

BRIEFING NOTE FOR THE MINISTER (DRAFT)

**ROBERTS BANK CONTAINER TERMINAL EXPANSION PROJECT**

(Information Only)

**SUMMARY**

- The Vancouver Port Authority (VPA) proposes to expand the container terminal at Roberts Bank in Delta, British Columbia. The proposal is comprised of two separate projects identified as Deltaport Expansion and Terminal 2.
- Combined, the proposed projects would result in infilling of over 110 hectares of prime Fraser River estuary habitat critical for rearing of valued Fraser River salmon stocks.
- DFO Pacific Habitat staff have met with VPA on several occasions to discuss the proposed projects and have verbally expressed concern with the proposals.
- These proposals are similar to a Roberts Bank terminal expansion project that was proposed by the National Harbour Commission in 1975 and reviewed by Federal Environmental Assessment Review Office. Many of the elements that were proposed in 1975 were identical to current proposed Deltaport Expansion and Terminal 2 Option 2 and were rejected by DFO at that time.
- The entire area of the project has been coded red through the Fraser River Estuary Management Program (FREMP) habitat classification system. FREMP is a management team with representation from Federal and Provincial governments and the Greater Vancouver Regional District and includes DFO and Environment Canada. A red coding affords the highest level of protection to critical habitats and is not considered suitable for development.
- The Roberts Bank area is a critical part of the western North American flyway for migratory birds.
- Two separate letters dated November 2002 and April 2003 have been sent from DFO to the VPA clearly stating that DFO will not permit the loss of the critical fish habitat that would be destroyed if these projects were to proceed as proposed.
- Although DFO has withheld triggering a federal environmental assessment under

the *Canadian Environmental Assessment Act* (CEAA), DFO has offered to work with the VPA to identify options that would minimize impacts to fish habitat.

- The VPA is continuing to look for options that will minimize impacts to fish habitat.

### **Background**

- The Vancouver Port Authority (VPA) is proposing to expand its container terminal operation at Roberts Bank to meet the expected growth of container terminal business over the next 20 years.
- The VPA is proposing the expansion as two separate projects, Deltaport expansion and Terminal 2. Deltaport expansion would include the construction of a third berth and associated container storage and handling area for the current operator of the terminal. Terminal 2 would include the construction of an entirely new operation with three new berths and the associated container storage and handling area for an, as yet, unnamed operator.
- The Deltaport expansion would require infilling of roughly 30 hectares of critical eelgrass and mudflat habitat heavily utilized by millions of migrating juvenile Fraser River salmon. The Terminal 2 proposal would require the infilling of roughly 80 hectares of highly productive eelgrass and mudflat habitat.
- DFO Pacific Region Habitat staff met with VPA representatives on 3 separate occasions from September 2002 to November 2002. In each of these meetings DFO staff clearly stated that they would not permit the destruction of critical fish habitat that would result if the project proceeded as proposed.
- Expansion of the Roberts Bank terminal was also proposed earlier by the National Harbours Board in 1975 and assessed by a panel review through the Federal Environmental Assessment Review Office, concluding in 1979. Expansion proposals at that time included components that were essentially identical to the current Deltaport expansion and Terminal 2 Option 2. Both of these components were rejected by DFO in the earlier review because of unacceptable impacts to fish habitat.
- In addition, the entire area of the project has been “coded red” through the Fraser River Estuary Management Program (FREMP) habitat classification system. FREMP is a management team with representation from Federal and Provincial governments and the Greater Vancouver Regional District and includes DFO and Environment Canada. A red coding affords the highest level of protection to critical habitats and is not considered suitable for development
- In a letter dated November 21, 2002 (attached) the Regional Director of the Pacific Habitat and Enhancement Branch (HEB) outlined DFO’s position with respect to this proposal and reiterated that DFO would not permit the harmful alteration, disruption or destruction of critical fish habitat that would be impacted by the proposed expansion project.

- In a subsequent meeting in January 2003, the VPA presented additional options for the Terminal 2 proposal that have the potential to reduce impacts to critical fish habitat. However, no other options were proposed for the Deltaport expansion. DFO again stated that they could not permit destruction of critical fish habitat for the Deltaport expansion or the original inshore Terminal 2 options.
- Despite DFO's position on their proposals, on February 25, 2003, VPA submitted a letter of intent to the provincial Environmental Assessment Office (EAO) requesting that the Deltaport and Terminal 2 proposals be reviewed under the Provincial environmental assessment legislation. The proposals were unchanged from those presented at the January 2003 meeting with DFO.
- In response, the Chief of the Major Projects Review Unit –HEB sent another letter on April 1, 2003 (attached) again advising the VPA that DFO would not permit the destruction of the critical fish habitat that would be impacted by the proposed Deltaport expansion and Terminal 2 Options E1 (now called Option 2) and W3 (now called Option 3).
- In addition to DFO's fisheries concerns, the Roberts Bank is a key component of the western North American flyway for migratory birds. Environment Canada has expressed serious concern over the potential impacts of the terminal expansion on this migratory route.

### **Current Status**

- The VPA subsequently changed their position on the proposed expansion and has now designated the various option sites as study areas. As such they are no longer proposing specific projects at this time.
- Owing to the broad pre-conceptual nature of the five study options proposed, the lack of clear project designs, and the circumstances and locations of at least three options precluding DFO authorization, DFO has withheld triggering a federal environmental assessment pursuant to CEAA..

### **Recommendation / Next Steps**

- The VPA is currently conducting further studies in the area of the proposed expansion.
- DFO has offered to continue to work with the VPA as they attempt to identify alternatives for the proposed terminal expansion.

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