

Let the Fraser live!

A plea to governments destroying the lower Fraser River and Estuary

Threats mount as the Governments of Canada and British Columbia contravene and alter laws to permit devastating destruction of the lower Fraser River and Estuary in BC. Industrial projects will pollute and disrupt natural flows and interactive, interdependent ecosystems.

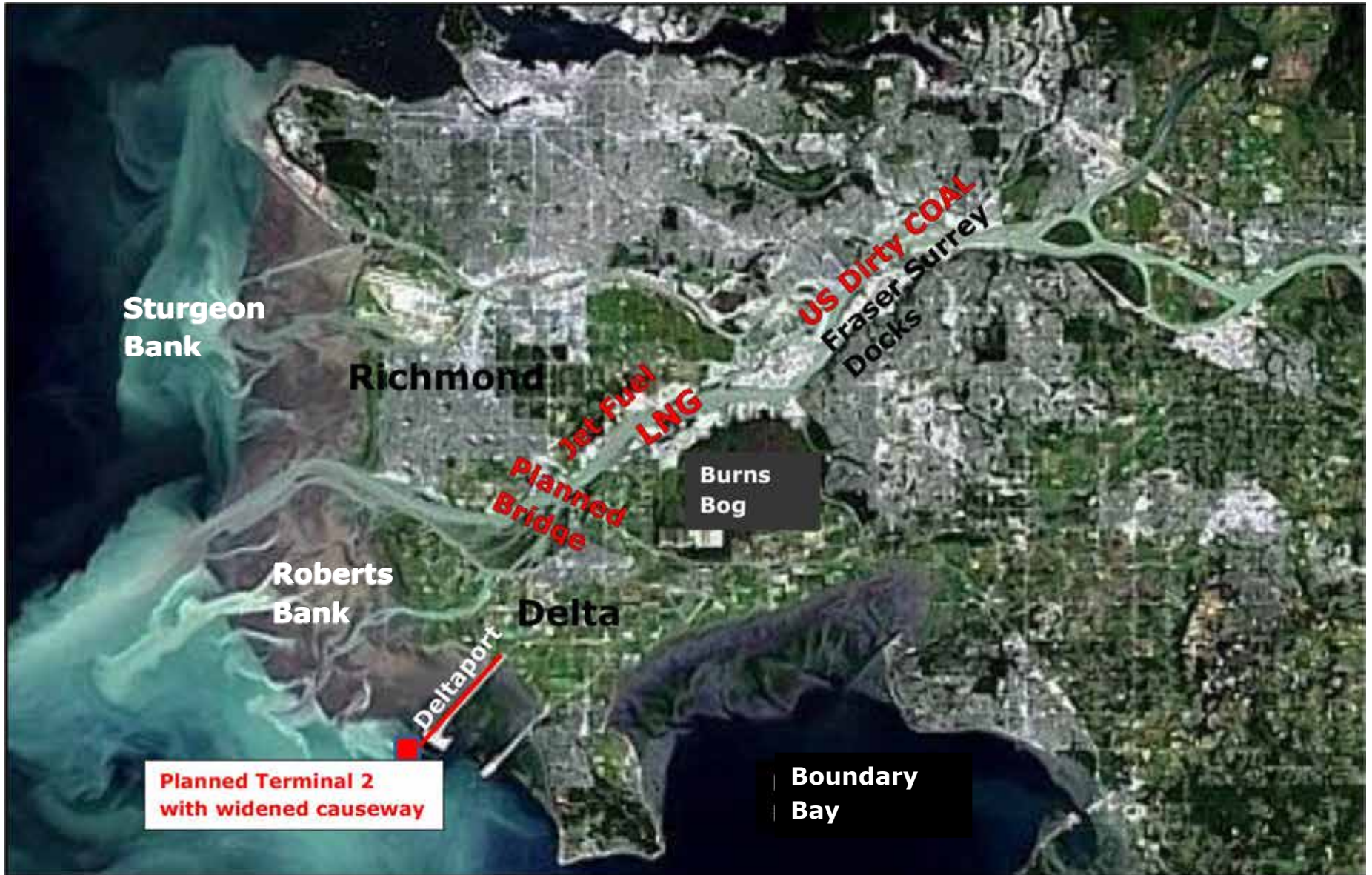
“If a man fails to honour the rivers, he shall not gain life from them.” (Anonymous)

Major projects will destroy British Columbia's lower Fraser River and Estuary

Along the lower Fraser River, little is left of the marsh, mudflats, eelgrass and river habitats of a century ago. Only 15–20% remains.

The Port of Vancouver, which is aided and abetted by the Governments of Canada and British Columbia, is promoting numerous major industrial projects that will destroy this amazing, globally significant jewel.





Canadians cherish the mighty Fraser and its rich Estuary, where fresh water ends the long journey across the province of BC and blends into the Salish Sea. This priceless natural heritage nourishes the body and soul of the peoples along the path of its journey to the Pacific.



Unfortunately, this local, national and global treasure needs protection from insatiable exploitation by governments and corporate organizations —managed by vested interests—that plunder for power and wealth.

- **The Fraser, the world's greatest salmon river, is a Canadian Heritage River.**
- **The Estuary, critical habitat for fish and wildlife, is Canada's largest wintering habitat for waterfowl and birds of prey.**
- **The Estuary is a regular foraging area for the endangered Southern Resident Killer Whales (Orcas)**

Global significance and designations

- **Western Hemisphere Shorebird Reserve Network *Site of Hemispheric Importance* (highest designation)**
- **Ramsar Site as a *Wetland of International Importance***
- **Major stopover site of the *Pacific Flyway* for migratory birds**
- ***Important Bird and Biodiversity Area (IBA)*, listed by Birdlife International as an *IBA in Danger***

Industrial projects are being unethically permitted with:



- **No credible environmental assessments**
- **No meaningful public consultation**
- **No international safety standards**
- **No cumulative environmental effects assessment as required under Canada's *Environmental Assessment Act*, Section 19.1 (a) and Section 5.**
- **No transparency or accountability**

The Governments of Canada and British Columbia collaborate with the Port of Vancouver on projects built on public and private lands. Tax dollars are used to provide the infrastructure servicing these projects.

The governments permit the Port of Vancouver to behave like a private corporation with a wealth of assets, including miles of waterfront properties.

Oops! Forgot these are public assets!!!



\$10 billion in federal, provincial and municipal tax dollars have been spent on infrastructure to serve the Port of Vancouver and vested interests.



The Gateway Transportation Collaboration Forum is planning to spend another \$10 billion in tax dollars.

The Port pays only “payment in lieu of taxes,” which is dramatically lower than regular property taxes.

How much power does Port Metro Vancouver have?

“MP Joe Peschisolido (Steveston–Richmond East) said the port has become unresponsive to community concerns since the Stephen Harper government granted near-autonomous powers in 2008....

Under Harper, the environmental process was gutted and the port had authority to make those decisions.”

(Kent Spencer, Vancouver Sun, April 14, 2016)

“The big landowner now looks after environmental assessments. It’s the classic wolf looking after the sheep. That alone makes them unaccountable.”

*(Otto Langer retired DFO Senior Biologist:
Richmond News article
by Alan Campbell, October 25, 2013)*



In 2015, the Trudeau Liberal Government promised *Real Change*, including “immediate” restoration and strengthening of environmental laws.

**A year and a half later...no change.
Now it is almost too little too late.**



Projects on the lower South Arm of the Fraser River

- **Massive expansion of Fortis BC Tilbury, Delta LNG**
from only 5,000 gigajoules to 450,000 gigajoules per day

The BC Government quietly passed Orders in Council in 2013 and 2014 to permit this massive expansion— with no public input or environmental assessment.



- **LNG Terminal at Tilbury for export** – WesPac Tilbury Marine Jetty

There is no federal environmental assessment, as a BC environmental assessment is being substituted.

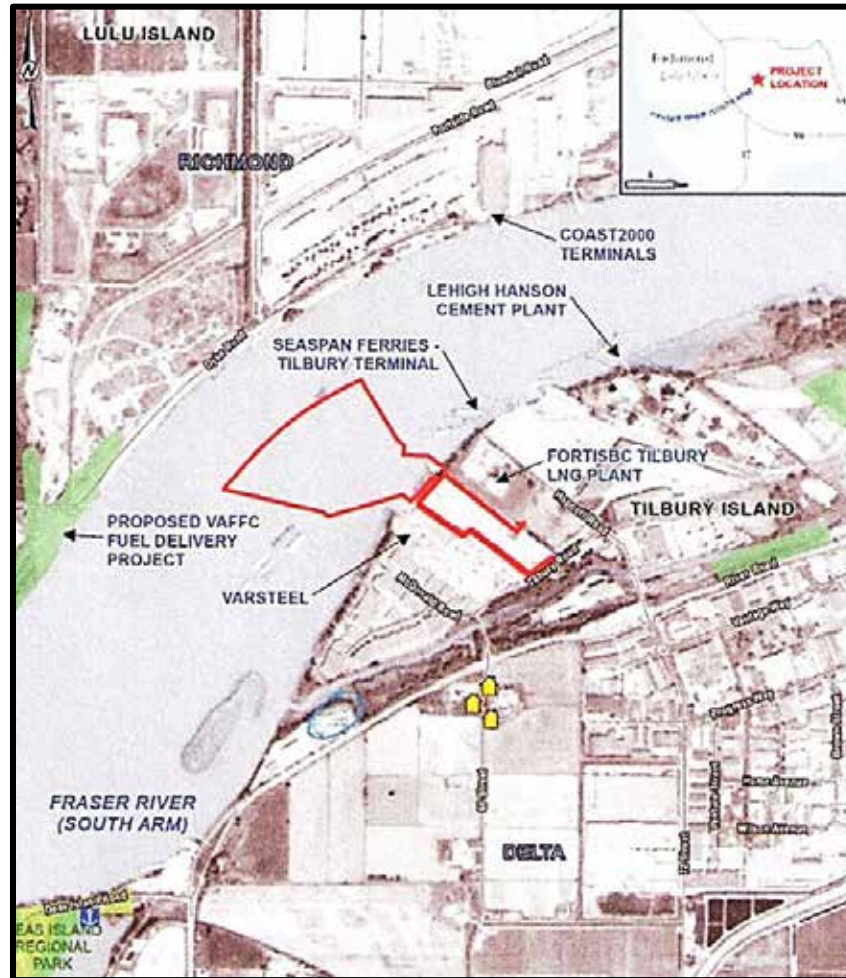
Note: The BC assessment is limited by ineffective legislation, with only lip service to public concerns. It is still in progress.



The LNG shipping contravenes international and US safety standards.

Note: In Canada, there appear to be no federal, provincial or municipal laws for locating hazardous industries. If they exist, they are not being enforced.

On May 7, 2015, the *unaccountable* National Energy Board of Canada approved a license for WesPac Midstream to annually export 3.5 million tonnes of LNG a year for 25 years. The LNG will be provided from the FortisBC Tilbury LNG plant on the adjacent property.



The LNG Terminal Project contravenes international and US safety Standards, which state that LNG ports must be located where they do not conflict with other waterway uses, as all other vessels must be considered to be ignition sources.

US laws prevent the movement of LNG ships in narrow waterways close to communities. LNG production and export should not be permitted in this Tilbury Island location due to safety concerns on the site and along the narrow shipping route. The Fraser River ship channel is too narrow to meet international and US standards.

The BC Wilderness Committee has created a colour-coded risk map of the area on the basis of a US Coast Guard document that outlines "zones of concern" in the event of an LNG tanker accident:

Zone 1 is where an LNG spill could pose severe public safety and property hazard.	Zone 2 would be "less severe" in a wider hazard zone—up to 1.6 kilometres away.	Zone 3 would spread further into Ladner and Richmond. It is considered the maximum distance a cloud of escaped LNG vapour could drift without dispersing. If ignited, the cloud could burn back to the tanker and result in a "pool fire."
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LNG Hazard Zones—“Zones of Concern”

Zone 1: 500 metres

Zone 2: 1.6 kilometres

Zone 3: 3.5 kilometres



- **Vancouver Airport Jet Fuel Import Terminal**

**Federal screening environmental assessment
and BC environmental assessment**

—ineffective legislation, with lip service to public concerns.



A challenge in court by the citizens' group VAPOR did not succeed. However, the judge stated the public had been “constrained by the law and disengaged from the environmental process.”

(Comments by Madam Justice Dillon, January 24, 2016)



February 24, 2016 – The Port of Vancouver issued a permit for construction of a terminal and 6 five-storey storage tanks to the Vancouver Airport Fuel Facilities Corporation.

The terminal and storage facility are located in Richmond on the north side of the Fraser River, near a park, a residential area and SilverCity.

The public and Richmond Member of Parliament Joe Peschisolido were horrified to learn that Canadian Minister of Transport Marc Garneau knew nothing about the Port of Vancouver permit that will bring Panamax vessels and even lower-end Aframax vessels to the South Arm of the Fraser for the first time in history.

As he did nothing and said nothing, it appears that the Minister of Transport, Marc Garneau, does not care that the facility is a safety risk located beside a park and close to other public facilities and people's homes.

Why should I care?





**The Port of Vancouver is in conflict of interest,
as it owns the land and will benefit from the lease.**

The BC environmental review process was flawed. Department of Fisheries, Department of Environment, local municipalities and First Nations considerations of the issues were never properly included in a *public process*.



Crude/Product Panamax Oil Tanker 71,000 DWT (Deadweight Tonnage)

Coming your way up the Fraser River?

The tanker route will impact endangered Southern Resident Killer Whales.



Any spill will impact 80 species of fish, including the largest Salmon runs in the world, as well as migratory birds and listed species such as White Sturgeon and Eulachon and a subspecies of Great Blue Heron (shown below).



- **Export of US dirty coal from Fraser Surrey Docks** —no proper environmental assessment—just a Port of Vancouver permit

Fraser Surrey Docks plans to construct a direct transfer coal facility to ship up to 8 million tonnes of American thermal coal through BC annually, making BC the largest coal exporter in North America.



Why would Canada want to waste this prime industrial site on the globally significant Fraser River by shipping dirty US thermal coal through BC?

This project should have triggered a federal *environmental assessment by review panel* due to the high level of public concern and potential irreversible environmental impacts on fish, wildlife, air quality and water quality.

The assessment by review panel did not happen because of the major changes the Harper Conservative Government made to environmental assessment and protection legislation in 2012.

After that, the Port of Vancouver changed from just a proponent of projects to a position of power to approve its own projects.

This is another classic Fox in the Henhouse process, with Port Metro Vancouver approving projects on the properties they manage within their mandate.



To sum up: Tragic situation for the Fraser River

- **The Governments of Canada and BC are abdicating responsibility for increased shipping on the river.**
- **The Port of Vancouver is the permitting authority, yet claims no accountability for any project beyond the port footprint.**
- **The Harper Conservatives gutted environmental protective legislation, and the Trudeau Liberals are operating under those changes.**
- **Consequently, no one is assessing environmental impacts of larger vessels on the Fraser River and Estuary—and on the Salish Sea.**

June 2012 – Fraser Surrey Docks applied for a permit from the Port of Vancouver to ship up to 4 million tonnes of US thermal coal—which US ports decline to ship.

In the fall of 2013, due to public pressure, the Port of Vancouver asked Fraser Surrey Docks to conduct an internal Environmental Impact Assessment.



Fraser Surrey Docks hired SNC-Lavalin to do the Environmental Impact Assessment (EIA), raising public concern about the reputation of the company and its close connection through business agreements with Macquarie, the Australian owners of Surrey Docks.



August 21, 2014 – The Port of Vancouver issued the permit.



At first, the export plan was to barge the coal down the Fraser River past the municipalities of New Westminster, Burnaby, Delta and Richmond to Texada Island to be unloaded and then later reloaded onto large ocean-going vessels.



This plan was changed. On November 15, 2015, Port Metro Vancouver issued a project permit amendment to allow for the direct loading of coal onto ocean-going vessels at the Surrey Docks.



Various projects on the Fraser River and Estuary anticipate larger ships upriver, past the current tunnel: Panamax and lower-end Aframax vessels, including tankers and LNG carriers.



To facilitate these large vessels, governments and vested interests want to remove the George Massey Tunnel, which should be good for another 50 years or more. **Clear evidence shows that:**

They want the tunnel gone.

AND They want to dredge the river deeper (for 34 km up the river, and with large deep turning basins).

AND They want the high (and expensive) bridge so that larger vessels can travel beyond it for fuel transport.

AND They want to double the number of container trucks on the bridge.

AND They want public tolls to pay \$3.5 billion for the oversized, overpriced bridge.

(AND If the toll is \$5 to \$7 each way, it still won't cover the costs.)



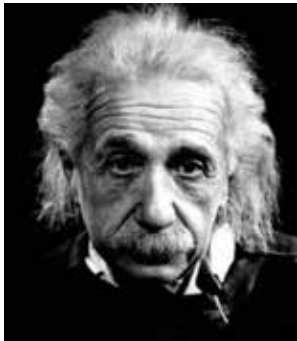
“The bridge has got everything to do with Port Metro Vancouver’s plans to industrialize the Fraser,” says Richmond Councillor Harold Steves. Illustration from BC government.



Proposed new Steveston interchange and bridge “go against 40 years of regional planning,” says Richmond mayor. Illustration from BC government.

How can all this happen?

- Major industrial projects are being forced on the public.
- Lip service is paid to public participation. Documented strong opposition is ignored.
- There are no credible environmental assessments because environmental laws, regulations and protection were gutted by the Harper Conservative Government in 2012. As well, the BC Environmental Assessment Act is so weak it is useless.
- It appears that the current Trudeau Liberal Government supports these projects, as it has not yet delivered on its promise to reinstate and strengthen the laws.



“If I were to remain silent, I'd be guilty of complicity.”

Albert Einstein

In 2013, the Fraser River Estuary Management Program (FREMP) —with all levels of government and the public implementing its plan to ensure monitoring and protection of the river— was essentially terminated by the Harper Conservatives: they handed FREMP over to the Port of Vancouver.



**The Vancouver Fraser Port Authority,
currently calling itself the Port of Vancouver,
is a Canadian port that is accountable to no one.**



Marc Garneau, Federal Minister of Transport stated:

“Canada Port Authorities are federally incorporated, autonomous, non-share corporations that operate at arm’s length from the federal government. They are governed by boards of directors nominated by port user groups and various levels of government. They operate according to business principles and have the authority and flexibility to determine strategic direction and make commercial decisions.

In this context, the federal government has no power to direct or influence the actions of Canada Port Authorities.” July 21, 2016

Yet, according to the Liberal Government's declaration called *Open and Accountable Government*:

“A Minister is accountable to Parliament for the proper functioning of his or her department and all other organizations within his or her portfolio.”

and

“Crown corporations remain government organizations and instruments of government policy for which Ministers are ultimately accountable.”



The Federal and Provincial Governments collaborate with the Port of Vancouver on major industrial developments and related infrastructure and then claim no authority over Port decisions. At the same time, the Port of Vancouver claims no responsibility for impacts beyond the footprint of Port projects.



Until 2008, Metro Vancouver's ports were run by local authorities with port expertise and experience:

- **The ports were in the business of shipping and trade for the benefit of Canadians.**
- **They were accountable to the public and the federal government.**
- **They moved goods efficiently and were financially self-sufficient.**
- **They had working relationships with local municipalities.**

Then

..... in 2008



The Harper Conservative Government placed the Metro Vancouver ports under ONE authority: the insatiable Vancouver Fraser Port Authority, also called Port Metro Vancouver or the Port of Vancouver.

The port people and ship captains were out.



Business Interests took over.



The Port of Vancouver is no longer about moving goods off and on ships in an efficient way that is in the public interest.

BUT

**It is about building up real estate and assets
with a high return for vested interests,**



**and it is about spin-off businesses run by friends
and large corporate interests.**



**It is also about the Port and friends buying up farmland,
*including land in the Agricultural Land Reserve,***



**to lease to logistics and operations companies
for a handsome profit.**

NEWS RELEASE: BC Transportation Strategy supports industrial buyout plans for South Delta farmland

April 3, 2012

Delta, BC – Delta South MLA Vicki Huntington revealed today that an industrial consortium is behind the optioning of 558 acres (226 ha) of South Delta farmland for port-related use. Huntington’s office has uncovered \$98 million in options on prime ALR farmland ...

... “Port-related corporations like CN Rail, CP Rail and Western Stevedoring are working with developers who are actively seeking prime land in the Agricultural Land Reserve,” says Huntington.



Vancouver Fraser Port Authority CEO Robin Silvester:

“Agriculture is **emotionally** important
but economically [of] relatively
low importance to the Lower Mainland.
And in terms of **food security**,
[it] is **almost meaningless**
for the Lower Mainland.”

BC Business Magazine, October 2011
(emphasis added)

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This used to be part of Burns Bog. It is what the Port of Vancouver plans to put on farmland in Richmond, Delta, Surrey and Langley.

The Port of Vancouver misrepresents port statistics and forecasts in order to build assets such as Container Terminal 2 at Roberts Bank in the Estuary:

- An artificial island and expanded causeway, it would fill in 445 acres of aquatic ecosystem in the environmentally sensitive and globally significant Fraser River Estuary in order to increase container capacity.
- The Port of Vancouver has never presented a credible feasibility study or cost/benefit analysis.
- Its container business fails to achieve *its lowest forecasts*—year after year.



The Port pays for skewed science and bogus compensation plans that lead to loss of habitat and degradation of globally significant ecosystems.



Who should be accountable?

The Government of Canada has set up a Port of Vancouver board of 11 appointed directors. It represents business and industry, with *only one* token appointee for the municipalities.

The board is operating with greater powers than those of democratically elected governments. In a letter to the public, the Minister of Transport, Marc Garneau, states that **“the federal government has no power to direct or influence the actions of Canada Port Authorities”** (July 21, 2016).

That statement contravenes “Canadian Constitutional Responsibility and Accountability.” It states: **“Ministers are responsible for all the actions taken under their authority.”**

Responsibility in the Constitution, Government of Canada Privy Council Office

The majority of the directors appear to be in conflict of interest, as they represent vested interests.



In 2012, the Harper Conservative Government passed the ruinous omnibus bill that dismantled legislation — Environmental Assessment, Fisheries, Energy and Navigation.



Consequently, the Port of Vancouver was given powers to undertake environmental assessments and grant permits to port projects.



Reminder: The current Trudeau Liberal Government promised to restore and improve the legislation.



But you promised! :(

So far, projects are being permitted to proceed

- without credible environmental assessments,**
- without meaningful public participation, and**
- without any regulatory or ethical oversight.**



What can be done now?

The Government of Canada needs to act *now* to:

- Restore and strengthen Canadian legislation.
- Terminate the mandate of the Port of Vancouver and ensure federal accountability.
- Place a moratorium on the mega projects in the Fraser River Delta/Estuary.
- Initiate a *cumulative* environmental effects assessment of past, current, and planned projects in the Fraser River Delta/Estuary as required under the *Canadian Environmental Assessment Act*.
- Develop a plan and legislation to protect the health of the Fraser River Delta/Estuary in perpetuity.

We need more than HOPE.



We need TIMELY ACTION.



Send your voice to the Government of Canada.

Some email addresses to use:

The Right Honourable Justin P. Trudeau, Prime Minister of Canada justin.trudeau@parl.gc.ca

The Honourable Marc Garneau, Minister of Transport marc.garneau@parl.gc.ca

The Honourable Catherine McKenna, Minister of Environment and Climate Change
Catherine.McKenna@parl.gc.ca

The Honourable Dominic LeBlanc, Minister of Fisheries and Ocean dominic.leblanc@parl.gc.ca

The Honourable Bill Morneau, Minister of Finance Bill.Morneau@parl.gc.ca

The Honourable Chrystia Freeland, Minister of International Trade Chrystia.Freeland@parl.gc.ca

The Honourable Jim Carr, Minister of Natural Resource Jim.Carr@parl.gc.ca

The Honourable Lawrence MacAulay, Minister of Agriculture and Agri-Food
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The Honourable Jane Philpott, Minister of Health Jane.Philpott@parl.gc.ca

The Honourable Navdeep Singh Bains, Minister of Innovation, Science and Economic Development
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The Honourable Jody Wilson-Raybould, Minister of Justice and Attorney General of Canada
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