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April 15, 2019

File No.: 11-5020-30

Via e-mail: [CEAA.PanelRBT2-CommissionRBT2.ACEE@canada.ca](mailto:CEAA.PanelRBT2-CommissionRBT2.ACEE@canada.ca).

Review Panel Secretariat, Roberts Bank Terminal 2 Project  
c/o Canadian Environmental Assessment Agency  
22nd Floor, 160 Elgin St. Ottawa ON K1A 0H3

**RE: ISLANDS TRUST SUBMISSION - ROBERTS BANK TERMINAL 2 PROJECT PUBLIC HEARING**

Dear Review Panel members:

Thank you for providing an opportunity to comment on the Roberts Bank Terminal 2 Project (RBT2). I am writing on behalf of the Islands Trust Council to provide comments on the marine shipping components of the proposed Roberts Bank Terminal 2 Project.

**ABOUT US**

As a special-purpose local government, the Islands Trust Council does not have expertise related to shipping or marine-transport risk assessments, but has had a direct interest in preventing oil spills in the Salish Sea since 1979.

The Islands Trust Council is a federation of local government bodies representing 26,000 people living within the Islands Trust Area. The Islands Trust Council is an elected 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 *Islands Trust 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."*

The area covers the islands and waters between the British Columbia mainland and southern Vancouver Island. It includes 13 major and more than 450 smaller islands covering 5200 square kilometres.

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. A large oil spill resulting from risks associated with increased marine traffic or increased vessel sizes 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

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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. Oil spills in the Salish Sea will not readily flush out to deep sea and disperse. These unique conditions and special values justify enhanced levels of consideration and caution.

In 2013, the Islands Trust Council took an early interest in the potential marine traffic impacts of the proposed Roberts Bank Terminal 2 Project and passed the following resolution:

*“That the Islands Trust Council request the Chair to write to the Canadian Environmental Assessment Agency requesting that Port Metro Vancouver be required to study how the increased marine traffic that would result from the Roberts Bank Terminal 2 Project would impact the ecosystems, species, and communities of the Salish Sea, including an oil spill risk assessment.”*

The Islands Trust Council has not passed a resolution specifically about Roberts Bank Terminal 2 but has long taken the position that the impacts of marine shipping should be considered when infrastructure projects are assessed and we are glad that marine shipping associated with the project will be considered as part of the designated project under the *Canadian Environmental Assessment Act, 2012* (CEAA). We believe that this is essential as a Transport Canada report from 2013 indicated 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.

## **OUR CONCERNS**

### **Insufficient rescue tug and salvage capabilities in the Salish Sea**

We understand that the RBT2 Project would be designed to accept ultra-large container ships (ships with length greater than 390m and/or capacity greater than 15,000 TEUs). Within a context of growing vessel traffic and increasing vessel sizes in the Salish Sea, we believe there is insufficient emergency capacity with respect to towing tugs of opportunity in the region with the necessary bollard pull capability, the necessary equipment, and properly trained crews ready to respond at a moment's notice in poor weather and heavy seas. There is a need for an equivalent in Canada to Washington State's Neah Bay emergency response towing vessel. It is our position that prior to any further increase in vessel traffic, there should be a requirement that industry invest in standby emergency tugs in strategic locations with salvage capabilities that could stop a 'vessel in trouble' situation from turning into a catastrophic spill situation.

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In May 2018 our Council, along with San Juan County Council, wrote jointly to Minister Garneau to request that a standby rescue tug be located in Sidney, British Columbia and available to Turn Point, off Stuart Island. In the narrow waterways and anchorages of the Salish Sea, there is a very limited window of time to respond before a vessel experiencing a loss of propulsion or steering might potentially run aground on the many reefs, or shoreline, or worse - collide with another vessel. A standby, emergency towing vessel is a key resource to help prevent oil spills in this ecologically-significant region characterized by many islets and submerged reefs surrounded by fast moving currents.

### **Underwater noise**

Despite an international reputation as a pristine environment, the Salish Sea faces immense pressure from ever-increasing levels of industrialization, marine shipping traffic, and climate change. Into this already stressed environment, the Roberts Bank Terminal 2 Project will support 260 more vessel calls a year (520 vessel movements). There is growing concern that this increase in vessel traffic, with its increase in underwater noise, could be the death knell for the endangered Southern Resident Killer Whale population which are protected under the federal *Species at Risk Act* (SARA). To us, risking the existence of the iconic and beloved Southern Resident orca is not in the national interest. We are concerned that an increase in marine vessels in the Salish Sea resulting from this project would likely result in significant adverse effects to the Southern Resident Killer Whale population.

### **Air emissions**

There are also concerns about air emissions near shipping lanes in the Islands Trust Area from an increase in vessels due to the Roberts Bank Terminal 2 vessels particularly in light of cumulative effects on air quality from increasing vessel traffic generally.

### **Anchorage**

There are also concerns that the Roberts Bank Terminal 2 container vessels may end up at anchor in the event of operational or product delivery issues. Currently, anchorages that do not fall under the jurisdiction of a port authority, such as those in the Gulf Islands, may be used by commercial vessels as part of the common law right of navigation in Canada. We are concerned that large container vessels anchored in the Gulf Islands would pose an oil spill risk and would be subject to anchor dragging in the wind due to their height.

At its September 2018 meeting, the Islands Trust Council called on the federal government to work towards eliminating the use of 33 commercial freighter anchorages throughout the Southern Gulf Islands, an area Transport Canada refers to as the South Coast of British Columbia.

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Over the past 10 years, the number of coal, grain and break bulk cargo ships anchoring in the Gulf Islands region while waiting to access the Port of Vancouver has increased dramatically. Residents have had enough of the increased number of vessels, the increasing size of these vessels and the longer periods of time that ships spend at anchor. While at anchor these ships generate significant amounts of unnecessary noise, light, and air pollution. There are many local concerns about the potential risks these vessels pose to the marine environment, marine species, and oil spills.

Industry and government predict anchorage use will continue to increase unless the federal government and the Port of Vancouver implement solutions. For ten years, the Islands Trust has worked collaboratively with industry and the federal government on resolving anchorage issues. The Islands Trust has asked for a twenty-year mitigation plan that would reduce the need for vessels to go to anchor.

### **Cumulative Effects**

There are limits to what our environment can withstand. We are concerned that we are nearing the breaking point. In September 2016, the Union of BC Municipalities endorsed an Islands Trust resolution calling on Transport Canada to assess the cumulative risks and impacts associated with projected vessel traffic increases in the Salish Sea and develop an innovative twenty-year mitigation plan. We are pleased that some studies will be done under the Oceans Protection Plan but are concerned that you will not have the resulting information to inform your decision about the Roberts Bank Terminal 2 Project.

### **Climate change**

In March 2019, the Islands Trust Council joined local governments from around the world in declaring a climate emergency. The impacts of climate change are being felt everywhere. For the islands in the Salish Sea, those impacts can be seen through more extreme and unpredictable weather patterns, sea level rise, increasingly acidic oceans, and drier summers characterized by smoke-filled air due to forest-fires in nearby jurisdictions. We encourage you to deeply consider the climate implications associated with approving this project. In addition, please consider that risk statistics from the past about marine accidents may no longer be helpful in a changing environment. Your decisions to facilitate bringing larger vessels into our special region characterized by narrow waterways should account for the fact that incidences of high winds and storm surge are likely to increase.

Thank you for considering our requests. I invite you to visit our islands. I would be more than happy to show you first-hand the shorelines, marine life and island communities that make this region such a Canadian and global treasure.

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As you undertake your deliberations on this project, please keep in mind this policy direction from the Islands Trust Policy Statement:

*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.*

On behalf of the Islands Trust Council, thank you for accepting this submission.

Yours sincerely,



Peter Luckham

Chair, Islands Trust Council

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cc: Islands Trust Area MPs  
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Cowichan Tribes  
Halalt First Nation  
Homalco First Nation  
Klahoose First Nation  
K'ómoks First Nation  
Lake Cowichan First Nation  
Lekwungen (Songhees) Nation  
Lyackson First Nation  
MÁLEXEŁ (Malahat) Nation  
Penelakut Tribe  
Qualicum First Nation  
Scia'new (Beecher Bay) First Nation  
SEMYOME (Semiahmoo) First Nation  
shíshálh First Nation  
Snuneymuxw First Nation  
Skwxwú7mesh (Squamish) Nation  
Snaw-naw-as (Nanoose) First Nation

SṪÁUTW (Tsawout) First Nation  
Stz'uminus First Nation  
SXIMEŁŁ (Esquimalt) Nation  
Tla'amin (Sliammon) Nation  
Tsawwassen First Nation  
Tsleil-Waututh Nation  
T'Sou-ke Nation  
Wei Wai Kum (Campbell River) First Nation  
We Wai Kai (Cape Mudge) First Nation  
WJOŁEŁP (Tsartlip) First Nation  
WŚIKEM (Tseycum) First Nation  
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