

CSAP Member Update Fall 2021

Message from the President:

Welcome to mid-Fall 2021. If my previous messages had themes of ‘moving forward’ (spring) and ‘speeding up while managing vacations’ (summer), I think it is fair to say the current message in our industry is running as fast as you can to keep up. There is a lot going on in our industry: too many job postings to count, high demand for services, inflation, and still adapting to the changes in regulation earlier this year. CSAP has seen a rise to normal, or near-normal, submission volumes. Not surprisingly, we have seen a huge rise in Approval in Principle applications. The Ministry has seen a big jump in preapproval applications as well; again, not surprising. The CSAP workshops being launched by the Professional Development committee over the coming month on the theme of ‘Adapting to the New Normal’ are well timed indeed. Otherwise, things are very ‘back to normal’ as far as CSAP operations. Things are busy and the committees are all very active. Communication and collaboration with our partners at the Ministry is progressing well.

All the best to our members and stakeholders for the remainder of the busy fall season.

Ministry Updates

Site Identification amendments under the Environmental Management Act and Contaminated Sites Regulation, which were brought to force February 1, 2021, have been largely implemented. The final pieces include a survey on the overall implementation. This survey was released via Site Remediation News on October 25, 2021.

Feedback received from mid-January to mid-March 2021 on the ‘Intentions Paper – Regulating Soil Relocation’ has been posted on the Site Remediation Legislation and Protocols webpage and is presented in a Summary of Comments report. Targeted consultation meetings on the soil relocation proposed amendments were held in July and August 2021. This consultation will help inform a Final Policy Paper that will be posted to the website in coming months.

The ministry continues to see a high volume of applications. Please ensure submissions are complete and sufficient for services requested.

The Site Remediation [Contact Us webpage](#) has been updated. Please reference this updated list to confirm which email address to send specific topic enquiries to, or to send requests for contaminated sites services.

A summary of previous Ministry Updates is available [here](#).

Performance Assessment and Detailed & Administrative Committee Updates:

- 1) Credit letters – The requirement for credit letters should be defined in advance and they should accompany a submission. The timeline to review a submission is approximately 2 months and the credit letter would be assessed with the submission.

TSK Qs: is the 2-month timeline the CSAP or ENV timeline? Should specify? Assuming it would be ENV that would review credit letters? We should also add context for this – when would one be required?

- 2) If you suspect a covenant is required, this requirement should be established in consultation with ENV prior to making your submission (Covenants must be legally prepared and registered on the Land Title).

TSK Qs: Can we provide an example of when a covenant might be required? Again, I think we should provide context for where this update is coming from (I'm not clear on this).

- 3) ENV input was recently received during a Performance Assessment. It was clarified that in the case where there is the potential for terrestrial habitat based on the presence of sensitive habitat within 300 m of a site (per requirements in P13), a habitat assessment must be completed for the site by a RPBio and that the P13 Appendix B Habitat and Receptor Assessment form must be included with the submission.
- 4) The Risk APs and members of the ENV met on October 20th to discuss the revised risk assessment protocols (P1 and P13) and associated regulatory requirements. A summary of the key learnings from the meeting will be prepared and shared with the AP community. APs are encouraged to distribute the summary to QPs conducting risk assessments in BC.

A summary of previous PAC Updates is available [here](#)

Screening Updates

Preliminary Screening

New Transmittal Letter Template is posted to the CSAP website and is mandatory to include in all submissions: [CSAP Transmittal Letter \(updated Sep 2021\)](#)

Detailed Screening

[CSAP Detailed Screening Work Sheet - Revised](#)

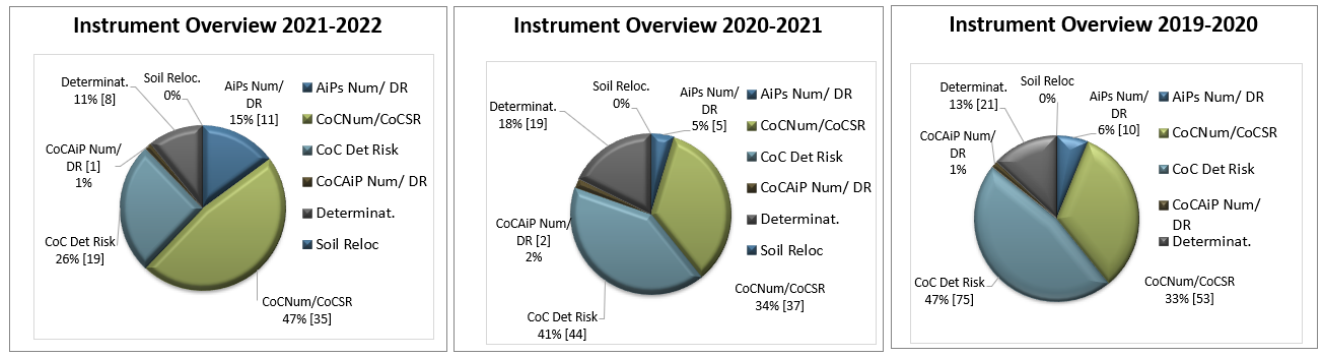
Scope Of Review Completed by Approved Professional

APs are reminded to include under the SoSC "SCOPE OF REVIEW COMPLETED BY APPROVED PROFESSIONAL" all reports that have been reviewed as part of the regulatory submission. Such a list may include the Stage 1 PSI, Stage 2 PSI, DSI, CoR, HHERA and PVP's as appropriate.

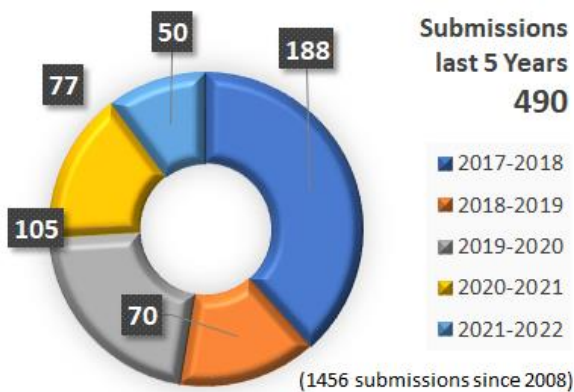
What's new on the CSAP website

- Watch for the following new documents
 - CSAP Offsite Party Communications Template
 - November 3rd PD Webinar - "Service Applications / ENV Meetings" (will be posted to the Member Services Area shortly)

Submission Statistics update



Submissions Received over Fiscal Years



Members Updates Click Through Rate

Edition	Open rate %	# of subscribers
Summer 2021	47.4% [146]	308
Spring 2021	47.0% [148]	312
Winter 2021	46.3% [137]	310
Fall 2020	60.2% [177]	308

**Industry open rate standard for non-profit = 21.1%

Thank you for your support!

Technical Review Committee Updates:

The TRC has been working on several things over the past three months:

CSAP Guidance for Assessment of Soil Vapour and Ambient Air Phase 3 - The final draft report was submitted to ENV at the beginning of September. ENV is expected to be completed their review by November 2021. Look for a presentation on this guidance early in the new year.

Updating CSAP Practice Guidelines Checklists - As a result of the Stage 13 Amendments, the numeric and risk CSAP practice guidelines needed to be updated. The practice guidelines are intended to establish guidance that CSAP Approved Professionals (APs) should follow to fulfill their professional obligation to the CSAP Society, BC ENV, as well as to the public and environment. The practice guidelines also serve as the basis for performance assessments for CSAP work under the bylaws of the Society. Therefore, the TRC, in collaboration with the Performance Assessment Committee, recently prepared RFPs for updating these practice guidelines. The RFPs were sent out to members on 18 October 2021 and proposals are due by 3 November 2021. If you are interested in helping with this work, please submit a proposal.

Expanding functionality of CSAP webmap – As ENV no longer updates the approvals workbook that used to track P4 and P9 approvals that had been issued, CSAP is now taking on this responsibility. The CSAP webmap is being updated and improved to include more information and search functions. Information that will now be posted includes: P2, P4, P6, P9, and P21 approvals and pre-approvals starting from 2017 to current. This project is currently in the development phase. Note that the webmap can be found in the members section of the CSAP website.

Short list of Projects for 2022 - In this last quarter of 2021, the TRC is focusing on developing the short list of potential TRC projects for 2022. This short list of projects is generated from topics suggested from members. As always, if you have any suggestions for a topic that the TRC could tackle, please contact [Christine Thomas](#), chair of the TRC. We are especially interested in hearing about projects that could tie into ENV's [Climate Preparedness and Adaptation Strategy](#). The draft strategy highlights the actions ENV is taking in 2021 to 2022 and presents a suite of proposed actions for 2022 to 2025. The actions aim at strengthening foundations, enhancing community climate resilience, fostering resilience of species and ecosystems, and advancing a climate-ready economy and infrastructure. The action item that specifically relates to contaminated sites is 'Conduct initial work on a watershed security strategy and assess risks to water quality from contaminated sites under future climates'.

Membership Committee Updates:

The Membership Committee welcomes a new committee member—David Tiplady! We are eager to benefit from his experience and input.

Onwards and Upwards!

There is a man called Michael Geraghty, a stalwart member of CSAP Society. He's made it his mission that successful submissions should number more than a century!
Congratulations, Michael Geraghty!

The Committee also sends our best wishes to the following members who have recently opted to retire from the Society:

Patrick Allard	Rsk	Apr 2021
Martin Jarman	Num	Jun 2021
Jim Laidlaw	Num	Jun 2021
Ian Marsh	Num	Jun 2021
Gregory Sutherland	Num/Rsk	Jun 2021
Robert Dickin	Num	Sep 2021

I thank and congratulate all these members for their contributions to the Society and the site remediation industry throughout their distinguished careers.

Associate Membership

- As noted over the summer, we revised the definition of a non-voting Associate Member to clarify that former full members of the CSAP Society can maintain an Associate Member status-- at a 50% discount-- even if they are no longer practicing members of their parent professional organization. It's a great way to stay in touch with the latest Society events, such as the upcoming Fall PD sessions.

Exams and More Exams!

November 3, 2021 - Regulatory and Risk Exams were held in person with COVID safety measures in place. Four examinees wrote the Regulatory Exam and one wrote the Risk Exam.

Professional Development Committee Updates:

The past year has transformed nearly every aspect of our life. With the recent changes in both regulations and communications between CSAP and ENV and the difficulty in getting together face to face for meaningful discussion due to Covid. The PD Committee is adapting our approach to the CSAP Fall PD Workshop. The New Normal will be a series of four weekly Webinar Workshops to communicate and discuss regulatory changes at ENV and the impact of these changes have on our practice, CSAP and other regulatory submissions.

Any unresolved questions from the series of Workshops will be provided to ENV who will be invited to respond to questions in the final workshop.

CSAP Webinars fall series

September 15, 2021

Getting to Know the Protocol 2 Site-Specific Numerical Soil Standards

Now posted to the CSAP website

Upcoming

CSAP Guidance for Assessment of Soil Vapour and Ambient Air – January 2022

WEBINARS posted to the CSAP Website

Community Updates:

- Fisheries Act penalty - \$2.5 million

- CN Rail pleaded guilty in Prince Rupert Provincial Court to a charge of violating subsection 36(3) of the *Fisheries Act* in relation to the deposit of pesticides in or around waters frequented by fish. The company was fined \$2.5 million.
- On August 28, 2017, ECCC enforcement officers observed a spray truck discharging a mist as it travelled along the rail corridor between Terrace and Prince Rupert in British Columbia. Because the rail corridor runs along the Skeena River and over many tributaries and wetlands, officers conducted an inspection to verify compliance with the Fisheries Act. The subsequent inspection and investigation confirmed that the pesticides sprayed along the rail line were deleterious (harmful) to fish.

- **Rail rights of way and Indigenous Nations' land**

- A rail right of way ran through the Snaw-Naw-As First Nation reserve lands on Vancouver Island which was granted by Canada to E&N Railway in 1912 for railway purposes. The railway is now owned by Island Corridor Foundation (ICF). The rail line has fallen into disuse, except for freight traffic on a spur line in the Nanaimo area, and restoration of full rail service requires substantial funding from government. ICF continues to maintain the railway corridor and seek funding from the provincial and federal governments. The appellant sought a declaration that the land subject to the right of way was no longer being used for railway purposes and a corresponding declaration that the lands revert to Canada for its use and benefit as part of its reserve. The trial judge dismissed the action, holding the reversionary interest had not been triggered by the mere cessation of traffic, in light of ICF's continued maintenance of the rail corridor, the interest of the stakeholders in restoring rail service, and the provincial government's consideration of restoring the rail corridor as a public transportation option.
- On appeal, appeal dismissed, with liberty to bring this matter back before the court if Canada determines that it will not approve funding for infrastructure improvements on the segment of the corridor that includes the SFN Reserve, or does not make a determination, within 18 months.

- **Utility infrastructure decision**

The City of Coquitlam appealed the decision of the British Columbia Utilities Commission Reconsideration Panel to uphold the commission's order permitting FortisBC Energy Inc. to abandon in place a decommissioned gas pipeline that runs through Coquitlam. Coquitlam argued the commission lacked jurisdiction to permit municipal property to be used as a place to consign abandoned equipment or to specify the terms upon which Fortis may abandon equipment on city property. The BC Court of Appeal dismissed the appeal. The Panel did not err in finding the commission had jurisdiction to issue the order. The [Gas Utility Act](#) does not exhaustively describe the rights and privileges that may be exercised by a gas utility. The [Gas Utility Act](#) must be read in the context of the corresponding regulatory scheme, including the [Utilities Commission Act](#). The legislative scheme contemplates the limited lifespan of public utility plants and systems. The commission is expressly empowered to specify the terms upon which permission will be granted to cease operations of utilities.

- [City of Vancouver Charter](#)

As of September 22, 2021, the- Vancouver Charter – Chapter 55.- Section 571-B has been repealed and replaced. The new language is different and represents a major change:

- [REFERRAL REPORT - council report:](#)

REPORT SUMMARY This report proposes amendments to the Zoning and Development By-law to enable issuance of a building permit (“BP”), limited in scope to excavation and shoring, before the development permit (“DP”) is issued. If approved, these amendments would provide additional flexibility in construction scheduling for eligible projects, limited to those including Dwelling Uses developed as Social Housing or Secured Market Rental Housing, Institutional Uses, and select Cultural and Recreational Uses. The ability to consider exceptions to the standard DP before BP Internal Development Application and Permitting Modernization Task Force – Zoning and Development By-law Amendments to Enable Issuance of a Building Permit for Excavation and Shoring Before a Development Permit – RTS 14589 2 sequencing would provide an opportunity for applicants to start excavation and below grade work earlier. Eligibility would be based on the proposed land use(s), complexity of the site and context, along with the proposed redevelopment plans. To be eligible for this new process, a BP application must be submitted by a certified professional and will require support from the Director of Planning, in consultation with the City Engineer, City Building Inspector, and Director of Legal Services. To mitigate potential public safety risks, all conditions required to obtain an excavation and shoring permit must be met, and the City may require a letter of credit that amounts to the cost to backfill the excavation. Sites with existing rental residential units will not be eligible

Links of Interest

BC Business Council - Reports and Research

- [B.C. Business Confidence Survey - Q2 2021](#)
- [Stronger today, momentum for tomorrow](#)
- [Low productivity growth is holding back Canadians' pay growth](#)

Industry Events

4 Seasons of Reconciliation – Indigenous Awareness Learning – EGBC

- Self-paced online course that promotes a renewed relationship between Indigenous Peoples and Canadians through transformative learning about truth and reconciliation.
- Content touches on economic reconciliation, Indigenous Treaties, residential schools, UNDRIP and more.
- Course can be taken at any time for a cost of \$50.00.

[Beyond Data – GeoEnviroPro](#)

- Six-module online course covering topics such as conceptual site models, NAPL sources, groundwater fate and transport, QA/QC and remediation.
- Cost is \$850, 20% discount for GeoPro members. Courses can be taken at your own pace.
- Course runs Monday mornings, October 18 to November 22, 2021

[Modelling Groundwater Flow and Contaminant Transport at Mine Sites – EGBC](#)

- One-day online webinar focusing on acid rock drainage from mine sites, characterizing downgradient groundwater, and groundwater interception strategies.
- Course runs 8:30 – 4:30 on November 17 at a cost of \$397.95.

[Climate Change Adaptation Fundamentals – Royal Roads University](#)

- An online 4-module course providing an overview of the current state of climate science, core concepts for climate change adaptation, and implications for human and natural systems.
- Course runs February 28, 2022 to March 20, 2022 at a cost of \$325.

[Spill Response, Due Diligence Certification – Natural Resources Training Group](#)

- A one or two-day private, in-person course covering a range of topics regarding spill response including initial emergency response, fate and effects of spilled products, site sampling and cleanup and legal implications.
- Participants receive a Spill Response Training Certificate valid for three years. Course must be organized by contacting NRTG and arranging dates. Cost varies based on the number of participants.

[Working Effectively with Indigenous Peoples – Indigenous Relations Academy](#)

- A one-day course focusing on the principles of Indigenous awareness and relations, how to cultivate relationships with Indigenous Peoples and achieve cultural competency through practical skills and tools that can be applied everywhere.
- Takes place online on November 30. Cost is \$450.

[Principal Aspects of Chemical and Biological Processes used in Water Treatment – EPIC Training](#)

- A two-day online course discussing the principles chemical and biological processes and techniques for the removal of organic and inorganic contaminants from contaminated water and wastewater.
- Takes place online on December 2 and 3. Cost is \$1,295.

[BC MEND Metal Leaching/Acid Rock Drainage Virtual Workshop](#)

- A three-day workshop on challenges and best practices in metal leaching and acid rock drainage
- Takes place online on December 7, 8 and 9. Cost is \$100.

[Clean-Up Information website](#)

- Sponsored by the US EPA. Hosts free weekly webinars focusing on contaminated sites-related subjects
- Some appear to be very US-focused from regulatory perspectives but still many technically-focused webinars and has archives of past presentations for free viewing.

[Regenesis.com](#)

- Has a searchable archive of free webinars (just requires some basic information from participant)
- Mostly focused around products and case studies of various remediation sites.

[GeoEnviroPro](#)

- Free weekly webinars on various topics, usually held on Wednesdays at 10:00am.
- Also able to access past presentations for a subscription fee.