



An excavator works beside the ocean on an environmentally sensitive road project on Vancouver Island.

Environmental Regulations

Road to redemption not an easy path

Jean Sorensen, correspondent

Development manager Michelle Mahovlich won't soon forget the 150-metre road she built as part of an award-winning Vancouver Island remediation project just outside Victoria.

It came gift-wrapped in a lot of paper, red tape, and strings.

"It was a challenging road," said Mahovlich, a professional geoscientist with a master's degree in engineering. Yet, while the road's story and construction started in 2006, it is still on-going today.

Mahovlich's employer, Vancouver Island property developer Three Points Properties (TPP), wanted to show good faith with stakeholders by rehabilitating the controversial Bamberton lands in the Mill Bay area for housing before putting forward a development plan.

The site formerly contained a major cement plant, and a community of workers, which closed down in the 1980s.

The lands posed a threat of contamination from three landfills where trucks emptied leftover cement for 70 years.

TPP planned to keep 340 hectares of treed area within the 592-hectare site.

But, first a clean-up was required. Rather than trucking material to a disposal site on Vancouver Island costing an estimated \$50 million and placing 110,000 truckloads of material on the Island Highway, causing potential traffic and environmental problems, another solution appeared.

The site contained a 40-metre deep limestone quarry, capable of holding 750,000 tons of material.

It would be lined with crushed rock and designed to provide a safe containment area for material to naturally break down. The material could be buried and the area re-seeded as a field.

Mahovlich said two landfills could be easily reached, but one had been near a cliff.

“In 1990, there was an earthquake that caused the collapse of the cliff’s side causing contaminated soil to go down the bank and into the ocean (Saanich Inlet)” she said.

Work began on a temporary road so that excavators could access the cliff material and then operators could walk their equipment partially down the face, pulling back the offending soil. Two-thirds of the material could be retrieved.

“That part which our foreman called ‘the middle of the back’ just couldn’t be reached,” she said. It had to be accessed from the bottom, starting at a northern-sited piece of jutting land and working south to the contaminated site.

“In order to do that we had to build a road in the ocean along the shoreline,” she said.

The Bamberton site offered up the rock and fill road material needed.

The decision to build the 150-metre road initiated a number of government requirements.

C.N. Ryzuk and Associates of Victoria were brought in to perform the geo-technical evaluation while Castor Consultants of Ladysmith did the environmental assessment.

“You need a permit to work in the ocean,” explained Mahovlich, who had to get authorization under the Canada Water Act from the Department of Fisheries and Oceans.

The project’s size, said Mahovlich, required a Canadian Environmental Assessment Act review.

“When you go through CEAA screening, you trigger mandatory First Nations consulting,” she said.

TPP had to meet with six First Nations groups in the area. Also, since the road would be in a boating area, approval had to be given by Transport Canada and conform to the Navigable Waters Act.

So that a storm would not wash away the road the company had to freeboard material two metres above the highest level that the tide would ever get to.

The ocean-side of the eight-metre wide road (wide enough for an excavator and for 40-ton ore dump trucks to only back down) had to be riprapped to encourage habitat for aquatic life.

Additional riprapping was done 200 metres down from the north side where the road started.

“As part of the habitat compensation required by fisheries officials, we had to build reef mounds on the ocean floor for aquatic habitat. We placed cobbles and boulders from a barge to build up these areas,” Mahovlich said.

The road’s start was next to Bamber Creek, a fresh water tributary, and, as a result, the company had to deal with two sets of fisheries requirements – one federal and one provincial.

Furthermore, it had to agree to on-going assessments plus re-vegetate around the fresh-water estuary area.

All the co-ordination of approvals and permits was timed around four weeks starting in June 2006.

“We had to be in and out because of fisheries concerns,” she said.

The good news?

The road is built, the contaminated soil retrieved and on-going assessments show the road, reef mounds, and aquatic life are fine. The Bamberton site project also won TPP several national and provincial environmental awards.

The not-so-good news?

Under B.C. requirements of the Integrated Land Management Bureau, anyone who creates new land in provincial water lease areas doesn't really own that land, or, in this case the road.

It belongs to the provincial government.

“We now have to buy the road back,” Maholvich said.

Currently the road is undergoing an appraisal at fair market value.

Once the appraisal has been obtained, Three Point Properties will be purchasing back the road to use as a possible ferry terminal.