innovation with respect to increasing operational intensity, optimization of existing operations, or effective integration with the existing VIF.

CP also allowed recent non-rail development within their existing lands adjacent to the VIF on Allen Way, such as the Loblaws Distribution Center at 18800 Lougheed Highway, which appears to reduce their ability to optimize use of the VIF and existing nearby industrial lands.

The Metro Vancouver Industrial Lands Strategy identifies recommendations under the following key themes:

- Protect remaining industrial lands
- Intensify and optimize industrial lands
- Bring existing supply to market and address site issues
- Ensure a coordinated approach

CP's proposal to develop a low-density industrial use on greenfield agricultural land with a layout that is uncoordinated with existing operations does not appear to be consistent with the themes or recommendations identified in the Metro Vancouver Industrial Lands Strategy.

For example, the existing VIF has an auto lot with a capacity of 1200 vehicles (<https://www.cpr.ca/en/media/cp-celebrates-opening-of-vancouver-automotive-compound>). Rather than identifying a plan to densify land use, such as a multiple storey parking unit to facilitate consolidation, CP is planning to remove additional farmland to create another at grade parking lot. The existing auto lot is larger in area than the new proposed auto lot (Figure 7), which suggests that a multi-storey parking unit would be more economical and efficient to accommodate CP's claimed additional demand, yet it does not appear that this option has been explored.



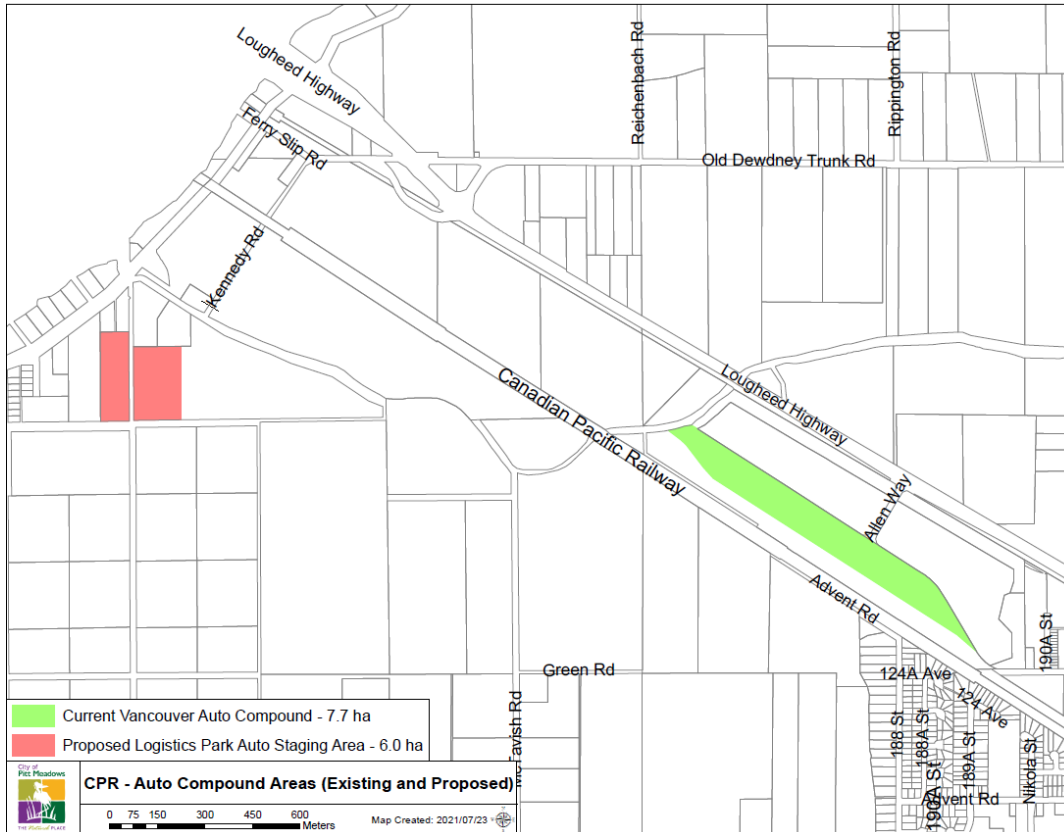


Figure 7 – Existing Vancouver Auto Compound and Proposed Logistics Park Auto Staging Area

If the Logistics Park is constructed as shown, the two auto lots (new and existing), despite serving a similar function, would be spaced as far away from each other as possible (3.0km via local and regional roads), with the mainline tracks splitting the two lots. This likely would create substantial operational inefficiencies, and would likely lead to additional vehicles using local roads and emitting greenhouse gases as vehicles are transferred from one lot to another, similar to the agricultural facility.

CP also makes unsubstantiated statements regarding the economic, environmental, and community benefits of this proposed project. For example:

- “Increasing Canada’s economic competitiveness by improving the efficiency of railways” is questionable given CP’s statement that the proposed project is intended to create new options for prospective clients rather than resolve existing inefficiencies;
- The statement that the project will reduce greenhouse gases is unquantified and does not take into account the increase in train idling, off-road engine use, and heavy truck traffic. The City requests that CP provide further details on the net

greenhouse gas emissions associated with the construction and operation of this project;

- The statement that the project will contribute \$4.1 million in property taxes does not accurately communicate that this is a subsidized tax rate (compared to other industrial uses) or identify the annual costs to the City and the region for providing direct services (e.g., roads, sewer, water, emergency services, etc.) or the external costs (e.g., air quality impacts, water quality impacts, impacts on fisheries, impacts on recreation, etc.) due to the construction and operation of the proposed Logistics Park.

For transparency, the City requests that CP provide adequate documentation on the categories outlined above, including both the benefits and drawbacks to provide the complete picture.

### **Page 5-3: Comparative Site Evaluation**

The City expressed their concerns with the Comparative Site Evaluation (CSE) in a letter dated February 16, 2021, titled: "CP Logistics Park: Vancouver – City of Pitt Meadows Assessment of Comparative Site Evaluation". Despite a response from CP on March 17, the majority of concerns identified by the City currently remain outstanding and unacknowledged. Examples include:

- How impacts of the proposed Logistics Park to nearby residents and community amenities will be mitigated
- Access to emergency services, including lack of capacity, resources, and infrastructure by the Pitt Meadows Fire and Rescue Services to adequately address an emergency at the proposed Logistics Park and increased risks associated with the high-hazard commodities;
- Presence of watercourses/wetlands to the proposed Logistics Park and drainage capacity, including the Katzie Slough and Kennedy Pump Station;
- Regional road network access, wear and tear. Further detail on this topic is provided on Pages 9 to 12;
- Other issues, including land speculation and removal of land from the ALR.

In addition, CP has not effectively articulated a clear purpose or need for the project, other than to expand their business into non-core, value-added business offerings for speculative clients. As mentioned above, the proposed project does not appear to meet 'common carrier' obligations outlined in the Canada Transportation Act; therefore, all components of the project should be assessed as a business expansion (i.e., attempting to attract clients with value-added services) rather than a goods-transport rail project.

Both the TOR and the CSE only discusses alternative sites, not alternatives to the project; therefore, they are fundamentally flawed. The CSE contains several arbitrary and unsupported metrics and rationales seemingly compiled to justify a pre-determined site selection. True project alternatives have not been reviewed or discussed such as: options for intensifying operations at the VIF and other CP locations, repurposing existing CP industrial properties adjacent to Allen Way or at other existing CP railyards, and looking at separate siting options for the three different product handling facilities proposed for the project (i.e., vehicle handling, agricultural product transloading, and liquid fuel storage and distribution).

### Pages 8-4, 8-8, 9-1, 9-2 and Appendix A: Valued Component #2 – Air Quality

City comments include:

- The Local Evaluation Area (LEA) needs to be more constrained than 10km by 10km to effectively measure local effects. Baseline air quality data should also be collected for project area since the closest regional monitoring station is north of Lougheed Highway.
- The Regional Evaluation Area (REA) for greenhouse gas emission assessment needs to be smaller than all of BC. Metro Vancouver compiles and publishes regional and municipal GHG emission data; therefore a more detailed assessment is both suitable and feasible. Net GHG emissions should also be calculated for the project itself (both for construction and projected operations) to clarify project claims about reducing GHG emissions.
- Historical monitoring data obtained from Metro Vancouver’s network of meteorological and ambient air quality monitoring stations at Pitt Meadows (T20), Coquitlam (T32), Port Moody (T09), and Maple Ridge (T30) is not adequate. The monitors from Langley (T27) and Surrey East (T15) should be added.
- VOCs from the fuel tank farm should be considered as part of the Air Quality Effects Evaluation. In addition, CP should clarify the definition of the “change in ambient concentrations” and whether this will include statistics from prior to the establishment of the VIF or baseline data collected on site to provide accurate reference points.
- Missing from Table 9.1 is the federal *Locomotive Emissions Regulations (SOR/2017/121)* and the 2018-2022 Memorandum of Understanding Between Transport Canada and The Railway Association of Canada for Reducing Locomotive Emissions.

- As most of the data collection sites are further from railway lines, on-site data collection should be done to validate historical monitoring data, particularly for criteria air contaminants.
- To inform the effects evaluation for air quality, guidelines for conducting Human Health Risk Assessments (including for air quality) are available from Health Canada  
[https://publications.gc.ca/site/archieve-archived.html?url=https://publications.gc.ca/collections/collection\\_2011/sc-hc/H128-1-11-639-eng.pdf](https://publications.gc.ca/site/archieve-archived.html?url=https://publications.gc.ca/collections/collection_2011/sc-hc/H128-1-11-639-eng.pdf).

**Pages 8-4, 8-8, 10-1 to 10-3, and Appendix A: Valued Component #3 – Noise, Vibration, and Light**

City comments include:

- Health Canada’s Guidance for Evaluation Human Health Impacts in Environmental Assessment: NOISE should be included in Table 10.1: Key Policies and Guidelines for the Evaluation of Noise, Vibration, and Light (<https://www.ceaa.gc.ca/050/documents/p80054/119378E.pdf>);
- Guidelines for New Development in Proximity to Railway Operations should be included in Table 10.1: Key Policies and Guidelines for the Evaluation of Noise, Vibration, and Light ([http://proximityissue.wpengine.com/wp-content/uploads/2017/09/2013\\_05\\_29\\_Guidelines\\_NewDevelopment\\_E.pdf](http://proximityissue.wpengine.com/wp-content/uploads/2017/09/2013_05_29_Guidelines_NewDevelopment_E.pdf));
- Criteria for change in noise levels should include at minimum speech interference ( $L_d$ ), Sleep Disturbance – Average Outdoor Level ( $L_n$ ), Sleep Disturbance – Peak Outdoor Level ( $L_{Fmax}$ ), High Annoyance – Day/Night Equivalent ( $L_{Dn}$ ), High Annoyance – Low Level Frequency ( $L_{LF}$ ), and change in %HA between project and no project ( $\Delta\%HA$ );
- If a baseline noise and vibration field study was conducted during August/September 2020, can this information be provided to the City?
- If the LEA and REA for the project for noise, vibration, and light extends all the way to Golden Ears Way, why were all 5 monitors placed exclusively at locations East of Harris Road?
- CP states that “no federal government legislation applies to the Project activities and the potential to affect noise and vibration”; however, Section 95.1 of the *Canada Transportation Act* outlines noise and vibration obligations for federally regulated railways. According to the Canadian Transportation Agency, Sections 113 and 114 of the *Canada Transportation Act* “do not relieve a railway company from its obligation to cause only such noise or vibration as is reasonable”

<https://otc-cta.gc.ca/eng/publication/guidelines-resolution-complaints-over-railway-noise-and-vibration>).

### **Pages 8-4, 8-8, 11-1 to 11-4, and Appendix A: Valued Component #4 – Surface Water, Groundwater, and Drainage**

City comments include:

- For adequate evaluation of surface water, groundwater, and drainage impacts caused by the proposed Logistics Park Project, the REA should be extended South to the Fraser River;
- Water quality and watercourse volume testing should occur pre-development and post-development, both upstream and downstream from the site;
- As expressed in previous written correspondence, the City has concerns that the Katie Slough and the Kennedy Pump Station would not be able to manage the increased run off associated with the implementation of the proposed Logistics.
- Table 11.1 should include the *Canada Water Act* and amendments.

### **Pages 8-5, 8-8, 12-1 to 12-3 and Appendix A: Valued Component #5 – Fish and Fish Habitat**

City comments include:

- For adequate evaluation of fish and fish habitat disruption caused by the proposed Logistics Park Project, the REA should be extended South to the Fraser River;
- This valued component (fish and fish habitat) needs to consider not just SARA, but BC CDC, and COSEWIC. Per CP's evaluation on Page 13-1, "Project activities may adversely affect ecological communities or species that are listed for conservation concerns by the BC CDC (Red and Blue lists for provincial listings)."
- The project also has the potential to impact the Pitt and Fraser Rivers as downstream fish habitat areas.
- Table 12.2 should include *Canada Transportation Act* section 95(2). This section states, "The railway company shall do as little damage as possible in the exercise of the powers [identified in section 95(1), which includes altering watercourses and constructing embankments and bridges]". Section 95(3) states "If the railway company diverts or alters anything mentioned in paragraph (1)(b) or (d), the company shall restore it as nearly as possible to its former conditions, or shall put it in a condition that does not substantially impair its usefulness."

## Pages 8-5, 8-8, 13-1 to 13-3, and Appendix A: Valued Component #6 – Vegetation and Wetlands

City comments include:

- This valued component (Vegetation and Wetlands) needs to consider not just SARA, but BC CDC, and COSEWIC. Per CP's evaluation on Page 13-1, "Project activities may adversely affect ecological communities or species that are listed for conservation concerns by the BC CDC (Red and Blue lists for provincial listings)."
- The LEA and REA should include the same spatial extent as groundwater and surface water as these are connected issues.
- Table 13.2 should also reference the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) wildlife species assessments (<https://www.cosewic.ca/index.php/en-ca/assessment-process.html>).

## Pages 8-5, 8-8, 14-1 to 14-3 and Appendix A: Valued Component #7 – Wildlife

City comments include:

- This valued component (Wildlife) needs to consider not just SARA, but BC CDC, and COSEWIC. Per CP's evaluation on Page 13-1, "Project activities may adversely affect ecological communities or species that are listed for conservation concerns by the BC CDC (Red and Blue lists for provincial listings)."
- Table 14.2 should also reference the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) wildlife species assessments (<https://www.cosewic.ca/index.php/en-ca/assessment-process.html>).
- Table 14.3 should include the change in wildlife and migratory bird habitat as an indicator: Area (ha) of habitat loss for species of concern and migratory birds.

## Pages 8-5, 8-8, 19-1 to 19-3 and Appendix A: Valued Component #8 – Human Health

City comments include:

- The Country foods quality evaluation should use the same spatial extent for LEA and REA as air and water quality (whichever is largest) since dust transport and water contamination can affect surrounding crops and food production.
- Health Canada has produced guidelines for conducting Human Health Risk Assessments ([http://publications.gc.ca/collections/collection\\_2011/sc-hc/H128-1-11-639-eng.pdf](http://publications.gc.ca/collections/collection_2011/sc-hc/H128-1-11-639-eng.pdf)).

## Pages 8-6, 8-9, 15-1 to 15-3 and Appendix A: Valued Component #10 – Soil and Agricultural Use

City comments include:

- The project site is within the provincially designated Agricultural Land Reserve; therefore, Table 15.1 should include the *Agricultural Land Commission Act* and the *Agricultural Land Reserve Use Regulations*. Also, guidelines for Agricultural Impact Assessments are available from Metro Vancouver (<http://www.metrovancouver.org/services/regional-planning/PlanningPublications/DraftAgricultureImpactAssessmentGuidelines.pdf>);
- Table 15.2 should include an assessment of drainage regime changes on adjacent agricultural lands since preload, soil compaction, loss of infiltration, and grade changes on the project site will increase storm water run-off onto nearby properties.

## Pages 8-6, 8-9, 16-1, 16-2, and Appendix A: Valued Component #11 – Transportation

City comments include:

- Table 16.1 should include the City of Pitt Meadows Transportation Master Plan ([https://www.pittmeadows.ca/sites/default/files/docs/city-services/2014-02-25\\_pitt\\_meadows\\_transportation\\_master\\_plan\\_summary\\_report.pdf](https://www.pittmeadows.ca/sites/default/files/docs/city-services/2014-02-25_pitt_meadows_transportation_master_plan_summary_report.pdf)), TAC guidelines, Active Transportation Manuals, and the City's Extraordinary Traffic Bylaw;
- CP states that federal legislation does not apply to the proposed project and potential effects on transportation. *Canada Transportation Act* section 95(2) states, "The railway company shall do as little damage as possible in the exercise of the powers [identified in section 95(1), which includes altering road infrastructure]". Section 95(3) states, "If the railway company diverts or alters anything mentioned in paragraph (1)(b) or (d), the company shall restore it as nearly as possible to its former conditions, or shall put it in a condition that does not substantially impair its usefulness." As such, relevant road and active transportation infrastructure standards will apply to how this project connects with the current and future public road and transportation networks.
- Refer to Pages 9 to 12 for other detailed concerns on this particular valued component

## Pages 8-6, 8-9, 17-1 to 17-3, and Appendix A: Valued Component #12 – Employment and Regional Economy

City comments include:

- The BC Ministry of Agriculture, Food, and Fisheries should be included since they promote development of the province’s agricultural economy and support local farmers. The Ministry runs multiple programs to enhance the agriculture economy;
- Table 17.2 should be revised so that all indicators address the construction and operational phases separately to avoid misrepresenting the net impacts of the projects.

## Pages 8-4, 8-9, 18-1, 18-2, and Appendix A: Valued Component #13 – Utilities and Community Services

City comments include:

- Port Coquitlam should to be included in the REA as Pitt Meadows Fire and Rescue Services lack the capacity, resources, and infrastructure to adequately address an emergency at the proposed Logistics Park;
- Table 18.1 should include the Metro Vancouver Regional Greenways 2050 Plan and the City’s Subdivision and Servicing Bylaw;
- Table 18.2 should include the City’s Pedestrian and Cyclist Master Plan ([https://www.pittmeadows.ca/sites/default/files/docs/city-services/pedestrian\\_and\\_cycling\\_master\\_plan\\_summary\\_report-2.pdf](https://www.pittmeadows.ca/sites/default/files/docs/city-services/pedestrian_and_cycling_master_plan_summary_report-2.pdf))
- CP states that federal legislation does not apply to the project and potential effects on utilities or community services (including use and enjoyment of Katzie Slough); however, *Canada Transportation Act* section 95(2) states “The railway company shall do as little damage as possible in the exercise of the powers [identified in section 95(1), which includes altering watercourses and utility infrastructure]”. And, section 95(3) states, “If the railway company diverts or alters anything mentioned in paragraph (1)(b) or (d), the company shall restore it as nearly as possible to its former conditions, or shall put it in a condition that does not substantially impair its usefulness.” As such, relevant utility infrastructure standards and maintaining usefulness of Katzie Slough (e.g. for drainage, irrigation, habitat, and recreation) will apply to this project.



### Pages 8-10 to 8-14: Environmental Effects Evaluation (EEE)

This section outlines the general information to be addressed in each of the environmental assessments. These will need to be reviewed on a case-by-case basis as this document only provides a broad overview. The EEE should take into account all of the City's feedback within this document and other written documentation.

Note that the City intends to conduct third party reviews on various aspects of CP's Environmental Effects Evaluation (EEE), including but not limited to: Transportation, Agricultural, Drainage/Watercourses, Air Quality, Surface/Groundwater, and Human Health. Any information CP could share prior to the release of the final documentation, including detailed scopes of work for each of the multiple evaluations that CP is conducting, would be beneficial to allow the City to arrange the third party reviews in advance. This sharing of information would also benefit CP, as the City may have valuable feedback that may inform the direction of the CP's evaluation.

We understand this proposed project is still in the preliminary phase and assessments are ongoing, but it appears as though the project is being pushed through the engagement processes quickly, with minimal consideration for the concerns raised and reasonable time to review the lengthy project documents. Allocating appropriate timelines for documentation review will become even more critical once the technical assessments are complete, as it takes time to retain third party consultants to adequately review these documents and provide valuable and detailed feedback.

### Page 25-1 Contribution to Climate Change Reductions

This assessment should also take into account provincial and regional goals and targets. The Canadian Transportation Agency guidelines for applying to construct a railway set an expectation that proponents and the Agency take the concerns, goals and objectives of municipal and other government bodies into consideration when planning and reviewing a railway project.

### Page 28-1 to 28-9: References:

CP provides a large list of references to support their TOR document; however, there are two primary issues associated with accessing many of the references on this list, including:

- **Paywall** – Several references are inaccessible unless payment is provided. Requiring stakeholders, rightholders, organizations, individuals, and others to provide payment to access documentation necessary to thoroughly review CP's

documentation is not acceptable and an example of transparency. Two examples are provided below in Figure 8 below;

- **Missing Hyperlink** – Several documents, although referenced, do not provide a hyperlink to view the document. This should be provided for ease of use. Four examples are provided in Figure 9 below;

British Standards Institute. 2009. BS5228-2:2009 Code of practice for noise and vibration control on construction and open sites.: Vibration (+A1:2014). British Standards Institute. Available at <s://www.thenbs.com/PublicationIndex/documents/details?Pub=BSI&DocID=306725>.

Burkett, V., D.A. Wilcox, R. Stottleyer, W. Barrow, D. Fagre, J. Baron, J. Price, J.L. Nielsen, C.D. Allen, D.L. Peterson, G. Ruggerone, and T. Doyle. 2005. Nonlinear dynamics in ecosystem response to climatic change: Case studies and policy implications. *Ecological complexity an international journal on biocomplexity in the environment and theoretical ecology* 2(4):357–394. Available at <http://linkinghub.elsevier.com/retrieve/pii/S1476945X05000334>.

Figure 8 – Two examples of References Provided by CP that Require Payment to Access

Hemmera Envirochem Inc. (Hemmera). 2020d. Phase I Environmental Site Assessment: Vancouver Logistics Park.

Hemmera Envirochem Inc. (Hemmera). 2021a. Draft Hydrogeology Interim Baseline Report CP Logistics Park: Vancouver. Hemmera Envirochem Inc. (Hemmera). Available at .

Hemmera Envirochem Inc. (Hemmera). 2021b. Draft hydrology desktop study and survice water baseline program. Hemmera Envirochem Inc. (Hemmera).

Hemmera Envirochem Inc. (Hemmera). 2021c. Draft Phase II Environmental Site Assessment CP Logistics Park: Vancouver, BC: Draft Report. Hemmera Envirochem Inc. (Hemmera).

Figure 9 – Four Examples of References that do not Provide Hyperlinks