

A Letter to Washington State's Governor from Point Roberts based Lifeforce Foundation

Oct 16, 2008

Dear Governor Gregoire,

Re: Orcas and Other Wildlife Threatened by Delta Port Expansion

I am writing to you on behalf of the Lifeforce Foundation. Our members are extremely concerned about industrial developments taking place in the Fraser River estuary. We believe that these developments will seriously affect the quality of the environment within the estuary, including wildlife, habitat, water and air quality. The transboundary Southern Community that you have helped protect may well be harmed by such development.

For over twelve years I have studied the behaviour and travel patterns of the Southern Orca Community. Some of these studies were conducted under a DFO research permit. This species has been designated as an endangered species. The area where Delta Container Port is located is a very important habitat and must be protected for the survival of these orcas. During most of the year J pod travels in these waters. From approximately May to October, J pod is joined by K pod and L pod. Other populations of orca and marine mammals are also found in this area.

The negative impacts include lack of education of vessel operators when orcas are present that can result in stress and possible injury/death; construction noise that would interrupt their lifestyles and cause fatal injuries (such as hearing damage); release of possible contaminants during construction affecting their health; increase of ship traffic resulting in noise and water pollution that can lead to poor health/death; and long term impacts that can effect food availability and the orcas' historic use of this habitat.

The proposed expansions of the Vancouver Port Authority facility at Roberts Bank include a Third Berth for containers at Deltaport (proposal accepted for review at the B.C. Environmental Assessment Office in February 2005), a potential second terminal and a major truck highway across Delta's farm fields (Gateway Program). All these developments will have a major impact on the environment of the Fraser delta. The port expansion will result in the loss of valuable sand flats and eelgrass beds at the mouth of the Fraser River (approximately 20 ha for the Third Berth), essential habitat for migrating and juvenile salmon and over 70 other fish species. Increased marine traffic will also have many negative effects on this sensitive ecosystem. The proposed truck highway (2400 trucks per day to and from the Third Berth Project alone) would considerably increase air pollution. Lighting, noise, water and sediment quality are issues that have caused unresolved problems in the past and are likely to worsen.

Environment Canada's response to the Canadian Environmental Assessment process also criticized the expansion. The report states:

EC has adopted the position that the risk of eutrophication within the intercauseway cannot be dismissed. If it does occur, the state of eutrophication is predicted to result in such massive environmental change between the causeways that there would be public outrage as well as agency embarrassment at an international scale, not to mention the loss of productive habitat for a very large and diverse assemblage of biota.

http://www.againstportexpansion.org/downloads/2005_04_27_deltaport_ceaa.pdf

The Canadian Department of Fisheries, who is now being sued for general failure to protect the critical habitats of endangered orcas, at first refused to grant a permit that would permit the destruction of fish habitats stated:

"... 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."

The DFO letter is on the EAO website at

http://a100.gov.bc.ca/appsdata/epic/html/deploy/epic_document_212_15022.html

other interesting DFO letters on the BC ENV Assessment Site

http://www.ceaa-acee.gc.ca/050/Viewer_e.cfm?CEAR_ID=3734

Since the Southern Community is a transboundary species and also designated as endangered in the US. The US government should be advised and allowed to participate in the review. Are there treaties between the US and Canada to protect transboundary endangered species? What US government would have jurisdiction in this matter? Are any US agencies participating in these reviews (I was told "No")?

On behalf of Lifeforce I hope you to take steps to protect the wildlife habitat of the Fraser River estuary that directly will impact on the orcas. Our members support wildlife habitat conservation and believe that air and water quality should be given strong national priority. I hope you will help prevent the destruction of this unique ecosystem. I look forward to your response.

Thank you,

Peter Hamilton

Lifeforce