



July 16, 2020

Canadian Impact Assessment Registry

Re: Tilbury LNG proposal Reference Number [80496](#)

Dear Sir/Madam,

I am writing on behalf of the Raincoast Conservation Foundation to highlight the significant concerns that surround the proposed expansion of the Tilbury LNG facility. Two of these concerns include further habitat alterations in the Lower Fraser River and estuary, and the implications from increased shipping on Southern Resident killer whales. As Raincoast has said for some time, these large industrial expansions must stop being assessed as “one-offs” and become subject to federal and provincial cumulative effects assessments that consider their consistency with broader sustainability goals and the ecological limits these proposals ignore.

It is contradictory for the federal government to invest millions of dollars to recover Fraser River habitat for threatened and endangered salmonids while on the other hand continue to approve projects that erode and destroy the very same habitat.

At this stage, both the NEB panel assessing Trans Mountain and the CEAA panel assessing Roberts Bank Terminal Two, have identified that increased shipping through the critical habitat of Southern Resident killer whales will have significant and cumulative adverse effects on the recovery of these whales.

Population viability analysis examines the likelihood of extinction for endangered wildlife. Five years ago, the chance that the 80 Southern Resident killer whales alive in 2015 would be functionally extinct in 100 years was **9%**. Since 2015, the risk of extinction has increased. In 2020, **the** chance the 72 whales alive now will be functionally extinct within a century is **59%**. The abundance and quality of their food (mainly Chinook salmon), and the ability to successfully catch this prey given the growing levels of underwater noise, are key reasons these whales face extinction.

When Southern Residents use the inside waters of the Salish Sea, they are in the presence of boats and ships about 85% of the time. The federal assessment panel reviewing Roberts Bank concluded that noise levels within the Salish Sea from these vessels are already too high for Southern Resident killer whales. Port of Vancouver analysis shows that expansions for TMX, Terminal Two and other associated traffic will increase Salish Sea shipping via Georgia Strait by 37% in the next 10-15 years.

More ships increase underwater noise and disturbance. Ships reduce the amount of time whales can feed without noise interfering with the echolocation their predatory search behaviour depends on to catch salmon. Calculations of reduced feeding success for Southern Resident killer whales in the presence of vessels can be as high as 19% when vessels are a near continuous presence. The expansions for TMX and Terminal Two will undoubtedly place Southern Residents within the presence of a vessel 100% of the time, if they are within their critical habitat in the Salish Sea. Tilbury LNG shipping will be in addition to this.

Underwater noise and disturbance can reduce the amount of food that killer whales catch. Because these whales are 'nutritionally-stressed,' they cannot afford to lose meals to disruption from more vessels. Noise and disturbance from more ships is a significant threat to their survival. Our position is that these shipping proposals constitute the destruction of legally protected critical habitat.

Finally, the federal government can not abdicate its reasonability to the province of British Columbia to review the individual and cumulative effects from the Tilbury LNG on federally threatened and endangered species and their critical habitat. As such, the Government of British Columbia cannot conduct the federal impact assessment process, and this initiative must be reviewed federally.

Sincerely,



Misty MacDuffee
Wild Salmon Program Director
Raincoast Conservation Foundation

References

Federal Review Panel Report for the Roberts Bank Terminal 2 Project. 2020. Prepared by The Review Panel for the Roberts Bank Terminal 2 Project March 27 2020. Cat. No: En106-229/2020E-PDF ISBN: 978-0-660-33786-9. Canadian Impact Assessment Registry Reference No. 80054

Lacy, R.C. 2020. Declaration of Robert Lacy, Ph.D. Case No. 2:20-CV-00417-MLP. Filed in the United States District Court Western District of Washington by the Wild Fish Conservancy. May 8 2020

Lacy, R.C., K.C. Balcomb III, L.J.N. Brent, D.P. Croft, C.W. Clark, and P.C. Paquet. 2015. Report on Population Viability Analysis model investigations of threats to the Southern Resident Killer Whale population from Trans Mountain Expansion Project. Attachment E, Ecojustice – Written Evidence of Raincoast Conservation Foundation (A70286), National Energy Board (Canada). 120 pp. Available at <http://docs.neb-one.gc.ca/fetch.asp?language=E&ID=A4L9G2>.

Lacy, R. C., R. Williams, E. Ashe, K. C. Balcomb III, L. J. N. Brent, C. W. Clark, D. P. Croft, D. A. Giles, M. MacDuffee and P.C. Paquet. 2017. Evaluating anthropogenic threats to endangered killer whales to inform effective recovery plans. *Scientific Reports* **7**(1): 14119