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Impact Assessment Agency of Canada: GCT Deltaport Expansion - Berth Four Project  
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**RE: GCT Deltaport Expansion – Berth Four Project, #81010**

Thank you for the opportunity to comment on some of the issues in this application. I have made submissions on proposed developments on Roberts Bank over the last 40+ years. I have worked with local conservation groups to obtain protection and recognition for this world class ecosystem including:

- BirdLife International’s **Important Bird Area** (IBA) designation in **2001** for the Fraser River Estuary: Boundary Bay, Roberts Bank and Sturgeon Bank; the Estuary is the most significant IBA out of 597 sites in Canada.
- In **2004**, the Western Hemisphere Shorebird Reserve Network (WHSRN) gave the Estuary its highest designation as a **Hemispheric WHSRN Site**.
- Roberts Bank, the vital central link in this chain of inter-connected and protected estuary habitats, was finally declared a **Wildlife Management Area** (WMA) In **2011**. This was after a 12-year delay by Vancouver Fraser Port Authority (Port). There are now large holes in the WMA allowing for Port expansion; this in a marine tidal environment and allowing expansion of a port here is **ecological nonsense**.
- In **2012**, the whole lower Fraser River Delta was declared a **Ramsar site** by the International Convention on Wetlands but Roberts Bank, the front and center of the estuary ecosystem, is still excluded; **this is an international disgrace**.

I am incredulous that the **Impact Assessment Agency of Canada (IAAC)** is even considering yet another port development proposal for this internationally acclaimed and designated Roberts Bank ecosystem especially when there are so many unresolved environmental issues here.

**Q 1. Why hasn’t the federal government instead completed the Ramsar designation of Roberts Bank as a Wetland of International Importance?** This designation has been delayed for ten years. If the designation is not done immediately, it makes a farce of this review process into further cumulative destruction of the vital Roberts Bank ecosystem in the heart of the Fraser Estuary Wetland Ecosystem.

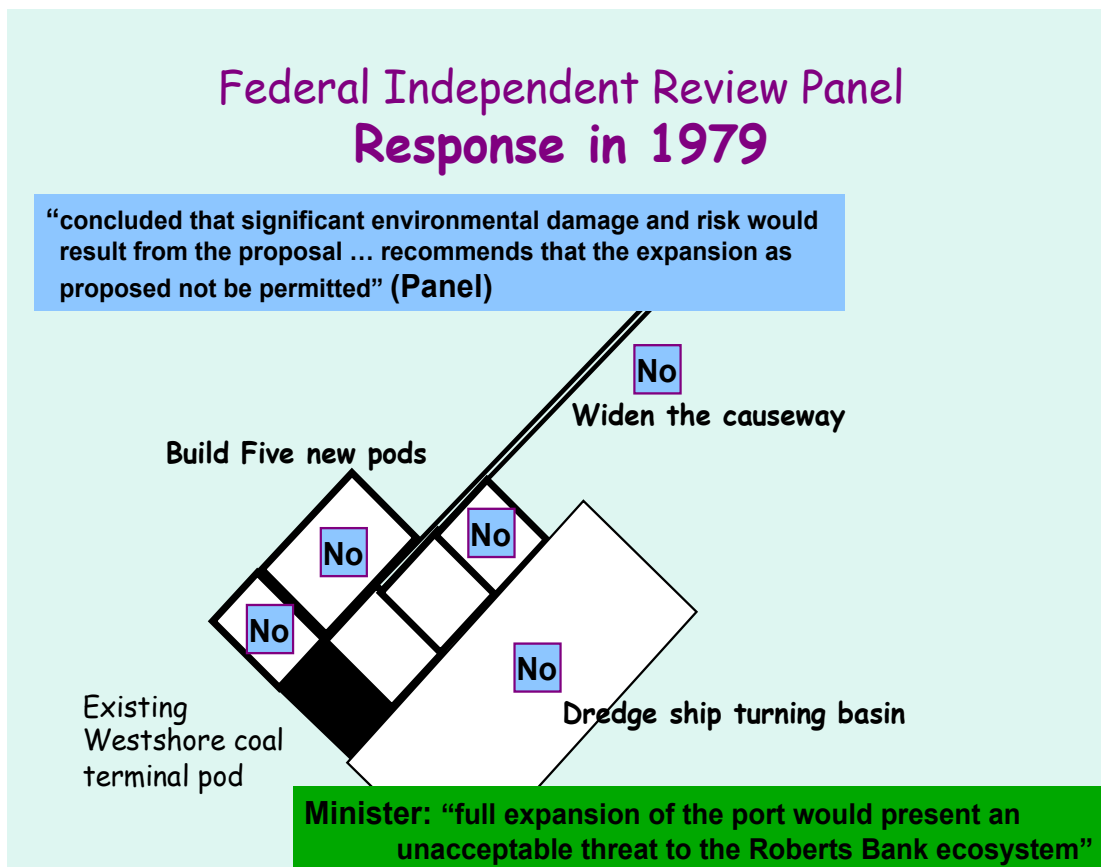
## Process

**Q 2. Why is the IAAC proposing a review under Canadian Environmental Assessment Act 2012, ten years after the introduction of the new IAAC regulations?**

Over the last 40 years, at great cost to Canadians, environmental assessments have been conducted on Roberts Bank, first by a **Panel of six experts in 1979** and then a **Panel of four experts in 1996** into the significant adverse environmental effects of port development proposals on Roberts Bank. The Panels were specific about what the must **NOT be done** in this vital, sensitive, estuary ecosystem.

**For example, in 1979, the six-member Federal Environmental Assessment Review (FEAR) Panel: “concluded that the potential impacts on the Fraser River estuary ... are too great to recommend that the port expansion be approved as proposed. The extent and ecological significance of the Fraser River estuary, particularly its use by fish and wildlife, make it Unique in North America.”<sup>1</sup>**

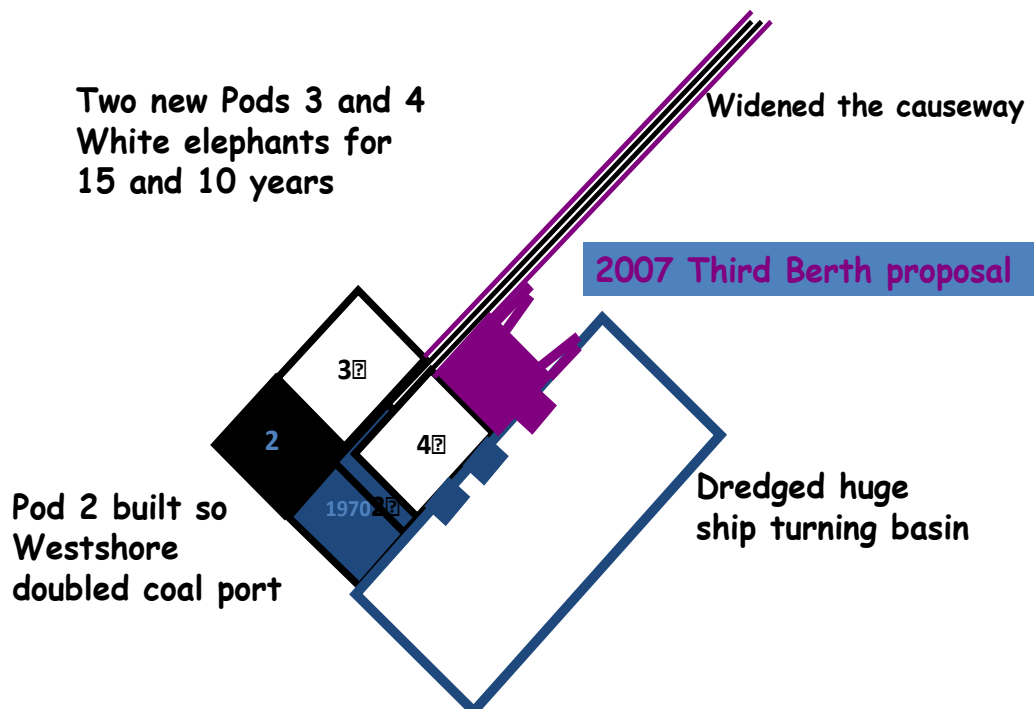
The Review Panel was explicit about what development must not take place Figure 1 (simplified summary<sup>2</sup>):



**Q 3. In violation of the Panel's directives and The Minister's recommendation, how was the Vancouver Port (Port) allowed to expand on Roberts Bank and develop the areas that the 1979 FEAR Panel stated were not to be developed?**

See the simplified summary Figure 2<sup>3</sup>:

**Port Expanded \* in early 80s: Now by piecemeal development it has what was turned down in 1979**



And now today the government agencies are considering the last nail in the coffin with GTC Berth Four that is really the Berth 6 destruction of the Roberts Bank ecosystem in spite of CEAA Panel 1979 recommendation. It is an outrageous farce of Canadian environmental assessment.

**Q 4. Why have the ports not been held accountable for destroying wildlife and habitat in the Roberts Bank ecosystem?** The FEAR Panel was clear as to how to prevent this:

- there should be no development north of the causeway (but The Port did with Pods 2 and 3 in the 1980s) **and now it is the proposed site of Terminal 2.**
- there should be no widening of the causeway (but The Port did in the 1980s **and now it is proposed again for Berth Four?**),

- there should be no intrusion into the higher inter-causeway area (but the port did building the Third Berth there) and **now GCT wants to expand even further up the shore by dredging for Berth Four, and**
- further GCT wants to extended tug basins even further up the foreshore, and
- there must not be further deepening of the ship turning basin in the inter-causeway area but GCT is proposing to do just that for Berth Four.

In 1996, Cargill had a proposal for a grain terminal on Pod 3. The Vancouver Port set up a Project Environmental Review Panel that concluded that the proposal<sup>4</sup>:

*“should only proceed **subject to deficiencies in the EAD being addressed and the establishment of a process to deal with cumulative effects in the Roberts Bank area. Without an assessment and understanding of cumulative effects in the vicinity of Roberts Bank, it is difficult to adequately assess potential impacts of any proposed new development.**”*

But Cargill left and the Port moved in without adhering to most of the Panel’s recommendations such as:

- a. **reduce bird mortality by phasing out overhead wires by 2002,**
- b. **convene a process for addressing cumulative impacts,**
- c. complete an **emergency response plan** and share it with the public and
- d. **re-establish the air quality monitoring station** that was removed from Roberts Bank when the ferry terminal was expanded.

**Q 5. Why was the Port not held accountable then?** Instead it came back with the Deltaport Third Berth Proposal in 2003, now Terminal 2 and now GCT has the Berth Four proposal.

In 2003, the Department of Fisheries and Oceans (DFO)<sup>5</sup> in response to PMV’s proposal for **Deltaport Third Berth** stated that it *“...will not be involved in any review of the Delta Port proposal as the only option proposed for that project results in the destruction of critical fish habitat ...because of the critical value of the fish habitat in the area of the proposed expansion, DFO would not be able to issue a Fisheries Act Sec. 35(2) authorization for the destruction of habitat.”*

Further, in 2005 Environment Canada stated that it<sup>6</sup> *“has substantive concerns with the Deltaport Third Berth proposal, in particular because of the risk that it will act cumulatively and negatively with existing project impacts upon the marine habitat and fish and wildlife assemblages of Roberts Bank ... there would be public outrage as well as agency embarrassment on an international scale”*.

But the Port went on to develop the Third Berth. Why didn’t the government agencies act on these directives and stop the Port proceeding to cause further predicted adverse environmental effects on Roberts Bank?

**Q 6. If this GCT Port Proposal for Berth Four proceeds to an Environmental Assessment will it**

**be a full comprehensive review by an Independent Panel of scientifically credible experts?**

## **Cumulative Effects**

CEAA 2012. Section 16 (1) (a) **“Every screening or comprehensive study of a project and every mediation or assessment by a review panel shall include a consideration of the environmental effects of the project including ... any cumulative environmental effects that are likely to result from the project in combination with other projects or activities that have been or will be carried out.”**

The cumulative impacts of all past, piecemeal port developments in this world-class ecosystem must be subject to the highest standards of rigorous, scientific evaluation and assessment before any new proposal can be assessed.

**Q 7. Where else in the world would such continuous port development be allowed in violation of expert Panel Reviews of the obvious environmental destruction of a vital, protected and internationally designated ecosystem without an accountability review? Surely, without a detailed baseline, such as a cumulative effects assessment, any Panel will be unable to appropriately understand environmental effects of any further projects?**

Over the my time of reviewing proposals there have been calls for an independent, comprehensive, cumulative effects study of port developments on Roberts Bank from Responsible Authorities such as the Fraser River Estuary Management Program, the Department of Fisheries and Oceans (DFO) and Environment Canada (EC).

For example:

In January 1992, in response to a port expansion proposal, S.A. Macfarlane (FREMP & DFO): ***"Prior to any further immediate action on this application, I suggest immediate discussion by the E.R.C., with a view to directing a review and summary by an independent, competent scientific authority; for overall cumulative effects of: a) Both causeways, b) Subsequent expansions and c) Compensatory action efforts and results"***.

In February 1992, Adrian Duncan (FREMP & EC): ***"It is the position of this committee that measures are needed to gain a better understanding of the cumulative impacts which may now be occurring at and adjacent to the Roberts Bank site as a result of the original port expansion and Ferry Terminal expansion and which may occur as a result of the container terminal development"***.

**Q 8. So an independent, comprehensive, scientifically credible, cumulative effects study of port development on Roberts Bank is long overdue. Surely now the governments must mandate that such an assessment of the cumulative impact of Port development on Roberts Bank is completed before further expansion can be assessed?**

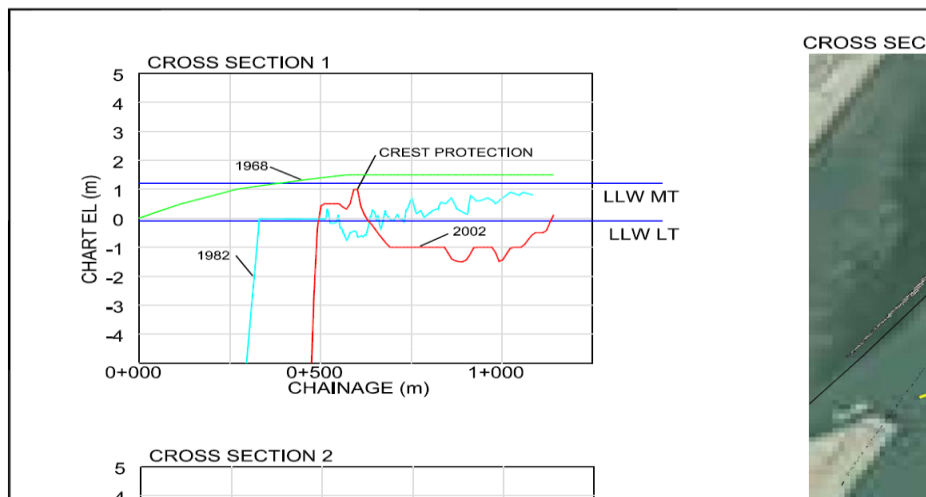
This is especially urgent given that the GCT is proposing a project that includes:

- Widening of the Roberts Bank causeway to accommodate road and rail infrastructure.
- Further intrusion into the inter-causeway habitats by construction of a previously forbidden berth and tug basin.
- Dredging still further up the fore-shore into the already destabilized, vital, sensitive inter-causeway habitats to develop an even larger ship turning basin.

## The Inter-causeway Area

One of the most egregious adverse environmental effects of port development on Roberts Bank in addition to the loss of habitat is the destabilization of the intertidal foreshore with each port expansion. The 1979 the FEAR Panel was clear that no further intrusion should occur in the inter-causeway area. The shore profile then was similar the 1968 line in Figure 4. Since then the 1982 and 2002 profiles show cumulative erosion and loss of intertidal foreshore.

Figure 4. Profile of the inter-causeway foreshore from 1968 to 2002



Previously Environment Canada wrote in March/April 2001 noting:

***“Roberts Bank has seen significant reduction, disruption and pollution from coastal development over the past four decades.” and***

***“The Bank has also been affected by the construction of two large human-made causeways that support the ferry and port terminals. These have blocked the natural flow of nutrients from the Fraser River onto the Bank, and thereby altered the invertebrate communities and***

*disrupted the biofilm”.*

**Q 9.** What is the profile of the inter-causeway area today after the cumulative development of the Deltaport Third Berth and its tug basin (Figure 4)?

**Q 10.** How much biofilm habitat has been lost to date on this eroding foreshore?

**Q 11.** What is the increased risk to residents, farmland, the shopping centers, etc. in South Delta from a storm surge or a tsunami coming up the eroded, less protected foreshore?

**Q 12.** How will the forecasted Global Warming sea level rise add to the risk of inundation of the South Delta communities across the eroded intertidal foreshore?

**Q 13.** Is the nursery for **Dungeness Crabs** (*Metacarcinus magister*) still located in the inter-tidal foreshore? I think that it was where GCT’s Berth Four will destroy it?

## **International Consultation and Accountability for the Salish Sea**

The Salish Sea is home to the endangered population of Southern Resident Orcas that feed off Roberts Bank in the Georgia Strait and which spend at least half the year in **Orca Pass** between the Canadian Gulf Islands and the American San Juan Islands.

Orca Pass is in the center of the shipping route to and from Roberts Bank ports. Increased shipping on the shared waterway will lead to increased noise, light and air pollution from ships in the Salish Sea/Georgia Basin waterway and air shed.

The U.S. and Canadian federal governments have stated that they have a unique responsibility to address the trans boundary environmental challenges of our shared Salish Sea ecosystem.

There are several relevant trans boundary agreements and mechanisms relevant to these responsibilities such as the *Canada-United States Statement of Cooperation on the Georgia Basin-Puget Sound Ecosystem*, the *United States-Canada Air Quality Agreement*, and the *British Columbia-Washington State Environmental Cooperation Council*.

Their **current (2017-2020) Action Plan** focuses on:

1. **Promoting information exchange and coordination**, including the *Health of the Salish Sea Ecosystem Report* and the *Salish Sea Ecosystem Conference*.
2. **Supporting coordination and information sharing** at the tribal/First Nation, state/provincial, and federal levels.
3. **Support information sharing activities relating to major federal initiatives and environmental assessments.**

**Q 14.** Will these consultations taken place over joint issues arising from the planned increase in shipping to/from Roberts Bank? Issues such as: endangered species (as of December 1, 2015, there were 125 species at risk in the Salish Sea), cumulative air pollution, shipping noise, shipping accidents ... in shared waters?

## **Overhead Wires**

One of the most troubling issues of port development on Roberts Bank has been bird mortality on overhead wires to the port. The killing of birds especially the large number of international migrants by the overhead wires that run at right angles to flight paths of all birds using the Roberts Bank foreshore has been an historic concern.

The VPA's own Project Environmental Review Panel Report (1996)<sup>4</sup> clearly stated what should be done about the transmission lines on Roberts Bank: **"The Panel believes that ongoing mortality of birds is unacceptable"** Specifically in Recommendation # 4 they said that partners on Roberts Bank **"develop and implement a strategy and phase out overhead power lines on the Roberts Bank causeway by the year 2002."**

There has been no action by the port or the government agencies and now another port proposal for Roberts Bank is being made by GTC for another expansion.

**Q 15.** Can the environmental agencies insist that before the current projects Terminal 2 and Berth Four are considered the ports bury all their overhead wires along the Roberts Bank causeway even though it is now 11 years past the date when this was supposed to have been done?

The **27<sup>th</sup> International Ornithological Congress** was held in Vancouver in August 2018. Many papers presented data from satellite tracking studies of shorebirds in the East Asian Flyway. Populations of many of these species like those along our Pacific Flyway are declining rapidly and some are approaching extinction. The tracking data shows that most species migrate to and from the northern to the southern hemisphere through a vital stop over in China's Yellow Sea.

Mudflats around the Yellow Sea are being destroyed by port development. China is now working to protect some of the remaining areas for shorebirds.

**Q 16. What can Canada do on Roberts Bank to protect this internationally significant Pacific Flyway stopover on this side of the Pacific Ocean for shorebirds? Previous reviews have made this easy to do immediately:**

- **Bury the causeway overhead wires; this was supposed be completed by 2002,**
- **Stop expanding the port, the tug basins and ship turning basins which have predictably lead to destabilizing the inter-causeway foreshore, hence eroding the biofilm habitat vital to shorebirds, and salmon, and many invertebrates, and**
- **Immediately declare Roberts Bank a Ramsar Site.**

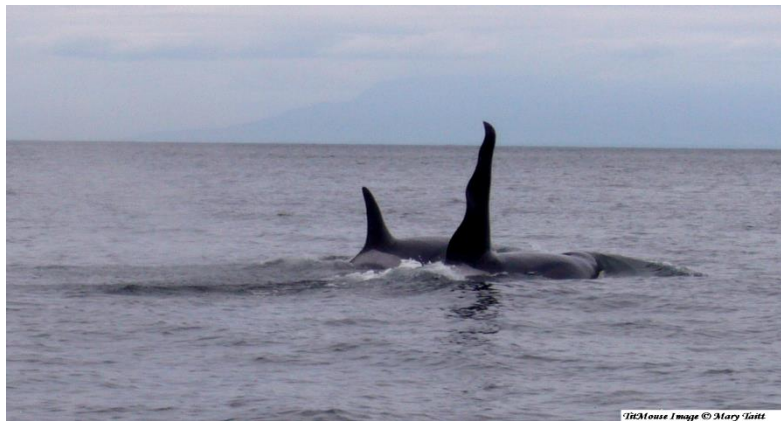


Thank you for the opportunity to give some input into the GCT Deltaport Expansion – Berth Four Project proposal. Needless to say, I am opposed to the current proposed GCT Expansion on Roberts Bank.

Yours sincerely

<Original signed by>

Mary Taitt,



*J-Pod - Ruffles and Grannie off Roberts Bank*

## References

1. Report of the Environmental Assessment Panel, Federal Environmental Assessment Review Office, Government of Canada (1979).
2. Boundary Bay Conservation Committee, Submission to Roberts Bank Terminal 2 Project, Mary Taitt (2015).
3. Ditto
4. *Proposed Agricultural Products Handling Facility* Project Review Panel Report (1996).
5. Fisheries and Oceans, Letter to Vancouver Port Authority on Proposed Container Terminal Expansion at Roberts Bank, April 1, 2003.
6. Environment Canada, Letter and Technical Comments to CEAA, Deltaport Third Berth Project – Environmental Assessment Application, Deltaport EC 2005.