

NO: – R162

COUNCIL DATE: **September 9, 2013**

REGULAR COUNCIL

TO: **Mayor & Council**

DATE: **September 5, 2013**

FROM: **General Manager, Engineering**

FILE: **8710-01**

SUBJECT: **Input to the Federation of Canadian Municipalities Rail Safety Initiative**

RECOMMENDATIONS

The Engineering Department recommends that Council:

1. Receive this report as information;
2. Endorse the work being undertaken by the Federation of Canadian Municipalities (FCM) to promote rail safety and the specific priorities identified by its National Municipal Rail Safety Working Group that focus on establishing clear safety, legal and funding responsibilities in respect of rail safety, all as generally described in this report; and
3. Authorize the City Clerk to forward a copy of this report and the related Council resolution to the UBCM and rail companies operating in Surrey as the City's input to the FCM Rail Safety Initiative.

BACKGROUND

The Federation of Canadian Municipalities (FCM) has established a National Municipal Rail Safety Working Group (the "Working Group") in direct response to the rail disaster in Lac-Mégantic, Quebec and the derailment of a train off a bridge in Calgary, Alberta during the recent floods in that city.

The Working Group is chaired by Mayor Doug Reycraft of the Municipality of Southwest Middlesex, Ontario, who is the current Chair of the FCM Standing Committee on Municipal Infrastructure and Transport. To assist in ensuring that the FCM work takes into account concerns from across Canada, the FCM has contacted provincial municipal organizations including the UBCM to assist in coordinating input to the Working Group. The UBCM has responded by seeking input from its members on rail safety issues and concerns, which input will be forwarded on to the FCM. This report responds to the request that has been issued by the UBCM in this regard.

The FCM Working Group originally established 3 principles to guide its work as follows:

- Rail safety is a Federal responsibility;

- Government must respond to any recommendations made by the Transportation Safety Board; and
- Federal/municipal partnerships are essential to rail safety.

At its first meeting the FCM Working Group identified 3 priority areas in relation to railway safety in context of the needs of local government as follows:

1. Equip and support municipal first responders in relation to rail emergencies:

- Municipalities need to know what dangerous goods are being transported through their communities so that local emergency responders can plan and respond effectively to rail-related emergencies; and
- Railways and federal agencies cannot plan for emergencies alone. Local governments and authorities must be involved as partners in such emergency planning.

2. Ensure federal and industry policies and regulations address the rail safety concerns of municipalities:

- At the local level, rail incidents can have significant impacts on public safety, the economy and the environment; and
- Municipal concerns must be included in federal government's risk assessment and policy development on rail safety.

3. Prevent downloading of rail safety and emergency response costs to municipal taxpayers:

- Third-party liability insurance systems must be strengthened to prevent the downloading of costs to municipal taxpayers even in the event of bankruptcies.

DISCUSSION

City staff supports the priorities identified by the FCM Working Group in relation to the needs of local governments. The comments contained in the remainder of this report are supplementary and are provided in relation to concerns that are specific to the City of Surrey.

The City of Surrey by virtue of its geographic position in the Metro Vancouver Region has experienced and is continuing to experience increases in rail traffic associated with Canada's expanding trade with Asia and its rapidly growing energy needs. In general the City's knowledge is quite limited related to the goods that are being transported by rail through the City and regarding the standards, regulations and protections which have been implemented by others to ensure the safety of the public in Surrey (speed limits, train lengths, staff numbers and training, track maintenance, container designs and so on).

The City of Surrey has identified the following safety concerns in relation to the management of rail traffic and railways in our City:

1. **Crescent Beach access, including access for emergency services:** The BNSF Railway runs along the Pacific Ocean shoreline in South Surrey. This Railway crosses Crescent Road, which serves as the only means of vehicular access to the community of Crescent

Beach in South Surrey. If trains stop across Crescent Road, whether for planned reasons or otherwise, the community of Crescent Beach has no means for vehicles to travel into or out of the community. This is of particular concern during emergency circumstances, but also for regular daily transportation requirements of the community. The provision of a grade separated community access has been investigated. Achieving such an improvement will be both complex and costly. Emergency access to Crescent Beach is currently being managed by way of train-breaking (separating rail cars) protocols between Surrey Fire Services and the BNSF Railway but this situation is not ideal.

2. **Bank stability along the BNSF Railway in South Surrey:** The BNSF Railway for much of its length in South Surrey runs along the toe of a relatively high bluff. There have been many slope failures along the bluff over the years some of which have resulted in blockages to the BNSF rail tracks and on one occasion caused a train derailment. The City relies on Transport Canada and BNSF Railway to ensure that appropriate precautions are taken to protect the City's residents and property owners against railway derailments; however, the City is not sure of the risks to which its residents and property owners are exposed in relation to the BNSF operations, particularly in view of the potential array of products that are shipped on the BNSF rail line.
3. **Impact on road traffic due to more frequent and longer trains.** As North American trade with Asia and other Pacific Rim countries continues to grow, the ports in Metro Vancouver will attract more rail traffic. Additional infrastructure will be needed to manage the conflicts between the increasing rail traffic and road-related traffic in the Region. The Roberts Bank Road and Rail Corridor Program that is currently being constructed will result in eight new road/rail overpasses of roads that cross the BC Railway tracks that run through the municipalities of Delta, Surrey, the City of Langley and the Township of Langley. The BC Railway provides service to Deltaport. This Railway serves on a daily basis between 15 and 20 trains that are in excess of 2 miles long. It is projected that this number will continue to grow as improvements are made to Deltaport under the Canada Gateway Initiative. In Surrey there are two remaining key at-grade road crossings of the BC Railway, at 168 Street and at 184 Street, both of which will need to be grade-separated as the City continues to grow in population and the railway traffic continues to grow.
4. **Movement of Coal by Rail through Surrey.** Due to the rapidly expanding energy needs, Asia is buying more and more North American coal. The City of Surrey has several concerns with coal being transported through Surrey by rail as follows:
 - a. Coal dust emanating from moving trains being a health hazard;
 - b. Coal dust emanating from moving trains creating a nuisance to adjacent development;
 - c. Coal as a flammable substance being stored on sidings or in rail yards in Surrey; and
 - d. Coal as a flammable substance in relation to train derailments in Surrey.
5. **Railway bridges and other load-bearing railway infrastructure:** Railways were some of the first transportation infrastructure installed in western Canada that acted to link Canada's provinces together as a country. Although railway infrastructure renewal has been undertaken, the railway systems still rely on infrastructure elements, particularly some bridges that are very old and well past the end of their expected life. The City of

Surrey is concerned that some of these old rail bridges are in Surrey and could pose a danger to the communities within which they are located should they fail.

6. **Rail Traffic through Sensitive/Fragile Environments.** The BNSF Railway, the Canadian National Railway Company (CN), the Canadian Pacific Railway (CP), the Southern Railway of British Columbia (SRY) and the BC Railway Company (BC Rail) all have tracks that are adjacent to or run through sensitive ecosystems and agricultural lands in Surrey.

For example, the BNSF railway crosses the Campbell River delta, runs along the edge of the Pacific Ocean and at the toe of a high bluff in South Surrey and then crosses Mud Bay (being part of the Pacific Ocean) and the delta of each of the Serpentine River and the Nicomekl River. Each of these areas is a sensitive environmental area. This whole reach is considered part of the Boundary Bay Wildlife Management Area (WMA), which is carefully managed due to its ecological significance including habitat areas for birds utilizing the Pacific Flyway and for fisheries. Derailments could have significant long-lasting effects on the ecosystems in each of these areas. Similar, circumstances exist in relation to each of the other above-mentioned Railways.

Surrey Fire Service Comments

Surrey Fire Service maintains a working/training relationship with the rail companies operating in Surrey to assist in ensuring a reasonable level of familiarity regarding safety around rail cars. CN, CP, BNSF, and BC Railways, respectively, all participate in joint first responder training, which includes tanker car familiarity and evacuation-scenario exercises. There have been relatively few rail incidents requiring emergency response from Surrey Fire Service in the past 10 years.

Surrey Fire Service also maintains communication with Rail Traffic Controllers at all times during a Railway Emergency, and initiates a “Stop Train Protocol” when necessary to facilitate emergency response and public safety. There is no regular notification to the City of Surrey from railway companies regarding the goods/materials being transported by rail in or through the City of Surrey. The protocol during an emergency incident is for the Rail Master to provide a manifest of the goods being carried on a specific train to the First Responders as a means for the First Responders to assess and determine an appropriate response to a railway incident.

The City of Surrey Fire Services would respond to any major railway event in Surrey by initiating the City’s Emergency Operations Centre and would activate the City’s All Hazards Response/Recovery Plan. However, due to resourcing constraints beyond the initial response and early recovery actions, containment, cleanup and recovery of any major incident would be left to the rail companies, and senior levels of governments.

SUSTAINABILITY CONSIDERATIONS

Improving rail safety will assist in achieving the objectives of City’s Sustainability Charter; more particularly, the goal of creating a safe and secure environment for the City’s residents, businesses and visitors.

CONCLUSION

Surrey's geographic positioning relative to Canada's west coast Gateway to Asia and the Pacific Rim countries has led to a circumstance where the City experiences significant rail traffic within its boundaries with such rail traffic continuing to grow annually. The direct impacts and potential impacts of rail traffic on our communities is very concerning. In this regard based on the discussion in this report, it is recommended that Council:

1. Endorse the work being undertaken by the Federation of Canadian Municipalities (FCM) to promote rail safety and the specific priorities identified by its National Municipal Rail Safety Working Group that focus on establishing clear safety, legal and funding responsibilities in respect of rail safety, all as generally described in this report; and
2. Authorize the City Clerk to forward a copy of this report and the related Council resolution to the UBCM and rail companies operating in Surrey as the City's input to the FCM Rail Safety Initiative.

Vincent Lalonde, P.Eng.
General Manager, Engineering

JB/CAB/PB/brb