

Schellenberg, Jim

From: Prud'homme, Robert
Sent: December 11, 2007 1:28 PM
To: Marston, Wayne; Schellenberg, Jim; Featherby, David; Ogden, Rob
Cc: Lin, Irene; Naylor, Jim
Subject: Final Version of letter re Victoria Marine

Attached is the final version of the letter. Thank you for your comments and assistance. I will keep you informed of developments. The next step will probably be a meeting with the proponent.

Robert Prud'homme
Superintendent Property Services
Transport Canada
620 - 800 Burrard Street
Vancouver, B. C.
V6Z 2J8
Tel:604-666-5393
Fax:604-666-5545
e-mail:prudhor@tc.gc.ca



Transport
Canada

Transports
Canada

Programs Branch
Pacific Region
620-800 Burrard Street
Vancouver, B. C.
V6Z 2J8
Tel. : (604)-666-5393
Fax. : (604) 666-5545
E-mail : prudhor@tc.gc.ca

Your file Votre référence

Our file Notre référence
7712-795-29(RD3766408)

December 11, 2007

Community Marine Concepts Ltd.
934 Boulderwood Rise, Unit 8
Victoria, B. C.
V8Y 3H5

Attention: Mr. Robert Evans
Vice-President

Dear Sir:

Subject: Victoria Marina Proposal

Further to prior correspondence and meetings concerning this proposal, the department has reviewed the information provided and offers the following comments for your consideration.

There are issues relating to the taxiing of aircraft that need to be addressed for the proposal to be considered further by the department. The key concept of the Port of Victoria Traffic Scheme (PVTS) is the procedural separation of the different activities being conducted in the harbour that include floatplanes, powered vessels, non-powered vessels such as canoes, etc. Specific regulations have been put in place to safely manage the diverse mix of floatplanes, powered vessels and non-power driven vessels and these regulations are contained in the Practices and Procedures for Public Ports and were promulgated under Sections 56, 58 and 76 of the Canada Marine Act.

Under the PVTS, the north shore area is restricted to non-powered vessels, while the area to the south serves vessels under 65 feet in length. The runway areas are restricted for the use of aircraft and powered vessels larger than 65 feet in length.

The submitted proposal compromises the separation of the various activities conducted in the port and is not consistent with the PVTS. Allowing for powered vessel traffic on the north shore area of the harbour will result in a reduction of the width of the existing

taxiway from 150 to 120 feet. The draft Water Aerodrome Standards for taxiway channels require a minimum width of 150 feet and this will result in the closure of the taxiway. This closure could be managed by routing floatplanes to other corridors. The potential crossing of the runways by itinerant vessels less than 65 feet in length introduces an additional risk to port operations.

The submitted proposal has vessels arriving in a boat lane west of aircraft Area B and going around the end of Area A. There is insufficient room to allow for such movements and it does not address any of the vessels having to clear customs first and then go back to the marina. Currently, the PVTs does not allow uncontrolled crossing of runways A or B except for water taxis that are equipped with aviation and marine radios, special lighting and trained operators familiar with the harbour. The report does not provide any mitigation or amelioration measures with regards to this situation.

The risk analysis outlined in the report with respect to taxiing of aircraft and powerboats on the north side of the harbour does not take into consideration the activity of rowers and non-powered vessels in this area. The proposed routing does not address these issues and is not consistent with the PVTs and this will have to be considered before proceeding any further with the proposal.

Any proposal must address the interest of rowers and cannot include uncontrolled crossing of runways A and B for vessels less than 65 feet in length.

At this time, the Harbour Master cannot approve your request to conduct test pile driving in the harbour. This activity should be postponed until the present review is completed and a decision with regards to the proposal is made.

Please note that we are proceeding with the application submitted by Community Marine Concepts Ltd. under the Navigable Waters Protection Act that has also triggered a review of this project under the *Canadian Environmental Assessment Act*.

We are prepared to meet with you to further discuss these issues.

Sincerely,

Robert Prud'homme
Superintendent, Property Services

Copy: D. Featherby – Harbour Master

Schellenberg, Jim

To: Prud'homme, Robert; Featherby, David; Ogden, Rob; Marston, Wayne
Cc: Lin, Irene; Naylor, Jim
Subject: RE: Victoria Marina Proposal

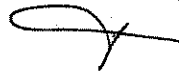
Robert:

A spelling correction in the second last paragraph should read, "At this time, the Harbour Master cannot approve your request to conduct test pile driving in the harbour."

From the email we received from David yesterday, I didn't think he wanted to proceed with the test pile driving until the "safety concerns regarding the aircraft were addressed. "Jim...I feel that the safety concerns regarding aircraft operations need to be addressed prior to any test pile driving or sediment sampling being conducted". So having said this, the last paragraph should be removed because we are not reviewing anything at this time. Please note that we are proceeding with your application submitted under the Navigable Waters Protection Act and are prepared to meet with you to further discuss these issues.

Jim Schellenberg
Navigable Waters Protection Officer/
Agent de protection des eaux navigables
Transport Canada/Transports Canada
#820-800 Burrard Street
Vancouver, BC V6Z 2J8
(604) 775-8896 Phone
(604) 775-8828 Fax
<http://www.tc.gc.ca/pacific/marine/nwpd/menu.htm>
<http://www.tc.gc.ca/marinesafety/oen/nwpp/menu.htm>

*2007-12-5 ROBERT WILL MAKE SOME
CHANGES TO THE ATTACHED LETTER AND
SEND OUT AGAIN FOR COMMENTS.*



-----Original Message-----

From: Prud'homme, Robert
Sent: December 5, 2007 2:10 PM
To: Featherby, David; Ogden, Rob; Schellenberg, Jim; Marston, Wayne
Cc: Lin, Irene; Naylor, Jim
Subject: Victoria Marina Proposal

Further to the comments received, I propose sending the following letter to the proponent. Please review and offer any comments or changes as you deem appropriate. I am aware that R. Ogden is away and will wait until his return/comments before sending it. I told Robert Evans we would get back to him by Dec. 17, so we have time.

Robert Prud'homme
Superintendent Property Services
Transport Canada
620 - 800 Burrard Street
Vancouver, B. C.
V6Z 2J8
Tel:604-666-5393
Fax:604-666-5545
e-mail:prudhor@tc.gc.ca



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Your file Votre référence

Our file Notre référence
7712-795-26(RD)

December X, 2007

Community Marine Concepts Ltd.
934 Boulderwood Rise, Unit 8
Victoria, B. C.
V8Y 3H5

Attention: Mr. Robert Evans
Vice-President

Dear Sir:

Subject: Victoria Marina Proposal

Further to prior correspondence and meetings concerning this proposal, the department has reviewed the information provided and offers the following comments for your consideration.

There are issues relating to the taxiing of aircraft that need to be addressed if the proposal submitted is to be considered favorably by the department. The key concept of the Port of Victoria Traffic Scheme (PVTS) is the procedural separation of the different activities being conducted in the harbour; which include floatplanes, powered vessels, non-powered vessels such as canoes, etc. Specific regulations have been put in place to safely manage the diverse mix of floatplanes, powered vessels and non-powered driven vessels; and these regulations are contained in the Practices and Procedures for Public Ports and were promulgated under Sections 56, 58 and 76 of the Canada Marine Act.

Under the PVTS, the north shore area is restricted to non-powered vessels, while the area to the south serves vessels smaller vessels under 65 feet in length; the runway areas are restricted for the use of aircraft and powered vessels larger than 65 feet in length.

The submitted proposal ~~submitted~~ compromises the separation of the various activities conducted in the port and is not consistent with the PVTS. Allowing for powered vessel traffic on the north shore area of the harbour will result in a reduction of the width of the

existing taxiway from 150 to 120 feet. ~~The standards for taxiway channels require a minimum width of 150 feet and this will result in the closure of the taxiway. (Robert O, can you give me the standard reference for this) Although this closure could be managed by routing floatplanes to other corridors. However, the potential crossing of the runways by itinerant vessels less than 65 feet in length introduces an additional risk to port operations.~~

Currently, the PVTs does not allow uncontrolled crossing of runways A or B except for water taxis that are equipped with aviation and marine radios, special lighting and trained operators familiar with the harbour. The report does not ~~address~~ provide any mitigation or amelioration measures with regards to this situation.

The risk analysis outlined in the report with ~~regards~~ respect to taxiing of aircraft and powerboats on the north side of the harbour does not take into consideration the activity of rowers and non-powered vessels in this area. The ~~proposed routing being proposed~~ does not address these issues and is not consistent with the ~~VPTSPVTs~~ and this will have to be considered before proceeding any further with the proposal.

Any proposal must address the interest of rowers and cannot ~~contain~~ include uncontrolled crossing of runways A and B for vessels less than 65 feet in length.

At this time, the Harbour Master cannot approve your request to conduct test pile driving in the harbour. This activity should be postponed until the present review is completed and a decision with regards to the proposal is made. (As Karen Hall has pointed out, we can allow a proponent to conduct testing based on the understanding that this does not mean proposal approval. Unless Harbour Master can provide a reason why testing should not proceed based on safety concerns, I do not think that we can withhold approval to conduct test pile driving.)

Please note that we are proceeding with your application submitted under the Navigable Waters Protection Act and are prepared to meet with you to further discuss these issues.

Sincerely,

Robert Prud'homme
Superintendent, Property Services

Copy: D. Featherby – Harbour Master