

Submissions to the Ministerial Panel established on related to the  
Transmountain Expansion Project – Kinder Morgan

By

Daniel J. Rogers – Gambier Island Trust Area Trustee

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On August 16, 2016, I appeared before the panel as an Individual Trustee at the “local government” hearings in North Vancouver. One of the panelists requested I provide a written summary of my oral submissions. I apologize for the fact that these have been delayed and to the best of my ability this document mirrors my submissions other than where I note that I have amended them.

I want to thank the Panel for allowing me to present today. I am Dan Rogers and I am one of two Trustees representing the Gambier Islands Trust Area which is part of the Islands Trust.

I speak to you as a local government official from a local government which is different from most local governments. The mandate of the Islands Trust is

*'to preserve and protect the trust area and its unique amenities and environment for the benefit of residents of the trust area and of the province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of British Columbia'.*

Thus unlike other local governments, we have a specific statutory mandate to preserve and protect the Area!! We not only represent ecological values because we are representing electors values, we must act in a way that preserves and protects.

Now you will hear from the Executive of the Islands Trust (and I understand you had a submission from the Chair, Peter Luckham) about the official “position” of the Trust reflecting this policy. The Executive has the formal responsibility to advocate on behalf of the Trust. I come before you as an individual Trustee representing the closest neighbour to Vancouver Harbour and Burrard Inlet.

#### Gambier Island Trust Area

The Gambier Trust Area encompasses all of the Islands of Howe Sound except Bowen Island and the Islands up the Sunshine Coast as far as the Thormanby Islands off Secret cove. There are over 40 islands in all. In addition however, our jurisdiction extends to the marine areas surrounding these islands to the middle of the Strait of Georgia and down the coast line as far as the US Border excluding the limits of the Vancouver Harbour. <http://www.islandstrust.bc.ca/media/311921/Local-Trust-Areas.pdf>

Howe Sound is the most populated part of the area and is At-cum- Sum in the language of the Squamish people who have lived here for 3000 years. It is a most beautiful area and I urge you to visit when and if you have the chance. It is right around the corner from where the proposal is to ship crude bitumen in large tankers. We are right in the path of any spill that may occur.

I speak to you today to make 3 points from 3 perspectives. I am a Trustee now but I have a degree in economics and was a lawyer for 34 years before retiring from that profession.

From the perspective of economics, I cannot for the life of me understand why as a country we would be considering approving a business model whereby a raw material (undiluted bitumen) is shipped abroad to be refined and made into a variety of products. I am old enough to remember the debate in the 60's and 70's of how to take our country away from being hewers of wood and haulers of water. In other words, how do we take our raw materials that we are fortunate enough to find in our nation and use them ourselves rather than shipping them for others to use to their eventual benefit? I understand why the corporations who own the raw materials might want to ship them to places where they can be refined more cheaply or with less attention to safety, workers' rights or environmental protections but why would we as a nation allow this to happen when we can say no. It makes no macro-economic sense. There is no economic need to get our "raw" material to tidewater just because other countries and extra national corporations want it that way. It seems to make economic sense to require the product to at least be refined or utilized in some way before it is shipped thus creating value and markedly reducing the environmental risk.

From the perspective of an administrative lawyer of 34 years, I want to commend the submissions of the City of Port Moody and the District of West Vancouver and the City of North Vancouver and emphasize the legal arguments they made and indicate full support for them. The process before the NEB was fatally flawed and no decision should be made before the process is remedied. It does not create the conditions for public consent to approve and then change the process.

Lastly, from the perspective of a Trustee and a passionate resident of the area known by the Squamish as At-cum-sum, the territory of the Squamish and other Coast Salish First Nations, I am individually opposed to this proposal. What has become clear over the years is that the Salish Sea is an integrated marine system as of course is the entire natural environment. Specifically however the Salish Sea is fragile, beautiful and threatened. It cannot be risked for the sake of this proposal.

As a Trustee I have been to "education sessions" about marine safety and shipping systems. I am very concerned about the proposed increase in industrial marine traffic this area of all types. The proposals proceed as if there is neither limit to capacity nor limit to the risks that should be endured by the ecosystem and the residents. 10,000 transits a year? 15,000? 20,000? What is the limit? Where will it stop? We see communities up in protest over anchorages off Gabriola Island. We see all the communities around Burrard Inlet speaking with one voice opposed to this proposal. The systems in place are not nearly adequate to handle these proposed increases and the most potentially damaging

are the tankers being proposed here. The NEB neglected to take into account the limits to this areas ability to absorb this increase. Enough is enough.

Howe Sound is just recovering from years of industrial abuse. It would be devastated by even a minor spill that drifted into our area... and it would. We are outside the prime response area for spills. The legislated response time is 18 hours ... 3 tide changes. We would clearly be a lower priority than English Bay and Burrard Inlet ... so even if a lower response time was achieved, the damage would likely be done. I echo the voices of the larger communities around the area – the risk is simply too great.

In summary, in my submission, nothing in this proposal is consistent with the mandate of the Islands Trust and thus I speak as an individual Trustee in opposition to any decision to approve this expansion.

Thank you for considering my voice.

Daniel J Rogers

September 6, 2016