

Response to *Draft Terms of Reference for Port Mann/Highway 1 (PMH1) Project*

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Submitted to:

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7 December 2006

Introduction

We believe that the Gateway Project, and specifically the Port Mann/Highway 1 sub-project should

- clearly state its goals, so that these goals may be *objectively assessed*;
- meaningfully consult the public in the region, not only on the project implementation, but also *on the goals themselves*.
- rationalize its objectives with the land use and transportation planning objectives of the region: those of the GVRD and the GVTA.

With this in mind we believe that the changes as described beneath should be incorporated into the Terms of Reference.

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3.1 Project Background and Rationale

Of utmost and fundamental importance to the Environmental Assessment of this project is to ensure that the objectives are clear.

A series of international OECD meetings and studies (see *Policy Instruments for Achieving Environmentally Sustainable Transport*, Organisation for Economic Co-operation and Development, OECD Publishing, 2002.) was conducted between 1996 and 2000 to assess the range of best-practice policy instruments and strategic methods for long-term urban transport planning for the period 2000–2031. Some overarching conclusions of the OECD were as follows:

- Planning must be based on the use of explicit, measurable targets and back-casting (discussed below) rather than the antiquated paradigm of “predict and provide”
- The set of chosen policy instruments must be comprehensively planned and phased over time in order to build public will and remain politically feasible
- The highest priority and focus in the long term must be to change public attitudes

It is critical that the Environmental Assessment be based on objectives which are

- specific,
- measurable, and
- time-bound,

as well as important to current and future British Columbians. That is, the PMH1 **project must be both justified and optimised based on targets whose success could later be objectively measured on a planned target date.** Only in this way can public input be said legitimately to have a chance to

- evaluate the rationale,
- help to determine the best policy for the stated objectives.

So far the project lacks any mechanism for accountability of its proponents, nor has public input been encouraged on either of the fundamentals, above. Without the context of explicit targets, there is no way realistically to assess the social and environmental benefits and costs.

We believe that **the Application Coverage must include baseline information and measurable targets concerning project objectives. The design for the project should state in detail what methodologies are planned to ensure that the design requirements will meet the objectives.**

Once objectives are laid out, the project should be rationalised using the modern paradigm of “backcasting” from a future, specific planning objective to a policy or sequence of policy interventions and possible milestones extending back to the present. This approach will help to determine whether the proposed plan is an effective choice amongst alternatives for environmental, social, and other objectives. This section of **the Application should be required to demonstrate whether the project is the most cost-effective way to meet the stated objectives.** Choosing a cost-inefficient plan when better alternatives exist implies environmental, social, and economic damage due to the lost opportunity.

With a rationalised and comprehensive plan, public debate can address explicit links between features of a management plan and the performance criteria and milestones it is meant to meet, and thus help to find the most efficient policy available.

The last four objectives of the project (in Section 4 of “Background To Terms of Reference Document” in the *Draft Application Terms of Reference for Port Mann/Highway 1 Project (PMHI)*) discuss improvements for transport modes other than the private car or cargo vehicles. While these are good objectives, there is nothing in the proposed plan which will do more than facilitate these changes. It is entirely within the Applicant’s power to enter into agreements or partnerships with the GVTA to improve these modes of transport. **There should be concrete plans and evidence of work already done in the area of alternate transportation modes or these objectives should be removed from the Terms of Reference, since without plans for action they are meaningless.**

Listed in the Terms of Reference under “Application Coverage” is “A discussion of how the proposed project complements other existing and proposed transportation infrastructure in the region.” **The Application Coverage section should be expanded to ensure that there is discussion of how this project complements the GVRD’s Livable Region Strategic Plan.**

There must be explicitly listed in the Coverage **a requirement to address land use changes resulting from the project,** including how those changes will affect

the measurable objectives. The applicant's prior claim that provincial roads and regional land use are separable issues must not be allowed to delay or obfuscate a proper assessment of the project.

3.2 Alternatives to the Project

The Alternatives section of the Applications must be a major component for such an enormous project. **The existing section should be extended to ensure that an evaluation takes place to show whether the chosen solution is the best for the stated measurable objectives.**

To be accountable to the wealth of modern planning experience for meeting the stated objectives, the alternatives included in **the Application must encompass the full range of policy instruments available:**

- regulation (laws, rules)
- financial incentives (e.g., taxes, tolls)
- outreach (education)
- directed (public) investment (e.g. in transit, rail, road infrastructure, etc)

The first three address demand-side management. In the Application, the project must be evaluated against the alternatives, since an **inefficient use of resources given readily available tools and experience must be judged as environmentally, socially, and economically damaging.**

The set of alternatives considered must be accountable to (ie must span and must reference) a reasonable set of possibilities from comparable regions elsewhere, and from major policy reviews, such as the OECD studies mentioned above. Additionally, in comparing likely outcomes of the proposed plan with alternatives, **the Application Coverage must include representative examples of measures of success from similar experience in other regions.**

The set of alternatives considered must not be limited by preexisting or planned policies or agreements which the Applicant could itself reasonably reconsider. That is, **the Application Coverage must include consideration of minor legislative and informal policy changes where they may be relevant to alternative options.** As an example, the Province's recently announced "Guidelines for Tolling" (BC Ministry of Transportation (2003)) can not be considered a reason to

ignore certain alternatives from consideration or to avoid a thorough comparison based on the stated, explicit objectives of the project in the Application.

The Application must reflect an adequate level of effort in considering the impact of alternatives. Because major, fundamental objections have been raised by local and regional governments with legitimacy over decision making in regional planning, **the Application Coverage must explicitly include addressing in detail the alternative transportation planning options already put forward by local organisations, existing documents such as the LRSP, and local and regional governments.** The Applicant must expect that ignoring available policy options, if they are superior in the interests of this Assessment, will be a possible reason for denial of the Application.

Section 5

A footnote in this section cites “accepted methodology for other Lower Mainland projects” to justify a 10 year horizon on assessed impacts. This horizon must be justified by the mandate of the assessment agencies rather than entrenching possibly poor practice. Alternatively, another rationalised technique such as net present value of effects (within a much longer time frame) may be used.

The PMH1 is likely to force major land use change on the region through altered development incentives, and such land use changes are well accepted to have capital turnover time scales closer to a century. 10 years is not enough for this project. **We recommend 40 years as a temporal scope of environmental and social effects, in order to match the federal government’s most recent targets for long term climate policy to 2050.** Land use planning will likely become a central feature in climate policy and mitigation by then.

Also stated in this section is that "The biophysical spatial boundaries for the anticipated environmental issues are expected to be limited to the Project footprint and nearby vicinity." This is an arbitrary restriction on the mandate of the assessment agencies which, for any project with far reaching implications, constitutes a radical bias in favour of acceptance. **If the proposed project significantly affects the entire Lower Mainland region (or beyond) then these effects must explicitly lie within the scope of the Application.**

Moreover, this restriction is inconsistent with greenhouse gas and regional impacts discussed in Section 7. The dominant environmental and social effects of this project lie in its regional and long-term implications. If these are not a major focus of assessment efforts, the assessment process will be seen as a whitewash.

Section 7

Section 7.2.1 is ambiguous as to whether regional air quality effects beyond the construction phase are to be fully considered in the Scope. They must be.

The section lists as an item in the Application Coverage, "benefits to emission output from reduced travel times and congestion." Here and elsewhere throughout the application, **explicitly optimistic biases to the scope of the application must be replaced by unbiased ones.** If the overall volume of congestion may increase over the period of temporal scope as a result of the project, all else being equal, this must be elucidated in the application. Indeed, virtually all past experience from similar projects indicates that the overall volume of congestion, noxious local and regional emissions, and contribution to greenhouse gases will increase from this project.

It is essential that the application coverage includes not just emissions from construction, and not just emissions from currently existing cars, but covers **new cars and new trips induced by the project and all reasonably predictable changes to regional and global emissions as a result of the project.**

Section 8

8.9 Tolling

The language here reflects the Applicant's demonstrated intent to evade assessment of certain tolling options based on a previously existing provincial tolling policy (created in 2003, with private operation of the PM2 bridge in mind). This must not be allowed, in accordance with the second paragraph of Section 5. That is, effects "for which the Proponent has the ability (including jurisdiction) to implement impact management measures to mitigate the concern" must not be excluded. Throughout all sections, **the Application Coverage must include consideration of minor legislative and policy changes under the direct or indirect jurisdiction of the Provincial Government.**

8.10 Traffic

The Applicant has already demonstrated the generation of optimistic projections which use baseline values for important parameters, without taking into account the major predictable effect of the project on those parameters.

No part of the assessment must rest on calibrated models which ignore land use change and development affected by the project. Where general equilibrium modelling is too complex, other relevant evidence (especially empirical) must be given in place of modelling. **All significant claims made based on models must be accompanied by evidence from other empirical cases of similar projects here or in other cities.** There is no more sure way to assess the broadest environmental and social effects of this project than the experience gained from the last half century of similar urban road expansions. These effects fit front and centre in the mandate of this evaluation.

Conclusion

The Province, with its wide purview and significant budget availability, has massive opportunities to choose the future of our region by helping to set land development expectations and standards for the next half century. It appears that the breadth of alternatives considered and of scientific predictions and plans made for this project now rests entirely in the EA process. This responsibility is huge, and it is vital that the scope of this process not be restricted to arbitrary, politically chosen portions of the predictable impacts. Rather, focus must be allocated based on importance of impacts, not availability of easy numbers from the proponent. If the goals of this project are stated with more accountability, the EA process has the power and responsibility to reveal whether, even on the short time scale mentioned in the Draft TOR, the PMH1 measures are actually designed to meet any of its own environmental, social, or for that matter economic goals.