



Friends *of the* San Juans

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January 5, 2022

Assessment of the GCT Deltaport Expansion - Berth Four Project
c/o Impact Assessment Agency of Canada / Government of Canada
160 Elgin Street
22nd Floor
Ottawa, Ontario K1A 0H3

Submitted via email: deltaport@iaac-aeic.gc.ca

RE: GCT Deltaport Expansion Berth Four Project draft Joint Guidelines and draft Joint Assessment Plan

To the Impact Assessment Agency of Canada:

Thank you for the opportunity to comment on the proposed GCT Deltaport Expansion Berth Four Project draft Joint Guidelines and draft Joint Assessment Plan.

Since 1979, the mission of Friends of the San Juans has focused on protecting and restoring the San Juan Islands and the Salish Sea for people and nature. We represent over 2,000 members and work with diverse stakeholders, including citizens, committees, tribal and governmental agencies, and other non-profit organizations in the transboundary region of the Salish Sea.

Friends of the San Juans was a co-petitioner that led to the federal listing of the Southern Resident Killer Whales as an endangered species under the Endangered Species Act. The protection and recovery of the Southern Residents continues to be one of our top priorities.

Friends of the San Juans is opposed to port expansions on Roberts Bank and the Fraser River Delta, given the critical habitat this area provides to the endangered Southern Resident Killer Whales and their prey, Chinook salmon.

Roberts Bank is recognized nationally and internationally for its environmental importance. In addition to providing critical habitat to endangered orca and salmon, it also provides essential feeding habitat for hundreds of thousands of migratory shorebirds and waterfowl, as well as hundreds of resident herons, providing critical wintering grounds for the highest number of waterfowl and shorebirds found anywhere in Canada. This proposed GCT Deltaport Expansion Berth Four Project would impact:

- A United Nations designated “Wetland of International Importance” under the UN Ramsar Convention.
- A Western Hemisphere Shorebird Reserve Network Site of International Importance, designated as the “Jewel of the Pacific Flyway.” The proposed GCT Deltaport Expansion Berth Four Project is right in the middle of one of the most important stops for migratory birds.

- An Important Bird Area (IBA). BirdLife International classifies this as an IBA in danger due to the current environmental degradation from port and infrastructure development and resultant adverse environmental effects on wildlife.
- A BC Wildlife Management Area, recognized for providing critical wintering grounds for the highest number of waterfowl and shorebirds found anywhere in Canada.

The Roberts Bank wetlands and its biofilm are a critical food source for millions of birds, fishes and other wildlife. Roberts Bank is a critical stopover on the Pacific Flyway for millions of migrating shorebirds on their way to and from their arctic breeding grounds. Shorebirds, especially Western Sandpipers, and other wildlife feed on the rich biofilm that is present on Roberts Bank and provides them with nutrients essential to their health. The proposed GCT Deltaport Expansion Berth Four Project will cover over an area of biofilm that shorebirds access today and will further disrupt their feeding patterns. The GCT Deltaport Expansion Berth Four Project will result in further significant adverse environmental effects to wildlife and the marine ecosystem that cannot be mitigated.

COMMENTS SPECIFIC TO THE DRAFT JOINT GUIDELINES

8.8. Cumulative Effects Assessment

Add the following major projects under, “The cumulative effects assessment should consider landscape changes over time, including settlement, urbanization and agricultural land availability in the RAA, including, but not limited to, the following major projects:”

- Nanaimo Port Authority and Western Stevedoring Vehicle Processing Centre
- BP Cherry Point Refinery (Blaine, WA)
- Phillips 66 Ferndale Refinery (Ferndale, WA)
- Port of Bellingham
- Port of Everett
- Seaport Sound (Tacoma, WA)
- Puget Sound Energy LNG (Tacoma, WA)

9.6. Underwater Noise

9.6.5 Mitigation and Enhancement Measures

Add:

- Describe requirements for ships that call on GCT Deltaport Berth Four to receive an underwater noise notation to ensure that the project-related increase in vessel traffic does not exceed average to moderate underwater radiation noise (URN) levels.

(For more information see <https://www.dnv.com/expert-story/maritime-impact/First-DNV-SILENT-E-class-notation-awarded-to-a-merchant-vessel.html>.)

Table A1. 5 Spatial boundaries for valued components proposed by the proponent

The RAA for “accidents and malfunctions,” listed under “Topics to be Captured by the

Assessment,” is too narrowly defined and should be expanded to include the shipping routes throughout the Salish Sea. Accidents and malfunctions occurring anywhere within the Salish Sea could impact the project shipping route (as shown in DPD Figure 5).

9.10.5 Mitigation and Enhancement Measures

Add under “The Impact Statement must describe:”

- how requiring emergency towing vessels (ETVs) positioned for maximum effectiveness along the project shipping route (as shown in DPD Figure 5) will prevent accidents and oil spills;
- how requiring an underwater noise notation (e.g., DNV’s SILENT-E notation) would certify project-related underwater radiation noise (URN) levels and address underwater noise impacts to the marine ecosystem, including the critically endangered Southern Resident Killer Whales;

16. Marine Shipping

The geographic extent of marine shipping incidental to the project, short sea shipping, and vessel movements associated with the Tsawwassen First Nation marina (which will be referred to as “the marine shipping area”), should include all Southern Resident Killer Whale critical habitat, as identified by both the U.S. and Canada.

16.4. Mitigation and Enhancement Measures

Add under “The Impact Statement must:”

- identify industry best practices, standards and contractual arrangements with operators and the shipping industry that can be implemented by the proponent to mitigate the effects of vessel traffic;

COMMENTS SPECIFIC TO THE DRAFT JOINT ASSESSMENT PLAN

Deltaport is only 1.2 km from the Canadian/British Columbia border with the U.S./Washington State. The draft Joint Assessment Plan only addresses the issue of engagement with Salish Sea communities in Washington State in the statement that the Technical Advisory Committee (TAC) “**may** include representatives from the United States” (emphasis added). At the December 14, 2021 Impact Assessment Agency of Canada and British Columbia Environmental Assessment Office webinar on the assessment of the proposed GCT Deltaport Expansion Berth Four Project, this question was asked: How will the provincial and federal environmental review processes engage with Washington State and local jurisdictions in the U.S.? The answer was that the Washington State Department of Ecology has a technical advisor on this project. Emails to Ecology staff have resulted in no answers as to who this Ecology technical advisor is and/or how Ecology will address the State’s and local jurisdictions’ concerns in this assessment process.

The Assessment Plan for the proposed GCT Deltaport Expansion Berth Four Project should thoroughly address its compliance with the MEMORANDUM OF UNDERSTANDING BETWEEN THE WASHINGTON STATE DEPARTMENT OF ECOLOGY AND THE BRITISH COLUMBIA

ENVIRONMENTAL ASSESSMENT OFFICE (see <https://www2.gov.bc.ca/assets/gov/environment/natural-resource-stewardship/environmental-assessments/working-with-other-agencies/eao-mous-and-agreements/eao-memorandum-of-understanding-with-washington-state.pdf>).

Thank you for your attention to these comments.

Sincerely,

<Original signed by>

Level Pratt
Marine Protection and Policy Director