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June 20, 2013

By email: tsep-cesnc@tc.gc.ca

Tanker Safety Panel Secretariat
330 Sparks Street, Place de Ville Tower C (AAM)
Ottawa, ON K1A 0N5

Dear Captain Gordon Houston, Richard Gaudreau, and Dr. Michael Sinclair:

Submission to Tanker Safety Expert Panel

As two of the local governments representing the islands of the Salish Sea, we are extremely concerned about the oil and coal spill risks posed by marine shipping in the area and the poor state of Canadian readiness to respond to a major spill in the Salish Sea. A major oil spill is a real threat in our busy waterways and anchorages. Oil spills do not stop at international boundaries and a major spill in the Salish Sea would be extremely damaging - environmentally and economically.

The Salish Sea is a special place and a unique part of the world. Our waters are home to some of the most productive and biologically-diverse ecosystems on earth. As islanders we depend on a healthy environment to sustain our economies, our diets, and our way of life. We cherish our iconic southern resident orca and salmon as well as the exceptional variety of other species that depend on the Salish Sea for sustenance and survival.

The same distinct geography and marine conditions of the Salish Sea that support such rich biological diversity, also make oil spill clean-up extremely challenging. Our swift tidal currents would quickly disperse spilled oil throughout the region and into the nooks and crannies of our shorelines. The oil's trajectory would be a circular gyre keeping it in the area until it has stranded on shores. Unlike more exposed ocean environments, the Salish Sea's waters would not naturally wash and flush shores. These unique conditions and special values justify enhanced levels of oil spill prevention and response resources and regulations.

We are pleased that you have been tasked with assessing Canada's marine oil spill and response regime. On behalf of our elected councils and our island communities we request that you consider and emphasize the need for:

- On-going consideration of trans-boundary issues that pose a barrier to effective oil spill prevention and response, and regular exercises and consultation to identify and resolve those issues;
- Greater transparency from regulators and industry about oil spill issues and risks;
- Regionally-based solutions that are informed by collaboration and consultation with provincial, state, local, First Nations and tribal governments, and non-profit organizations;
- Secure, on-going funding to bring citizens together to foster practical, workable solutions to oil spill prevention, preparedness, and response gaps;
- Sufficient government and industry investment in prevention and response resources including vessel traffic control, response personnel and equipment, and emergency tugs and salvage vessels to ensure that the safety net rises with the risk; and,
- More government investment in independent research, with funding contributed by industry. It is extremely concerning to us that heavy, toxic, sticky oil sands products such as diluted bitumen are permitted to be shipped through our shared waters prior to having scientific certainty about how the product will affect our sensitive marine ecosystems and human health in the event of a spill.

We also encourage you to proactively seek input from United States agencies and the Pacific States/British Columbia Oil Spill Task Force to inform your consideration of trans-boundary spill prevention and response issues.

About Us

The Islands Trust is a federation of local governments that represents 25,000 people living within the Islands Trust Area. The Islands Trust Area covers the islands and waters between the British Columbia mainland and southern Vancouver Island. It includes 13 major and more than 450 smaller islands covering 5200 square kilometres. The Islands Trust has a legislated mandate to preserve and protect the trust area and its unique amenities and environment for the benefit of the residents of the trust area and of the province generally, in cooperation with municipalities, regional districts, improvement districts, other persons and organizations and the Government of British Columbia. In June 2012, the 26-member Islands Trust Council voted to oppose in principle oil pipeline projects that lead to the expansion of oil export by barge and tanker from Canada's west coast due to concern about the risk of oil spills that could irrevocably damage coastal environments, economies, and communities.

San Juan County includes 172 named islands and more than 408 miles of shoreline in Puget Sound. San Juan County is both a political subdivision of the State of Washington and the local government service provider. The San Juan County Council represents 15,000 people and is the legislative body whose duties include land use and resource management planning and regulations.

Through a Transborder Island Agreement renewed by our two local governments in 2007, we have agreed to work together on issues of transboundary importance.

In response to growing concerns about oil spills and the increased risk posed by increasing marine traffic in the Salish Sea, the Islands Trust has made advocating to protect the region from oil spills a strategic priority since 2010. San Juan County has identified improved oil spill prevention, readiness and response as federal and state legislative priorities since 2011.

In 2010, the Islands Trust and San Juan County wrote jointly to the heads of the United States Coast Guard, the Canadian Coast Guard, Transport Canada and Environment Canada to request that those agencies begin discussions in 2011 to compare their maritime safety standards, and develop compatible regulations on both sides of the border in order to provide the best oil spill protection possible for the Salish Sea. We requested that any regulatory review process invite and meaningfully incorporate input from First Nation and tribal governments, local governments, non-profit agencies and communities.

In conclusion, we hope you will develop recommendations that create the best protection possible for our ecologically, economically and culturally rich region. The communities and ecosystems of the Salish Sea are depending on your leadership.

Thank you for considering our requests.

Sincerely,



Sheila Malcolmson, Chair, Islands Trust Council



Jamie Stephens, Chair, San Juan County Council

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cc:

Islands Trust and San Juan County Councils
Islands Trust and San Juan County websites

Canada

Honourable Keith Ashfield, Minister of Fisheries and Oceans
Honourable Mary Polak, BC Minister of Environment
Islands Trust Area Members of Parliament (6)
Islands Trust Area Members of the Legislative Assembly (6)
Islands Trust Area First Nations (25)
Yoss Leclerc, Director, Operations and Security and Harbour Master, Port Metro Vancouver
Stephen Brown, President, Chamber of Shipping of British Columbia
Kevin Gardner, President, Western Canada Marine Response Corporation
Union of British Columbia Municipalities Executive Committee
Association of Vancouver Island and Coastal Communities members

United States

The Honorable Maria Cantwell, US Senator
The Honorable Patty Murray, US Senator
The Honorable Rick Larsen, US Representative
The Honorable Jay Inslee, Governor of the State of Washington
The Honorable Kevin Ranker, Washington State Senator
The Honorable Jeff Morris, Washington State Representative
The Honorable Kristine Lytton, Washington State Representative
The Honorable Billy Frank, Chairman, Northwest Indian Fisheries Commission
The Honorable Timothy J. Greene, Chair, Makah Tribe
The Honorable William "Ron" Allen, Chair, Jamestown S'Klallam Tribe
The Honorable Frances Charles, Chair, Lower Elwha S'Klallam Tribe
The Honorable Timothy Ballew, Chair, Lummi Nation
The Honorable Bob Kelly, Chair, Nooksack Tribe
The Honorable Jeromy Sullivan, Chair, Port Gamble S'Klallam Tribe
The Honorable Leonard Forsman, Chair, Suquamish Tribe
The Honorable Melvin R. Sheldon, Jr., Chair, Tulalip Tribes
The Honorable Brian Cladoosby, Chair, Swinomish Indian Tribal Community
Col. Bruce A. Estok, Commander, Seattle District, US Army Corps of Engineers
Maia Bellon, Director, Washington State Department of Ecology
Bruce Reed, Chairman, Puget Sound Harbor Safety Committee
Catherine Reheis-Boyd, President, Western States Petroleum Association
Mike Moore, Vice-President, Pacific Merchant Shipping Association
Frantz Coe, President, Puget Sound Pilots
Ginny Broadhurst, Director, Northwest Straits Commission
Martha Kongsgaard, Chair, Leadership Council, Puget Sound Partnership
Dale Jensen, Program Manager, Dept. of Ecology Spill Prevention, Preparedness & Response Program