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REPORT TO TRANSPORTATION COMMITTEE MEETING OF WEDNESDAY, AUGUST 03, 2022

SUBJECT **Island Rail Corridor Advocacy Timelines**

ISSUE SUMMARY

To provide the Transportation Committee with advocacy next steps and timelines to protect the Island Rail Corridor and advance restoration of rail service.

BACKGROUND

The Capital Regional District (CRD) Board has consistently recognized the 295 km Island Rail Corridor as a key component of the regional transportation system. The Snaw-naw-as Nation is seeking the segment of the corridor through their reserve to revert to the Nation, as the corridor is no longer used for railway purposes. The British Columbia (BC) Court of Appeal has given Canada until March 2023 to determine its intent for the corridor before the Nation can return to court to enforce its right of reversion.

On July 13, 2022, the CRD Board approved three advocacy motions related to the need for urgent action on the Island Rail Corridor, as follows:

- **Motion 1:** That the Board escalate advocacy for restoration and resumption for rail operations on the E&N Corridor and requests that the Chair communicates with provincial, federal, First Nations and other regional elected officials on behalf of the Board.
- **Motion 2:** Request staff provide the Board with steps to be taken and timelines for heightened urgent advocacy in support of protecting the corridor particularly with the federal government, given the court deadline of March 2023.
- **Motion 3:** That the CRD Board supports the Island Corridor Foundation request for federal and provincial governments to work together to: 1) equitably settle Indigenous claims within and along the Island Rail Corridor; 2) create a multi-disciplinary team, reflecting all affected interests, to advance rail as a transportation option on Vancouver Island; and 3) that this action be ongoing and not delay decisions required by March 2023.

A previous staff report to the June 15, 2022 Transportation Committee outlined a high-level advocacy approach, including audience analysis and tactics. This analysis, as well as an Island Corridor Foundation (ICF) business case, identified that advocacy should target provincial and federal government action on the following matters to ensure future rail use on the corridor:

- 1) Equitably resolve outstanding claims related to Indigenous interests within and along the corridor; and,
- 2) Demonstrate, through planning and funding commitments, that preservation of the corridor and restoration of rail service is in the public interest.

Actions Taken

In response to the direction received from the CRD Board, the CRD Chair sent letters to the following stakeholders:

- The Honourable Omar Alghabra, P.C., M.P., Federal Minister of Transport
- The Honourable Rob Fleming, M.L.A., BC Minister of Transportation and Infrastructure
- Laurel Collins, M.P., Member of Parliament for Victoria
- Alistair MacGregor, M.P., Member of Parliament for Cowichan – Malahat – Langford
- Randall Garrison, M.P., Member of Parliament for Esquimalt – Saanich – Sooke
- Tyler Brown, Board Chair, Regional District of Nanaimo
- John Jack, Chairperson, Alberni-Clayoquot Regional District
- Jesse Ketler, Board Chair, Comox Valley Regional District
- Lori Iannidinardo, Board Chair, Cowichan Valley Regional District

The letters to the Ministers request action be taken to advance the CRD Board motions of July 13 while the letters to the Victoria area Members of Parliament ask for their assistance in securing federal engagement. The correspondence to the regional district Chairs encourage them to attend any meetings the federal and provincial governments initiate and asks them to encourage the federal and provincial governments to address this critical issue.

Staff have also engaged with senior staff from the federal Ministry of Transportation, BC Ministry of Transportation and Infrastructure, Cowichan Valley Regional District, Nanaimo Regional District and Comox Valley Regional District. Staff have shared the CRD Board's position and requested a status update from each in relation to the Island Rail Corridor.

Separately, the Island Corridor Foundation, as the land owner, has been asked to advise the 14 First Nations in which the corridor is located of the CRD's actions.

Advocacy Next Steps

The CRD Board can take the following advocacy next steps to catalyze senior government action on the above matters:

Step 1: Raise Federal Government Awareness and Catalyze Senior Government Action

The CRD Board will undertake advocacy to raise federal government awareness of why restoration of rail service and corridor preservation are in the public interest. CRD Board advocacy will also emphasize the need for urgent senior government action.

Specific actions targeted for Q3 2022 include:

- 1) News release and Chair media (e.g., CFX interviews).
- 2) Chair to liaise with federal and provincial elected officials from the South Island.

Step 2: Promote Inter-Jurisdictional Cooperation

Concurrently to the Step 1 actions, the CRD Board will join ICF in requesting the creation of a multi-disciplinary team that will bring together all interests in the corridor to support open dialogue and information sharing. A dedicated team is needed, given the impending March 2023 timeline.

Specific actions targeted for Q3 2022 include:

- 1) Request that province target first multi-disciplinary team meeting for early Q4 2022, pending senior government direction.

- 2) CRD Chair to speak with other regional Districts that have an interest in the corridor across Vancouver Island and encourage them to attend any meetings the federal and provincial government initiate.

Step 3: Advance Rail as a Transportation Option

Once a multi-disciplinary team is established, work through this team to advance rail as a transportation option. Such work could begin in Q1 2023, informed by progress on actions set out in Step 1 and Step 2.

Staff will evaluate advocacy success at the end of each quarter, and report through the Board Priorities Dashboard under Board Priority 1(b): Protect the E&N Corridor.

IMPLICATIONS

Intergovernmental Implications

The ICF initial business case indicates they expect senior levels of government to resolve outstanding Indigenous claims. Within the context of the United Nations Declaration on the Rights of Indigenous Peoples and the British Columbia *Declaration Act*, both the federal and provincial governments are responsible for ensuring Indigenous interests and rights are integrated into decision-making about the future use of the Island Rail Corridor.

The CRD Board Chair would lead advocacy initiatives and communicate with Ministers in the federal and provincial governments and the Chairs of regional districts on Vancouver Island.

Financial Implications

The proposed advocacy next steps can be implemented within existing service budgets.

Service Delivery Implications

The proposed advocacy next steps can be implemented within existing work plans.

Alignment with Board & Corporate Priorities

Undertaking the proposed advocacy supports delivery of Board Priority 1(b) “Protect the E&N Corridor as a transportation corridor and participate in a Provincial working group to come to agreement on the future use of the E&N Corridor.”

Alignment with Existing Plans & Strategies

The 2014 Regional Transportation Plan (RTP) identifies the Island Rail Corridor as part of its Regional Multi-Modal Transportation Network and calls for the long-term protection of the corridor for transportation. Inter-jurisdictional cooperation among all affected parties to come to agreement on the future use of the corridor is aligned to existing CRD plans and strategies.

The proposed advocacy next steps have been developed in alignment with the approach and tactics set out in the 2019 CRD Advocacy Strategy. Consistent, targeted and focused messaging will be critical to success.

CONCLUSION

The CRD Board has consistently recognized the 295 km Island Rail Corridor as a key component of the regional transportation system. Board advocacy over the next six months is needed to ensure the corridor is not lost for transportation use. The proposed advocacy next steps set out clear actions and timing to advance rail as a transportation option, consistent with Board motions in support of Island Rail Corridor protection.

RECOMMENDATION

There is no recommendation. This report is for information only.

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