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File Number: 0400-20; 5020-30

Via Email: vija.poruks@tc.gc.ca

Vija Poruks
Oceans Protection Plan
Transport Canada, Pacific Region

Dear Vija Poruks:

Re: Extension of Pacific Region Anchorages Interim Protocol

Thank you for the opportunity to provide feedback regarding the extension of the Interim Protocol for the Use of Southern B.C. Anchorages (Interim Protocol). This voluntary protocol took effect February 8, 2018. The Islands Trust Council appreciates the work that a myriad of agencies have put into developing and implementing the Interim Protocol. We understand that solutions are not easy, especially when the protocol must be enacted as a voluntary measure, which is why we have supported the initiative in good faith. As the Interim Protocol is set to expire at the end of July 2019, you have asked for feedback and comments on further extending this voluntary and temporary set of procedures. The Islands Trust response to your questions are as follows:

1. Do you have any concerns about the extension of the Interim Protocol?

The Islands Trust Council is concerned that a further extension to the Interim Protocol is being requested with no sign that a permanent solution is being sought that respects the ecology and character of the Southern Gulf Islands. Originally, Islands Trust asked for an extension of the protocol agreement a year ago because the first period of the protocol coincided with an unprecedented number of delays in the arrival of commodities by train to the Port of Vancouver, resulting in very high congestion at anchorages in the port and along the south coast. Now a year later, the Islands Trust supports the continuation of the protocol as an interim measure; however, what is the plan for moving forward?

The Islands Trust Council met on December 6, 2007, and passed the following motion:

That the Islands Trust Council request the Chair to write to the federal Minister of Transport, Infrastructure and Communities objecting to the offloading of industrial freight such as gypsum in Plumper Sound.

While we appreciate efforts by Canada Steamship Lines to minimize dust, it is frustrating that this activity continues more than a decade later. Industrial operations such as the offloading of materials should only occur within the boundaries of a port and not within Islands Trust Area region – this practice should be immediately discontinued.

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The Islands Trust Council's position is that the Interim Protocol should continue to be considered an interim solution. In September 2018, the Islands Trust Council called on Transport Canada 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.

2. Is there specific information you think should be considered in the Interim Protocol?

We support the content of the existing protocol and, in addition, would like the protocol to prohibit any dumping of potential contaminants overboard. Residents have observed crew members on anchored vessels using hoses to sluice the decks of vessels, even in times with no ice. There have been numerous complaints received that anchored ships are conducting maintenance that generates bright lights, and loud and constant noise throughout the day and night, and that cleaning agents, vessel debris, and marine paint chips of an unknown composition end up in the local water. Residents have also observed a crew member dumping a fluid from a barrel into the water.

The ecologically-rich waters of the Southern Gulf Islands are not industrially zoned, they are not a shipyard, nor are they a dump, and the voluntary measures of the Interim Protocol are not working. Canadian standards and regulation for vessels anchored within Canadian waters is needed.

The smog from generator emissions is appalling when there is no wind or on days of inversions. New requirements are needed regardless of where vessels anchor if Canada is committed to reducing green house gasses.

The Islands Trust would like assurance that the anchorage sites at English Bay are being fully utilized before other anchorage points are used. We are concerned that the anchored vessels in the Southern Gulf Islands generate noise, light, and air pollution next to rural communities; potentially damage local marine ecosystems; and are diminishing area residents' quiet enjoyment of their properties. Most worrisome, these vessels, anchored close to shore and far from a rescue tug, pose a risk of catastrophic bunker-fuel spills.

3. Are there any additional considerations that could help in revising the Interim Protocol?

We have heard strongly from residents that there is a need for better communication with residents, First Nations, local organizations, and elected officials regarding the Interim Protocol.

We request that Vancouver Fraser Port Authority (VFPA) reinstate a phone number for people to call regarding concerns about anchored vessels. Currently, follow-up action by anchored vessels does not appear to be consistent when concerns are submitted online; so it is hoped that direct person-to-person contact will ensure actions are immediately taken to address violations of the voluntary protocols. In addition, we request that increased and improved reporting by the VFPA to residents or the community be made publically available and in a timely manner. Responding to and reporting concerns effectively and transparently is essential to building trust and goodwill.

Island communities feel frustrated at the lack of consultation and communication from Transport Canada regarding its assessment of the protocol. We hear regularly that residents want more frequent, detailed updates:

- on the progress of the Anchorage Initiative and any regulatory framework considerations;
- about global best practices for similar regions;
- on the root issues leading to vessels anchoring; and
- about any risk assessments of the environmental and health impacts of anchoring and industrial activity in the Southern Gulf Islands.

We recommend that Transport Canada request and track anticipated arrival and departure dates, and times for bulk cargo ships prior to entry into Canadian waters. This data should be made available to stakeholders on a regular basis.

We recommend that Transport Canada provide regular updates to local newspapers including the Gulf Islands Driftwood, the Saturna Scribbler, the Galiano Active Page, the Pender Post, the Mayneliner, the Gabriola Sounder, and the Cowichan Valley Citizen. Islands Trust staff would be pleased to forward contact information for these publications.

We also recommend that Transport Canada hold consultative sessions in Cowichan Bay or Nanaimo so that the people most affected by anchorages do not have to travel to Vancouver to get updates or provide feedback.

We understand that in Canada ships have the common law right to anchor temporarily and for a reasonable period of time in any appropriate location. However, the Southern Gulf Islands are a special and ecologically rich part of Canada that deserve extraordinary measures and regulation. The Islands Trust Council has called upon the federal government to take all measures possible to reduce, and ultimately eliminate the use of commercial freighter anchorage sites throughout the Southern Gulf Islands.

We would like to support Transport Canada in its efforts to study anchorage issues and develop policy and regulatory solutions that prioritize protection of the marine environment and sustaining the rural character of the Southern Gulf Islands. However, we are concerned that we have not heard about any risk assessments on the environmental and health impacts of anchoring vessels in the Southern Gulf Islands. The lack of communication regarding the interim measures, combined with no updates on the longer-term Anchorage Initiative, is of concern.

We thank you for the opportunity to comment and hope to hear from you again in the near future.

Yours sincerely,



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cc: BC Minister of Environment and Climate Change
BC Minister of Transportation and Infrastructure
Islands Trust Area MPs
BOKÉCEN (Pauquachin) First Nation
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
MÁLEXEL (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
SÁUTW (Tsawout) First Nation
Stz'uminus First Nation
SXIMELEL (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
WJOLELP (Tsartlip) First Nation
WSIKEM (Tseycum) First Nation
x^wməθk^wəyəm Musqueam
Gabriolans Against Freighter Anchorages
Anchorages Concern Thetis
Cowichan Bay Ship Watch Society
Plumper Sound Protection Association
Stuart Channel Anchorages Protection
Chamber of Shipping of British Columbia
Shipping Federation of Canada
Canada Steamship Lines Americas
Nanaimo Port Authority
Pacific Pilotage Authority
Vancouver Fraser Port Authority
Cowichan Valley Regional District Board
Town of Ladysmith Mayor and Council
Bowen Island Municipal Council
Islands Trust Council
Islands Trust website