

Canaport LNG Project Canaport Community Environmental Liaison Committee (CCELC)

Minutes of Meeting CCELC # 20
Tuesday, April 11, 2006
Approved as Amended

Red Head United Church
6:05pm -10:00pm

Committee Present:

- Armstrong, Stu Co-chair of CCELC, Resident
- Barton, Dianna Enterprise Saint John
- Court, Ivan City of Saint John Councilor
- Dalzell, Gordon SJ Citizens Coalition for Clean Air
- Griffin, Dennis Resident
- Griffin, Glenn Resident
- Hunter, Roger Resident
- Johnston, Jan Resident
- Long, Warren Co-chair of CCELC, Irving Oil
- Malcharek, Rainer Bayside Power
- Perry, Yvonne Resident
- Quinn, Kevin Bay Pilots & Marine Consultants
- Rogers, Kathy Non-affiliated Member
- Roy, Beth Resident
- Smith, Elsie Resident
- Thompson, Jean Resident
- Thompson David Member
- Turner, Rick Saint John Board of Trade

Committee Absent:

- Daigle Dawn Resident
- Debly, Teresa Resident
- Lyttle, Dwain Resident
- Macaulay, David Resident
- MacKinnon, Claude ACAP Representative
- Melanson, Don Resident

Resources:

- Black Kendra Canaport LNG
- Forsythe, Fraser Canaport LNG
- Logan John Irving Oil
- McLaughlin, Gary Fundy Engineering
- Terry Totten City Manager
- Walker, Carolyn NBDELG

Observers:

Two observers were in attendance throughout the meeting.

Opening Remarks:

The meeting commenced at 6:05 pm with Stu Armstrong opening the meeting, welcoming all members and resources. Shortly thereafter, Warren Long arrived at the meeting and assumed chair.

An inquiry was made regarding the attendance of Kendra Black, and her role within the meeting. It was explained that she was in attendance as a resource to the committee.

Meeting Dates

Meeting dates were discussed and was agreed upon that it remain the second Monday of the month. The exception this week was to accommodate City Manager Terry Totten.

Canaport Connections

An inquiry was made about the boundary for distribution for the community newsletter "Canaport Connections" and whether or not others could receive copies outside the community. The intent of the newsletter was for the immediate neighborhood. If others would like to receive a copy, they can contact the Canaport Community and Communications Office at 658-6250 (ext 7111).

Review of Agenda:

The meeting agenda was reviewed and accepted with no revisions.

Review & Approval of minutes from march 13th meeting:

The minutes of meeting #19 were reviewed and approved (moved Beth Roy, seconded by Jan Johnson) with one revision;

- Delete "With an emphasis on residents" in the sentence on page 8 "One member put a motion forward to accept five new members into the CCELC (residents and landowners, with an emphasis on residents) to replace those who have resigned".

Members Statement:

Gordon Dalzell inquired on the interest from Irving Oil for property at Anthony's Cove Road, and whether or not there was going to be any future development planned for that road. It was clarified that to the best of Warren's knowledge, the interest is not related to the LNG Terminal.

The April 3 letter to neighbors notifying the start date for the Red Head Secondary Access Road construction was also discussed. Most of the land south of the Proud Road is owned by Irving. Work will begin south of the Proud Road, excluding work within 30 m of the setback buffers for the wetlands. Wetlands are approximately 1 km in off of the Red Head Road. Approvals from the Department of Environment are still needed for work within the wetland buffers, and mitigative measures must be implemented prior to May 1 to clear trees within the migratory bird nesting period.

Expropriation process:

Terry Totten, City Manager of Saint John, spoke to the expropriation process that is underway for the land acquisitions in preparation of the Red Head Secondary Access Road. Currently, the expropriation process is proceeding, dealing with 6 land owners on 8 properties. The city will argue the merits why the road is needed, the alignment chosen, and the 50 meter width of the alignment during the hearing. City witnesses will be Terry Totten, Jim Baird and Crandall Engineering. When the hearings are complete, which should be next week, the expropriation advisory board will issue their view (within a report) on whether or not the proposed road is reasonable under the circumstances, and necessary for the greater community.

Compensation is not PART I of the hearings. Compensation is tendered at fair market value based on appraisal and the land owner then decides to accept or further negotiate with the city. If the City and the property owner cannot reach an agreement for compensation, then the issue will be brought forth to the Property Compensation Board. The Property Compensation Board will consider the report issued by the Expropriation Advisory Board to help determine final and fair compensation.

Several questions resulted from the City Manager's explanation on the expropriation process, and some of the questions raised are as follows;

Q. If there is no deal on compensation, can this halt the deal? **A.** This will not stop construction. Construction can begin prior to settling on compensation.

Q. How many properties were / are involved in the expropriation process? **A.** There were 22 persons and 28 properties. Currently, there are 6 landowners on 8 properties.

Q. Where some people signed off, in your opinion, what are the chances of expropriation? **A.** It is now simply a timing and compensation issue.

Q. Some people are against the amount of land (width of the road). Can they win on this issue? **A.** The city's position is 50 meters for the right of way, and based on professional advice, the city will present evidence and put it before the officer.

Q. Is there a chance of the Red Head Road "giving away" due to truck traffic and heavy equipment? **A.** Based on a professional opinion, the city feels the Red Head Road can handle the truck traffic in the interim.

Q. Who can expropriate? **A.** Governments can expropriate .

Q. Was the road not supposed to be for the residences of Red Head? **A:** This road project solves a number of problems (i.e., Red Head, Black River, and Proud Road). Additionally, it will be available for the public. The city acknowledges that trucks will use the road, but Irving is providing \$ 9-10 million in funding for the project and this was part of the partnership arrangement.

Q. When was the Red Head Road designated a non-provincial road? **A.** 1995.

Q. Have there been discussions concerning reinstalling the bridge to Black River West Beach? **A.** There have been no discussions to date.

Q. Are there other options for the secondary access road alignment? **A:** Three options were studied (page 3 of Common Council Report July 3 2003 – SUBJECT: RED HEAD SECONDARY ACCESS AND RELATED MATTERS – see attached); and was provided by committee member Kathy Rogers.

Q. What will be done to protect the Red Head Road? **A.** Weight scales are one option that will be considered.

Q. What will happen to Red Head Road with all the truck traffic? **A.** The city is contractually obligated to support the project effort, and all recognize the importance of getting the new road operational as soon as possible.

Q. What will be done to protect the wells within the region as a result of the construction of the secondary access road? **A.** Baseline tests from home owners will be obtained for all those residents within 500 m of the proposed roadway.

Business Arising from Previous Meetings

Report on Action Items for meeting #19:

19-1 This action item was deferred for the next meeting.

Action 20-1: Kendra Black to check to see who is responsible for rental property/real estate requests

- 19-2 According to Maritimes and Northeast Pipeline, the pipeline would be more intrusive regarding the intertidal zone and would pose greater effects on the shoreline. More information on the pipeline and its effects will be included in the registration document to the National Energy Board.
- 19-3 An audible warning signal was used prior to blasting; however, it was an alternative sound device used (i.e., air horn), which may not have been as loud. Once blasting begins on site, the old system will be put back to use to ensure the warning signal is audible.
- 19-4 Gord Moulard of Fundy Engineering will attend to explain the basics of blasting at the next meeting. Blasting is expected to resume at the Canaport site by 8 May 2006. Most of the blasting has been completed during the last phase. Some additional blasting is required for the road, and close to the shore for the pier.

Action 20-2: Gord Moulard to attend May meeting to discuss blasting procedures relating to the Red Head Secondary Access Road.

- 19-5 No bald eagle nests are documented in this area (Canaport or Red Head Secondary Access Road) as per inquiry to Department of Natural Resources. Mitigative measures identified in the Environmental Protection Plan were discussed with the Department, and revisions were made to these procedures to ensure best management practices in the event of a nest discovery.
- 19-6 David Peterson's name has been put forth as a maternity leave replacement for Carolyn Walker. Human Resources in Fredericton are reviewing the possibilities. Warren will follow-up with the request.

Action 20-3: Warren to follow-up with the DENV and report back to the committee when determination is made for the replacement of Carolyn Walker while on maternity leave.

- 19-7 Gatehouse attendant is present at all times during the LNG work hours performed on site.
- 19-8 No overnight or early morning activity was recorded on the traffic logs. As stated in action 19-7, a gatehouse attendant is present at all times LNG work is active on site. Permits for each phase of the Project depicts detailed work hours, and is defined in the Approval to Construct. Working on Saturdays is permitted.
- 19-9 CCELC yearly reports were provided prior to this meeting to allow for committee review. A motion was placed to accept the report (Gordon Dalzell), seconded by Kathy Rogers with the following changes. Motion opposed by Glenn Griffin.

- Add outstanding items list to the Yearly Report
- List appendix of documents

Action 20-4: Revise CCELC yearly report and distribute in advance to the meeting so members have a chance to review prior to voting to approve.

19-10 Kendra black will consider a strategy to respond, considering the privacy issue.

Action 20-5: Explore the appropriateness of tracking the 'hits' to the Canaport LNG website, in particular the CCELC minutes, to determine the level of activity.

- 19-11 This action item will be carried forward, and will be included onto the table of outstanding action items.
- 19-12 Dates of council meetings are scheduled for every second Monday, with the next meeting scheduled for May 8. To view the council meeting dates, visit the following link below.
http://www.cityofsaintjohn.com/downloads_static/cc_2006_schedule.pdf
- 19-13 Final schedule depends on the expropriation process. The road can be completed by year end, yet there are lots of scenarios. Limited construction can occur as the construction is also dependant on environmental approvals. Equipment is currently on site. Clearing will be performed by Debly; Gulf Operations will be responsible for the construction.
- 19-14 Potential member names put forward for consideration as committee members include Alice Brown, Patrick Bruce, Bruce Court, Able Leblanc, Peter Sherman, and Carol Armstrong. These names will be reviewed and status determined by the next meeting.

Action 20-6: Report back to committee on the status of the potential member names brought forth to the committee

19-15 Site tour proposed for 9 AM, Saturday 22 April 06.

Adjourned: 10:00 pm

Submitted by:
Fundy Engineering

Attachments:

Table of Actions/Responsibilities – April 2006
Table of Outstanding Action Items (April)
Report to Common Council – July 3 2003

Table of Actions/Responsibilities – April 2006

Action #	Action	Responsible Party	Due Date
20-1	Kendra Black to check to see who is responsible for rental property/real estate requests	Canaport LNG	May 8
20-2	Gord Moulard to attend May meeting to discuss blasting procedures relating to the Red Head Secondary Access Road	Fundy Eng	May 8
20-3	Warren to follow-up with the DENV and report back to the committee when determination is made for the replacement of Carolyn Walker while on maternity leave	Warren Long	TBD
20-4	Revise CCELC yearly report and distribute in advance to the meeting so members have a chance to review prior to voting to approve	Fundy Eng	Prior to May 8
20-5	Explore the appropriateness of tracking the 'hits' to the Canaport LNG website, in particular the CCELC minutes, to determine the level of activity	Canaport LNG	May 8
20-6	Report back to committee on the status of the potential member names brought forth to the committee	Warren Long	May 8