



## REQUEST FOR DECISION

**To:** Trust Council **For the Meeting of:** June 20, 2018  
**From:** Executive Committee **Date Prepared:** June 15, 2018  
**SUBJECT:** Open Letter re opposition to Trans Mountain Pipeline Expansion

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### RECOMMENDATION:

1. That Trust Council invite trustees to be signatories to an open letter to the federal government defining why Islands Trust Council opposes the expansion of the Trans Mountain pipeline and supports the action of the Province of British Columbia in seeking to protect our environment, our coast, and our coastal waters, AND THAT San Juan County councillors be invited to be co-signatories to the open letter.
2. That Trust Council approve an appropriation of surplus of \$65,000 into the 2018-19 budget to place an open letter to the federal government defining why the two governments oppose the expansion of the Trans Mountain pipeline in national and local newspapers as paid entry.
3. That Trust Council request staff to prepare a communication strategy and materials regarding Trust Council's open letter to the federal government about the expansion of the Trans Mountain pipeline.

**CHIEF ADMINISTRATIVE OFFICER COMMENTS:** The impact of an oil spill within the islands and waters of the Islands Trust Area has long been of significant concern to residents of the Islands Trust Area and their elected representatives. The Islands Trust was established forty-four years ago to protect the environment and unique amenities of this area, including its communities, lifestyles, and economies. While the risk of an oil spill from a tanker is low, the magnitude of impact would be devastating and difficult to imagine. The Trans Mountain Pipeline Expansion Project would increase oil-tanker traffic sevenfold, putting an estimated 350 more tankers a year in the Salish Sea. There is concern that the primary type of oil to be transported, diluted bitumen, could have particularly difficult consequences if spilled because of the significant lack of response strategies.

The proposed open letter and communication strategy could result in significant attention for the Islands Trust and its mandate. Staff would retain a media relations contractor to assist in order to minimize the workload impact and maximize the campaign effectiveness.

Undertaking paid advertising, in national/central Canada newspapers, as well as local/regional newspapers, would result in the widest possible exposure provincially and nationally. This would require appropriating funding from surplus.

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**PURPOSE: To seek Trust Council's support for a communications campaign about the Islands Trust Council's opposition to the Trans Mountain Pipeline Expansion project.**

## **1 BACKGROUND:**

On June 6, 2016, the Islands Trust Executive Committee considered correspondence from Trustee Grams recommending that the Islands Trust Council should take a robust and high-profile public stand against the Trans Mountain Pipeline Expansion Project, and requested that staff prepare a RFD for Trust Council from the Executive Committee based on the ideas discussed at the meeting. This RFD was approved at a special Executive Committee meeting on June 15, 2018.

The Islands Trust Council has a unique and compelling voice on this topic and has been concerned with oil spill and oil tanker issues since 1979. As early as 1983, the Islands Trust Policy Statement included a policy to oppose increased oil tanker traffic in and adjacent to the Islands Trust Area waters and to support measures to reduce such traffic.

An oil spill within the Trust Area could have devastating impacts on the abundant biodiversity of the region and significantly affect species already at risk, as well harm the livability and economic well-being of local communities.

In 2011, the Islands Trust was the first local government to study and respond to Kinder Morgan Canada's plan to lay the financial foundation for its expansion of the Trans Mountain pipeline. The Chair sent a [letter](#) to the National Energy Board (NEB) requesting more consultation and opposing Kinder Morgan Canada's application due to concern that it would lead to more tanker traffic through the Trust Area.

In June 2012, the Islands Trust Council voted to oppose (in principle) oil pipeline projects that lead to the expansion of oil export by barge and tanker from Canada's West Coast due to concern about the risk of oil spills that could irrevocably damage coastal environments, economies, and communities. In June 2012, the Islands Trust Council also decided to [encourage](#) the federal Minister of Natural Resources to support the phasing out of crude oil export from Canada's West Coast by tanker and barge as part of a national energy strategy.

In December 2013, Trans Mountain Pipeline ULC, operated by Kinder Morgan Canada and owned by Kinder Morgan Energy Partners, filed a Facilities Application with the NEB for authorization to build and operate the necessary facilities for the company's proposed Trans Mountain expansion project.

In June 2013, the Islands Trust Council invited Kinder Morgan Canada to give a [presentation](#) on Mayne Island.

In February 2014, the Islands Trust Council chose to participate as a commenter in the National Energy Board's hearing into the Trans Mountain Pipeline Expansion Project rather than become an intervenor. Trust Council had been advised that staff estimated up to \$190,000 in costs to intervene and sustain current Trust Area Services department capacity.

In August 2015, Chair Peter Luckham sent [a letter of comment](#) to the NEB, opposing the expansion of the Trans Mountain Pipeline.

In August 2016, Chair Peter Luckham spoke in person to the Government of Canada's Ministerial Panel reviewing the Trans Mountain Pipeline Expansion Project and followed up with a [letter](#) in September, 2016.

On November 29, 2016, the federal government approved Kinder Morgan's Trans Mountain Expansion Project, subject to 157 binding conditions that will address potential Indigenous, socio-economic and environmental impacts, including project engineering, safety and emergency preparedness. The federal news release about the approval stated that in making its decision to approve the Trans Mountain Expansion Project, the government took into consideration a wide variety of information and data, including the NEB's recommendation report, Environment and Climate Change Canada's assessment of upstream greenhouse gas emissions, the views of Canadians and enhanced consultations with Indigenous peoples. The report from the Ministerial Panel for the Trans Mountain Expansion Project was also considered.

On December 12, 2016, Chair Peter Luckham sent a [letter](#) to the Prime Minister, expressing Trust Council's profound disappointment regarding the Trans Mountain Pipeline Expansion approval. The Prime Minister's office [responded](#) on February 15, 2018 with a message that stated, among other comments, that the Government of Canada has a commitment to grow the economy while protecting the environment Canadians cherish.

On January 30, 2018, the Province of B.C. announced proposed regulations to improve preparedness, response and recovery from potential spills and announced that it was looking for feedback on five key themes for the regulations including restrictions on the increase of diluted bitumen ("dilbit") transportation until the behaviour of spilled bitumen can be better understood and there is certainty regarding the ability to adequately mitigate spills.

On April 26, 2018, after concerns were raised that Province of B.C. did not have jurisdiction to enact Environmental Protection Act regulations concerning diluted bitumen, the province filed a [reference case](#) with the B.C. Court of Appeal.

On April 30, 2018, the Islands Trust Chair [wrote](#) to George Heyman, Minister of Environment and Climate Change Strategy, to provide comment on the proposed regulations.

On May 29, 2018, the federal government announced a deal with Kinder Morgan to purchase the existing Trans Mountain pipeline as well as the expansion project to twin the pipeline for \$4.5 billion. The agreement, which must still be approved by Kinder Morgan's shareholders, is expected to close in August 2018. Media reports suggest Kinder Morgan has already spent about \$1 billion on the pipeline expansion, and in December Kinder Morgan estimated the project expansion would cost \$7.4 billion overall.

The project will increase the number of oil tankers from 60/year to 408/year. Tanker accidents are low probability/high magnitude events.

The Islands Trust Council has not participated in any court actions regarding the Trans Mountain Pipeline Expansion Project. Background on the Islands Trust Council's advocacy for oil spill prevention and response improvements is at: <http://www.islandstrust.bc.ca/trust-council/advocacy/marine-environment/oil-spill-prevention-and-response-advocacy/>

The objectives of undertaking an open letter supported by a communications strategy include:

- Demonstrate to a national audience that the depth of concern about increased tanker traffic in this region is broad and deep; it is more than just the B.C. government / radical protestors;
- Provide support to a provincial position on Kinder Morgan;
- Provide a voice for our Salish Sea island communities, the majority of who are likely against the pipeline expansion;
- Contribute to the national debate an informed, local voice that can speak rationally about the severe impacts and transboundary nature of oil spills;
- Build awareness of the Islands Trust, our mandate and the value of transnational partnerships.

Challenges that the campaign may have to address/overcome include:

- Nationally, public opinions on this issue appear to be entrenched on both sides of the issue;
- We don't know where the debate is going but it's been happening and media attention may have died down by the time we're ready in mid-July;
- A message from communities associated with islands in the Salish Sea could appear to be motivated not by "national interest" and framed by news outlets or pro-pipeline advocates as NIMBYism;
- Some First Nations in the Islands Trust Area may support the pipeline and tanker traffic and may be vocal in expressing that opinion. The Islands Trust has not engaged with First Nations to seek their opinions on the project or this advocacy proposal;
- The Islands Trust Chair would need to commit substantial time to preparing for and responding to media interviews.

The key messages in the letter and any associated communication products would be targeted to a national audience and focused on:

- We represent a fresh voice in this debate: the island government at the front line of risk for the proposed project, *the guardians of the islands in the Salish Sea*;
- The nature, including its internationally recognized value in terms of biodiversity, of the region that the authorities represent (including defining "what is the Salish Sea");
- The scale and nature of freighter / tanker traffic through the whole region is increasing and changing (including how it's been recognized as particularly vulnerable);
- The nature of product being transported;
- Concerns about climate change and the need to transition to a sustainable energy future.
- Potential environmental impact of an oil spill, "everything could change in 24 hours";
- Potential community impacts of an oil spill, "these people live by the Salish Sea".
- Potential economic impact of spill (correctly framed given our limited mandate).

## 2 IMPLICATIONS OF RECOMMENDATION

**ORGANIZATIONAL:** Trust Area Services staff estimate up to five–ten days of staff time to draft the open letter, secure electronic signatures from participating trustees/councillors, arrange for graphic design of the final advertisement, and execute an associated communications plan. Agreeing to this new work will, however, cause delays in other TAS related projects and communications initiatives. Staff would engage a communications contractor to provide expert advice regarding timing and media relations, as well as a subject matter expert to review communications materials for accuracy.

**FINANCIAL:** There are two types of cost: purchasing advertising which would be paid from the General Revenue Surplus Fund; and costs associated with graphic design, messaging and supporting communications products.

Staff advises that for \$65,000 advertisements can be placed in national, regional, and local newsletters. The appropriation from the General Revenue Surplus Fund (GRSF) for this activity would be guided by Trust Council's [Budget Adjustment and Control Policy \(6.5.ii\)](#). Removing \$65,000 from the GRSF would result in a budgeted year-end accumulated surplus balance of 108% of the recommended surplus balance per Policy 6.5.1 Reserves and Surplus. Per Policy 6.5.1, the recommended minimum balance to maintain in the GRSF is "Three months of expenses net of three months of revenue, excluding revenues from property taxes or the provincial grant".



Note the anticipated percentage assumes that Trust Council also approves using \$100,000 from surplus for initial funding of the LTC specific reserve fund.

To be effective, the advertisements would need to be graphically designed and be supported by additional communications products. Staff anticipates this would require \$10,000 - \$12,000 for expert consultant support to maximize campaign effectiveness, contract graphic design for the advertisement(s) and develop additional communications products. This could be funded from the existing Trust Area Services communications budget (\$15,000) and contractor budget (\$18,000).

**POLICY:** No implications for existing policy.

#### **IMPLEMENTATION/COMMUNICATIONS:**

Staff/Islands Trust Chair will communicate with San Juan County to ask if they are interested in signing the open letter. Staff will then prepare a draft open letter to be signed by willing trustees/councillors with an associated detailed communications plan for consideration by the Executive Committee.

The letter would be placed in newspapers in mid-July 2018.

Staff will work with the Chair to prepare him to respond to media enquiries and interviews on the topic.

The Executive Committee and staff will coordinate with allies in BC and Washington State, and including the Province of BC and Washington State, who can share, echo and amplify our message in Canada and the United States.

**FIRST NATIONS:** The Islands Trust has not directly heard directly from First Nations about their positions on the Trans Mountain Pipeline Expansion Project. Given the Islands Trust Council's commitment to establishing and maintaining a mutually respectful relationship with First Nations, the Islands Trust Council will offer the Islands Trust position while being ready to respectfully consider First Nations positions.

**OTHER:** None.

### **3 RELEVANT POLICY(S):**

- [Islands Trust Act](#), section 3  
*The object of the trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia.*
- [Islands Trust Policy Statement](#) Part 1: Roles and Responsibilities section  
*The Islands Trust Council cannot effectively implement the Policy Statement without the support of all stakeholders. Assistance, cooperation and collaboration are required from local trust committees, island municipalities, the Trust Fund Board, the Provincial Government, other government agencies, non-government organizations, communities, First Nations, property owners, residents and visitors.*
- Islands Trust Policy Statement Part 1:  
*To achieve its object, the Islands Trust must be an educator, coordinator, and initiator, guiding individuals, organizations and other agencies in support of the object. While the Islands Trust can provide the necessary leadership, responsibility for stewardship of the Trust Area rests with many. Individuals, other government agencies, organizations, and the Province itself all have*

*important roles to play. Cooperative actions are required of other agencies, organizations and individuals to ensure that activities are carried out in a manner that is sensitive to the needs of Trust Area ecosystems and island communities.*

- Islands Trust Policy Statement policy 3.1.9:  
*Trust Council encourages actions and programs of other government agencies which place priority on the side of protection for Trust Area ecosystems when judgment must be exercised; protect the diversity of native species and habitats in the Trust Area, and prevent pollution of the air, land and fresh and marine waters of the Trust Area.*
- [Advocacy Policy 6.10.iii](#)
- [Budget Adjustment and Control Policy 6.5.ii](#)
- Islands Trust Council's 2014-2018 Strategic Plan section 2.3 includes the strategy "Advocate for oil spill prevention and response."

#### **4 ATTACHMENT(S):**

- 1 September 30, 2016 Trans Mountain Pipeline Expansion Project (TMX) Ministerial Panel re Islands Trust Council comments on the proposed Trans Mountain Pipeline Expansion Project
- 2 December 12, 2016 Chair letter to The Right Honourable Justin Trudeau, Prime Minister of Canada re Trans Mountain Pipeline Expansion Approval
- 3 February 15, 2017 Response from The Right Honourable Justin Trudeau, Prime Minister of Canada re Trans Mountain Pipeline Expansion Approval

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#### **RESPONSE OPTIONS**

##### **Recommendation:**

1. **That Trust Council invite trustees to be signatories to an open letter to the federal government defining why Islands Trust Council opposes the expansion of the Trans Mountain pipeline and supports the action of the Province of British Columbia in seeking to protect our environment, our coast, and our coastal waters, AND THAT San Juan County councillors be invited to be co-signatories to the open letter.**
2. **That Trust Council approve an appropriation of surplus of \$65,000 into the 2018-19 budget to place an open letter to the federal government defining why the two governments oppose the expansion of the Trans Mountain pipeline in national and local newspapers as paid entry.**
3. **That Trust Council request staff to prepare a communication strategy and materials regarding Trust Council's open letter to the federal government about the expansion of the Trans Mountain pipeline.**

##### **Alternative:**

1. No action.
2. Proceed with recommended resolutions #1 and #3 only.
  - For \$12 - \$14,000, staff can undertake a comprehensive communications strategy that does not involve paid advertising. This could be funded from existing Trust Area Services communications (\$15,000) and contractor (\$18,000) budgets. The funding would be used primarily for contract assistance so would reduce Trust Area Services ability to enlist contractor assistance for other initiatives. The communications strategy could include the

use of inter-related platforms / delivery methods of key messages and help ensure that the campaign is more than just a one day action and has 'legs'. The methods could include:

1. Open Letter to the Prime Minister , published on the Islands Trust website;
2. News Release and joint press conference with San Juan County, announcing that the letter has been sent;
3. Contact key journalists and editors about the statement to maximize coverage
4. Write Opinion Editorials by Islands Trust Chair and attempt to place in key newspapers (e.g. Ottawa Citizen, Toronto Star, Vancouver Sun or Victoria Times Colonist). Potentially, these op-eds could focus on different key messages (i.e. contain slightly different content than the letter);
5. A short video (or a series of quick videos covering each key message);
6. Downloadable fact sheets on each key message;
7. Social media strategy (customized to our limited presence).

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**Prepared By: Clare Frater, Director, Trust Area Services**

**Reviewed By/Date: Russ Hotsenpiller, CAO, June 13, 2018**  
**Executive Committee June 15, 2018**



200 - 1627 Fort St., Victoria, BC V8R 1H8  
Telephone **(250) 405-5151** Fax (250) 405-5155

Toll Free via Enquiry BC in Vancouver 604-660-2421. Elsewhere in BC **1.800.663.7867**

Email [information@islandstrust.bc.ca](mailto:information@islandstrust.bc.ca)

Web [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

September 30, 2016

File No: 5450-30

Via electronic submission: [nrcan.paneltmx-comitetmx.nrcan@canada.ca](mailto:nrcan.paneltmx-comitetmx.nrcan@canada.ca)

Trans Mountain Pipeline Expansion Project (TMX) Ministerial Panel  
Kim Baird, Tony Penikett, Annette Trimbee  
Special Representatives to the Minister of Natural Resources

Dear Ms. Baird, Ms. Trimbee and Mr. Penikett:

**Re: Islands Trust Council comments on the proposed Trans Mountain Pipeline Expansion Project**

This letter is to supplement the presentation I made in person on August 16, 2016. I am the Chair of the Islands Trust Council, representing 26 trustees from 13 island governments.

The Islands Trust was created by provincial legislation in 1974 in recognition of the unique fragility of the ecology of the 470 or so Gulf Islands in the Salish Sea. Twenty-five thousand people live within the Islands Trust area. Another 13,000 are non-resident property owners. The Strait of Georgia is among the most productive marine ecosystems in the world.

Equally important, there are 37 First Nations who have asserted Aboriginal interests in the Trust Area – 10 of these are Douglas Treaty Nations with established fishing and harvesting rights in the Gulf Islands. Although we copy First Nations on all correspondence such as this, we have not heard their positions on the Trans Mountain Pipeline Expansion Project. Given our commitment to establishing and maintaining a mutually respectful relationship with First Nations, we offer the Islands Trust position while being ready to respectfully consider their positions, as they become known.

The *Islands Trust Act* requires that we preserve and protect the Gulf Islands for not only the residents but for the benefit of all British Columbians. The main tool we use to undertake that work is land-use planning. The Act further invites us to try to advocate for changes to the policies and regulations of senior levels of government in support of our mandate. Under our legislated mandate, Islands Trust Council has been expressing concern about tanker traffic and oil spill preparedness since 1979.

In the ten years I have served the Islands Trust Council, we have continuously advocated for changes to marine shipping safety and the oil spill response regime generally as well as for more in-depth public consultation before approving new projects that would increase the risk of oil spills. I am familiar with Western Canada Marine Response Corporation (WCMRC) operations and have participated in the oil spill exercise they hosted in Delta, British Columbia three years ago. I recognize that oil tankers do not present the only oil spill risk in the Salish Sea. Container and bulk vessels contain enough bunker oil to create large spills.

The Salish Sea is home to some of the most biologically rich waters in the world, and our local marine conditions make spill clean-up extremely challenging. Oil spills in the Salish Sea will not readily flush out to deep sea and disperse. The tides and currents of this area will result in the oil spill moving within the gulf islands and washing up on local shorelines we must at all cost keep the oil out of the water through oil spill prevention. These unique conditions and special values justify enhanced levels of oil spill prevention and response resources and regulations.

In our comments to the National Energy Board in 2015 about the proposed Trans Mountain Pipeline Expansion Project (attached), we explained the Islands Trust Council's opposition to the Project and why the Islands Trust Area merits special oil spill prevention measures. The theme of our oil spill advocacy work has been that the safety net should rise with the risk. We have concluded that the Trans Mountain Expansion Project poses unacceptable risks to the ecologically and economically significant Salish Sea that no safety net can mitigate. We have significant doubts about the success of an oil spill response involving diluted bitumen. We are disappointed that the NEB and Transport Canada have permitted diluted bitumen and other unconventional oil shipments in the Salish Sea without first requiring peer-reviewed evidence about the fate and behaviour of these products, and are frustrated that the National Energy Board could recommend approval of increased shipment of this hazardous product through our sensitive region.

We are also concerned about the "Residual Burdens" referred to in the Trans Mountain Expansion Project report. We are dismayed that the National Energy Board recommended that Governor in Council (GIC) approve the Project despite the finding that "the project's marine vessels would likely result in significant adverse effects to the Southern resident killer whale and to Indigenous cultural use associated with the Southern resident killer whales."

This week, the Islands Trust sponsored a successful resolution at the Union of BC Municipalities convention, seeking action by Transport Canada on better assessment and mitigation of marine shipping risks and impacts in the Salish Sea:

WHEREAS numerous projects are proposed that would increase marine traffic and anchorage use in the confined waterways of the Salish Sea;  
AND WHEREAS the Salish Sea is among the most productive marine ecosystems in the world, and presents challenging conditions for oil spill response;  
THEREFORE BE IT RESOLVED THAT Transport Canada assess the cumulative risks and impacts associated with projected vessel traffic increases in the Salish Sea and develop an innovative 20-year mitigation plan.

In addition to providing background on our opposition to the Trans Mountain Pipeline Expansion Project, I'd like to ask for your leadership in addressing deficiencies in the oil spill safety net for existing traffic volumes. A few examples of our ongoing concerns include:

- Industry has made few investments in prevention measures such as dedicated stand-by emergency tugs in strategic locations and salvage capabilities, that could stop a 'vessel in trouble' situation from turning into a catastrophic spill situation. Industry should be required to invest in:
  - Ocean rescue capabilities such as the American industry-funded Neah Bay stand-by tugboat in Washington State that has played a key role in preventing spills in our region, and
  - Ocean salvage equipment to remove cargo, fuels, and wreckage to prevent environmental damage.

September 30, 2016

Trans Mountain Pipeline Expansion Project (OH-001-2014)

- There continues to be a need for more citizen engagement by industry and the federal government on major vessel casualty and oil spill issues.
  - There should be secure, on-going funding to bring all communities together in community advisory councils to foster practical, workable solutions to oil spill prevention, preparedness and response gaps.
- Response Organization Standards:
  - The Standards should require response organizations to respond to spills larger than 10,000 tonnes.
  - It is unacceptable to us that Western Canada Marine Response Corporation has three days to muster sufficient equipment and resources in place for a 10,000 tonne spill in the Salish Sea. In that time, many of our shores would already be oiled.
  - In the Standards, the minimum requirement of 500 metres of shoreline to be treated each day is insufficient. In a large spill, this standard could leave inhabited shorelines untreated for months, putting public health at risk. Regionally-based solutions and standards should be developed in consultation with other levels of government, First Nations, and non-profit organizations in Canada and the United States.
  - The Standards should require industry response organizations to treat oiled wildlife, rather than expecting volunteers to take on this crucial role.
  - The Standards should require industry response organizations to regularly engage with local governments and First Nations.
  - The Standards should be able to keep pace with changes in vessel traffic, products, technology and climate. It is disappointing that the Response Organization Standards have not been updated since 1995.

Finally, an issue I did not raise in person, but would like to raise now, is the growing lack of public confidence our constituents convey to us about the federal review process for major projects. This confidence can be restored in many ways, but one of them is improved notice and inclusion of all interested parties. In 2015, the NEB provided inadequate notice for agencies like ours to decide whether to be commenters or intervenors. This panel itself issued its invitations on very short notice. Like many government bodies, our council meets only quarterly. We heard about the process from our partners in the non-profit sector. In the middle of summer, we were unable to get our research up to date or to develop a formal position for your consideration. We suggest that future reviews of industrial activities in the Salish Sea consistently recognize the Islands Trust as a strategic representative of local and regional government interests.

Thank you for serving the nation in this important work.

Sincerely,



Peter Luckham  
Chair, Islands Trust Council  
[pluckham@islandstrust.bc.ca](mailto:pluckham@islandstrust.bc.ca)

Attach: Islands Trust 2015 letter of comment



September 30, 2016

Trans Mountain Pipeline Expansion Project (OH-001-2014)

cc: Honourable Jim Carr, Minister of Natural Resources  
Honourable Marc Garneau, Minister of Transport, Infrastructure and Communities  
Aitchelitz First Nation  
Beecher Bay First Nation  
Bowen Island Municipal Council  
Campbell River First Nation  
Cape Mudge First Nation  
Cowichan Tribes  
Esquimalt First Nation  
Halalt First Nation  
Hwiltsun First Nation  
K'omoks First Nation  
Lake Cowichan First Nation  
Lyackson First Nation  
Malahat Nation  
Matsqui First Nation  
Musqueam First Nation  
Pauquachin First Nation  
Penelakut First Nation  
Popkum First Nation  
Qualicum First Nation  
San Juan County  
Seabird Island First Nation  
Sechelt First Nation  
Semiahmoo First Nation  
Skawahlook First Nation  
Skowkale First Nation  
Snaw-naw-as First Nation  
Snuneymuxw First Nation  
Songhees First Nation  
Squamish First Nation  
Stz'uminus First Nation  
Tli'amin First Nation  
Tsartlip First Nation  
Tsawout First Nation  
Tsawwassen First Nation  
Tseycum First Nation  
Tseil-Waututh First Nation  
T'Sou-ke First Nation  
Tzeachten First Nation  
Yakwekwioose First Nation  
Islands Trust Council  
Islands Trust website



200 - 1627 Fort St., Victoria, BC V8R 1H8  
Telephone **(250) 405-5151** Fax (250) 405-5155

Toll Free via Enquiry BC in Vancouver 660-2421. Elsewhere in BC **1.800.663.7867**

Email [information@islandstrust.bc.ca](mailto:information@islandstrust.bc.ca)

Web [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

August 18, 2015  
Via electronic submission  
National Energy Board  
517 Tenth Ave. S.W.  
Calgary, AB T2R 0A8

File No.: 5450-30

Dear Mr. David Hamilton, Ms. Alison Scott and Mr. Philip Davies,

**Re: Islands Trust Council comments on the proposed Trans Mountain Pipeline Expansion Project**

I am writing on behalf of the Islands Trust Council to comment about the Trans Mountain Pipeline Expansion Project (Project). Through this letter I will explain why the Islands Trust Area merits special oil spill prevention measures, why the Islands Trust Council opposes the Project, and outline some topics of concern related to marine oil spill risks.

We are concerned that marine spills from the Project would prevent achievement of the Islands Trust Council's provincial object, and the environmental and socio-economic goals contained in the Islands Trust Policy Statement. This letter will address topics that are relevant to issue 5 from the National Energy Board's List of Issues - *The potential environmental and socio-economic effects of marine shipping activities that would result from the proposed Project, including the potential effects of accidents or malfunctions that may occur.*

***The Islands Trust Council opposes  
the Trans Mountain Pipeline Expansion Project.***



Photo Credit: David Rippner, PICA

Preserving **Island** communities, culture and environment

Bowen Denman Hornby Gabriola Galiano Gambier Lasqueti Mayne North Pender Salt Spring Saturna South Pender Thetis

## Who we are and why we care

The Islands Trust Council is an elected local government body, established through the Province of British Columbia's *Islands Trust Act*, in recognition of the provincial significance of the environment and communities of British Columbia's southern coastal islands and waters. Section 3 of the *Act* states:

*"The object of the trust is to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of British Columbia generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the government of British Columbia."*<sup>i</sup>

The *Act* establishes the Islands Trust Council's area of jurisdiction which includes the islands and waters indicated on



Islands Trust Area

the following map. The Islands Trust Council is accountable to residents, electors and property tax payers on the islands shown in green on this map, plus many other islands and islets, numbering almost 500. The Islands Trust Area has 1,363 kilometres of marine shoreline; with 290 kilometres of this shoreline in publicly protected areas and parks.

## Our sensitive region merits special measures

As required by provincial legislation, the Islands Trust Council has adopted the [Islands Trust Policy Statement](#), a provincially-approved document that articulates the way we will carry out our mandate. It states that *The Trust Area is valued and is unique, not because of any one quality or feature, but rather because of its particular combination of characteristics and location*,<sup>ii</sup> and describes the Trust Area as follows:



Photo Credit: Kristine Mayes

*The Trust Area is a unique and special place -- a scenic archipelago of 13 major islands and more than 450 smaller islands. The Area is drier and warmer than most surrounding areas, and is rich in resources and cultural history. The Trust Area provides habitats for an exceptional variety of species: more than 200 types of migratory and resident birds, numerous species of fish and diverse marine and intertidal life, terrestrial wildlife and vegetation. Outstanding scenery and recreational resources include panoramic viewpoints, sheltered bays with warm sand or pebble beaches and protected marine waterways and anchorages that contribute to the Trust Area's beauty and appeal.<sup>iii</sup>*



Photo Credit: Howard Fry

The Islands Trust Policy Statement explains that:

*The significance and sensitivity of the Trust Area, and the need for protective measures was internationally recognized more than 20 years ago. In 1973, an International Joint Commission proposed that the islands and waters adjacent to the British Columbia-Washington State border be protected as an international park in order to maintain water quality and to preserve and protect marine and land-based wildlife habitats and archaeological and historical sites.*

*At the same time, concerns were being raised at the provincial level. In 1972 an all-party special committee of the legislature was established to investigate the unique problems facing the Trust Area. The committee concluded that pressures arising from the Area's proximity to major urban centres were damaging the very features that made the Trust Area so attractive to residents and visitors. In response to these findings, the provincial government enacted the Islands Trust Act in 1974.<sup>iv</sup>*



Photo Credit: Tom Hobley



The Islands Trust Area's natural abundance and beauty has attracted people for thousands of years. The rich diversity of life makes the Islands Trust Area ecologically significant, not only locally, but globally. Most of the region is within the Coastal Douglas-fir zone, one of the rarest of British Columbia's 16 biogeoclimatic zones. The Islands Trust Area is home to many sensitive ecosystems and hundreds of rare terrestrial and marine plants and animals. Despite its ecological significance, biodiversity in the Islands Trust Area is exposed to some of the highest threat levels in British Columbia. With almost 3.5 million people living in the areas surrounding the Islands Trust Area, and more than seven million people living in the areas around the Salish Sea, the pressures on the ecology of this region are immense. The challenges will only increase with climate change.

Our sensitive waters provide a marine highway for all sorts of products. Shipping volumes have grown and products have changed with little consideration by senior governments of the special values at risk in this region and the cumulative impacts to our natural and human communities from increasing vessel traffic.

*The Salish Sea is one of the  
most biologically rich inland seas in the world.*



Photo Credit: Don Gordon



Photo Credit: Peter Luckham

A large oil or diluted bitumen spill resulting from the Project or an oil tanker collision or malfunction could have devastating impacts on the abundant biodiversity of the Salish Sea and could significantly affect species already at risk, as well as harm the livability and economic well-being of island communities. Our local marine conditions, which include very strong tidal currents in excess of 10 knots at the passes into the gulf islands and large tidal ranges throughout, make effective oil spill clean-up impossible or extremely challenging and costly at best.

The federal government's Tanker Safety Expert Panel's 2013 report stated that the waters around the southern tip of Vancouver Island were one of four areas in Canada with the highest probability of a large spill. The report also stated that the southern coast of British Columbia, including Vancouver Island, was one of two areas in Canada with the highest potential impact from a spill.<sup>v</sup>

In the Salish Sea, vessels are often close to shore, making oil spill prevention all the more critical because there is so little time available before swift tidal currents bring the oil onto shorelines. Even if the spill is far from shore, shorelines are likely to be affected as explained by the Pacific States/British Columbia Oil Spill Task Force in 2011:

*A spill east of Port Angeles or Victoria would probably be held in a circular gyre and migrate into the Gulf and San Juan Islands, likely resulting in a longer, more laborious shoreline cleanup effort.*<sup>vi</sup>

In June 2012, five Trust Council members attended a Western Canada Marine Response Corporation 2-day 10,000 tonne oil spill exercise in which the oil spill simulation software indicated that more than 30 kilometers of Islands Trust Area shoreline would be oiled within 24 hours.

Once oil is stranded on shores, we expect lower than average recovery rates because the Salish Sea's sheltered waters are not as effective at naturally washing and flushing shorelines compared with more exposed ocean environments.



Photo Credit: Bruce McConchie



Photo Credit: Kate-Louise Stamford



We are also concerned that the presence of sediment from the Fraser River in the Salish Sea will hasten the sinking of spilled oils, including diluted bitumen. Regardless of preparedness levels, this Project presents an unacceptable increase in risk given the limitations of the effectiveness of oil spill response in the specific conditions of our region. Nuka Research and Planning Group explained in a 2015 report:

*During the winter, response is not possible between 56% and 78% of the time at sites along the Trans Mountain tanker route.<sup>vii</sup>*



Photo Credit: Don Gordon

The transboundary nature of the Salish Sea also merits serious consideration. We are concerned that the multi-jurisdictional coordination required during a trans-boundary spill could complicate and delay effective response. The Islands Trust Council shares responsibility with San Juan County in Washington State to advocate for exemplary stewardship of the islands and waters of the Salish Sea. The theme of oil spill prevention and response is a routine topic of our annual joint meetings. In 2010, our local governments wrote a joint letter requesting a joint United States of America and Canada cooperative review of maritime safety standards, and in 2013 we wrote a joint letter to Canada's Tanker Safety Expert Panel requesting improvements in the oil spill regime improvement to reflect the special political and geographic circumstances of the Salish Sea. In June 2014, staff from both our agencies attended the CANUSPAC TTX 2014 table top oil spill exercise between the Canadian and United States Coast Guards. We worry that the complexities of both a local and a transboundary response will be made even more complex by the difficulty in tracking entrained, submerged or sunken oil from an incident with a Project related vessel.

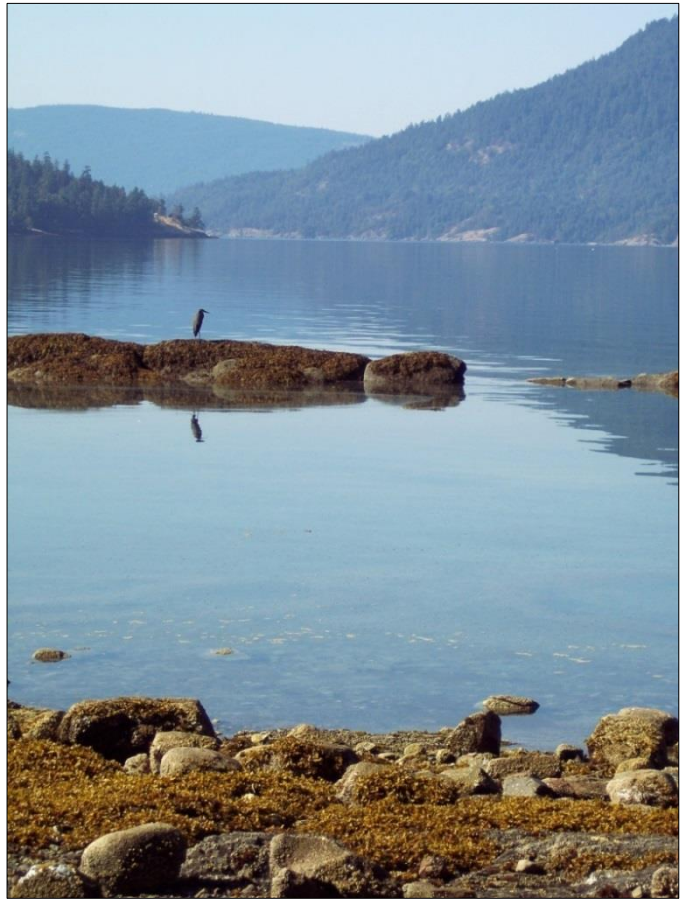


Photo Credit: Linda Adams



**Our position: we oppose tanker traffic expansion (short term) and support phase out (long term).**

Within our legislated mandate, the Islands Trust Council has had an ongoing interest in marine health and oil spill issues since 1979. After the grounding of a bulk carrier in our area in 2009, our Council increased its commitment to advocating for oil spill prevention, preparedness, and response, including safer marine shipping practices. This commitment led to the following resolutions in June 2012:

***The Islands Trust Council opposes oil pipeline projects that lead to the expansion of oil export by barge and tanker from Canada's west coast due to concern about the risk of oil spills that could irrevocably damage coastal environments, economies, and communities.***

***Further, the Islands Trust Council supports the phasing out of crude oil export from Canada's West Coast by tanker and barge as part of a national energy strategy.***

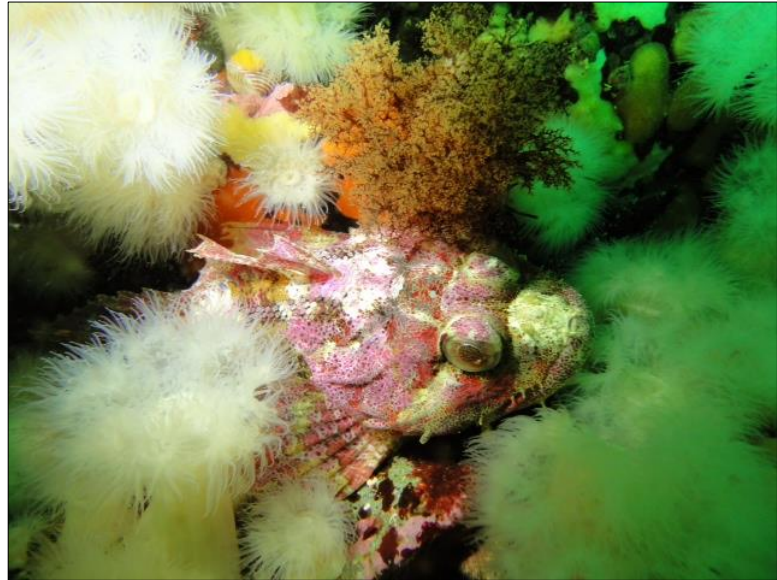


Photo Credit: Don Gordon

This is the Islands Trust's third letter to the National Energy Board regarding the Trans Mountain Pipeline Expansion Project. The first was sent [June 16, 2011](#), about Trans Mountain Pipeline ULC's Firm Service Application (RH-2-2011). The second was sent [December 2, 2011](#), regarding the need for public hearings and public consultation related to the Project. Discouragingly, in the last four years, there has been no evidence to alleviate the nature and substance of our concerns relating to oil spill prevention, preparedness, recovery and response.



Photo Credit: Kristine Mayes

Indeed, our worries have increased as we learn of continuing cuts to federal departments responsible for marine shipping and oil spill response at the same time as a staggering number of new shipping projects are being proposed for the Salish Sea.

The bottom line is that even a moderate oil spill in the Islands Trust Area would have serious, negative environmental and socio-economic effects. I will highlight a few of our concerns below:



Photo Credit: Kristine Mayes

#### Environmental effects

The environmental effects of a large oil spill from a Project-related marine shipping accident or malfunction would be devastating. Just how devastating seems impossible to tell as there is still so much unknown about the behaviour of unconventional oils in the marine environment.

On [November 2, 2011](#), the previous Islands Trust Chair wrote to the federal Minister of Transport, Infrastructure and Communities on behalf of the Islands Trust Council to ask for information about Transport Canada's plans for assessing unconventional oil spill preparedness and its plans to develop appropriate responses in collaboration with other federal departments, spill response organizations, the Canadian Coast Guard and industry. While we are pleased that the federal government subsequently undertook research and published a report in 2013 on the Properties, Composition and Marine Spill Behaviour, Fate and Transport of Two Diluted Bitumen Products from the Canadian Oil Sands<sup>viii</sup>, we remain doubtful that there is certainty about: 1) how all unconventional oils will affect our sensitive marine ecosystems and human health; and 2) that these products can be adequately recovered in the unique conditions of the Salish Sea.



Photo Credit: Lisa Gordon

Local governments routinely require proponents to provide studies about the environmental impacts and risks associated with their proposed projects. We are disappointed that the NEB and Transport Canada have permitted diluted bitumen and other unconventional oil shipments in the Salish Sea without first requiring peer-reviewed evidence from Kinder Morgan Canada about the fate and behaviour of these products.



We remain concerned at the lack of sufficient study into the fate and behaviour of diluted bitumen with condensate (dilbit), synthetic bitumen (syncrude), diluted bitumen with syncrude (synbit) and heavy conventional crude oils diluted with syncrude (dilsynbit) in the complex conditions present in the Salish Sea.



Photo Credit: Don Gordon

Our constituents regularly convey their alarm that the National Energy Board and the federal government already permit shipment of these products in tankers through our sensitive marine areas without first requiring industry to provide certainty that they can be sufficiently tracked and recovered with existing technologies. We understand that strategies to contain sunken oil have not progressed beyond the conceptual stage.<sup>ix</sup>

In a May 29, 2014 report to the US Congress, the United States Coast Guard stated:

*From an oil spill response perspective, it is important to have awareness of the environmental fate and behavior of Canadian oil sands products once they are released into the aquatic environment. Currently, there is scientific uncertainty about how Canadian oil sands products would weather and behave in aquatic environments at different ranges of temperatures, salinity, and sedimentation. There is also uncertainty about the extent that the diluent will separate from Canadian oil sands products under different spill conditions. These uncertainties can pose a major challenge to oil spill responders. Typically, oil sands products are classified as Group IV oil for contingency planning, but during a spill may not behave as such. Additionally, the evaporation of volatile components of the diluents in Canadian oil sands products results in potentially toxic and/or flammable VOCs in the atmosphere above the spill. The initial portion of an oil sand product response would emphasize minimizing public and responder hazards from light VOCs that would volatilize in the first several hours/days of the event.<sup>x</sup>*

The likely delays in response while volatilizing light VOCs from a diluted bitumen spill disperse in our area is of enormous concern to us as Nuka Research and Planning Group has explained that:

*Diluted bitumen, when spilled, undergoes a rapid increase in viscosity (stickiness) that can make it very difficult to recover with some skimmer and pump systems. The characteristics of the oil may change so rapidly that by 15 hours after the spill occurs, it cannot be recovered with conventional weir skimmers. After just over two days, the oil may be so viscous that it cannot be recovered even by specially designed viscous oil skimming and pumping systems.<sup>xi</sup>*



Photo Credit: Tom Hobley

Anyone who spends time on the water here is witness to the complex web of symbiotic relationships that exists amongst our marine species; birds mammals, fish, reptiles, macro-invertebrates, etc. We are justifiably concerned that an oil spill from the Project, even a small one, could result in lasting contamination of this intricate and fragile web of life. Contamination or depletion of the Salish Sea food web would be devastating for vulnerable species and impacts would be felt by species across the entire region.

#### Socio-Economic effects

We are deeply concerned about the potential severe, long-term, negative socio-economic effects that the Project could have on our island communities. Islanders' health, businesses, property values and enjoyment of the natural world all depend on a healthy environment.

We are concerned about the lack of information available about the human health risks that could result from potentially toxic and/or flammable VOCs in the atmosphere in the first hours after a spill of diluted bitumen into the marine environment.

We are also concerned about the lack of information available to islanders about roles and responsibilities, and the lack of support and training for existing volunteer emergency responders, typically volunteer firefighters, who may be expected to play a role in an oil spill response by assisting with scene management and/or keeping convergent volunteers off oiled beaches. I note also that Improvement Districts and Regional Districts, the local authorities with jurisdiction over local emergency responders and local Emergency Social Services established through the provincial emergency programs, have no mandate, training or resources to manage the unexpected consequences of citizen contact with hazardous waste materials.

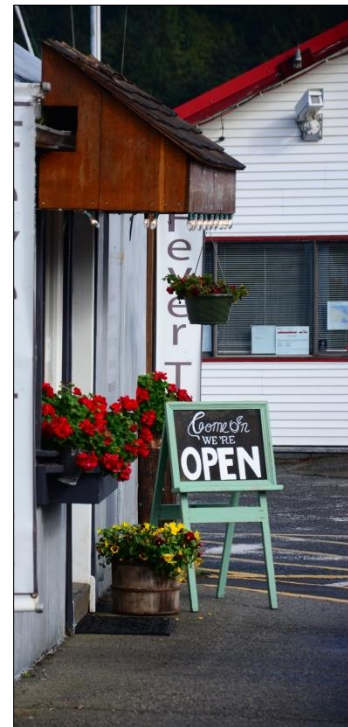


Photo Credit: Kristine Mayes



Many island residents may be especially vulnerable to the health impacts associated with oil spills. The median age of the Islands Trust Area population in 2011 was 55 years, with some island communities along the tanker route having even older median ages such as Galiano Island (59 years), North Pender Island (58.3 years), South Pender Island (61.8 years), Saturna Island (60.6 years), and Mayne Island (61.5 years).<sup>xii</sup>



Photo Credit: Kristine Mayes

There are limited emergency care facilities on most of our islands, and we have many small populated islands with no services, where marine transportation during an oil spill could be challenging.

We are already aware of significant stresses on the marine environment from climate change, ocean acidification and pollution. Islanders and fishers are justifiably concerned that an oil spill from the Project would result in lasting contamination of our seafood and marine resources, resulting in devastation to our health, culture and economy. One of the greatest pleasures of living on a Gulf Island is to gather food from the sea whether it is crab, oysters, clams, prawns, ling cod, bottom fish or salmon.

In May 2015, Jeffrey W. Short, PhD, an expert on oil spill effects, asserted that:

*Because of the susceptibility of diluted bitumen to submerge or sink, tracking the oil to shorelines would be especially problematic, creating persistent uncertainty regarding the extent and duration of oil contamination. If oil penetrates beneath the surface of beaches, especially at undocumented locations as is very likely should a large spill occur, persistent retention of the oil may lead to unanticipated encounters by the public over the course of decades. Such encounters degrade tourism values, especially in national parks such as the Gulf Islands and Pacific Rim National Parks, and threaten subsistence harvest traditions of First Nation peoples, who may feel justifiably uncomfortable consuming plants and animals collected from shorelines where oil contamination persists.*<sup>xiii</sup>



Photo Credit: Bruce McConchie



Finally, we are concerned about the risks the Project poses to the wildlife and ecosystems that we are entrusted to preserve and protect in cooperation with others. Endangered Southern Resident Killer Whales are iconic in this region. This year, many islanders and visitors celebrated the first baby orcas born in three years, but the population remains fragile with only 81 individuals. We are concerned about the increasing impact of vessel noise on these and the other marine mammals in our waters. From our perspective, nestled as we are in the Salish Sea, and given the natural values at risk, it is difficult to conceive how this Project could possibly be in the public interest.



Photo Credit: Kristine Mayes

A large oil spill from a Project-related marine shipping accident or malfunction could dramatically reduce oceanfront property values, both in the short and long-term. The approximately 8,000 shoreline properties in the Islands Trust Area have a combined assessed value of \$3.3 billion and contain \$1.3 billion worth of improvements. A reduction in property values could result in a substantial property tax shift for our residents at a time that they would be facing other economic downturns associated with the oil spill.

The Islands Trust Council is also concerned that an oil spill resulting from a vessel accident or malfunction could affect its own financial interest in ecologically sensitive properties. The Islands Trust Council funds the Islands Trust Fund, a land conservancy that owns ocean-front nature reserves with a combined 1.4 km of shoreline and combined property values of \$3.65 million. The Islands Trust Fund also holds an interest in 18 additional ocean-front properties through conservation covenants registered on land titles, protecting a further 10 km of shoreline. If these properties' shorelines were oiled due to a marine shipping accident or malfunction, our stakeholders might expect the Islands Trust Council (through local tax levies) to pay for costly remediation over and above the 'reasonable' clean-up measures taken by the spiller in order to restore the values originally identified as needing protection. Our stakeholders would also likely expect the Islands Trust Council to provide funding to the Islands Trust Fund to undertake enhanced environmental monitoring on these properties for years into the future.



Photo Credit: Kristine Mayes

## Conclusion

We respectfully request that you recommend that the Governor in Council reject the proposed Trans Mountain Pipeline Expansion project.

Thank you for considering this request. We cherish this place and govern it in trust for all British Columbians. In our opinion, the unique conditions and special values of the Salish Sea demand enhanced levels of oil spill prevention, *including the phasing out of oil tanker traffic.*

The Islands Trust Policy Statement states:

*To achieve its [preserve and protect] object, the Islands Trust must be an educator, coordinator, and initiator, guiding individuals, organizations and other agencies in support of the object. While the Islands Trust can provide the necessary leadership, responsibility for stewardship of the Trust Area rests with many. Individuals, other government agencies, organizations, and the Province itself all have important roles to play. Cooperative actions are required of other agencies, organizations and individuals to ensure that activities are carried out in a manner that is sensitive to the needs of Trust Area ecosystems and island communities<sup>xiv</sup>.*



Photo Credit: Kristine Mayes

Before you make a final decision to recommend approval or rejection of the Project, I personally invite you to visit one or more of our islands at a low tide event. The citizens of British Columbia recognized the world-class natural values and amenities of this area by creating special legislation (*Islands Trust Act*) to protect it, and we'd like you to know the Salish Sea before your work is done. We will welcome you warmly and share our love of the shorelines, marine life and island communities the Trans Mountain Pipeline Expansion Project would jeopardize.

I look forward to hearing from you.

Sincerely,



Peter Luckham  
Chair, Islands Trust Council  
[Pluckham@islandstrust.bc.ca](mailto:Pluckham@islandstrust.bc.ca)

National Energy Board  
August 18th, 2015  
Letter of Comment on Trans Mountain Pipeline Expansion Project (OH-001-2014)

cc: Bowen Island Municipal Council  
San Juan County  
Islands Trust Council  
Islands Trust website

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<sup>i</sup> [Islands Trust Act](#), R.S.B.C. 1996 C- 239 s. 1(3)

<sup>ii</sup> [Islands Trust Policy Statement](#), page 6

<sup>iii</sup> [Islands Trust Policy Statement](#), page ix

<sup>iv</sup> Islands Trust Policy Statement, page ix

<sup>v</sup> These statements were based on a January 2014 report by WSP Canada Inc *Risk Assessment for Marine Spills in Canadian Water: Phase 1, Oil Spills South of the 60th Parallel*. (Filing # A4L7F4, page 8 of PDF)

<sup>vi</sup> Pacific States/British Columbia Oil Spill Task Force. (2011). [Final Project Report of the Stakeholder Workgroup Review of Planning and Response Capabilities for a Marine Oil Spill on the U.S./Canadian Transboundary Areas of the Pacific](#). (NEB Filing #A3W8K4, page 235 of PDF).

<sup>vii</sup> Nuka Research and Planning Group, LLC. (2015). [Technical Analysis of Oil Spill Response Capabilities and Limitations and Limitations for Trans Mountain Expansion Project for Trans Mountain Expansion Project](#). (NEB Filing #A4L7Y6, page 8 of PDF).

<sup>viii</sup> Government of Canada. (2013). [Properties, Composition and Marine Spill Behaviour, Fate and Transport of Two Diluted Bitumen Products from the Canadian Oil Sands](#). (NEB Filing #A4Q2L1)

<sup>ix</sup> Counterspil Research Inc. (2011). [A Review of Countermeasures Technologies for Viscous Oils that Submerge](#). (NEB Filing #A4L9S1, page 15 of PDF).

<sup>x</sup> United States Coast Guard (2014). [Risk Assessment of Transporting Canadian Oil Sands Report to Congress](#). (NEB Filing #A4H9Q1, page 22 of PDF).

<sup>xi</sup> Nuka Research and Planning Group, LLC. (2015). [Technical Analysis of Oil Spill Response Capabilities and Limitations and Limitations for Trans Mountain Expansion Project for Trans Mountain Expansion Project](#). (NEB Filing #A4L7Y6, page 98 of PDF).

<sup>xii</sup> Statistics Canada. [Census Profile of 12 Local Trust Areas, the Municipality of Bowen Island, the Islands Trust Area and BC, 2011 Census](#). (CRO0131546\_DM.5)

<sup>xiii</sup> Short, Jeffrey W. (2015). [Fate and Effect of Oil Spills from the Trans Mountain Pipeline Expansion Project in the Gulf Islands, Strait of Juan de Fuca, and the Fraser River, British Columbia](#). (NEB Filing #A4L9R8, pages 10 and 11 of PDF).

<sup>xiv</sup> [Islands Trust Policy Statement](#), page 7.



200 - 1627 Fort Street, Victoria BC V8R 1H8  
Telephone **(250) 405-5151** Fax (250) 405-5155

Toll Free via Enquiry BC in Vancouver 604.660.2421. Elsewhere in BC **1.800.663.7867**

Email [information@islandstrust.bc.ca](mailto:information@islandstrust.bc.ca)

Web [www.islandstrust.bc.ca](http://www.islandstrust.bc.ca)

December 12, 2016

File No.: 5450-30

Via email: [pm@pm.gc.ca](mailto:pm@pm.gc.ca)

The Right Honourable Justin Trudeau, P.C., M.P.  
Prime Minister of Canada  
Office of the Prime Minister of Canada  
80 Wellington Street  
Ottawa ON K1A 0A2

Dear Prime Minister:

**Re: Trans Mountain Pipeline Expansion Approval**

I am writing on behalf of the Islands Trust Council to express our profound disappointment about the federal government's decision to approve the Trans Mountain Pipeline Expansion Project. This decision leaves our special region vulnerable to oil spill risks that you deemed unacceptable for British Columbia's north coast.

The Islands Trust Council has been concerned with oil spill and oil tanker issues since 1979. As early as 1983, the Islands Trust Policy Statement included a policy to oppose increased oil tanker traffic in and adjacent to Trust waters and to support measures to reduce such traffic. In 2012, the Islands Trust Council encouraged the Minister of Natural Resources to support the phasing out of crude oil export from Canada's West Coast by tanker and barge as part of a national energy strategy.

Our island constituents have consistently demonstrated overwhelming opposition to this project. Those who love this region are appalled by the idea that our waterways will face increased spill risks and the survival of marine mammals such as orca will be threatened – so that a company can ship bitumen that will further imperil this region and the planet when it is burnt.

There is absolutely no benefit for our region. Enhanced investments in oil spill preparedness are welcome but are so long overdue they in no way make up for the heightened risks this project presents. A diluted bitumen spill resulting from the Project or an oil tanker collision or malfunction could have devastating impacts on the abundant biodiversity of the Salish Sea and could significantly affect species already at risk, as well as harm the liveability and economic well-being of island communities. Our local marine conditions, which include very strong tidal currents in excess of 10 knots at the passes into the Gulf Islands and large tidal ranges throughout, make effective oil spill clean-up impossible or extremely challenging and costly at best.

As a small local government, we dedicated resources to participating in both the National Energy Board process and the Ministerial Review panel process. In the absence of detailed, credible and meaningful answers from the federal government to the six questions posed by the Ministerial Review panel, we don't feel that our input, and the input of our constituents, was heard or valued.

There are 37 First Nations who have asserted Aboriginal interests in the Trust Area – 10 of these are Douglas Treaty Nations with established fishing and harvesting rights in the Gulf Islands. Although we copy First Nations on all correspondence such as this, we have not directly heard their positions on the Trans Mountain Pipeline Expansion Project. Given our commitment to establishing and maintaining a mutually respectful relationship with First Nations, we offer the Islands Trust position while being ready to respectfully consider their positions.

.../2



The Islands Trust was created by provincial legislation in 1974 in recognition of the unique fragility of the ecology of the 470 or so Gulf Islands in the Salish Sea. Twenty-five thousand people live within the Islands Trust Area. Another 13,000 are non-resident property owners. The Strait of Georgia is among the most productive marine ecosystems in the world.

We cherish this place and govern it in trust for all British Columbians.

Sincerely,



Peter Luckham  
Chair, Islands Trust Council  
[pluckham@islandstrust.bc.ca](mailto:pluckham@islandstrust.bc.ca)

cc: Christy Clark, Premier of British Columbia  
Aitchelitz First Nation  
Beecher Bay First Nation  
Campbell River First Nation  
Cape Mudge First Nation  
Chemainus First Nation  
Cowichan Tribes  
Esquimalt First Nation  
Halalt First Nation  
Hwiltsun First Nation  
K'omoks First Nation  
Lake Cowichan First Nation  
Lyackson First Nation  
Malahat Nation  
Matsqui First Nation  
Musqueam First Nation  
Nanaimo First Nation  
Nanoose First Nation  
Pauquachin First Nation  
Penelakut First Nation  
Popkum First Nation  
Qualicum First Nation

Seabird Island First Nation  
Sechelt First Nation  
Semiahmoo First Nation  
Skawahlook First Nation  
Skowkale First Nation  
Sliammon First Nation  
Songhees First Nation  
Squamish First Nation  
Tsartlip First Nation  
Tsawout First Nation  
Tsawwassen First Nation  
Tseycum First Nation  
Tsleil-Waututh First Nation  
Sooke First Nation  
Tzeachten First Nation  
Yakwekwioose First Nation  
Islands Trust Area MPs  
Islands Trust Area MLAs  
Bowen Island Municipal Council  
San Juan County Council  
Islands Trust Council  
Islands Trust website

From: Prime Minister/Premier Ministre [<mailto:PM@pm.gc.ca>]  
Sent: Wednesday, February 15, 2017 9:37 AM  
To: Jas Chonk  
Cc: James Carr, P.C.,M.P.  
Subject: Office of the Prime Minister / Cabinet du Premier ministre

Dear Jas Chonk:

On behalf of the Right Honourable Justin Trudeau, I would like to acknowledge receipt of your correspondence. I regret the delay in replying.

Thank you for taking the time to write to the Prime Minister. You may be assured that your comments, offered on behalf of the Islands Trust Council, have been carefully reviewed.

As you likely know, the Government of Canada has stated its commitment to grow our economy while protecting the environment Canadians cherish. On November 30, 2016, the Prime Minister delivered an announcement regarding the approval of the Trans Mountain Expansion Project and the Line 3 Replacement Project. This announcement can be found on the Prime Minister's website at [www.pm.gc.ca/eng/news/2016/11/30/prime-minister-justin-trudeaus-pipeline-announcement](http://www.pm.gc.ca/eng/news/2016/11/30/prime-minister-justin-trudeaus-pipeline-announcement). For more information regarding the Energy Pipeline Projects, you may wish to visit the following Natural Resources website: <https://www.nrcan.gc.ca/energy/resources/19120>.

Since the issues you raise fall more directly within the purview of the Honourable James Carr, Minister of Natural Resources, I have taken the liberty of forwarding your correspondence to Minister Carr for his information and consideration.

Once again, thank you for writing.

K. Black  
Executive Correspondence Officer  
Agent de correspondance  
de la haute direction