



PORT of
vancouver

Vancouver Fraser
Port Authority

Roberts Bank Terminal 2 Project

Executive Summary – A collaborative and appropriately designed approach to protect western sandpipers

November 14, 2022

Executive Summary

Background

This submission is the Vancouver Fraser Port Authority's (port authority) response to the submission from Environment and Climate Change Canada (ECCC), dated October 26, 2022 (CIAR [#3557](#)) regarding the Roberts Bank Terminal 2 project (RBT2, project). In this submission, the port authority synthesizes the available information, including ECCC's feedback, related to the assessment of potential effects of the project on western sandpiper to support project decision-making. This submission also provides further comments, reflecting consideration of ECCC's feedback on the potential conditions that can be imposed to address any potential adverse effect of the project on western sandpipers.

The port authority is advancing the project as part of its mandate under the *Canada Marine Act* to enable Canada's trade through the Port of Vancouver. RBT2 is a critical investment in marine-side port infrastructure on the west coast of Canada comprised of a new three-berth marine container terminal, a widened causeway to accommodate additional road and rail infrastructure, and an expanded tug basin to accommodate expanded tug operations. The project is in Delta, British Columbia, and proximate to Tsawwassen First Nation. Indigenous knowledge has been embedded into the development of the project, and it will support Indigenous economic reconciliation while enhancing Canada's supply chains and national economic resiliency.

Confidence informed by scientific studies and Indigenous knowledge

Throughout the RBT2 environmental assessment, as part of the comprehensive panel review process western sandpipers and biofilm have been monitored and studied extensively. The port authority has worked at every juncture in the assessment process to further build out rigorous, evidence-based environmental mitigation and habitat enhancement, in consultation with Indigenous groups, ECCC, scientists, and academics, to support a comprehensively mitigated project.

In the review panel's report issued in March 2020, there were many areas where the review panel provided conclusions and recommendations related to the environmental assessment of the project. The panel found that uncertainty remained in relation to the potential effect of the project on western sandpiper due to potential changes in biofilm. In the 2.5 years since, the port authority has undertaken further work, collaboration, analysis, and mitigation planning to resolve and address the uncertainty. This includes identifying and providing new information on the population status of the western sandpiper (a population of 3.5 million that is increasing); new information demonstrating that biofilm habitats can be created, including at large scale, and developing comprehensive follow-up programs to monitor and inform adaptive management measures, if required.

Collaboration and enhanced measures

In response to feedback from ECCC, Indigenous groups, and other parties, and in consideration of the review panel's findings, the port authority provided additional information and has proposed key measures, including:

- **Design changes:** The port authority specifically designed RBT2 to avoid sensitive shorebird feeding areas by siting the terminal six kilometres away from the shoreline and designing the causeway to avoid areas of biofilm. Since the review panel findings, we have made additional design changes to further reduce the terminal and causeway footprint

- **Biofilm habitat creation manual:** We have proactively developed a biofilm habitat creation manual, in consultation with Indigenous groups and ECCC, incorporating best practices for biofilm habitat creation, restoration, and enhancement. The manual draws on new examples and a growing body of literature regarding successful biofilm habitat-creation projects used by shorebirds, at a scale well over 500 hectares in size, demonstrating the effectiveness of biofilm habitat creation.
- **Biofilm habitat creation project:** We have committed to implement a biofilm habitat creation project using the best practices documented in the manual and we have proactively initiated site selection and evaluation collaboratively with Indigenous groups.
- **Precautionary construction approach follow-up program:** We have proposed the precautionary construction approach follow-up program focused on monitoring and adaptive management measures that will be developed in consultation with Indigenous groups, agencies, and scientific expert input if a signal of an immediate population-level effect is observed.
- **Transparent information sharing, clarifications, and responses:** We have provided detailed clarifications and responses to comments and questions raised during the public comment period and most recently by ECCC. Technical data has also been shared with ECCC as part of a data sharing agreement.

Informed project decision

There is now sufficient information to allow the minister to confidently conclude that the project is *not likely* to cause a significant adverse effect on western sandpipers. To support this conclusion, the information described in this submission demonstrates that any residual effect on western sandpipers due to predicted project-induced changes in salinity, taking mitigation into account: would be low in magnitude, limited in spatial extent, short-term and infrequent, and reversible. Even if the minister were to determine that the residual project effect on western sandpiper population would be significant, that effect cannot be considered likely given the changes in salinity occur sporadically and over limited areas that are not likely to constrain diatoms in biofilm from producing levels of fatty acids, which would make impacts to the western sandpiper population unlikely.

The port authority agrees with ECCC's acknowledgement that "an appropriately designed phased approach could help reduce the likelihood that the species-level impact to the Western Sandpiper identified by ECCC experts would occur." In this regard, the port authority has proposed robust follow-up program elements, including long-term monitoring of key parameters, to be developed collaboratively with ECCC, recognized scientific experts, and Indigenous groups, to verify the effects assessment and the effectiveness of mitigation. The requirements for follow-up can be specified in conditions to ensure the changes caused by the project are monitored and that adaptive management measures are undertaken in a timely way to mitigate a potential adverse environmental effect on western sandpiper due to project-induced salinity changes.

Conclusion

In conclusion, the available information now allows the assessment of the potential effect of the project on western sandpipers to be completed using the robust methodological framework for assessment set out in federal guidance. Relying on that framework, as well as the potential conditions that would require the mitigation measures and follow-up programs including adaptive management measures to be implemented, the minister can be confident that the potential risk to western sandpipers will be addressed. The minister can also conclude that the project is *not likely* to cause a significant adverse environmental effect to western sandpipers. The minister can take a conservative and precautionary approach to the assessment and reach this conclusion with confidence, based on the findings of the rigorous environmental assessment process.