

BOUNDARY BAY CONSERVATION COMMITTEE
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WesPac Tilbury Marine Jetty Project
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RE: WesPac Tilbury Marine Jetty Project

Thank you for the opportunity to give comments from the Boundary Bay Conservation Committee (BBCC) on the WesPac Tilbury Marine Jetty Project.

The Boundary Bay Conservation Committee (BBCC) was established in 1988 to enhance public awareness of the Fraser River Estuary Ecosystem. We have worked with other 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.
- In 2011, Roberts Bank, the vital central link in this chain of inter-connected and protected estuary habitats, was finally declared a Wildlife Management Area.
- In 2012, the whole lower Fraser River Delta was declared a Ramsar site by the International Convention on Wetlands.

Process

Unfortunately, we will be brief because, yet again, you are asking for public input into a development project in the lead up to Christmas. The BBCC would like to ask:

1. If the British Columbia Environmental Assessment Office (BCEAO) could rule out December public comment deadlines if you want thorough public input on projects?
2. I have to admit that personally I do not have the patience to wade through all the verbiage of **Project Proponent-paid spin-doctors**. We must and can do this better. Is there any way the BCEAO can set up **rigorous reviews of such project documents by independent, expert, scientists in the related fields**

before they are released for public review? This will aid the BCEAO process and ensure that a thorough evaluation and assessment of both the potential local and global environmental effects of such a large and controversial project are done.

3. **Where is the Environmental Accountability for this whole project?** From the BCEAO site: *“this proposed project is subject to review under British Columbia’s Environmental Assessment Act (2002) and the Canadian Environmental Assessment Act (2012).”*

The BBCC has already given input twice to the CEAA process in June 2015 and we have had no feedback. CEAA in Ottawa on **July 6, 2015** stated it had decided that a federal environmental assessment is required for the WesPac Tilbury Marine Jetty Project pursuant to the *Canadian Environmental Assessment Act, 2012* (CEAA 2012). In making this determination, the Agency considered the following factors as indicated in section 10 of CEAA 2012:

- the description of the project provided by the proponent on May 11, 2015;
- the possibility that the carrying out of the project may cause adverse environmental effects; and,
- **comments received during the comment period.**

Then 4 days later: **July 10, 2015** - CEAA “commenced an environmental assessment and the **Minister of the Environment approved the substitution** of the federal environmental assessment process by that of the Government of British Columbia for this project.”

How is this possible? Given their statement above on July 6, 2015? What were the public comments? How is this possible given the environmental issues affected by the transport of LNG ships through the federal jurisdiction of the shipping lanes in the Coast Salish Sea?

What does this mean? **“Substitution is a new tool enabled by the *Canadian Environmental Assessment Act, 2012*. Under substitution, where both federal and provincial environmental assessments are required, there can be a single review process (the provincial one) and two decisions (federal and provincial).”** Does the province have the expertise to do this over federal jurisdictions?

BBCC recommends that the full extent of the **complete Fortis/WesPac Project** (from fracking to liquefaction, estuary storage, loading and then transport in the Fraser River and through the Coast Salish Sea and Juan de Fuca Strait) **must be reviewed at the highest level possible in Canada by an Independent Expert Review Panel through CEAA**. Accidents in the LNG Industry must be included. E.g. see attached Table from the internet up to 2008.

Scope

The stated intention for seeking public comments “is to ensure that all potential effects - environmental, economic, social, heritage and health - that might result from the proposed Project are identified for consideration as part of the assessment process”.

1. Members of the BBCC did not see any notification for **public input into the National Energy Board’s decision to grant an export license to WesPac Texas.**
2. The BBCC would like to protest the National Energy Board’s decision to approve an export license to WesPac Texas via “the outlet of the loading arm at the WesPac LNG Marine Terminal in Delta, British Columbia (B.C.)” **when no such terminal exists.**
3. Given that The National Energy Board “*is an independent federal regulator of several parts of Canada’s energy industry with the safety of Canadians and protection of the environment as its top priority ..*”, how can they give approval to such a potentially dangerous project for Canadians living in the Lower Mainland of BC without any public assessment of risks?

And if “**protection of the environment**” really is such a “**top priority**” how can approval be given to a project that could have disastrous consequences for Canada’s most significant habitats: including the Fraser River Estuary (see above), the Fraser River itself (greatest salmon river in the world), the receiving waters of the Coast Salish Sea home to endangered Orcas etc.) without a full environmental review by both levels of government first? Members of the BBCC want to know if CEAA can overturn this decision by the National Energy Board?

Other Issues and Questions

1. BBCC members cannot see any application by **Fortis/WesPac for the building of the LNG Project to support export of LNG from Tilbury Island in Delta BC.** On the BCEAO website there are six LNG “energy” projects listed but Fortis/ WesPac is not one of them. We note that other proposed LNG export projects in BC have had to apply for all parts of their projects at once.
2. We cannot find any record of a federal CEAA environmental review of any **application by Fortis/WesPac Texas for the building of the LNG Project to support export of LNG from Tilbury Island in Delta BC .**
3. **How has WesPac Texas been allowed to apply for just the “Marine” Jetty?** Piecemealing of such a controversial and multifaceted project from LNG acquisition by fracking to ship transport through the globally significant Fraser River Estuary ecosystem with all the global warming implications is outrageous. BBCC recommends this incomplete application must be rejected.

4. **Earthquake Hazard Risk at Tilbury in Delta:** Why is expansion being allowed at his location which is on **alluvial deposits** and as such will be at risk of **massive liquefaction** in the forecasted largest earthquake ever?



This Map on the internet is from a study in 2007 of a much smaller earthquake of 7.3 by the University of BC. The dark category (VIII) will experience liquefaction. The focasted “big one” will be more than 9.

5. **LNG Port Siting:** River estuaries should not be sites used for LNG Ports according to suggestions in a paper: *Site Selection and Design for LNG Ports and Jetties* by the Society of International Gas Tanker and Terminal Operators (2000). Especially the Fraser River because in addition the Tilbury site is opposite and far too close to an approved Aircraft Fuel Port in the relatively narrow Fraser River. Further, the Fraser River has a high level of vessel traffic that will increase even further when the approved Coal Port upstream of Tilbury is operational.

6. **The Lower Mainland supports a large human population as well globally significant habitats for a wide range of wildlife in the Fraser River Estuary.**

The shipping of LNG is a great risk in this location. The risks of shipping of LNG in this area must consider a realistic impact zone: Real LNG Hearings.org have produced such a map showing the extent of the zone.

7. What is the impact of the cumulative increase in ships through the already busy shipping lanes of the Fraser River, Salish Sea and Juan de Fuca Strait? Current ship traffic through *Orca Pass* between the protected American San Juan and Canadian Gulf Islands National Park is already having an impact on the **endangered Southern Resident Orcas**.

8. A thorough review of Canada's accountability to global warming through natural gas extraction by fracking and export of this gas and its later burning, as well as transport by ships fueled by carbon products.

9. Are the LNG ships dependent on removal of the George Massey tunnel? If so are Fortis/WesPac going to pay for the replacement bridge over the Fraser River?

10. Who is WesPac Texas? They appear to be registered in Delaware, USA yet their address is in California, USA. How much experience do they have at jetty building? Their website indicates that they have never built one. How can Canada allow them build one in the wrong site (SIGGTO above) in the Fraser River?

11. What is the relationship between WesPac and Fortis? Is this a formal partnership?

12. How much LNG does Fortis Plan to export? WestPac said in its application to the NEB for an LNG export licence, **further expansion at the Fortis facility will be required to supply the Wespac Terminal**. Which Plan is this proposed project based on Fortis 1a? or Fortis 1b? or WestPac Licence? or Fortis Potential Growth?

13. How much power will be required for each scenario? Will it mean that the Site C Dam is needed for this project? These scenarios will mean new powerlines running through Delta farmland and possibly even an expanded natural gas pipeline from northeast BC.

14. Regulatory Approval: Which company has applied to build the huge liquifaction and storage capacity required for each scenario in Tilbury in Delta? Who has made the applications for each expansion? Who is already building the large storage tank at this moment on Tilbury? How did they get permission?

15. Which company is accountable upstream for all the environmental costs of the fracking process required to extract the natural gas? Is BC and/or America accountable to legislated target commitments for the reduction of

greenhouse gases both upstream and downstream for this extraction, liquifaction, export and finally burning of the gas in this project? For example BC's commitment is to reduce greenhouse gas emissions by 1/3rd of the 2007 level by 2020? BBCC understands that one tonne of greenhouse gas emissions are produced in the manufacture of each tonne of LNG. What proportion of BC's legislated target on greenhouse gas emissions will be taken up by this project and other the planned projects? How many will be allowed?

16. Who is accountable for the **water needs of fracking extraction** and LNG processing? How much water will be extracted and where will it come from? Where is the fracking waste water going from the Western Canada Sedimentary Basin and the waste water from liquefaction on Tilbury Island in Delta, BC?

17. **Who is accountable for the environmental devastation left by fracking?**
Example:



Members of BBCC read with great concern the quote from the former Federal Minister of Industry, James Moore, about another BC LNG project: **“Of course the Environmental Assessment is still ongoing but we want to get to yes”**.

Yours sincerely,

Mary Taitt

Director, BBCC
Attachment: History of Accidents in the LNG Industry.