



Garden City Conservation Society

To: GCT Deltaport Expansion — Berth Four Project (DP4) #81010,
Impact Assessment Agency of Canada

From: Garden City Conservation Society (GCCS), Richmond, BC

Sent: March 30, 2023

Re: **GCCS support of BBCC comment—with a ray of hope for DP4**

The Garden City Conservation Society (GCCS) supports the attached comment you earlier received from the Boundary Bay Conservation Committee (BBCC, March 28, 2023). The BBCC input is compatible with our DP4 analysis and our comments to the IAAC on the related Roberts Bank Terminal 2 project (RBT2). We especially advocate six of the many terms of reference that BBCC suggests. We have highlighted them on BBCC pages 2–3, which are the next pages in this PDF. They are relevant to both DP4 and RBT2.

We remain skeptical whether Canada needs Deltaport expansion at all, but DP4’s concept of sequential stages would be a relatively suitable approach—if DP4 becomes environmentally adequate, providing net ecological benefit. Since GCT has shown goodwill, they could do that. It would, however, require Vancouver Fraser Port Authority (VFPA) or a replacement agency to co-operate. That is in contrast to the RBT2 proponent (VFPA) disparaging DP4 while again and again devising supposed mitigation that neither meets the standards ECCC scientists have made clear for twenty years nor satisfies the precautionary principle.

On BBCC page 4, we have highlighted this: “The GCT Deltaport Berth 4 Expansion and the Roberts Bank Container Terminal 2 Project are two projects seeking approval in the Fraser River Estuary. This is an unacceptable process due to poor planning by the Vancouver Fraser Port Authority....” As BBCC mentions, VFPA is acting outside its mandate, which is to co-ordinate port facilities. In this context, VFPA’s role is *not* to compete with terminal operators.

Environmentally, DP4 is designed to work around and overcome the species-level risk to western sandpipers from Deltaport expansion. In stark contrast to DP4, the RBT2 design would trigger the precautionary principle. Financially, the DP4 berth design and other efficiencies enable it to cost only half the RBT2 billions. If cabinet puts VFPA in its proper place, IAAC could set the RBT2 factor aside and validly assess DP4 with terms of reference that heed the BBCC list.

Boundary Bay Conservation Committee (BBCC)
P.O. Box 1251, Station A, Delta, B.C. V4M 3T3
March 28, 2023

GCT Deltaport Expansion – Berth Four Project #81010

Impact Assessment Agency of Canada, 160 Elgin Street, 22nd Floor
Ottawa, ON K1A 0H3 Email: deltaport@iaac-aeic.gc.ca

Re: The broad, general statements of the Review Panel Terms of Reference and the Canada - BC Cooperation Agreement for the Berth 4 Deltaport Expansion do not appropriately provide for a meaningful environmental assessment

The Boundary Bay Conservation Committee (BBCC) is opposed to the growing number of shipping-related Projects and activities at Roberts Bank, in the Fraser River Estuary, Delta, B.C.

Currently, the federal Cabinet is deciding whether or not to approve the Roberts Bank Terminal 2 Project which involves dredging and filling 460 acres of the estuary for a man-made island for containers.

Now the Impact Assessment Agency of Canada is seeking public input on yet another proposal in the estuary – a fourth container terminal for the existing 3-berth Deltaport Container Terminal at Roberts Bank.

It is disconcerting that public and evidence-based submissions to environmental assessments are being systematically dismissed. The BBCC notes that submissions made to the previous public comment period of the environmental assessment of the Deltaport Berth 4 have not been incorporated into the Draft Review Panel Terms of Reference or the Draft Canada-British Columbia Cooperation Agreement.

The two documents do not incorporate the ecological significance of the site of the proposed Berth 4 and the need for protection. As a result, the environmental assessment will not appropriately and sufficiently address the significant adverse effects of the Project.

The public announcement of this public input period fails to provide a specific Project Description which is buried in the long list of documents. Transparent disclosure of the Project Description would have helped the public understand the size and implications of the Project.

The Scope of the Assessment is unclear as the statements in the Terms of Reference lack specific guidelines.

Draft Review Panel Terms of Reference

The Mandate of the Review Panel is not sufficiently specific which will result in a general Review Panel Report failing to apply proven, peer-reviewed science, as was the case with the Roberts Bank Terminal 2 Report.

The Terms of Reference for the Review Panel should include:

1. A statement requiring meaningful engagement of all peoples of Canada
2. A statement recognizing the importance and significance of the Fraser River Estuary ecosystem, internationally, nationally and provincially
3. A statement that designations, recognizing the national, international and local significance of the Fraser River Estuary, will be meaningfully included in the assessment
4. A statement noting the ongoing environmental degradation of the planned site in the intercauseway waters between Deltaport and the Ferry Terminal
5. A specific outline of the scope including shipping lanes; anchorage sites; effects on rail lines through BC and the Rockies; effects of container trucks on local roads and highways; and land use for container storage
6. A Statement that the Fisheries **No Net Loss Policy** must be included
7. A requirement that the Environmental Impact Statement be based on credible, peer-reviewed science
8. A statement that scientific evidence from government and independent scientists will be fully incorporated into the Review Panel Report
9. A statement that all environmental laws and agreements will be meaningfully incorporated
10. A requirement that reports and minutes of all consultations and meetings be posted
11. A statement requiring meaningful application of the **Precautionary Principle**
12. A statement providing for a single, evidence-based cumulative environmental effects assessment of all past, current and planned Projects and activities
13. A statement that alternative options/means for this Project on the west coast will be meaningfully included and not limited to the Project site
14. A statement that conclusions and recommendations on mitigation measures must be based on specific, scientifically-proven, measures
15. A requirement that mitigation measures include interactive, interdependent processes of the ecosystems
16. A requirement that mitigation plans and follow-up actions be specific and be presented to the public for comment
17. A requirement that summaries of public comments are specific and meaningfully documented
18. Requirement of a response report to public input by government scientists with specific points and with references
19. Requirement that Conclusions and Recommendations of the Review Panel must be based on proven, peer-reviewed science and must correlate with Key Findings
20. Requirement that the Review Panel Report must advise of all residual adverse environmental effects

21. Requirement that the Review Panel Report transparently include the level of public concern
22. Requirement that the Review Panel adhere to the International [Core Values](#) of Public Participation and [Code of Ethics](#)¹

Draft Canada-British Columbia Cooperation Agreement

The Canada-British Columbia Cooperation Agreements fail to sufficiently address provincial interests. In this case, where the federal government takes the lead, there is effectively no provincial-led assessment. Unfortunately, provincial government scientists are only peripherally involved and no provincial science is meaningfully applied.

Impacts to the local area such as light, noise, and air pollution will not be effectively assessed as they cannot be effectively mitigated

Impacts of increased truck traffic will not be effectively included.

B.C. laws, policies, and agreements will not be effectively included

The impact on crucial wetland marshes will not be effectively assessed

Previous promises and plans for intertidal waters were not implemented

Furthermore, the follow-up plans and mitigation measures are not specific and lack the requirement of providing the public with evidence-based plans and measures during the public input process.

Information has been submitted to the Impact Assessment Agency and elected Government Representatives providing evidence that neither Project is needed at this location. West Coast Container Capacity is sufficient and other Projects are under construction to meet future demand.

There is no need to cause further habitat destruction. Governments have deliberately disregarded dire warnings by government and private scientists over the past 44 years. Credible scientists have provided evidence-based reports warning that the globally-significant, interactive ecosystems of the Fraser River Estuary are not sustainable with ongoing port developments.

There is already serious ecosystem failure with declining numbers of endangered Southern Resident Killer Whales and the loss of millions of migrating salmon.

A report, [The State of Canada's Birds 2019](#)², states a 40% loss of shorebirds in Canada due to lost habitat and pollutants. The report also shows port development as one of the causes of declines and calls for conservation actions to protect and restore migration stopover and wintering sites.

¹ Advancing the Practice of Public Participation, International Association for Public Participation, Core Values; Code of Ethics <https://www.iap2.org/page/pillars>

² The State of Canada's Birds, 2019, Page 6/12 [2019-State-of-Canadas-Birds-1.pdf \(nabci.net\)](#)

Supporting a wealth of biodiversity, the Fraser River Estuary is one of the richest and most important ecosystems for migratory, wintering and resident waterfowl and shorebirds. It is Canada's major stopover of the Pacific Flyway. In 2022, the federal government designated the Fraser River Estuary as a [Key Biodiversity Area](#).

The Fraser River Estuary is also designated as Canada's top Important Bird Area (IBA); a Ramsar Wetland of International Significance (RAMSAR); and a Western Hemisphere Shorebird Reserve Network (WHSRN) site. Provincially it is designated a B.C. Wildlife Management area in recognition of its importance in Canada for biodiversity and shorebirds. Yet there is no legal-binding protection and ongoing port expansion continues.

There will be residual significant adverse environmental effects from the Berth 4 Project on migratory birds of the Pacific Flyway; migrating endangered salmon; endangered Southern Resident Killer Whales (SRKW); coastal birds; and species at risk.

The GCT Deltaport Berth 4 Expansion and the Roberts Bank Container Terminal 2 Project are two Projects seeking approval in the Fraser River Estuary. This is an unacceptable process due to poor planning by the Vancouver Fraser Port Authority (commonly called the Port of Vancouver).

When this Crown Corporation was formed in 2008, the intent and mandate was to coordinate port activities. Instead, chaos and worker dissatisfaction now prevails with the Port of Vancouver competing with its own tenants.

This is an abuse of the privilege which permits the Port of Vancouver to manage and profit from the public assets of more than 16,000 hectares of water; more than 1,500 hectares of land and hundreds of kilometres of shoreline, bordering 16 municipalities and intersecting the traditional territories and treaty lands of several Coast Salish First Nations.

This Crown Corporation should not be permitted to threaten the livelihood of its tenants by promoting its own competing Project. The motives are questionable and point to real estate accumulation creating a rich income for the Port of Vancouver.

The Boundary Bay Conservation Committee submits that public trust in due process for environmental assessments has been lost. Consequently, increasing port developments and activities in the lower Fraser River and Estuary have government permission to cause ongoing destruction of the interactive, interdependent habitats of this magnificent, globally-significant ecosystem.

The Boundary Bay Conservation Committee (BBCC) was established in 1988 to enhance public awareness of the Fraser River delta and estuary. We have worked with other conservation groups to obtain protection and recognition for this world class ecosystem.