

Posted by Future of Howe Sound Society

November 27th, 2017 | Howe Sound, British Columbia

Our Society is committed to conservation and stewardship for Howe Sound for current and future generations. We have reviewed the Draft Assessment Report and Conditions that have been issued by the BC EAO. We are both surprised and disappointed by the apparent endorsement of the project by the BC EAO.

It appears that the Report has placed undue reliance on the Applicant's assessment of and response to issues or concerns raised through the public comment period without the BCEAO making its own objective analysis of whether those issues or concerns have been properly addressed. Best practices on measuring the return on Howe Sound's Ecosystem assets have not been applied and BCEAO's indicated lack of confidence about the estimated impact on several value components is less than reassuring.

During the initial comment period on the AIR, we filed a consultant's report which outlined deficiencies in the Applicant's assessment of the residual and cumulative effects. It concluded that in the consultant's professional opinion the EAC application did not effectively address potential adverse residual and cumulative effects to marine resources, recreational values and land management. The Applicant provided responses to the concerns identified by the consultant. Our consultant reviewed the responses and amongst other issues raised, has commented that the Applicant's response to the concerns was inadequate and that the "EAC application did not use the best available science or sound scientific practices". We have attached our consultant's letter in this regard. It concludes with the statement that to reiterate "it is our professional opinion that the Burnco Aggregate Project EAC application did not effectively address potential adverse residual and cumulative effects to marine resources, recreational values and land management". Although this letter was previously provided to your office, our understanding is that the BCEAO has made no effort to contact the consultant to review the concerns or attempt to critically evaluate the concerns identified.

It is clear from our consultant's review that the Application and the Applicant's response to issues raised in the comment process is deficient. We suggest that the concerns in this regard are not confined to the issues identified by the Consultant's review but also apply in other areas where the Applicant's responses to issues raised through the public comment period have not been provided on a substantive basis which properly address the concern.

As an example, in the Report it is stated that "Of the 11 marine mammal species identified through desktop literature review of Howe Sound and the southern Strait of Georgia, five are species at risk under SARA, specifically grey whale, harbour porpoise, humpback whale, Steller sea lion and southern resident killer whale. There is no known critical marine mammal habitat within the Burnco Project marine area or proposed marine transportation routes." This statement is apparently made in reliance on studies using 2013 data. However, over the last several years, there have been an ever increasing number of sightings of Orca's and other cetaceans in Howe Sound and in fact, in the last few years there have been regular sightings of Orca whales in the waters in front of McNab Creek and along the proposed barge transportation route. It seems that the Applicant and the BCEAO are relying on the phrase "no known critical marine mammal habitat" to justify dismissing the potential impact on marine mammals. The importance of the return of this at-risk whale population to the waters of Howe Sound should not be casually dismissed particularly if the conclusion is based on incomplete or out of date studies.

We also have significant concerns that the BCEAO has not properly considered the overall implications of this project for the Howe Sound environment.

This project will have an undeniable adverse impact on the McNab Creek estuary although the BCEAO has concluded that the view these impacts might be mitigated to an acceptable level. The McNab Creek estuary is a

critically important and an extraordinarily rare environment that needs to be retained in a natural state to support the overall health of Howe Sound. The Sound is only now recovering from decades of industrial abuse. Millions of dollars have been expended on environmental remediation. As noted in the attached consultant's report, the level of information presented in the EAC application did not use the best available science or sound scientific practices. To approve this project at this time can only set back the remediation efforts and endanger the ongoing recovery of Howe Sound and is of particular concern when the future plans are predicated on outdated processes and assumptions are based on incomplete or outdated studies.

We are also concerned that the potential scope of the project and long-term impact on the environment has been understated which makes the Report's conclusions unreliable. At the outset Burnco proposed a much larger footprint for the gravel pit. At the initial open house, a senior Burnco representative stated that it would be their long-term intention to mine the full extent of available gravel in the valley. After initial comments were received, the mine area was scaled back (although processing capacity was increased) allegedly in response to public concerns but certainly to improve the likelihood that the project would be approved in the first instance. During the comment period, it was suggested that if the reduced scope of project was approved then restrictive covenants should be placed against title to the property in favour of other area land-owners who will be impacted by the project to ensure that the project scope could not be expanded in the future. This condition has not been imposed apparently on the basis that any future expansion would require a certificate amendment and therefore BCEAO approval. However, a future application for expansion would not be subject to the same review requirements or public scrutiny as the initial application. It would also be made at a time that the initial environmental degradation has already occurred and further degradation would be incremental. Given that the BCEAO has concluded that the mining of an intact estuary is acceptable, it is conceivable, if not likely, that it would agree to a certificate amendment for an expansion to the gravel pit which would result in additional impact to the environment that was not taken into account in this Report.

The assessment of Social and Economic Effects seems to entirely discount the impact of this project. The number of comments received through the review process underlines the deep concerns held throughout the Howe Sound community and stakeholders.

The Report makes no reference to the recent David Suzuki Foundation publication "Sound Investment: Measuring the Return on Howe Sound's Ecosystem Assets" which states the Howe Sound's watersheds provide an estimated \$800 million to \$4.7 billion in ecological services to the region each year. There is no attempt to measure the costs of the economic loss in natural capital that will inevitably result if this project is approved.

Similarly, there is no mention in the analysis of the potential national park that is under consideration for the area or the proposal to have Howe Sound designated as a UNESCO Biosphere Region or the newly established marine trail that traverses the area. The creation of a gravel pit in the last remaining relatively intact estuary in the Sound is completely at odds with these other initiatives. It is a surprising deficiency that these other initiatives are not even addressed in the report.

The depth of the public opposition to this project and the extent to which it is at odds with the valued components of the Howe Sound community that should be considered in the evaluation of the project is evidenced by the fact that since the date the draft report was released more than 2,200 people have signed a petition which rejects the conclusions reached by the BCEAO and remain in opposition to the project.

Our Society has been calling for a comprehensive land and marine use plan for the Sound. The current zoning for this proposed project is "rural use" and Burnco's proposed project is not a permitted use under the current zoning. To approve a project that involves the extraction of a non-renewable resource and is contrary to current zoning in the absence of a comprehensive land and marine management plan for Howe Sound would be irresponsible.

Considerable work is required to improve the BC Environmental Assessment process in order to respond to lessons learned from this current and other past reviews. Previous reports which have made recommendations for improvements to the EA process have yet to be implemented. If the Ministers were to approve this project based

on the conclusions in this Report, the tragic result would be that Howe Sound will suffer the consequences of the flaws in the current review process.