THE STANDING SENATE COMMITTEE ON TRANSPORT AND COMMUNICATIONS

UNREVISED EVIDENCE

PRINCE RUPERT, Tuesday, April 16, 2019

The Standing Senate Committee on Transport and Communications, to which was referred Bill C-48, An Act respecting the regulation of vessels that transport crude oil or persistent oil to or from ports or marine installations located along British Columbia's north coast, met this day at 1:15 p.m. to give consideration to the bill.

Senator David Tkachuk (*Chair*) in the chair.

The Chair: We are continuing our study on Bill C-48, An Act respecting the regulation of vessels that transport crude oil or persistent oil to or from ports or marine installations located along British Columbia's north coast (Oil Tanker Moratorium Act).

Before I begin, I have to thank the people who prepared the fish chowder I think at the Moose next door, because one of the people who was -- right there -- that's the gentleman right there who was imbibing in it, brought some over, and so we got to share the fish chowder. It was fantastic, so thanks very much.

We are honoured to be in Prince Rupert this afternoon to hear from witnesses on this bill, and before I begin I will ask all Senators to introduce themselves. I don't know if we have to even do that. We have no TV here, so we're good. It's not a bad idea. Why don't we start on the left-hand side.

Senator Cormier: I am Senator René Cormier from New Brunswick.

Senator Dasko: I'm Senator Donna Dasko from Toronto.

Senator Gagné: Raymonde Gagné from Manitoba.

Senator Simons: I'm Senator Paula Simons from Alberta and Treaty Six territory.

Senator Smith: Larry Smith from Quebec.

Senator Patterson: Dennis Patterson from Nunavut.

Senator Miville-Dechêne: Senator Julie Miville-Dechêne from Quebec.

The Chair: And I'm Senator Tkachuk from Saskatchewan.

This afternoon we have with us, from the Lax Kw'alaams Band, John Helin, Mayor; Alexander Fred Campbell, Hereditary Chief Smooygit Gitxoon; Russell Mather, Hereditary Chief Nisawaap; and Jack White, Elder, Lax Kw'alaams.

We're going to begin with Mr. Helin.

John Helin, Mayor, Lax Kw'alaams Band: Thank you. I'd like to welcome all you senators into our traditional territory. We've been here for thousands of years, and we're not going anywhere. And something like this tanker ban that's been imposed on us, you know, we've lived off the land and sea for thousands of years. We've got a fishing fleet in our community that can't make a living anymore. So when doors are shut for us, we have to look at every opportunity that comes along.

And it's not me that will make a decision on any future proposed projects. It would be my membership. That's where that would go.

We go through court cases, and our history is denied. You look at what happens across Canada, and we feel left out in this part of the world.

I've been to Ottawa many times, going before different committees, and everything you say seems to fall on deaf ears. We have a fish plant in our community that we have a hard time supporting, and we've got the biggest fishing fleet on the coast that can't make a living anymore. And regulations are imposed on us, without consulting us.

The Prime Minister talks about reconciliation, self-determination. To me, those words are just hollow, when you impose something like a ban on us. At some point, we have to stand up and say, "Enough is enough."

We want to make a decent living in our traditional territories, and forever, that was fishing, forestry. Our people made a decent living. Now, they can't do that. So what are we supposed to do? For how many years in our communities, poor housing, all the social ills that come along with that, that's what we fight for, but it seems to fall on deaf ears.

Like I said, I go to Ottawa a lot of times, and come away scratching my head. And that's why I said we're left out on the West Coast, especially up here, because we don't have the political clout that other provinces had or do have. And you look around the table, senators from B.C., where are they?

We've finally got a fisheries minister from B.C. that we haven't met yet. I met with two of the previous ones, and I make an argument about us getting access to quality quota fisheries. It gets us nowhere. It's the rich that get richer and the poor get poorer, and the poorer are us.

Those are my opening remarks, and thank you for listening to me.

The Chair: Thank you.

Mr. Campbell?

Alexander Fred Campbell, Hereditary Chief Smooygit Gitxoon, as an individual: Thank you very much.

My name is Hereditary Chief Smooygit Gitxoon, and I've been holding that title for the last 30 years, as a chief for my people. And over these years, I have seen the change that is happening in our areas, in our territories, in our home, in the province.

I work in a school. I've been there for 22 years, a high school. I teach language and culture. And I see a lot of hard times taking place with our students and people.

It's hard, heartbreaking, to see that, our own people who don't have jobs anymore. They have nowhere to go. They are getting used to handouts from the government, which is not near enough to pay for their rent, or the food or clothing.

I see this for the last 20 years, and now we're talking about our future. And I'm talking about the future of my people. What's going to happen to them, should this thing stay in place?

What I want to say today is that I do not support 48, the moratorium. I want that moved, and I want to see our people come to work and be who we are. We're not going to continue living on handouts and looking around somewhere else to find clothing and food for our people.

I see a great hardship coming, should this 48 stay in place. And this is what I have to start with, here, and I thank you very much for listening.

The Chair: Thank you very much, Mr. Campbell. Mr. Mather?

Russell Mather, Hereditary Chief Nisawaap, as an individual: Good afternoon, ladies and gentlemen. As you see, my name is Russel Mather, from Lax Kw'alaams. I can identify 400 years of people who had the name prior to me. I was born into the tribe; there was no adoption whatsoever. It entitles me to call myself a hereditary chief, because both of my parents are full-blooded Tsimshian. There's no mixed blood in there.

As I heard the speakers this morning, they came out with some real good points, but my oldest grandson, he stands about six three, he had the privilege to be in the Bahamas working on oil tanker tugs. He says they are fully equipped. And there wasn't just one; there were a lot of boats ready to go at the drop of a hat to assist a tanker anywhere.

So for me, when I see what's happening up here in our territory, previous speakers have said that there's a lot of hurt. There's no money, no jobs. The younger guys are really paying for it. I feel bad for them, and I had previously talked to these young guys, to ask them their view on this. They said, "Let's get it on. Let's just do it. We're broke." There's no jobs. The cannery is down, and when the salmon comes, they put a lot of restrictions on us.

I heard this morning about human error. The Department of Fisheries, they're the ones who messed up the fishing coast. They really messed it up. I had a friend who worked for them, a few years back, to reassess streams, check up on all the debris that's in there. He wrote up a report, turned it in, and nothing happened. Salmon couldn't get by some big trees. They just neglected it.

Just to give you -- they catch the fish, take the roe, and throw the carcass away, or freeze it if it's good enough for halibut bait. I talked to one halibut fisherman. He paid more for the carcass of a chum salmon than what he got paid for it.

So that's how corrupt our fishing industry is, and it's not getting any better. Every change they put upon us, we had to pay for it out of our own pockets. So I can't see nothing wrong with this. It will work. With some good heads together, it will work. Stay on top of everything.

To me, I would say yes, let's just go ahead and do it. You don't have to be a rocket scientist to come to the northwest and see the hurt in the villages and the outlying districts. They don't have too much. They were all fishing villages at one time. Just walking down the hill, here, Third Avenue, I counted 15 businesses closed up, empty. They couldn't make a go of it.

So that's how hard it is. That's how hard it hit the northwest. I'm for it. Let's give it a whirl. Let's try it. Human error, but we have to stay on top of that. And I thank you, everyone.

The Chair: Thank you.

Mr. White.

Jack White, Elder, Lax Kw'alaams, as an individual: Good afternoon. My name is Jack White. I'm speaking as an elder.

First of all, I became a fisherman at the age of 16 years old, up in the slough, Cassiar Cannery. I'm going to show a picture of 1950 to today, an example. In the early 1950s, we had Carlisle Cannery, Cassiar, Sunnyside, NP, and Inverness. And then there came Nelson Brothers Fishery at Port Ed, and there came J.S. MacMillan in Prince Rupert, here, and the Canadian Fish.

Over those years I fished as a young man, I often wondered how they became, like today, you can't have anything on the waterfront without consent of the government, the Fisheries, DFO. But in the early 1950s, we had Sunnyside Cannery, a floating barge, NP, a floating barge, and also Inverness, and here in Rupert. Out in Lax Kw'alaams, they had Nelson Brothers' camp, there, with a gas barge. Cassiar was a gas barge.

You know, in the 1950s there was a terrible amount of sockeye. The run was very heavy. Over those years, Kitkatla, Hartley Bay, the Gitxsan Territory, all these people, and the Nisga'as, they had employment at that time. Very big.

So compared to today, we have only one cannery here, Canadian Fish. One in Lax Kw'alaams. There's a terrible, terrible -- something is going wrong with the West Coast. Like, I

watch on TV 390, with the oil, the LNG, we don't have it here, but there's something definitely wrong with the water. Where did the salmon go?

The other thing I want to point out today is there is a lot of disruption on the TV about oil, LNG. What are we going to do without that? We have to run oil, gasoline in your car, oil in your engine. That's something to look at. Without gasoline, nothing will go.

That makes me wonder, when I see First Nations people up in the territories up there, blocking the way for what wants to go through their territory. But on the other hand they run fuel in their cars to get to where they want to go.

You know, at the age of 16 years old, when I first started, my dad gave me my first boat. I fished until I had my knee replacement. I fell in the boat two times, then I said, "That's enough." Before I go aboard, I don't know how to swim, but I was very careful on the boat. My dad taught me everything that I knew.

So that's the story of the West Coast, of how it was way back in the 1950s. I remember my mom used to go down to North Pacific Cannery. They'd use a big packer to take them down.

The Chair: We're about six minutes, now. So we're kind of running over time.

Mr. White: Okay.

The Chair: Are you good with that? Okay.

Mr. Bryant?

George Bryant: My name is George Bryant. I'm here with our elder. One of the things that I wanted to talk on is on Bill C-48. Over in Lax Kw'alaams, in 2016, we did a vote on LNG, and 65 per cent of the people voted to go with LNG. They voted for change.

We have a good environmental program, but one of the things that I'm hearing --

The Chair: Mr. Bryant, you aren't on the witness list. I'm sorry, I thought you were. I had Mr. White, Mr. Helin, Mr. Campbell, and Mr. Mathers, so we're going to go with that.

Senator Miville-Dechêne.

Senator Miville-Dechêne: Thank you, Mr. Chair.

I have a question for Mr. Helin. Obviously, we've heard some hereditary chiefs earlier today, so we know, we realize, and I've read that your community is divided.

I have a couple of questions. The first one: How are you going to consult? Are you thinking about a referendum? How can you consult the Lax Kw'alaams to know where they really stand on the issue?

Then, we talked to your brother, and I think the vice president of Eagle Sprit. So where would be the terminal? Which port would it leave from? Because you have a port, but I don't think it's deep enough. And who is financing Eagle Spirit?

So I have four questions.

Mr. Helin: Well, to start off, I'm not here representing Eagle Spirit. I'm here as the elected mayor of the band.

Senator Miville-Dechêne: Okay.

Mr. Helin: And second of all, the Liberal Government did a study in the 1970s on ports on the west coast of B.C. and the best port on the west coast was Lax Kw'alaams, Prince Rupert. The worst port was Burnaby. So through that study, that was the outcome.

I forget your other questions.

Senator Miville-Dechêne: The first was: How will you consult, or will you consult, as a referendum or whatever, your people to know where they stand? Because obviously there is division.

Mr. Helin: Yes, and there always will be division. And I can't control everything, but I can do my best to get the best information to the membership and go to a referendum on any big proposed project. And right now, there are no proposed projects, so until one materializes, George was just talking about the LNG project, that we had to get the right information out to our membership and it went to a referendum, where that came back with I think it was 67 per cent to proceed.

Senator Miville-Dechêne: And no referendum on the Eagle Spirit pipeline yet?

Mr. Helin: Eagle Spirit is just a proposal. It's nothing right now. So until it becomes real, you don't do anything with it.

Senator Miville-Dechêne: Thank you.

The Chair: Senator Simons.

Senator Simons: Thank you, Mr. Chair.

We heard earlier today from members of your own nation and people from up and down the coast, from Haida Gwaii, who spoke very passionately about their fears that tanker traffic could destroy the fishery, not just because of the risk of spills but because adding 500 tankers would put a stress on the water systems.

Many of you have spoken passionately about what's happened to the fishery. So I wonder, what would you say to us and what would you say to your own people about their fears that oil tankers could destroy the ecosystem that gives you all sustenance?

Mr. Helin: Well, I think it comes back to getting the right information to whatever is being proposed. And right now, as far as I know, there's nothing.

The fact that the moratorium is being imposed on us, without consulting with us.

Senator Simons: I think they felt consulted.

Mr. Helin: Who? With who, though? I'm the elected person, and I haven't been consulted. I would like myself and my membership to be consulted, meaningfully.

The Chair: Senator Patterson.

Senator Patterson: Thank you all for your presentations.

Mr. Helin, I believe that the study you're referring to is the Potential Pacific Oil Ports, A Comparative Environmental Risk Analysis Report by Fisheries and Environment Canada. And I just wanted to put that on the record; I think that's the study you're referring to that talks about the deepwater oil ports.

Mr. Helin: Yes.

Senator Patterson: So you were talking about consultation and that the people of your community would be making the decision. We have a bill before us now in the Senate called Bill C-69, and it sets up a whole new environmental process. And, Mr. Chair, I want to mention it because it would require that a deepwater port, like what might be proposed on this north coast, and/or a pipeline be subject to thorough, rigorous analysis, including there's a whole chapter on Indigenous people, Indigenous knowledge. There's a whole list of groups to be consulted and included, if such a major project would be proposed.

Is this the kind of consultation that you're talking about would be required in order for your community to make a decision on such a proposal as a new port or a new pipeline?

Mr. Helin: Well, again, it would come back to meaningful consultation. And, you know, I'm familiar with the bill you're talking about. Again, it's words. Does that translate to the government sitting down with not just me and my council, but our membership, our hereditary leaders, to make them understand what is being proposed? What's the consultation about? And have a consultation record that is very meaningful.

Senator Patterson: I'm disappointed to hear the stories that you and your colleagues have told about the decline of the fishery, due to mismanagement perhaps by DFO. I think that was one thing you were suggesting.

So the young people who you've spoken to in your community who are looking for new opportunities, do they see the possibility of working in the energy industry on this coast as a possible new opportunity for them, where they are otherwise reducing jobs in the traditional occupations?

Mr. Helin: Well, for an example, we've got over 3,800 members on our Band list, and about 700 to 800 on reserve in the village; over 1,000 living in Prince Rupert; and the rest scattered throughout the world. And most of our young people all right living away from the community because there are no meaningful jobs, there. There's a fish plant that employs up to 100 people on an annual basis, but our fishing fleet, the average age of our fishermen is 60, 65 years old, 70 years old.

So that tells you nobody young wants to get into that industry, because there's no future.

The Chair: Mr. Campbell, you wanted to add something?

Mr. Campbell: Thank you, Mr. Chairman. I'd just like to back up what Mr. Helin was talking about, about being consulted. I am a hereditary chief in our tribe, the Gitwilgyoys Tribe. It's who I'm sitting for today, the Gitwilgyoys Tribe. That's us.

I have never been consulted in any way, shape, or form on this --

The Chair: On this bill?

Mr. Campbell: -- 48 that's been put in place. So we know nothing about it, and therefore I need to be consulted, as well. Because I know the coastline. I know the names of the coast, all the way down, with our language, and why they have those names. I just wanted to let you know that, thank you.

Senator Dasko: This morning we heard from leaders of a number of communities who speak in similar terms to what I've heard today. They look to a sustainable fishery. They look to rebuild the fishery as the key to the future for their children and grandchildren, just as you look to other opportunities for your children and grandchildren.

And, of course, following on what Senator Simons has asked, they see that fishery being threatened by oil tankers, but that is the key that they see, too, to their future.

I would like you to comment on that.

Mr. Helin: Unfortunately, where some of our communities are situated, that's all they have to look forward to, because they're not situated close to Prince Rupert or close to Vancouver, or somewhere else where they can diversify into something else. So a lot of our communities are in isolated situations, and unfortunately, because of whatever reason, there's a lack of fish and lack of access to quota.

And that's what I mean when I talk about deaf ears in Ottawa. You know, Jimmy Patterson bought a big chunk of the fleet here on the coast, and somebody mentioned a cannery in Prince Rupert. He owns that. He shut it down. He moved his workers to Alaska, for obvious reasons. And we sit on the sidelines because we don't have access to halibut quota, which is worth a lot of money. All the different species that are worth money, we can't access.

So it's unfortunate in a lot of situations where a lot of our communities are situated.

Senator Smith: We've heard a lot of testimony over the recent timeline on Bill C-48 and Bill C-69. I'm trying to get a sense of understanding what consultation means to you folks. I've had some very vague responses, and I'm not being critical of the responses, but if the future is going to deliver some appropriate return, there has to be total understanding and trust between the parties.

How would you build the trust with proponents, companies, government, et cetera? How would you build that trust so that you folks would have the confidence that you're going to go forward and get the expected result for yourself and for your people?

Some people today just said, "Well, we'll meet with people." But I think it takes more than just meeting with people. It takes sort of a plan. Are there a three- or four-point plan that you could say would be a start to real consultation, to define what real consultation means?

Mr. Helin: I think the way I'd respond to that is that you should get to know us. Anybody I meet with, there's a lot of interest in LNG out there, again. And it's not going away, but none of them are real. Anybody who wants to do business with you wants certainty, so the earlier that somebody is proposing a project and is serious about it, come and meet with us, and we'll do our part to meet with our membership, to have them included every step of the way so that it's either yes or no with them. It's not me dictating, and not a council dictating, or anybody else dictating. It's understanding what's being proposed, and our membership understanding that so that, if it's a big project, they can have a say in it.

Senator Smith: So would you outline to any third party, government group, whatever, you would outline to them what your expectations would be in the consultation process so that they would have to do their homework so that they could be specific with you in developing that trust?

Mr. Helin: Yes. I'm very open about it, and the sooner you can come meet with us and our membership, the better off your chances are of succeeding.

Senator Gagné: Thank you for being here and for your presentations.

I just wanted to follow up on a question that my colleague Senator Miville-Dechêne asked pertaining to the Eagle Spirit project. So it's a $16-billion oil pipeline from Alberta to the west coast, and if I am correct, I heard that you are vice-president. So you obviously have a financial stake in that particular pipeline.

Mr. Helin: I have to correct you, again. It's a proposal.

Senator Gagné: It's a proposal, but you still have an invested interest.

Mr. Helin: Since I was elected into my position, I don't sit with Eagle Spirit. I don't represent Eagle Spirit, so I've stepped away.

Senator Gagné: But you're still vice-president.

Mr. Helin: On paper, yes.

Senator Gagné: It's just to clarify, because I think what I'm sensing is an apparent conflict of interest, and I thought maybe it would be important to note that.

Mr. Helin: Well, you know, before the last election I was very clear with membership I was with Eagle Spirit, and I was elected into this position with people knowing that. So I didn't hide anything.

Senator Gagné: Okay, thank you.

The Chair: Senator MacDonald.

Senator MacDonald: Thank you, chair. I thank the witnesses for being here. It took Air Canada a while to get me out here the last couple of days. A lot of fog in Nova Scotia, a lot of cancelled flights. I got as far as Vancouver, and finally got here today, but my luggage is still in Montreal. But I'm here, and it's great to be here with you.

I want to speak to you as a Nova Scotian, because so much of the concerns that are articulated here are very familiar to us on the east coast. I grew up in a very old fishing community. Louisbourg is one of the oldest fishing communities in North America, over 400 years of fishing. On my mother's side, the family fished for centuries. My father's side of the family were seamen for centuries, merchant seamen, captains. So both of these dynamics, I'm very familiar with in my own family and my own community.

If you look at Newfoundland, which has the greatest fishing bank in the world, the Grand Banks of Newfoundland are the greatest fishing grounds in the world. They don't want to give up their oil, and they've made it very clear that you can produce oil right out of the Banks and keep fishing, and do both safely.

It's about managing risk. It's about common sense and managing risk.

When I come up to this part of the country, I see people dying for employment, dying for some progress, and we've got such a great country that seems to work against itself so much, sometimes. If we can build a pipeline, if Alaska can build a pipeline from up in the Beaufort Sea down the spine of Alaska 50 years ago, I'm sure we can build one from western Canada to the west coast here, and I think we can do it safely.

The point I want to make is that people have to keep their wits about them. The idea that you can't maintain a traditional fishery and exploit the resources of the country at the same time, I think it's easily done with good planning. Of course, we need a spill response team up here.

The Chair: Get to your question, Senator MacDonald.

Senator MacDonald: Well, I have two days of questions coming up.

The Chair: The only excuse you have is that you weren't here this morning because of Air Canada, so I'm giving you a little slack, but after this, you've got to get to it.

Senator MacDonald: Well, I guess my question is, surely reasonable people can sit down here on this side of the -- you know, we have a big country, and we all have to work together. Surely reasonable people can sit down with these two issues and put together a compromise where both sides can win and the country can win. Because there's so much at stake.

And when you speak to the people who are opposed to it, can you find any common ground with them at all?

Mr. Helin: Well, I don't know. You can hear the comments from behind me, here. You talk about reasonable people. Unfortunately, a lot of people don't' have an open mind, so you can't change their mind.

Senator MacDonald: Well, they don't have to have an open mind, but --

[*Interruption from the audience*.]

The Chair: This is not a game show. What we're trying to do here is get information and evidence, and we'll do the best we can. Allow Mr. MacDonald to ask his question and Mr. Helin to answer the question. Thank you.

Go ahead, Senator MacDonald.

Senator MacDonald: Anything more, Mr. Helin, you'd like to add?

Mr. Helin: No, I'm fine.

Senator MacDonald: I'm just making the point that the issues that are being discussed here have been dealt with for decades, centuries, on the east coast of Canada, and we've been able to manage them pretty intelligently.

The Bay of Fundy has the highest levels and strongest tides in the world, and petroleum goes in and out of the bay. Right?

The Chair: You're pushing it.

Senator Cormier.

Senator Cormier: Thank you, Mr. Chair.

I am trying to understand your position here, because I heard you say that there was no consultation from the federal government, and I understand that there needs to be a strong consultation with all communities.

So you are against the bill, but you're saying at the same time that there is no project, that Eagle is a proposal, so what are you saying to your people who are for the bill because they want to protect their way of life, they want to protect the environment? What kinds of concrete benefits can you tell them to reassure them, to say that, well, if we go against the bill, then we'll have a lot of jobs, jobs for young people? Do you have numbers?

I mean, if I was part of your community, that's the answer I would be looking for, because I don't understand right now, otherwise, the no consultation factor, why you're against it. So I would like you to speak in this, please.

Mr. Helin: I think it comes back to my opening remarks, about somebody slamming the door in your face without talking to you. And, you know, everybody talks about fishing, from our community, and you can't make a living doing that anymore. So you have to evolve. There's nothing that's concrete out there, in oil or gas, right now. But you know that LNG project that was proposed here a couple of years ago, we negotiated $2 billion worth of benefits over the 40-year life of that project. Who else is going to give you that?

With the federal government and their handouts that they give us, and all the social problems we have, all the housing problems we have, it's hard for me as a leader to go to the membership and say, "Have an open mind."

Senator Cormier: So do I read you well? Fisheries is from the past and oil is the future? Is that what you are saying?

Mr. Helin: Well, right now it is, because you can't make a living at it. But we don't give up on it. I'm not saying give up on it. That's why I go to Ottawa and fight DFO.

The Chair: You think they can live side by side?

Mr. Helin: Oh, yes.

The Chair: Thank you.

Mr. Campbell, would you like to add to that?

Mr. Campbell: Yes, I would like to add to that, and to the senator here.

Like I said, I work in a school. I've been there for 20 years; 22 years, to be exact. And we have a lot of graduates. First Nations, they graduate expecting to find a job. And when they've graduated and they're out of school, they don't have a job. Where do they go? Where do they go? They go back to the handout, live on this for this month. You get a few dollars for your food, a few dollars for your clothing. The graduates, that is.

Now, they're going to college. They're going to university. Still no job, nothing. They can't go fishing. No fishing.

So that's why I'm here, to lift up the young generation, the younger people. I'm not talking about what's going to happen next year or the year after. I'm talking to seven generations, to start with. And I look at them; what are they going to do? Where are they going to go if they don't have employment?

Senator Cormier: I want to thank you, sir, and I want to thank you for the fact that you are teaching language and culture to young generations, to young children, so thank you very much for that. Thank you, Mr. Chair.

The Chair: We have time left, senators, so I'm going to ask a couple of questions.

Mr. Helin, was there a consultation process on Bill C-48 that you know of outside of your band, in other words with other bands? Have you heard about other bands being consulted about the bill?

Mr. Helin: No, I have not heard. I've talked with a lot of bands. We converse a lot, and as far as I'm aware, no.

The Chair: Do you know if there was any consultation with any of the communities by the federal government in this matter?

Mr. Helin: As far as I know, no.

The Chair: Senator Dasko.

Senator Dasko: Thank you, Mr. Chair.

Here I go again. I've only been in this community for a very short period of time, but I have spoken to some members of this community and I have picked up a different picture of the community than I have heard described today. I've heard some people here say that this is a community that has tremendous jobs and opportunity right now in the propane business, in the fact that this is the third largest port. People have said to me that this is a thriving community with lots of jobs and opportunities, so it does clash with the picture that I think I'm picking up from you today about this community of Prince Rupert.

So I wonder if you can comment on those things that I've heard. Are those wrong? I think somebody here said they walked down the street and saw all the stores closed, but the people who I've spoken to, as well, are saying that, in fact, it's thriving, lots of opportunities, a great growth potential. Not just potential, but actual. So I would ask you to comment, please.

Mr. Helin: Well, I'm not going to comment so much about Prince Rupert. We do have a lot of members living here, and we do work with different companies in the area, and we sign agreements with them, where part of those agreements are jobs and benefits. So on that side, it's good. We talk about AltaGas and some of the port jobs that we have here, which are good.

But you come to my community and take it from that point of view. And, again, I'll go back to the LNG. Because of negotiating that LNG project, we now have paved roads in our community. Our people aren't choking on dust when they drive down those streets. We're building over 100 new housing units in Prince Rupert and Lax Kw'alaams because of that, and there are a lot of benefits that we're still getting from that negotiation.

So, yes, there's some prosperity, but in the villages it's different. There are only so many employers, and you have to look elsewhere. And you have to look at education, which is key.

Senator Miville-Dechêne: I just want to come back to this question of representation. This morning we had about eight hereditary chiefs from Lax Kw'alaams, and I understood that they have a responsibility for the larger territory of the Lax Kw'alaams and you have the responsibility for the reserve as such. Do you accept such a division?

And second, if this is the case, how can you be so sure that Eagle Spirit will respect all that? Because it will have an impact on your whole territory outside of the reserve.

Mr. Helin: You've got a fixation on Eagle Spirit. I don't know why.

Senator Miville-Dechêne: Well, because you're the vice-president. Because you're the vice-president. I understand that you're trying to stay far away from that, but this is part of the debate. We're trying to understand. I don't have a fixation.

Mr. Helin: It's not even a project.

Senator Miville-Dechêne: Well, we heard from the other Helin, and it was a really strong project.

The Chair: He's trying to defend himself, Miville-Dechêne. So let him answer the question, and then you can ask him another question.

Mr. Helin: You know, when you talk about hereditary leaders and elected members, I try and stay away from that, because there's a lot of controversy in our community about who is who. All I can say is, elected leader, I will go to our membership with anything that has to be consulted on. That's my duty, and that's what I do.

The Chair: Senator MacDonald.

Senator MacDonald: Thank you, chair.

The statistics in terms of volumes of oil carried in each area, there are 283 million metric tonnes of oil that's managed on the east coast of Canada successfully every year. You only have a total of 6 million on the west coast, 6 million metric tonnes down the lower mainland, but to have 32 million metric tonnes of American oil being taken through B.C. waters by American vessels.

When you discuss these issues and people's concerns about spills, do people realize that there is always more danger of a spill from any single-hulled vessel than a modern double-hulled tanker? So as long as there are vessels going up and down this coast that are single-hulled, and they're going to be, there will always be more risk with those vessels.

What do your opponents or your detractors say to those things? Or do they address them at all?

Mr. Helin: Oh, I don't know. I try not to pay attention to that. I try to be positive and try to do the best I can for as many members as I can, in my position.

I'm not an expert on oil.

The Chair: Senator Simons.

Senator Simons: Thank you very much, Mr. Chair.

I'm a new senator, the junior member of this committee. I've been going out to speak to a lot of school groups and trying to explain what the Senate is and what it does, and I say to them that they are the elected Members of Parliament, and we're the appointed elders.

The Chair: Let's not go that far.

Senator Simons: Well, I'm not very elder. So I want to come back to my colleague Senator Miville-Dechêne's question because I think we are really struggling to understand how governance works for your peoples here on the coast.

I mean, I'm familiar that, within Alberta, you have an elected chief, and the chief is the chief of the band, but can you explain to us so that we finally understand it clearly what is the relationship between the elected chief, the hereditary chief? What territory you as the mayor control versus what the hereditary chiefs are responsible for?

The Chair: I'll let Mr. Helin answer first, and then you, Mr. Campbell.

Mr. Helin: Thank you.

This is the second time I've been elected as the mayor. I used to be chief councillor, and every time I've been in that position, the government and industry has always come to the elected body because there was so much turmoil around hereditary, elected, and all this other stuff.

And I know, in my community, who real hereditary leaders are and who are not, and I don't want to get into that. That's nobody else's business; that's ours. So all I can say is that any information I get, I share with my membership.

The Chair: Senator Campbell -- or Mr. Campbell. You should be Senator Campbell.

Mr. Campbell: Thank you. I'll get there someday.

The Chair: Exactly. You'd definitely be qualified as an elder.

Mr. Campbell: To answer your question, Senator, about the hereditary chief and the elected chief. My name is Smooygit Gitxoon, and my story with that name that I have right now, I'm wearing the name. It's not mine. It's been passed on for thousands of years. My story is still the same, because of the landmarks that are shown to me. The painting on the bluff is still there; it's been there for thousands of years. And I tell this story about our land, our area.

I am a hereditary chief. I was born into this name. It was my uncle's name. I am a genuine Gispaxlo'ot, Tsimshian. I tell history about our people, and I speak for the Gispaxlo'ots Tribe today. There are many that say they are a hereditary chief, but I'd like to hear the story of who is the hereditary chief, because I could, not only here, I can tell in your building in Ottawa, wherever. All right? That's the difference.

And I stand with the elected chief. He tries hard to get things going in our village, but then there are others -- there's a division -- who say to me I don't have a name. But I still have to hear from there why I don't have a name. I was born into the name.

The Chair: Thank you very much, Mr. Campbell. Did you want to add something, Mr. Helin?

Mr. Helin: Yes. I'd just like to remind people that I am a tribal member. I'm not an outsider, so I have the best interests of my members at heart.

The Chair: You don't have to justify yourself, Mr. Helin. You're an elected member and, to me, that means a lot. Thank you so much for your presentations.

For our second panel this afternoon, we are pleased to welcome, from the United Fishermen and Allied Workers Union, Unifor, Joy Thorkelson, President; from Canadian Natural Resources, Bill Clapperton, Vice President, Regulatory, Stakeholder and Environmental Affairs; and from Coastal Shellfish Corporation, Michael Uehara, CEO.

We also have with us, from Cassiar Cannery, Justine Crawford, Owner; and from the Prince Rupert Port Authority, Ken Veldman, Vice President of Public Affairs and Sustainability.

You all have five minutes. We'll start with Ms. Torkelson.

Joy Thorkelson, President, United Fishermen and Allied Workers' Union - Unifor: [*Indigenous language spoken*]. My name is Joy Thorkelson. I am the President of the United Fishermen and Allied Workers Union, and I want to acknowledge that we're sitting on the unceded territory of the Tsimshian Nations.

The oil we're talking about in the ban is, as you know, heavy crude oils like bitumen, dilbit, and bunker C, or persistent oils, and the bill has provided a list of what the persistent oils are. I would like to say that I have sat through Enbridge, and there was agreement by almost everybody in the room that oil kills juvenile fish. Eggs will not survive when they are oiled, and

juveniles from the very smallest larva, which are tiny, tiny, microscopic larva, and fry from the nearest size up and smolts are all impacted negatively by oil and, in fact, most of them will die upon contact.

The oil impacts adult fish and, if they get oil in their gills, it will kill them. It will render their eggs and sperm inactive, and it will change the DNA in following generations. And this is all shown in the *Exxon Valdez* work that the Alaskan government has done.

Almost all SERA-listed and COSEWIC-listed juveniles will migrate through the area, same as returning adults, and we are looking after those fish well in British Columbia. However, we do have species, including SERA and COSEWIC species, that are present in our area, and what I'd like to do, because this is a quick presentation -- I could spend hours on what I'm talking about -- I'd like you to go to where it says Map 1. And those of you who speak French need to excuse my Google French.

The top map, Map 1, shows juvenile salmon resource, so I'd like to explain that. Fry and smolts, when they leave their rivers where they are born, they migrate to Alaska and they raise in Alaska from one to three years, or sometimes some of them four years, and then they will return to their natal streams in British Columbia.

All fish from Washington and Oregon, except some spring salmon, all fish from Washington and Oregon, juvenile fish, all fish from the Fraser River, all fish from the central coast, all fish from the Skeena, and all fish on the Nass, in fact all fish from British Columbia, Washington, Oregon, migrate to Alaska along the coast. They migrate in a band within two to seven miles from the coast, and in many cases, where there are estuary areas and eelgrass areas, they will migrate right along the coast. And you can go into any place in British Columbia and put in a net during a juvenile migration time and find these small migrating fish north.

DFO estimates one billion fish use that route, juvenile fish. One billion, almost 100 per cent of salmon, use that migration route to Alaska, and only, out of the one billion, a hundred million make it safely to Alaska. So you can see already what the mortality rate is.

The map below, the coloured map below, is just where you can see pink salmon. These are pink salmon fry, and you can see the areas that they use. Prince Rupert is right there, in the dark blue. That's the Skeena River, and that's where we are now, next door to the Skeena River. And you can see all of the areas where the juveniles stay. Sorry, that's Map 1, this one here. It doesn't have a name; it's just on the same page as Map 1.

You should have Map A and Map 1. There should be package A with maps, and the other one. Sorry, I tried to, like, A, B, and C and 1, 2, and 3.

The next following page, which says Map No. 2 and Map No. 3, these are DFO-prepared pages, not mine, and they just show you the adult routes, migration routes, for Chinook, Coho, and chum, sockeye, and pinks. And you can see they use the same corridor, except the adults will also go down the west coast of Vancouver Island and the west coast of Haida Gwaii, so they also go down there.

And the next map, the next page, will show herring spawning. And I just want to show you this, because herring were tremendously impacted in Prince William Sound. In fact, I think it was 15 or 20 years it took before they came back, and this is why. As you can see, this is the herring, the top left-hand picture is herring spawn. All of that is herring spawn along the beach; they spawn on the beach. The right-hand is at low tide. That is a sample of what herring spawn will look like, that spawn successfully on a beach.

And the map below is herring and eulachon areas of importance, as mapped by the provincial and federal governments.

I'd like to turn to the next group of maps, which are A, B, and C. The first group of maps are the first map that looks like this; this is map A. This is the marine protected areas and the rockfish conservation areas. The rockfish conservation areas are in pink, and the marine protected areas are in yellow. That's what we have for marine parks and protected areas.

If we go to the next page, these are the proposed marine parks. So if anybody asks what the difference is between the west coast and the east coast, the east coast does not have 32 per cent of their area as proposed for marine parks, and that's what we have here. Thirty-two per cent of that northern bioregion is proposed for a park.

The next map was put together by CSAS, which is Canadian Scientific Research -- I wrote it down somewhere, but I don't know where I am anymore. CSAS is the Canadian Science Advisory Service. DFO put this together. Their science advisory service put this together, and this is a map of important areas in the Northern Shelf bioregion. You can see there are no unimportant areas on this map; 99 per cent of the areas are important to fish.

The Chair: We're about six and a half minutes, ma'am.

Ms. Thorkelson: I just have two seconds more. I just want to let you know that fishing is worth $400 million from the north coast; that's the wholesale value, is $400 million. And what fishermen and communities, processors, have invested in the fishing industry is $2 billion, so I want to try to put to you, this is not a small industry. This is a large, expensive industry. Thank you very much.

The Chair: Thank you very much, Ms. Thorkelson.

Mr. Bill Clapperton.

Bill Clapperton, Vice President, Regulatory, Stakeholder and Environmental Affairs, Canadian Natural Resources Limited: Good afternoon, Senators, and thank you for giving me the opportunity to speak today about Bill C-48. I also thank the leaders and recognize the elders present here today, and acknowledge that we're meeting in Tsimshian territory.

My name is Bill Clapperton, and I am Vice-President of Regulatory, Stakeholder, and Environment at Canadian Natural Resources Limited. We are the largest producer of oil and

natural gas in Canada, with operations across British Columbia, Alberta, Saskatchewan, and Manitoba.

We are headquartered in Canada, built and run by Canadians; a true Canadian success story. We have grown production from 400 barrels of oil a day equivalent in 1989 to 1.1 million barrels today. We have roughly 10,000 employees and generate tens of thousands of indirect and induced well-paying jobs. We are proud to work together with over 160 municipalities, 75 Indigenous communities, and 35,000 landowners across our operations.

I am here today to talk about why it's so critical that we get market access for Canada's oil and natural gas.

Canada's oil and natural gas sector has taken what was branded as high-intensity oil in 2009 and made it the premium oil on the global stage in only 10 years, and we are committed to do even better in the future.

Canadian Natural in particular has delivered game-changing environmental performance by leveraging technology and Canadian ingenuity. Canadian Natural has delivered an 18-per cent reduction in our corporate greenhouse gas emissions intensity from 2013 to 2017. By reducing emissions at our oil sand mining and upgrading operations, reducing methane vent volumes in primary heavy oil, and capturing and sequestering CO2 at our Quest facility, we have taken the equivalent of 2 million cars off the road, representing 5 per cent of the vehicle fleet in Canada.

The entire industry has achieved similar, equally impressive results, and we have room to do even more. It's not 2009. Canadian oil and natural gas is now, from a climate change perspective as well as on other environment/social/governance metrics, the premium product, something all Canadians should be proud of.

Our performance is important because global energy demand continues to grow, and crude oil and natural gas will remain an important part of the global energy mix for the foreseeable future. In this context, Canada is uniquely positioned to capture a leadership opportunity on climate change and deliver an immense made-in-Canada success story. We have an opportunity to grow oil and natural gas production in Canada to meet growing global demand while displacing more emissions-intensive sources of energy, thereby reducing global emissions.

This is a win-win opportunity to capture the massive economic and social benefits of Canadian energy development and contribute to significant reductions in global greenhouse gas emissions. The world needs Canadian energy, and we need market access, particularly off the west coast to the Asia-Pacific region, where there is large and growing demand for our products.

For this reason, we do not think Bill C-48 should proceed.

Aligned with the Canadian Association of Petroleum Producers, the Mining Association of Canada, the Canadian Chamber of Commerce, and others, we are advocating for a different approach, where we work together to manage risks and concerns. The federal government is currently doing this through the Oceans Protection Plan.

I also point to Atlantic Canada as an example. Transport Canada reports that over 82 million tonnes of various petroleum and fuel products are moved in and out of 23 Atlantic Canada ports each year. Potential risks this traffic poses to coastal communities in Atlantic Canada are managed by means of techniques that can be adapted for use on the west coast.

This is in line with the government's goal of achieving balance in economic and environmental development. We are aligned with this goal, and I am proud to say that our record shows we can both deliver leading environmental performance and economic development opportunities in the oil and natural gas sector.

Thank you, and I look forward to your questions.

The Chair: Thank you very much.

Mr. Uehara, please.

Mr. Uehara: Thank you very much. I want to acknowledge that we're meeting on unceded Tsimshian territory, and I thank them for that.

Good afternoon, senators. My name is Michael Uehara, and I am the CEO of Coastal Shellfish Corporation, a First Nations-owned, fully integrated shellfish company. It consists of a land-based hatchery, ocean grow-out sites, and a newly licensed processing plant.

This is a burgeoning business, poised on the precipice of growth. This is a business that will form the cornerstone of a new industry in coastal British Columbia, one that has the potential to restore greater economic independence to Indigenous communities through a sustainable industry.

As new as this industry is, it is grounded in something millennia old, an economy based on the ocean. Coastal Shellfish is an Indigenous investment of aspiration and capital into creating an ocean-based economy for the inclusion for First Nations on the coast. At its heard, Coastal Shellfish combines traditional ecological knowledge with advanced science and converts them into sustainable seafood, jobs, and profit.

This investment has not been for the faint of heart. Our First Nations shareholders have collectively invested over $20 million in the last 14 years. Now, if 14 years seems like a long time to develop an industry, consider that the establishment of scallop aquaculture took 25 years in China, 22 years in Chile, and over 50 years in Japan.

If all goes according to plan, Coastal Shellfish should produce between $4 and $8 million profit annual starting in 2022, and that will be just the beginning.

Presently we employ 40 people in year-round, full-time positions. When we begin full-scale operations later this year, we will employ over 75 people. Coastal Shellfish is as much about starting a company as it is about creating an industry. Matching the development plans of our

shareholders, we intend to increase the number of shellfish products and the number of farm sites in the next several years.

Not only will this new industry be First Nations-owned, much of its activity will take place in the remote ocean communities that offer pristine waters necessary for shellfish to survive.

Of course, as a business, we conduct a myriad of risk assessments and enumerate a number of existential risks that would be catastrophic to our existence. Foremost among them is a wide-spread environmental event such as an oil spill. The effects of an oil spill, and the dispersants commonly used to clean them up, have potentially long-term detrimental impacts on shellfish and others in subsurface layers of the water column.

From what we know of the impacts of oil and fuel spills on shellfish, a spill the size of the *Nathan E. Stewart* would effectively ruin a farm site for any practical aquaculture, forcing relocation and the loss of millions of dollars. A larger spill, covering an area like that of the *Exxon Valdez*, would totally destroy this industry.

Needless to say, Coastal Shellfish will do all we can to eliminate any such existential risks to our endeavour. However, I am conscious of several aspects of our position. First, a large-scale tanker ban would not have stopped the *Nathan E. Stewart* from poisoning coastal waters. For that matter, the bill under consideration will not stop American VLCCs or even ULCCs from plying the coast off British Columbia.

Second, while any risk management strategy considers complete elimination or avoidance of risk, most of the time a strategy is developed to deal with risk. Even if this bill passes, Coastal Shellfish will still face considerable risk.

We will rely on a properly resourced Metlakatla Stewardship Society and other First Nations stewardship offices to focus on prevention of these incidents occurring in the first place. We assume this will be done through planning and informed by the best and longest historical knowledge of their own lands and waters.

I thank you very much for this opportunity to appear before you today.

The Chair: Thank you very much.

Ms. Crawford.

Justine Crawford, Owner, Cassiar Cannery: My name is Justine Crawford, and I live with over 500 native botanical species at the Cassiar Cannery. My husband and I are the current stewards of the historic Cassiar Cannery. Now in its 130th year, it was a wooden fishing village, built along the edge of the ocean at the bottom of a mountain, with a quarter of the outflow of the Skeena River, B.C.'s second-largest river, flowing past.

The Chair: Slow down just a bit, so translation can keep up with you.

Ms. Crawford: Sure. I've got a lot of info to get through.

The Chair: That's okay; don't worry about that. We just want to make sure that everybody understands. Thank you.

Ms. Crawford: Currently, the Cassiar Cannery supports tourism, boat works, reclaimed lumber, custom cedar products, and science and research.

When we arrived in August 2006, I quickly realized we were in a very special place for both the historical and cultural values, but also for the extraordinary natural wilderness ecosystem I found myself in. I started to look for scientific information about the Skeena estuary, and there was not much out there, for I discovered this area had very little baseline data.

I found this interesting, as river estuaries represent a critical part of watersheds. They are the location where the terrestrial and marine ecosystems meet. They are a critical rearing habitat for a range of oceanic fish species, and on the west coast of North America are the habitat where young salmon feed and rest while adapting from freshwater to marine environments. Estuarine environments are also hotspots of biological diversity in regional landscapes, with the rich nutrient outflows from major river systems supporting productive near-shore and inter-tidal communities.

In 2011, we started to work with independent, university-based scientists to begin to collect baseline data. Although scientists have only begun to study the rich biodiversity of the Skeena River estuary, preliminary studies, for instance on botanical diversity, confirm that the Skeena estuary is an important biodiversity hotspot. Over 500 plant species have been found to date in salt marsh and foreshore habitats of the Skeena River estuary at the Cassiar Cannery alone, an astonishing total for such a small study area.

Through our science and research initiatives within our foreshore mudflats, we learned all sample locations had high biodiversity and a complex community across trophic levels, showing our mudflat has a diverse and functioning food web. Scientists would have classified the mudflats surrounding the Cassiar Cannery as a biodiversity hotspot with eight species of invertebrates; they discovered 40.

To put the north coast discussion in context, there are only five major river estuaries on the west coast of North America; the Sacramento, the Columbia, the Fraser, the Skeena, and the Yukon. Of these five, the first three have been seriously compromised by decades of industrial development, urbanization, agricultural development, and pollution, to name a few threats. Only the Skeena River estuary remains largely pristine as a mid-latitude ecosystem, supporting a rich complement of species and associated ecological functions such as carbon storage and nutrient cycling.

Cleanup efforts in the Skeena estuary at the Cassiar Cannery due to an oil tanker spill would be virtually impossible. We have some of the largest tidal cycles in the world, at 24.6 feet. The current, coupled with the force of the Skeena behind it, can reach 13 knots. The shoreline is complex, with soft sediment and hundreds of thousands of deep rivulets cut into the mudflats

within the intertidal zone. There are kilometres of sensitive eelgrass and salt marsh habitat within the estuary, providing critical habitat.

The risks posed by oil tanker spills into this pristine environment would be far greater than would spills into already degraded environments, where many of the most sensitive species are already missing. The degradation of the Skeena River estuary in the event of a future oil tanker spill would also represent a much more significant environmental event than have past spills on the west coast, as it would be the turning point for one of the last intact large river estuaries in western North America, with the Yukon River being the other. Our stewardship responsibilities for this area are thus global, as few estuarine environments of this importance remain in a pristine state.

Finally, although we have a tradition of managing our natural resources for multiple uses, or, put another way, of allowing industrial uses in locations across the landscape, the degradation of the Skeena River estuary would be a global biodiversity loss. We really have a responsibility as Canadians to safeguard this unique resource. Comparisons with industrial development and oil tanker transport at other ports, where ecosystems are already significantly degraded, are inappropriate, given the pristine nature of the Skeena River estuary.

Because of the Cassiar Cannery's unique blend of history and our outstanding natural environment, we are involved in tourism from a local to a provincial level. We are a teaching example for experiential programs right across Canada, as a case study of what to do in a competitive tourism environment. The Cassiar Cannery would be irreversibly impacted with an oil spill.

Tourism is a cornerstone of B.C.'s overall economy, and not one to be overlooked. In 2017, tourism generated $18.4 billion in revenue, contributed $9 billion to B.C.'s GDP, and $1.2 billion in tax revenue to British Columbia. It experienced 6.7 per cent GDP growth over 2016, as compared to B.C.'s average 4 per cent growth, and it is continuing its upward trend. In 2015, 133,000 British Columbians were employed by tourism in over 19,000 businesses. These statistics demonstrate B.C.'s tourism industry added the largest value to B.C.'s economy relative to our more traditional primary industries from 2007 to 2017.

The Prince Rupert area has strong potential to continue growth in tourism as the only bigger community within the internationally known Great Bear Rainforest, as a gateway to Haida Gwaii, to the Khutzeymateen Grizzly Bear Sanctuary, and as a terminus for VIA Rail, B.C. Ferries, and Highway 16.

Right now, we have in spades what both national and international visitors think the natural world of Canada is all about: tall, conifer-covered misty mountains; sparkling rivers; and bears, whales, wolves, and eagles. This is our true value, and we only have it because it's clean here, at the moment.

The Chair: We're at six minutes.

Ms. Crawford: Thank you, and I'd like to say thank you for coming to Prince Rupert.

The Chair: Thank you very much.

Mr. Veldman.

Ken Veldman, Vice President, Public Affairs and Sustainability, Prince Rupert Port Authority: Thank you, and it is appropriate that we acknowledge that we're on the traditional territory of the Tsimshian Nation, on which all of our operations occur.

The Prince Rupert Port Authority is mandated to enable Canada's trade with the world. We work closely with our partners and our customers, and we deliver supply chain innovation that adds value to Canadian products and increases Canada's global competitiveness.

Through careful stewardship we've created sustainable prosperity for the people in our communities, First Nations, and our country.

The Port of Prince Rupert shipped 27 million tonnes of cargo in 2018 and supported 500 deep-sea marine vessel visits. That volume represents over $35 billion worth of trade, making us the third-largest port in Canada. We facilitate market access and diversification for many of Canada's key trade industries, including manufacturing, forestry, agriculture, natural gas, mining, tourism.

We're going to continue to grow and diversify, and we expect to double that volume of trade through the port in the next 10 years.

The economic impact of this activity already measures over $1 billion for businesses in northern B.C. It employs in excess of 5,000 direct and indirect employees. First Nations share significantly in this prosperity, and comprise over 30 per cent of local port-related employment. First Nations-owned enterprises participate in numerous port-related opportunities.

By focussing on sustainable development, responding to local environmental and social concerns, PRPA has a strong alignment with local First Nations, local residents, and communities throughout the corridor.

I'd like to touch on the topic of marine risk from a local perspective. We have the benefit of open and uncongested marine approaches, short transit times within piloted inland waters, a deep natural harbour, and relatively low marine traffic volumes. As a result, the port profiles as among the safest in Canada and the west coast of North America.

There are several risk assessment examples available to support that claim, including evaluations by the federal government and PRPA. Perhaps more importantly, though, those assessments illustrate and emphasize the importance of quantitatively assessing risk, asking the critical question of what is the probability of an event occurring as a starting to point to guide and manage risk mitigation.

Risk assessments have steered our approach to making a safe port even safer by prioritizing the most impactful and relevant practices, procedures, and investments. These actions also

illustrate that ports evolve their capabilities in order to prevent, prepare for, and respond to incidents in an appropriate, relevant, and timely manner.

Examples include development of best-in-class practices and procedures to guide vessel access to and from the port, including specific procedures for different vessel types, cargoes, and geographic areas; the introduction of shore-based radar; new fixed navigation aids within the port, including live transmission of real-time tide and current data to mariners; the development of a purpose-built port security operations centre, which monitors port operations 24/7 and serves as an emergency incident command centre when required.

I want to clarify the impact of proposed Bill C-48 on the port here in Prince Rupert. Bill C-48 does not have a significant, direct impact on the Port of Prince Rupert's existing activities. It does not impact projects and cargoes being considered in its current development portfolio. To be clear, the port does not currently ship oil, nor does PRPA have an oil export terminal in its development portfolio.

We do, however, have a development portfolio that is impacted by the uncertainty that is created by broad and vague marine legislation and policy, and/or the suggestion that marine approaches into the north coast have a significant risk profile that could threaten the safe transit of a shipper's product.

The absence of a quantified risk assessment for the geographic area covered by the moratorium and the absence of an evidence-based process to determine the products to be included in the legislation's accompanying schedule contribute to uncertainty.

In conclusion, I want to emphasize the ability of quantified risk assessments to actually facilitate the objective of this legislation. The proposed moratorium covers a very broad area on B.C.'s north coast. It includes areas that have a wide variety of both economic and environmental values, as you've heard, and a wide variety of activity levels and uses. It is undiscerning in its approach.

Deep sea vessel traffic that transports trade to and from the Port of Prince Rupert tends to use a relatively consistent, narrow, and defined route. This route represents a geographic area with a significant economic benefit to Canada because of the trade it facilitates, and a defined risk based on those vessel activities.

The ability to define that area enables an opportunity to develop substantive, independent evidence to quantify the associated risk of a vessel incident and its consequences. It provides the ability to identify and quantify environmental values within that same area, as well.

In turn, this enables the ability to thoughtfully develop proposals for practical mitigation measures that enhance marine safety for all vessels, regardless of their cargo; reduce impacts to the environment; focus preparedness, prevention, and response resources; and can be quantified and prioritized based on their potential impacts on a risk baseline that is established through the assessment.

PRPA speaks with confidence on this balanced approach, because this is essentially what Canadian port authorities do on an ongoing basis within their specific jurisdictions, for all types of vessels and all types of cargoes.

Thank you for the opportunity to address the committee today. I look forward to your question.

The Chair: I've got Senators Miville-Dechêne, Patterson, Simons, MacDonald, Cormier and Smith right now.

Senator Miville-Dechêne.

Senator Miville-Dechêne: Thank you, Mr. Chair.

This is a question for the representative of the port authority, Mr. Veldman. I had the chance to visit the port yesterday, and I'd like you to speak a little bit more about, you know, I was surprised. I didn't know that you had so many energy-related substances that you were shipping. I'm thinking of coal, but I'm thinking also of propane.

So could you talk a little bit about that? Because we tend to believe that it's oil or nothing, and obviously your port is showing that a lot can be done around energy, and you could even ship gasoline, if it was refined in Alberta.

So could you just talk to us about those issues?

Mr. Veldman: Yes, absolutely. I mean, as you pointed out, from an energy perspective, coal in a non-liquid form is a significant form of energy. And in our case, that is primarily metallurgical coal that is used in the steel-making process, although we do ship some thermal as well.

From a bioenergy perspective, over a million tonnes of wood pellets are shipped through this port, which largely go to displace coal in the production of energy in Europe. So from a dry bulk perspective, that's there.

But from a liquid perspective, AltaGas has recently completed the construction of a propane export terminal, the first of its kind on the west coast, which will be shipping liquid propane to Asian markets, primarily Japan.

And in addition, we do have projects in our development portfolio that are looking at developing the capability and capacity to ship liquids such as methanol, LPGs, propane, butane, as well as refined fuels. That would include diesel, gasoline, et cetera. These are all liquids that aren't impacted by Bill C-48 and the proposed schedule, in terms of persistent oils.

I would be remiss if I also didn't point out that, while not within the port's specific land jurisdiction, a development proposal is also moving forward, being put forward by Pembina that would develop a propane export terminal here in Prince Rupert, as well.

So liquid bulks, dry bulks, in the energy sector are very much a part of our existing portfolio, as well as a part of our future portfolio as well, amongst others.

Senator Miville-Dechêne: If refining was done in Alberta, could you manage more shipments of fuel, refined fuel?

Mr. Veldman: Well, that depends on capacity and capability. We currently don't have that capacity or capability. So a proposal that would develop a terminal that had that capacity would be able to handle that, but we don't currently have it now.

Senator Patterson: Thank you, Mr. Veldman, for showing us the port earlier today.

I have a couple of questions. You have talked about the tonnage that is delivered, and I didn't quite get how many deep-sea vessel visits per year. And I'm wondering how long the authority has been in operation and whether there have been any accidents or spills like we are being made to be concerned about.

Mr. Veldman: Last year, we handled 500 deep-sea vessels, in terms of running that cargo through.

There certainly have been incidents within the port jurisdiction over the years, none of which had significant spill consequences, and largely in the nature of grounding for various reasons.

Senator Patterson: Thank you.

Now, we are being made to assume that there is going to be a major accident on this coast. This is what everyone is saying will be devastating. But I understand what you have told us today is that you can't really determine the risk without what you call a quantified risk assessment, and also an evaluation of the risk potential of various products. And I think you said, if there was an absence of those evaluations, we wouldn't really know what the risk is. Could you elaborate on that?

Mr. Veldman: Well, yes, absolutely. A quantified risk assessment takes in factors that include everything from -- and if you take a look at an approach into the Port of Prince Rupert, for example, you would divide that into various segments that have certain characteristics. You can take global averages for incidents of certain kinds of carriers, and then on top of those global averages you then apply factors that recognize what the local geography or attributes look like, which includes everything from weather to the number of other vessels that would be in an area, to ease of navigation, to the length of the navigation itself, which is an important piece, obviously.

All of those factors combined provide you with a quantification of the risk, usually in the form of a probability, i.e. an incident every X amount of years or established in a range similar to that.

Senator Simons: I want to thank Ms. Thorkelson, Mr. Uehara and Ms. Crawford for their very vivid and clear depictions of the importance of fishery economically to this region.

As an Alberta Senator, perhaps I am looking for the impossible. I want to see if there isn't some way that we could protect the coastline north-south and still allow some narrow corridor or sea lane where oil could be potentially tanked to Asian markets.

And as I'm looking, Ms. Torkelson, at all of your maps, the really rich fisheries appear to be in that coast that's in between Haida Gwaii and the mainland coast. Is there any potential that you see for a safe passage through the northern half of the Dixon Entrance?

I wanted to ask Mr. Veldman the same question. Am I like Don Quixote looking for the impossible, here? Is there a compromise that allows us to protect 98 per cent of this fragile coastline and still get goods in and out safely?

Ms. Thorkelson: I want to say that there is lots of marine traffic that goes back and forth right now, and we are already at risk because they have bunker C, they have all kinds of things in there that they are carrying. We are already at risk of that.

The trouble with oil tankers is that they're larger, and so your risk becomes greater. And is there an area? There is no area that is not a valuable fishing ground between here and Haida Gwaii. They are all valuable fishing grounds, and they are all areas where fish migrate through or live.

There is lots of information on what happens to fish, and if Mr. Veldman wants that information, I can give it to him in the future, but I have lots of reports that were written about impacts on fish. I don't believe there's a corridor, but what I also believe is that, although I don't like it personally, we have all these ships coming in and out, 500 or however many Mr. Veldman said, and what I really don't understand, and nobody has been able to explain it to me, is why doesn't Alberta refine its product and get it to the coast that way? We are sending refined product to the coast.

I just don't understand why we have to bear the risk of a heavy oil, a crude oil, dilbit, which I know lots about, and instead send some refined products out. That gives you jobs. They're not usually on the persistent list. And it just seems that's a win-win for Canada.

Instead of shipping out raw product all the time, why don't we get the jobs from it?

Senator Simons: That's a great answer.

The Chair: Ms. Torkelson, maybe you could explain why B.C. has closed most of their refineries over the last 50 years.

Ms. Thorkelson: I have no idea why B.C. has closed their refineries, although I do know that there is one that's going to be expanding on the south coast, apparently.

The Chair: It's the only one.

Ms. Thorkelson: And there's been a proposal from Kitimat, but I'm not quite sure. I think that we're quite far away from the oil, though I haven't quite seen any in Vancouver.

The Chair: There used to be five.

Ms. Thorkelson: No, I haven't seen any oil produced in Vancouver or oil produced in -- I think we're quite far away from where oil is produced.

The Chair: Exactly.

Ms. Thorkelson: So that could be the reason why we don't have refineries.

The Chair: Okay. I've got Senator MacDonald.

Senator MacDonald: Thank you, Chair, and I thank the witnesses. I think I'll put my first question to Mr. Clapperton and Mr. Veldman.

Have you done any analysis? We drove an energy corridor to the west coast, not just for petroleum but also for hydro, so B.C. sends hydro across the country. Have you done any analysis of what the economic impact would be in this community and the greater communities?

Mr. Veldman: Sorry, could you repeat the first part of your question?

Senator MacDonald: Have you done any economic analysis of the impact of an energy corridor that would come out in the Prince Rupert/Port Simpson area, and what it would do to shipping and to the economic life of this community?

Mr. Veldman: We have not. That would be outside of our scope.

Senator MacDonald: All right.

Mr. Clapperton: Maybe I can just comment on that. So our sector was part of they called it a joint working group, and we presented a paper in, I think, August last year, that was involved with the oil and gas sector and various departments of the federal government and provinces, where they looked at, basically, what is the opportunity. Because, I mean, I think that's what we're talking about today, the risk and the opportunity.

And it's substantial. So, having market access on the West Coast with the growing demand, and it is a growing demand in the Asia Pacific area for oil and natural gas products, the numbers -- and as I say, it's a published report -- we're looking at about $20 billion a year on incremental spending, 120,000 jobs, $45-billion increase in gross domestic product by 2030 in Canada, and $7.5 billion a year increase in government revenue.

That's kind of the prize that they're looking at. It was looking at having access for oil and natural gas products.

Senator Cormier: My question is for Mr. Clapperton, and it's exactly the same question that Ms. Thorkelson asked.

We've had that conversation in Canada about transitioning to renewable energy for years. We've had that for years. And we know that we still need petroleum. We need it, and we will need it for several years, but we know it's dangerous in terms of products and in terms of transportation.

So why don't you have a plan in terms of refineries, to refine the oil? Why doesn't Alberta have that? I don't understand why. Is it because it's too expensive? I mean, it would cost a lot of money if there's a spill. That would still cost a lot of money, so I want to understand really why the industry never thought of that, or is thinking about that but doesn't do it.

Mr. Clapperton: That actually is a really good question, and it is a market-driven-type question. And I guess what I'd have to say is we are doing some of that. Canadian Natural is just completing one of the first refineries; you know, we're a 50 per cent owner of the Northwest Refinery outside of Edmonton, and we're developing that right now, and it's being completed. So we are working on that.

We have an upgrader. Half of our oil is upgraded. Just so you know, half of Canadian Natural's production of oil us upgraded. They call it synthetic sweet oil, synthetic crude oil, that we have upgraders in Edmonton and Fort McMurray. So the majority of our production is upgraded, and I think it's a little bit of an Anne story, and I think there are opportunities to do more, to do more development and use the products, like the petrochemical industry.

I think there is a tremendous opportunity. And like we just talked about here, it has to be done in a way that's safe and respectful to how it can be done well. I think that's our concern with the bill, is that it actually is a barrier to those conversations. It's a barrier to us working together and figuring out how to manage the risks and how to be able to overcome those risks and take advantage of the economic development.

Because that petrochemical type of diversified economy wasn't included in those numbers I provided. It would even be a bigger value to Canada, by being able to do that.

Senator Cormier: Thank you.

I have a short question, too, for Mr. Veldman. You say that if the bill doesn't pass and so those big vessels will come through, it doesn't have any benefits to the port. Is that what I understood?

Mr. Veldman: Not based on our current portfolio, no.

Senator Cormier: So do you mean that it wouldn't have any economic impact, on the region?

Mr. Veldman: What I'm saying is that we do not currently ship oil, nor is there anything in our development portfolio that is proposing to ship oil, as is currently defined in the schedule.

Senator Cormier: Thank you.

The Chair: I've got a number of questions.

Ms. Crawford, when you say that three of the five rivers were compromised, what do you mean when you say "seriously compromised?"

Ms. Crawford: Well, things like diking. Basically, most estuaries were settled first because, on the coast, it's very steep. So you'll see that those are the flatter areas, where people began to congregate.

So from that, also, nutrient-rich ground, so they've been diked. They've been built upon, if you're down in the Fraser River. When you flew into Vancouver, I'm sure you looked down and saw some farms and much more condos.

I grew up in Vancouver. That used to be all farmland, when I was a kid. So I'm just saying, over the years, all these bear population areas, those estuaries have been compromised from their pristine state.

The Chair: Right. In other words, wherever there is civilization and there is people --

Ms. Crawford: We tend to wreck things.

The Chair: Well, we don't intend to wreck them. You say they're compromised, but we tend to use them.

Ms. Crawford: We use them, yes, and we do have detrimental effects on them.

Now, I'm not saying that we can't rebound from that because, for instance, where I am at the Cassiar Cannery, there were up to 20 canneries right in our area. They all used metal paint; they used bottom paint; they used lead paint. My environment is now clean; it has recovered, and we were the last operating Skeena cannery out there, in 1983.

So the environment does fix itself, and it does reclaim itself, as well. But in some of those areas, you're not going to shift people off, say, the Fraser River delta, now. That place is now built upon; people are living there. That estuary has been compromised.

The Chair: Okay.

Senator Dasko.

Senator Dasko: I have a follow-up question from Senator Simons about the fishery. We've heard wonderful things about the fishery today from Ms. Thorkelson and Mr. Uehara. We've heard about salmon, shellfish, herring, estuaries, about the value of the industry, and so on.

Speaking of salmon, I think everybody in Toronto eats salmon, I have to say. Like, it's everywhere. It's in every story, every table, so it must be doing well somewhere. I don't know exactly where it's from, but I know it is everywhere.

Senator Gagné: You love salmon.

Senator Dasko: I love salmon, too, yes. But at the same time, we hear from First Nations witnesses here that the fishery has been "decimated," is the word that we hear often. So I'm trying to just put the whole picture together, of the fishery.

I mean, is it thriving? Is it dying? Is it dead? Is it growing? Can somebody tackle the big picture of the industry, here, and describe the First Nations' role in it? Are First Nations people working in the thriving part?

Anyway, I just throw the question open to anybody to tackle it and try to put these pieces together. Thank you.

Mr. Uehara: I can answer just a small part of that, and that is, again, with shellfish. As a new product, so to speak, we're farming shellfish in the area now, and as such it has increased dramatically from very little. And the value, particularly of scallops, is quite a generous value relative to other seafood products.

So in that sense, that small, narrow part of the fishery is not shrinking at all; it's growing. So I think that gives some hope to the biological capacity of the area.

Now, the decline of fish stocks, and everything, I think I'm going to ask Ms. Thorkelson to talk about, because I think that has more to do with how the decimation of those stocks has nothing to do with what we're doing. We're trying to capitalize on the current biocapacity of the area.

Ms. Thorkelson: I will just quickly say that we are not facing a problem right now with our salmon stocks in general. There is still lots of flat salmon out there. The commercial fishing industry, though, used to have 100 per cent of that fish, other than food fish. Now we have probably around 50 per cent or less of what we used to catch, because of regulation and reallocation to other user groups.

But what I will say is that we do face climate change, and so do marine parks. And I showed that to you because those marine parks are no-fish areas. And if the Government of Canada believes that it's going to put 32 per cent of the north coast and central coast, which it is saying, into no-fishing zones in order to protect fish, then doesn't it seem a bit strange to allow tankers through that may impact those areas, when we are not fishing those areas?

So they are restricting our fishing and saying we have to protect fish in order to make them grow. We're going to have rockfish conservation areas. We're going to have marine protected areas. We're going to have areas where we're going to make sure our stocks are going to remain for the future.

The Government of B.C. and the Government of Canada are putting $158 million into habitat restoration in British Columbia in order to try to do something about freshwater habitat, in order to protect salmon, but if those fish come out and they're facing oil spills, whether it's from a boat that grounds with Bunker C fuel on board or whether it's a tanker, those fish will not be able to survive.

And this is a tanker moratorium. It doesn't give us a moratorium of certainty of no oil spill; it just says it won't be a catastrophic oil spill. And I'd like to see no oil spill, but that is luddite. But there cannot be a catastrophic oil spill. That will impact our fish, it will impact our marine protected areas.

I assure you, we have lots of fish. And why we aren't benefiting from it is a reason you'd need to look at Bill 68, because it's a licensing thing on our coast, not a lack of fish thing.

The Chair: Mr. Clapperton, what is your response to those stakeholders who are concerned?

Mr. Clapperton: Well, I guess I think it's really important to take them all into account. As I said earlier, I think what we want to do is get into a "how" conversation. We want to get into how we can do this.

I heard today from the Port Authority, there are ways to look at risk. There are ways to work with corridors. There are ways to do things, and I guess that's what we're concerned about with the bill. It doesn't allow us to have that "how" conversation.

We think there's a tremendous opportunity here for us and, you know, you look at our company. I shared with you some of the stats. The environmental performance, it surprises a lot of people when we talk about where we were in 2009 and where we are now as far as our greenhouse gas performance and other performances. Whether air, water, land, you name it, we are working hard every day.

We have a tremendous technology and innovation culture in Canada, and I think it would be a great opportunity to apply that to a "how" conversation of how this could be done safely.

Senator Gagné: Mr. Veldman, thank you for the tour of the region. It was very interesting.

You referred to the fact that you did commission a risk assessment on the possibility of an incident, any incident. So you have established, I imagine the frequency of incidents for different vessels, container ships or cruise ships or LNG carriers, tankers.

What are those statistics? Have you published those?

Mr. Veldman: We can certainly provide you with a copy of the risk assessment we did in 2012. It's a high-level risk assessment, so it's a range, but I'm more than happy to provide that as a resource.

Senator Gagné: So you focused on what is existing right now, on all the conditions in your port as it exists?

Mr. Veldman: That was the primary focus, but we also did some expansion scenarios, as well.

Senator Gagné: Did you evaluate the expansion scenarios with oil tankers?

Mr. Veldman: We did.

Senator Gagné: So you will provide us with that information?

Mr. Veldman: Absolutely. I'm happy to.

Senator Gagné: Thank you.

Senator Smith: I have a couple of quick questions.

When I read through Bill C-48 two or three times, I didn't see a risk assessment. Was there ever a risk assessment done on Bill C-48, or was it just a political decision? Anybody can answer the question.

Mr. Clapperton: We're not aware of any.

Senator Smith: Because it's a question that stands out.

Secondly, usually you have some form of risk assessment done in any project. Apparently the question was posed to the Minister of Transport, if the bill went through, would there be a need for a response capability, a response plan? And I thought someone said that he said no.

So I guess the question I have in my mind is that, if a corridor, as per some of the suggestions, that could be identified, why wouldn't it be a condition precedent that you'd set up a response capability protecting that corridor in and out so that you would minimize and reduce risk?

I just wondered if anyone can comment on that, because it seems like you may be in a different environment or a different way of thinking, when you just put a piece of law in that's basically a political ploy, and it obviously makes some people happy, but other people not as happy.

I'm thinking, too, of all of the questions of giving young people and the Indigenous population a chance. We've had over 200 bands represented in front of us, and the same message from each of the people speaking is we have to get our people out of poverty.

It's sort of a long question, but could you give me some feedback, anybody?

Mr. Clapperton: I guess I'll add my thoughts here.

Again, I think it has been a barrier to the conversation of how to do it right. We look at the Ocean Protection Plan. I believe the federal government was putting resources in at $1.5 billion to enhance the capability of marine safety in that region.

And I think, you know, I just heard on the panel here about there are ships. There is a lot of current activity in this area. I think a well-managed area with the proper resources could actually be safer with more ships than with less. I use the example of a busy airport.

Anyway, I think there are opportunities here that we could work on, and I think that's the challenge of the bill the way it is right now, because too many products are not allowed.

Senator Smith: The argument is the coast is too big to be able to have a proper response plan. What my thought was, set up a specific response plan for the territory that you're going to exploit in terms of the passageway so that you're going to have the maximum response capability. It's not going to take 24 hours for the ship to get there; it's only going to take an hour, or 50 minutes, or 20 minutes, or whatever.

I'm just wondering, is that a realistic though?

The Chair: Very short, Senator Patterson, and then we're out of here. You've got one, too, Senator MacDonald? Okay, we'll go overtime just a bit.

Mr. Uehara: I wanted to respond. I don't know what you're saying, if you're asking if a proper risk assessment would be done. Is your assumption that you would find a low level of risk?

I mean, I think everyone would agree to such an assessment, but I believe you'd find a higher level of risk in the end.

The Chair: Are you for the bill or against the bill, Mr. Uehara? I'm just asking because you didn't make it clear.

Mr. Uehara: I did make it clear; yes, I'm for the bill.

The Chair: Do you have something further to add? I'm sorry.

Mr. Uehara: Well, I'm just saying that, in my belief, if you were to do this assessment you're asking for, if you're assuming that you're going to get a lower level of risk, I don't believe that's the case. I believe what you're going to find is that, when you consider all the shipping that's done, somewhere that has not been, as you say, assessed because this bill did not happen, I think you're going to find a much higher level than you assume.

The Chair: Senator MacDonald.

Senator MacDonald: I'll just direct my question to the other three witnesses who have spoken about their environmental concerns. I appreciate your concerns about the environment and managing the ecology of the area. That's not something to be dismissed.

But I want to ask the three of you: Have you taken a look at the way these things are managed on the east coast? You mentioned the value of the fishery, $400 million. The east coast fishery is worth $2.9 billion; it's almost seven times the size of the fishery out here, and it's very successful.

They drill for oil in the Grand Banks, and they fish. The Bay of Fundy, like this coastline here, has a very complex marine ecosystem with a great scallop industry, salmon, herring, lobster. Very lucrative. Yet we bring in heavy oil and export finished product there all the time.

Have you taken an honest and sincere look at how these two ways of making a living are looked at on the east coast and managed on the east coast? Because your fellow Canadians on the east coast have done a very good job of managing them for the benefit of everybody.

Ms. Thorkelson: I'd like to say my counterpart union -- I'm Unifor -- the fisherman's union in Newfoundland is also Unifor, so I have spent a great deal of time talking to them about the east coast.

They said that, when it first went in, they were concerned. They set up an agency that met with the petroleum industry and tried to regulate where fish boats were able to fish.

Now, they have way more concerns than they had at the beginning of the establishment of the oil industry. The oil, your wave action on the east coast is much different; your wave action will pull the oil away from the shore. It will not push it onto the shore, which is the case in British Columbia. You're working between two different shores. The fishing industry has major concerns about if there was a spill and what the impacts of what that spill would be.

Now, you may say there's not been a spill. There wasn't a spill until the *Exxon Valdez* spilled.

Senator MacDonald: No, that's not true. We had two major spills on the east coast, but of course nobody knows them out here, and nobody knows them in Ottawa. The CBC doesn't know them, the Arrow and the --

Ms. Thorkelson: That's right.

Senator MacDonald: And nobody knows them.

Ms. Thorkelson: And we had a big one on Vancouver Island called the Nestucca that nobody knows about, either. And that oil, it was actually a barge that sank in Washington State. The oil was supposed to go down to Washington and Oregon; it sunk because it was Bunker C. It sunk, or submerged, or it was overwashed, whatever language you want to use if you are an oil guy. It sunk, it submerged, they could not track it. It ended up going 325 miles north and oiled the beaches on the west coast of Vancouver Island.

The Chair: With that, I'm going to move on to the next group, because I think everybody knows about it. That was quite the exchange; thank you all very much.

We are pleased now to welcome, from the Government of British Columbia, the Honourable George Heyman, Minister of Environment and Climate Change Strategy. We also have Jennifer Rice, MLA for North Coast; Nathan Cullen, Member of Parliament for Skeena--Bulkley Valley; and from the City of Prince Rupert, Mayor Lee Brain.

I understand we have an agreed-upon speaking order.

Hon. George Heyman, Minister of Environment and Climate Change, Government of British Columbia: Senators, thank you for coming to British Columbia. Thank you for coming to Prince Rupert, and thank you for providing the Government of British Columbia the opportunity to comment on Bill C-48, the Oil Tanker Moratorium Act.

I would like to begin by acknowledging that we are on Coast Tsimshian territory. I would also like to note that we will submit a more extensive written brief than my comments today, which will be the highlights of the brief.

The public commitment of the Government of British Columbia has been to protect our environment and our economy from the devastating impact of a heavy oil spill. We have been consistent in this position through our opposition to both the Trans Mountain Expansion project and the Northern Gateway proposals.

While we are not privy to the federal consultation record, and we have no ability to register an opinion with respect to the outstanding legal proceedings on adequacy of consultation, we do understand that there are some legal challenges. We support Bill C-48 on the understanding that the federal government is ensuring fulsome and meaningful consultation with Indigenous communities.

The importance of protecting the north coast of British Columbia from heavy oil tanker spills has been recognized for decades as a priority. A voluntary tanker exclusion zone was created in 1985 to keep loaded oil tankers from Alaska away from B.C.'s north coast.

A Royal Society of Canada report published in 2015 highlighted a knowledge deficit about how diluted bitumen, heavy oil, behaves in different environments. The existing framework for spill planning, preparedness, and response is generally designed to address floating oil and not the residues that can mix throughout the water column, aggregate with particles, and sink to the bottom of aquatic environments. Any spill response on the north coast is further exacerbated by our remote location here and an unforgiving environment.

The province of British Columbia does not believe that the capability and capacity required to effectively respond to a significant marine heavy oil spill along the north coast is in place. Because of factors such as rough waters, wind conditions, strong currents, and poor visibility, it will not always be possible to respond to a heavy marine oil spill or to initiate response plans in an effective way; or, in extreme cases, at all.

B.C.'s north coast has unique and environmentally sensitive coastal ecosystems that present an additional challenge in the response to a heavy oil spill, compounded by environmental conditions that can be unpredictable and extreme.

The consequences of a large marine heavy oil spill on the north coast could potentially be catastrophic to species listed under the Species at Risk Act, which could include species such as the Northern Resident Killer Whales. And, in an addendum to our written submission, we list and highlight both threatened and endangered species.

Protecting the marine near-shore habitats for all salmon and the species that depend on them is also important, given their low returns in areas such as the Skeena and the cultural and food security relationships the salmon support.

Ocean-based and tourism-related industries on B.C.'s north coast rely on healthy marine waters. A single marine heavy oil spill would put ocean-based industries, such as fishing and tourism, at risk. Currently, ocean-based tourism contributes $2.9 billion in gross domestic product to B.C.'s economy, and employs over 53,000 people in direct and indirect jobs.

Now, let me give you a concrete example. Shellfish closures as a result of the *Nathan E. Stewart* spill in 2016 -- it was a spill of over 107,000 litres of diesel, not heavy oil -- remained in place from October 2016 to January 5, 2018. It impacted Indigenous, commercial, and recreational fisheries, as well as, of course, the sustenance of the Heiltsuk.

B.C. acknowledges that there are different Indigenous perspectives on Bill C-48, and we are aware of outstanding legal challenges on the adequacy of Indigenous consultation. We are not privy to the record. We are not able to make a comment on that, but we support Bill C-48 on the understanding that the federal government understands its responsibility and duties and is ensuring fulsome and meaningful consultation with Indigenous communities.

Thank you for the opportunity to present. I hope you will have the time to read the more detailed submission, where the main points in my spoken presentation are elaborated to quite a degree. And following the other speakers, I'd be happy to answer any questions or address any concerns.

The Chair: Mr. Heyman, thank you. Ms. Jennifer Rice is the MLA for the North Coast. We had the pleasure of listening to her last night, as well. Ms. Rice?

Jennifer Rice, Member of the Legislative Assembly of British Columbia for North Coast, as an individual: Thank you Mr. Chair, and thank you, senators, for the opportunity to speak to you today.

I recognize that we are gathering on the territory of the Tsimshian People.

I am a member of the Legislative Assembly of British Columbia, representing riding of North Coast. I represent one of the largest ridings in B.C., from here in Prince Rupert to Haida Gwaii and down the central coast to Wuikinuxv. I represent many non-Indigenous communities

and local governments, but as well as many Indigenous communities; the Haida, both Skittigit and Old Masset, the Tsimshian communities of Gitzaala, Metlakatla, Lax Kw'Alaams, Hartley Bay, Heltsuk, the Kitasoo, the Xai Xai, and the Oweekeno Nation.

Bill C-48 falls within my riding and impacts the nations and non-Indigenous communities I represent. What I offer today are some of the learnings of a politician who deeply cherishes the relationships she has with the Indigenous Peoples in her riding.

Firstly, it may sound cliché, but water is life. Similar to other Indigenous communities whose entire being is connected to land, coastal First Nations life is tied to the water and the health of the marine environment. It has been well-documented by anthropologists that, when you take away or overexploit Indigenous Peoples' land and waters, cultural keystone species such as the bison to the Cree or the salmon to the Tsimshian are put at risk.

Without these keystone species, cultures cease to exist. The thread of culture is based on relationships with the environment and, if you break that relationship, you cannot replace the culture. This reality cannot be overlooked; First Nations communities have inherent rights to have their marine environment protected.

In October 2016, the *Nathan E. Stewart* tug and barge ran aground, just off Bella Bella, in an important shellfish and seafood harvesting area, spilling 109,000 litres of diesel and other petroleum products. According to experts, this was a small spill, but for the Heiltsuk First Nation it was catastrophic.

Government and oil company people descended upon the small remote community of Bella Bella, and many complained about the cost of food in the one and only grocery store. But what people had to learn was that the real grocery store that the community depended on was now covered in oil. The grocery store where the community harvested shellfish, seaweed, salmon, and halibut was now closed, and a viable clam fishery was closed for over two years due to contamination.

Coastal communities are subsistence communities. When you live on $250 a month, and you're a single mom with three children, and milk is $10 a gallon, you simply cannot survive without the resources from the land and water. Eight dollars for a red pepper, $75 for a ham. This is reality faced by my constituents. By our standards as non-Indigenous peoples, this would be impossible to survive on, but my constituents survive by accessing the resources of the sea. One boat and one fisherman can provide for hundreds of community members.

Think about it. If there is an oil spill, even a small spill, children will literally be starving. That is why protecting these resources is a matter of survival for my constituents; 14,000 years of documented survival is now at risk. There is no one else who should have a louder voice in this conversation than the communities that have been the stewards of this land and these waters for thousands and thousands of years, but the reality is that that is not how our world works, and that's why I am here.

Today, I am using my privilege stemming from a history of only 150 years of settlement in the hope that you will hear me and thus hear the voices of my constituents and many other Indigenous voices.

I think that this is what is important for Senators to know. Not only is the Bella Bella grocery store at risk with existing marine traffic, but so are all the other communities' grocery stores along the coast.

On paper, the economies of these coastal nations may not be massive GDP contributors, but for these communities, resources harvested in the waters are far more valuable indicators of wealth. We as colonial governments have externalized the true cost of doing business onto Indigenous peoples. The price they pay is the destruction of their homelands, their way of life, and their wellness.

What is at risk represents more than potential earnings, or 150 years of colonial systems. What is at risk is the inherent right of every Indigenous child to live in their homelands. The cultural inheritance of every child, born and unborn, in these territories is what we are proposing to pay for the ability to ship oil on the north coast.

You have a huge responsibility to protect these children, and you can do that by supporting Bill C-48. Thank you.

The Chair: Thank you, Ms. Rice.

Now, we're going to go to Lee Brain, Myor of Prince Rupert.

Lee Brain, Mayor, City of Prince Rupert: Thank you. I want to offer a bit of a different perspective, at a local community level. I am what you call a pesky millennial. I was elected at 29, and now I'm in my second term as mayor. I graduated high school here in 2003, and at that time our community experienced an economic collapse. We lost our mill, we lost the forestry sector, and we lost the fishing industry kind of at the same time. And so, when I graduated high school, it was one of those things where there was no future here, and there was essentially no hope for this community, so I left the community and went to school, and ended up moving back to town in 2010.

Long story short, now, I'm the mayor of this community, and I can tell you that we have a $400-million infrastructure deficit. We have a variety of problems that we have to pay for, water systems that are 100 years old. We have wastewater treatment plant we have to build; that's $220 million. I mean, the list goes on and on, and it requires a massive amount of capital for us to do that type of work.

In my time in the last five years as being mayor, I've negotiated with six major LNG facilities, including Exxon Mobil. I've been down to their headquarters in Houston, Texas, just in the woodlands. I've met many of the Asian buyers and sellers who come to our community, and we regularly host delegations from China and from Korea and from Malaysia and Japan, who want to do business here. In many ways, I operate as a bit of a mini-ambassador for

Canada's trade gateway. It's something that's not really well advertised. And we end up having to work hard to build a trade gateway here to grow and to make sure that this community can finally get out of the hole that it was placed in.

That being said, I'm very much in favour of developing the economy, but I'm not in favour of oil tankers on our coastline. And there's a reason for that. What the problem is, is that the current economic model just doesn't support the benefits of getting these types of developments here. What usually happens is you have an oil terminal that will operate outside the boundaries of a municipality, and this whole jobs argument, we're talking tens of jobs, not hundreds of jobs, to have an oil terminus. It's about 20 jobs. There's no processing; it just comes in raw on pipe and it has a terminal that just puts it onto a ship, and it goes out.

And what happens in these scenarios is we're not able to collect revenue. We get the fly in and fly out, and what happens is you have a speculation period where all the property prices increase, everybody gets evicted out of their homes because people want to start developing their homes, many people get displaced, and then, if there is a final investment decision, usually there's a boom of development on hotels and things like that. By the time that's all done, you have 20 people working at a terminal, you have an over-billet of hotels and houses where nobody is living in them. The same situation happened in Fort McMurray; it happened in Kitimat, with the Rio Tinto Alcan project; and it happened in Australia, when they built three LNG facilities right next to each other.

So the current economic model simply doesn't support what is perceived to be these trickle-down effects of these benefits that really do not translate into the community itself. And I can tell you, I've been in negotiating room now for the last five years with all major projects and have participated in six environmental assessments, and they do everything they can to ensure that the resources are not going to come into the community. Trust me on that.

That being said, one of the messages I want to have here today is just to be really frank with the panel. Regardless if you do or don't pass this bill, the argument is that it's not economical to refine oil products in Canada, but I can tell you that it's not economical for a project to have wide-spread opposition. And so you look at Northern Gateway. It was a 10-year process, tens of millions of dollars that Enbridge invested into that, to have nothing but wide-spread opposition. They even had their environmental assessment approved, and it didn't even move forward.

So the next thing you're going to do is have another project potentially come here, meet opposition, go through a 10-year process of not going through, and all for what?

The reality is that we need to start refining products in Canada. We need to invest in that at a government level now, if that's the way the oil industry wants to go about it, so that you value-add the industries and we create those jobs here. Because, at the end of the day, having raw bitumen going through the coastline, nobody here can guarantee that there's not going to be an accident, and it only takes one accident. And then what? You're not going to be here to be accountable for that.

And the other issue with this issue is that, on the marine side of things, once the terrestrial operations are completed, the accountability leaves those companies that have brought the pipeline here. So once it's on the marine side, there's no accountability. It's on the shippers for that. And they're just going to say, "Oops, we had a spill."

Those are some of the issues, and there's just no way to guarantee that. Prince Rupert is doing well, now. We have propane facilities coming online. We have expansion of our container terminal. We have thousands of jobs that are going to be created here in the next 10 years, based on what we already have going now. There's no reason to add another oil terminal on top of that. Thank you.

The Chair: Thank you, Mr. Brain.

Mr. Cullen.

Nathan Cullen, Member of Parliament for Skeena-Bulkley Valley, as an individual: Thank you, chair, and thank you, senators. Welcome to the north coast. I know, a number of you, this is your first time in what some of us refer to as God's country.

This is a remarkable -- I hope you find remarkable -- turnout. I think there are more people here than there are in the galleries for the Senate or the House for most of our committee meetings. Is that a fair assessment? We don't even have Jody Wilson-Raybould here today, and we still have this much interest from the public.

The reason for that, I believe, is that the issue that you are studying, Bill C-48, is more than about shipping law. It's more than about transportation rules on the north coast. It's about us, and this region that we have the great privilege and benefit of living in.

I think there are a few important points I want to make. Perhaps to some Senators, this is a new conversation. You are learning about the north coast, you are learning about the ancient cultures that have lived here since time immemorial; you're learning about the value that we place on things like salmon and the oceans. But for many people here, this is a conversation more than 40 years of debating, tankers and drilling for oil on the north coast. This is not new to us, and to some of us it's unimaginably fatiguing that we have to go over it again, and again, and again, to remind people of what we value most.

I think part of the history also includes the fact that -- for those Senators wondering, I am in support of Bill C-48. I ought to be; I wrote a bunch of it. I introduced this bill in 2014, and in the 2015 campaign our party, the Greens, the Bloc, and the Liberals all campaigned in support of a north coast tanker ban.

The democratic will of Canadians was expressed in the last election. My private member's bill was picked up as a government bill and morphed into what we now have as Bill C-48.

In its passage of this year, the bill received 67.2 per cent of the votes in the House of Commons, representing the express will of more than 11 million Canadians. I know and like

quite a few of the Senators around this table. As a New Democrat, I may have some concerns about the body itself, and I very much encourage you to look for the bill and through the bill for any errors in law, but the democratic will of Canadians has been expressed.

In front of you, you have the representation of the Province of British Columbia, the mayor of this community, the MLA of this community, and myself as the member of parliament five times elected. And in each of those elections, I was crystal clear with where I stood on this issue. And I don't think I got elected in on my great hair and good looks; it must have been about some of the issues that I happen to represent.

I think another important aspect of what we're dealing with is the question of risk. How much risk can we tolerate? What is the risk that we're contemplating? One cautionary note I would put to the Senators is that some of the risk analysis that you are relying upon was conducted by Enbridge. Now, allow me to offer that that might be a biased risk assessment. This coming from the same company that drew maps for Canadians when promoting their pipeline that eliminated tens of thousands of square kilometres of islands out of the Douglas Channel, promoting to us that it was an easy sailing out of Kitimat to the Asia Pacific region, when in fact that's not the case.

Zero tolerance for a major oil spill is the risk we are willing to accept. Zero, because the impacts of a major oil spill, either in the pipeline or on the tanker route, would bring devastating economic, social, and cultural impacts on this community. We are friends and neighbours to the people in the north who experienced Valdez, which in industry terms was considered a medium spill, and there are still beaches today in which you can scrape through the gravel, and when the water fills back in, it fills back in with oil from the *Exxon Valdez* spill.

We can always say we rely on better technology, that we're getting better at this, and yet we are human, and to err is human. Else the Gulf of Mexico wouldn't have happened; the spill in Kalamazoo wouldn't have happened. Because those were all good people trying to do their best job.

As you were welcomed today, I think, on the boat ride out, you saw just a little bit of our weather. This is a calm and beautiful sunny day on the north coast. We have days here that are staggering in their velocity and their energy. That's the second-windiest and waviest strait in the world, out there, with a very, very low sea floor.

I am curious, as I listened to some of the testimony earlier, about the opportunity, in particular for Indigenous people, and approximately 40 per cent of the riding I represent, the northwest, is made up of many of the communities and nations Jen talked about.

I think the wind is supporting my argument right now. I didn't know I had that kind of influence in the world. Weather is a federal responsibility, I'm told, but I had no idea.

I want to wrap up, and I want to be respectful of your time. We welcome, always, interest in the socioeconomic status of Indigenous Canadians, which has, for far too long, been far below

that of other Canadians. It's always curious to me that that interest often comes along attached to a pipeline.

Speaking for Indigenous Peoples is a risky thing to do, but if the Senate were engaged and wanted to talk about recovering our salmon stocks fully, allowing for more clean energy opportunities on the coast that don't risk our very way of life, the crowd here would be twice the size.

I think we have an opportunity before us to put aside the divisive and often combative debate that has surrounded pipelines and oil tankers on the north coast for more than 40 years, to bring some certainty to what our future will look like, and allow people to get on with the work. Because we do not have the right to leave this place worse off than we found it. We are simply passing it along to future generations, and that responsibility is to do better than we have in the past.

Thank you very much for your time.

The Chair: Thanks, Mr. Cullen.

Senator Dasko.

Senator Dasko: I have a question to the minister, and this is a topic that has rarely come up in these meetings, but I'd like to ask you about it.

When some federal officials came to speak to us a while ago, I asked them about what the position was of the British Columbia government on this bill, and they looked at each other and sort of scratched their heads, and told me they had no idea what the B.C. government was thinking about this bill.

So that leads me to ask you the question as to what -- it's a bit of a dissertation, I guess, on federal-provincial relations and jurisdiction -- what kinds of discussions did you have about the federal government? Do you have a role in this as a provincial government? What might it be?

I know there is a vast body of literature on something called "Law of the Sea," and I don't exactly want us to get into that. I'm sure it's fascinating, but can you just sort of enlighten us on some of those questions? Thank you.

Mr. Heyman: Well, I'll do my best to answer the question. It was a relatively recent decision to come to Prince Rupert, or to come to the northwest in general, and make a presentation to the Senate Committee, but we thought it was important. But there should be no surprise in our position. It was a position of my party in opposition. It's been a consistent position of our government over the last two years with respect to our deep concern about the impact not just to our environment, but our economy, of a heavy oil spill, whether it's on the south coast or whether it's on the north coast.

We have had a lot of discussions with the federal government generally about the threat of spills. They would mostly happen at the senior bureaucrat level, so whether there was any direct discussion with the federal government with respect to Bill C-48, I suspect there was general discussion, but I can't personally attest to it.

We have had a lot of discussion with the federal government, as I'm sure you all know, about spills generally, federal/provincial jurisdiction. In a number of cases, the Oceans Protection Plan, how we believe it can be improved, where we think the gaps are, things that need to be brought to the table, not just for heavy oil but for any risk of an oil spill.

I talked about the devastating impact of the *Nathan E. Stewart* spill of a relatively small amount of diesel on that community, and that was compounded by the difficulties of very unpredictable and heavy seas, heavy weather that shut down the recovery and response capacity a couple of times, which exacerbated the impacts.

We have a respectful and ongoing discussion with the federal government on these matters. We don't always agree, but our approach has been to collaborate as much as possible where we disagree. As all of you, I'm sure know, we are working that out through a legal process, as well as through presentations.

I hope that answers your question.

The Chair: Senator Smith.

Senator Smith: I have a question for the mayor. With some of the presentations that we've received from Indigenous groups in Ottawa, it's not just the jobs that is of interest to these groups; it's the tied revenue sharing and potential ownership of the pipeline, which is not just when it's built but with throughput being compounded and categorized as revenue for X number of years.

You didn't seem to talk about that in your discussion. You said 20 jobs, and basically you're building a pipeline, but the feedback that we've received from people who are looking at the potential economic involvement is much greater than that, to the tune of up to 30, 40, 50 per cent of the value of the pipeline in today's dollars and moving forward.

I'm wondering if you could give us some feedback on the type of analysis that you actually did on these particular discussions.

Mr. Brain: For sure. I'm no stranger to that, because we deal with revenue sharing models all the time. The city actually owns 3,000 acres of port property, and we're actually in the port business. Watson Island, which is where our mill used to be, when I came into being mayor, we tore that mill down, got the chemicals off that site from our old pulp mill. Thanks to Heyman's office, actually, for helping us with that. And we do throughput models all the time, and that's where the revenue is had.

Right now, I have a small-scale propane facility on Watson Island that we are doing leases with, with Pembina. It's only taking up 30 acres of land, but it's significantly bringing in millions of dollars for this community.

So I'm certainly no stranger to the fact that we need a balance in economic development. I can tell you right now, through my negotiations with LNG, that the type of revenue that you're looking at when it comes to revenue sharing models on a yearly basis is probably between $8 and $12 million a year for, say, First Nations partnerships and things like that.

It really comes down to weighing the risk versus the reward. We can have a short-term reward versus a long-term risk. And if that pipeline, which is at the moment imaginary, not anything, if that were to go through in Port Simpson, for example, and they were to have revenue sharing, and let's just say Lax Kw'alaams gets $20 million a year from the pipeline, which would be about what they would be, to help their membership -- and there's no doubt about it, there is a benefit to that -- well, I can tell you right now, Prince Rupert is going to be the service centre for that, which will get no resources, no support from the feds or the province, with all due respect, and because that's what we went through with Pacific Northwest LNG.

Pacific Northwest LNG, which was a $36-billion project just outside Prince Rupert's boundary, refused to give us an agreement at the city level. They said, "We're not in your boundary; why should we owe you anything?" And I spent four years of my life having to negotiate as hard as I could to try to get any sort of benefit, which was going to actually pay me less than what I'm actually making on Watson Island right now.

So maybe one band, or two, economically are prosperous from one pipeline, but the region as a whole isn't going to benefit from that, unless there is some sort of revenue sharing all across the entire line.

What it really comes down to is there are other opportunities for that type of arrangement that are already happening in Prince Rupert, whether it's propane, butane, potentially methanol. Other LNG opportunities. There are other products that are safer. They're not the best, but they are safer, and those opportunities are already coming and going. And the ban doesn't impact that.

So my message is whether or not it's worth the risk to have that 30-year agreement with a couple of bands for something that could impact this area for the rest of our lifetime, because one issue like the *Exxon Valdez* and this area is done. And I can't run a town when there's oil in the ground.

The Chair: Senator Gagné.

Senator Gagné: When arriving at decisions that may shape the future of many, many people and provinces, whether it's the approval of a pipeline or this moratorium on tankers, what role should the federal government, the provinces, and also all of the Indigenous groups and communities play in the consultation and decision-making process for all resource projects?

Mr. Cullen: The federal government, since the time of colonization through to today, has had a terrible and intentionally bad record on consultation with Indigenous Peoples. And, in fact, one thing that particularly is stunning about this debate is how much this question has divided, and purposely divided, sometimes, from the federal government, particularly Indigenous communities. For non-Indigenous people, this might not, if you do not in a close-knit family-based community, and I mean family-based, how destructive these divisive debates have sometimes become.

The federal government has assured us, as Minister Heyman referred, the consultations have been sufficient to this to survive a court challenge, which is, I suppose, the bare minimum, but ironically better than they've done on almost any other resource issue.

Allow me also on the revenue sharing, because I think this is important. This is often offered up. What if Indigenous people in particular have a stake and a share in, which is being contemplated right now on the proposed Trans Mountain pipeline. That is in almost all cases financed by Ottawa, which is remarkable to me that they are so keen, this climate-fighting government, to finance Indigenous people when they are open to buying a stake into an oil project.

We would certainly welcome that openness to financing Indigenous economic endeavours that were maybe not carbon-based in the northwest.

So the hope of having a 10 per cent, 20 per cent stake, almost all of those are hinged and considered upon a loan or a forgiven loan agreement with the federal government. That is what is being contemplated with the $4.5 billion Trans Mountain, and that is what is being contemplated with many of the schemes you've heard of.

So, to me, if we're looking to support Indigenous communities and the role of the federal government that you talked about, and we are willing to put some tens of billions of dollars on the table from Ottawa, certainly always running it through the lens of an oil pipeline and only an oil pipeline seems to me an impoverished way of looking at things.

The Chair: Senator McDonald.

Senator MacDonald: Thank all of you for being here. I think I'll put my first question to Mr. Cullen, since we know each other. Nathan, it's good to see you here.

You talked about risk, and managing risk. I'm not relying on Enbridge; I've never relied on Enbridge for my data, but I do rely here on the data put together by the scientists of the Canadian government, the Departments of Fisheries and Environment. And they make it very clear, of these 27 ports on the west coast, when it comes to managing risks in four different indices, all of them show that Port Simpson and Wrigley Island are one and two in terms of managing risks when it comes to the export of petroleum; 27th is where the present pipeline exists, in the south part of British Columbia.

If these are the numbers about managing risk, why would any British Columbian, why wouldn't any Canadian, be comfortable with risk being managed out of the port that is best equipped to manage risk?

Mr. Cullen: We don't ship petroleum products out of Port Simpson right now, so I imagine they come high in terms of their risk management because they dont' ship anything.

This strange argument comes up, and I heard it from one of your panellists earlier, that, in order to make things more safe, we have to induce more risk. I want to touch on this, that, by increasing oil tankers, we make our lives safer here somehow.

This argument has been made in many cases, and it was made to your earlier, and it needs refuting. It's ridiculous to suggest that the only way we can have coastal protection is if we also welcome in oil tankers. We should have coastal protection, period, regardless of the government holding this over us.

Now, in terms of your management of risk, the Port of Prince Rupert does a phenomenal job. We do not run oil tankers off the north coast right now. The notion that we would bring those in, against the democratic will of Canadians, against the will that has been expressed time and time again by the vast majority of Indigenous Peoples on this coast, to suggest that we can tolerate that risk from afar, that Ottawa is willing to tolerate that risk, Toronto, New York, Beijing, they're fine tolerating that risk because of the numbers you talked about.

Where the risk tolerance for people who, as the MLA Jennifer Rice said, is near to zero because, if something goes wrong, it isn't going to be you. It isn't going to be those oil companies who are going to suffer the most. It is going to be those communities who say, when the tide is out, the table is set. Because that risk can't be tolerated. It is the very way of life and the foundation of a culture millennia old.

Senator MacDonald: But the only way to get rid of risk, then, is to take all the ships out of the water.

Mr. Cullen: Not at all.

Senator MacDonald: Of course it is, because the chance of an accident with a single-hulled ship like the *Exxon Valdez*, which of course was a combination of a drunken captain, bad navigation, and a single-hulled ship, right, it was a combination of many things, but we manage 283 million metric tonnes on the east coast. You can't go to the refineries in Quebec or in New Brunswick without going through Nova Scotia's water.

Mr. Cullen: Well --

Senator MacDonald: Let me finish. We get not one cent out of it, but as Nova Scotians and as Canadians, we're willing to manage that risk because we're on the coast.

So I'm just asking you as a Nova Scotian, Nathan, we take all this risk for the benefit of the country. Is it too much to ask that our west coast compatriots help us carry some of this risk?

Mr. Cullen: Our most recent premier argued this, that this was not British Columbia's coast, this is Canada's coast. That didn't do so well, because that argument undermines something that's very fundamental here. That, when you talk about this risk acceptance, when you talk about the ability to ship this product safely, unless we're planning to, A, outlaw alcohol everywhere always, and then outlaw stupid, as well, we can't properly guarantee the people who live here and rely on that ocean for their very way of life that they won't wake up one morning, turn on the radio, and hear, in that storm last night, there was an accident.

And then we'll say it was a combination of factors. The captain was a bit angry. The crew wasn't as trained as they should have been, and that redundant machine didn't break, and the Queen of the North hit Gill Island. How could that possibly have happened?

We have all these great technologies, and yet it happens. To err is human.

And so all I hope for the Senators to appreciate is that the roulette wheel that you are spinning, if it lands on that number, and you say it's one in a hundred, it's one in a thousand, that one in a hundred means that Kitkatla can no longer exist, period. Pack up shop, close it down, after thousands of years of occupation. Haida Gwaii can no longer be Haida Gwaii.

And we can't, as people who visit the place or who have not been born here, simply say, well, we can go vacation somewhere else, we can go get our salmon from somewhere else, to people who can't go anywhere else. Whose culture, identity, and political heritage rests on place, this place. That's the risk we're asking them to take.

The Chair: Senator Cormier.

Senator Cormier: I want to say, first, that I'm for this bill, but I'm thinking about the Albertans right now.

The Chair: I'm glad somebody is.

Senator Cormier: No, listen to this. I'm thinking about the Albertans right now. I'm saying, okay, if you were in their shoes, of the oil companies that want to contribute to the economic development of this country, if you were the mayor of a small town where the oil is so important for jobs, considering all the arguments and all the concerns that we all have as Canadians, what would you do? What would you tell them, and how should they see their future? What would be the solution?

Mr. Heyman: Well, I think first of all it's important for me to state, as a minister in the British Columbia government, that we understand every Canadian's desire to have a healthy economy, to have a good job, to provide for their family, and we have no ill-will towards Albertans, nor do we think that we're more privileged than Albertans, or that we're better than Albertans.

But what we are concerned about is that we find a way for Albertans to prosper that doesn't threaten the prosperity or the irreplaceable environment of British Columbia's jobs, our coastline, or the rich cultural heritage and place and sustenance and history of Indigenous Peoples in British Columbia.

We, as the Government of British Columbia, have been struggling with how do we add value to our resources so that, when we're dealing with something that is finite, we get more value and we get more jobs from it.

I heard on the earlier panel people talk about wanting to see more refining capacity in Canada, more diversification of economic opportunity for Alberta's resources. I think all Albertans -- well, maybe not all, but I would think the majority of Albertans understand they're dependent on oil today and the future will look different. But today, they want to maximize their opportunity for economic development and jobs.

What we are saying in British Columbia is it shouldn't be a question of how are we going to roll the dice, and whose environment and whose economy are we going to risk. We should be working together with the federal government, with the Alberta government, with the British Columbia government, with other governments to find a way to move forward together that doesn't threaten the economy or the environment of either location.

And we believe that is not impossible.

The Chair: Senator Patterson.

Senator Patterson: I'd like to thank the minister for being here -- you honour us here with your presence -- and all the other elected people on this panel.

Ms. Rice, you talked about the catastrophic problems of the *Nathan E. Stewart* tug and barge, but Bill C-48 won't do anything to prevent spills like that. But you still support the bill?

Ms. Rice: *The Nathan E. Stewart* occurred in Heiltsuk territory, which is near Bella Bella, and the Heiltsuk First Nation have made a proposal that was rejected by the federal government around improving oil spill response on the coast. So one of the challenges with that oil spill was that we have response capabilities here in Prince Rupert, in Vancouver, and Victoria, and a little bit on Vancouver Island, but they're in the middle of the coast, and there is nothing there. There is no response. They didn't even have -- they had nothing to clean up a spill.

That proposal to protect the central coast was rejected. So that's sorely needed. Me highlighting the issue of a diesel spill that was deemed small, and yet it was still persistent, is highlighting the risks that currently exist on our coast.

And that's all I'm doing, is highlighting the risks that currently exist, without even thinking about tankers of heavy oil or bitumen.

Senator Patterson: I'm glad to hear that you believe that an oil spill response capability for the north coast is important whether Bill C-48 goes ahead or not.

Mr. Minister, is that the position? Has the B.C. government made representations of that kind? Because there's a glaring hole in the Ocean Protection Plan in the north coast of B.C., and I know about this because I live in the Arctic, and there is no marine oil spill response capability on Canada's longest coast.

Mr. Heyman: Absolutely. And I also raised the spill of diesel not because we're proposing that the transportation of diesel be banned, but because it was an example of how devastating a spill of any product can be. Because we believe a spill from a large tanker of heavy oil would be catastrophic, because we actually don't know how to manage it, and that's been shown repeatedly by the failure of Western Canada Marine Response or Kinder Morgan, or others, to identify the equipment necessary to recover submerged or sunken oil.

But back to the issue of spill preparedness planning and response, we introduced a series of regulations in British Columbia that went out for consultation. We discussed them with the federal government. We are currently preparing our response to the consultation.

We have had lots of discussions with the federal government about the Ocean Protection Plan's gaps. In particular, we believe there should be significantly more funding for both provincial, First Nations, and local communities to collaborate on geographic response plans, that there should be funding for First Nations for planning and response capacity, that we should increase the towing and salvage capacity on the coast, that there needs to be consideration of compensation for communities in the event of a spill, not simply for the work that they did to respond to the spill but for lost economic opportunity, lost cultural significance, as well as lost food opportunities, which I outlined earlier with respect to the Heiltsuk.

And finally, we believe there needs to be a plan for environmental restoration in the event of a spill. And all of these, of course, are what you do after a spill, but we need to ensure that the plan is completely robust. And as MP Cullen said, we believe British Columbians deserve this whether or not there are pipelines to the coast of B.C. The need was identified by the spill from the *Nathan E. Stewart* and the very narrow escape of the Jake Shearer, where there wasn't a spill, but there very easily could have been, in very rough waters and very rough weather.

The Chair: Senator Simons.

Senator Simons: I'd like to start by saying that, as the senator on this committee from Alberta, I think about Alberta and the people of Alberta every day. I'm thinking about them today especially, as they go to the polls.

I have felt very privileged to hear all of you speaking so passionately about your region, and it was a persuasive and telling argument.

But let us be blunt. When this tanker ban moratorium was first announced, it was tied into the greenlighting by the federal government of TMX. Your government, Mr. Heyman, has

fought tooth and nail every step of the way to stop the New Democrat government of Rachel Notley from getting TMX built in a timely fashion.

If we impose this tanker ban while you simultaneous stymy at every opportunity the building of TMX, Alberta will have no way to get its oil to market. We cannot take it by dirigible over the Rocky Mountains.

And so I ask you to consider the fact that this tanker moratorium was part of a package of policy that included the approval of Trans Mountain. And I don't know what you want me to tell the people of Alberta. I have been so moved by the impassioned arguments of the First Nations people who have testified to us. I was so persuaded by the arguments of the people who were the experts on fish. Mr. Cullen made an extremely important representation about the role of the Senate vis-à-vis its relationship to the House of Commons.

And yet, here I sit as an Alberta Senator. What do I tell the people of my province if we can't sell our number one export commodity?

Mr. Heyman: First of all, I would say I want to correct your characterization of the B.C. government's position a little bit. We've made it clear we oppose TMX.

Senator Simons: You've made it very clear.

Mr. Heyman: Well, we've also made it clear that we understand that we don't have the right to say no to the project. We have the right, as the federal government has accepted, to do our own environmental assessment, but not to say yes or no or to place particular conditions.

When there was a disagreement between the federal government and Alberta about exactly to what extent we had the right to regulate, we agreed to voluntarily withdraw that consultation and put that measure to the courts for decision. And all the parties were heard; the decision is outstanding.

So we believe that we have behaved responsibly for standing up for British Columbians' interests, I would say. I spoke earlier about we support greater refining of product in Canada in order to meet the needs of Canadians, and I would also say that -- and I'm not going to ask you to determine whether I'm correct or incorrect in this -- there are two parties running essentially as the leaders for election in Alberta, and one of them has said they want to tear up the other parts of the deal that accompanied the approval of TMX by the federal government.

So the argument can be made both ways.

Senator Simons: You've done an excellent job of facilitating their rise in the polls.

Mr. Heyman: Well, what I would say is that, when TMX was first proposed, there was more limitation of pipeline capacity in other areas to accomplish Alberta's goals.

Since that time, other pipelines have been approved. There are analysts who believe that there is the potential now for an over-capacity of pipeline, and I would ask Alberta to ensure that they are looking at all the ways to add value and jobs for their people through upgrading and refining of their product, and also to look at the pipes that exist today or are being built today that did not exist when other pipes were approved.

The Chair: So how is that gas, refined gas, going to get somewhere? How does it go? Doesn't it go by pipeline?

Mr. Heyman: Well, we're talking about --

The Chair: I'm talking about refined product. How do you get the refined product to the west coast, if you want to ship it out?

Mr. Heyman: Well, first of all, we get refined product through a pipeline now, along with some diluted bitumen.

The Chair: Exactly.

Mr. Heyman: The B.C. government has made it clear that our concern is based on a sevenfold increase in the shipping of heavy oil from the lower mainland's ports. In the case of Bill C-48, which is the subject of discussion today, and what we should be talking about, it's just extremely, extremely dangerous waters, unpredictable weather, tricky navigation, visibility issues, remote area, underpopulated compared to other areas, and very difficult to appropriately plan for the kind of response you need to protect against a catastrophic impact in the event of a heavy oil spill.

And this is about heavy oil. We're talking about heavy oil, not refined product.

The Chair: I know what you're talking about. You mentioned earlier that your support of Bill C-48 is predicated on the consultation of the Indigenous communities by the federal government. We haven't heard that they have consulted with anybody, any Indigenous community, and I don't even know if they've consulted with your provincial government or the Province of Saskatchewan, or the Province of Alberta.

So do you still support Bill C-48 even though no one was consulted?

Mr. Brain: Sorry, I'm just going to interject there, because I met with Marc Garneau directly over this issue. He was here. He met with Metlakatla. He met with Lax Kw'alaams. He met with all of the First Nations.

I mean, there were 68 engagements over this bill. So to say that there was no engagement, I mean, people can say whatever they want. It's recorded.

The Chair: I'm just saying, we haven't heard at testimony that there was.

Mr. Brain: Well, let me tell you right now.

The Chair: But you're going to tell me? That's good.

Mr. Brain: I've met eyeball-to-eyeball with him, and I feel there was adequate consultation. And I find, in this business, when people aren't getting what they want, they say they're not consulted. That's really the game.

I just want to say something here about this Alberta debate, as if somehow we are not wanting Alberta to be successful. And that's just not the case. The problem is, here, I inherited a bag of lemons for this town when I became mayor. I had an abandoned mill; I had chemicals all over that island that I had to clean up. I didn't blame the province for abandoning this town. I didn't blame the feds for making our problems the way they are. I pulled up our bootstraps and I raised over $100 million in four years to get this town out of the hole.

And the reason why I did that is because sometimes you have to innovate and you have to look at a problem differently. And right now, we're trying to do the same things that we did in the 20th Century. Alberta is just going to have to innovate, and that means that Alberta and B.C. and Saskatchewan are going to have to team up with the feds to build refining capacity so that we can export refined products out of this port potentially.

And that is the only way, because, as my other message to you was, regardless of your beliefs, if you don't pass this bill and there is an oil project, it will be massively opposed, and that's going to be uneconomical. That is a fact.

It won't matter what your belief is, because we're in a day and age between science versus belief. You can data mine everyone; it doesn't matter how much data you present. If people believe something is bad, they will rally and oppose it.

There are 12 different products we could ship out of here with refined oil, and it could be done safely. That's a different process.

My last point is this. We are growing trade disputes. All the big argument is that we're dependent on Saudi oil. Well, look, if we start refining in Canada, if we have any issues long-term in the 21st Century, then we can resupply for domestic use our own product so that we're not being held hostage by other countries. There's another way to start looking at this problem.

It sounds to me that the Senators here have already made up their minds. What are you even consulting us for?

I'm not against economic development. In fact, I have to do it to get this town off the ground. You can't make us look like somehow we're against all of Canada just because we're just saying there is a problem with the process, here. You guys are in control of that, and it's going to be on you if you don't follow through with this.

The Chair: Mr. Brain, all we're saying is that you don't even produce enough gas in your own province to supply yourselves, so don't lecture Alberta and Saskatchewan about not refining their product.

You have a problem even at the airport in Vancouver, or on Vancouver Island. They aren't sure they can get a sure supply of fuel for the airplanes because of the lack of refining capacity in this province. So maybe it's all of us working together that may solve this problem, and not having this argument about what we should do or not do.

Mr. Cullen: With all due respect, I don't think anyone here is attempting to lecture Alberta on anything.

The Chair: Well, they certainly are lecturing Saskatchewan.

Mr. Cullen: To my friend from Alberta, I'll bring you back at fishing season and we can go visit all the Alberta license plates that are parked down at the wharf, and we can speak to Albertans.

And I would suggest, rather than obsessing over this idea of who is the victim in this conversation, rather attempt to find where the common ground is. Much as Albertans love to come out here and fish and recreate, and buy property -- and I wonder why -- well, it's a beautiful place. It's a sustaining place, which is exactly what our attempt here is to do, is to protect that sustainability.

So in that common ground as Canadians, we can find better solutions than simply saying, "Let the bastards freeze in the dark." Which one of your prospective premiers has been saying nonstop, which I think perhaps is one of the most ignorant and unconstitutional things I've heard in that election, and that's saying something.

Mr. Brain: Mr. Chair, one last comment here. You're talking about our ability --

The Chair: Well, the other prospective premier is --

Mr. Brain: Well, hold on. Here's the problem.

The Chair: What's the problem?

Mr. Brain: We actually have the largest industrial project in Canada, LNG Canada, that made an FID. It has been approved. It is all B.C. gas, B.C. processed, B.C. only. So obviously we are doing something and getting our products out to market, and doing something.

The Chair: Thank you for that.

Mr. Brain: And there's a process that Alberta can go into that can also innovate and make it be a part of it, too, but it's not the way it is now. And you can't blame us for that, okay?

The Chair: Thank you for that.

Ms. Rice: Mr. Chair, may I please --

The Chair: There will come a day when you'll have to move your product east, too. Ms. Rice.

Ms. Rice: Thank you. I just wanted to bring us back to something that I think might be lost. The oldest documented settlement in Canada by archaeologists is on the central coast of Canada, near Bella Bella. It's 14,000 years old. We're talking about documented settlements since the pyramids.

These people have inherent rights to continue to live the way they have lived for 14,000 years. So if you're going to create this division of pinning what Canadian against which, First Nations people are called First Nations for a reason, because they were here first.

I do not want to weigh into that divisive debate, but you continuously bring us here. I've listened to the testimony. I've heard your questions. You have to go back to this is about Indigenous rights, which are human rights. The rest of us have been here for 150 years, or we're descendants of settlers who have been here for 150 years. You have to think about those people's rights. Their human rights.

The Chair: Thank you.

Senator Miville-Dechêne.

Senator Miville-Dechêne: Thank you, Mr. Chair.

First of all, I wanted to say that some Indigenous tribes, the Heiltsuk and the Haida Gwaii, have told us they were consulted during the hearings. I remember that well. Maybe the consultation was not wide enough, but it happened.

Second, I'm looking at those two governments, the B.C. government and the Alberta government -- and obviously I come from Quebec; I come from the other side -- being really at opposite ends of the spectrum on that issue.

As Senators, we have to try to balance national interest. It's an important concept and, for a Quebecer, you understand, it's always interesting and not that difficult, the interest of a province versus the national interest.

So how would you describe national interest in that particular dispute on Bill C-48?

Mr. Heyman: I would say that the duty of politicians across Canada is to look at both the national interest and our provincial interest. And I don't think you can define the national interest without looking after the interests of all provinces and all peoples, including Indigenous Peoples. And that doesn't mean making a choice between gambling on irreplaceable environmental and economic values, on the one hand, and values of resource development and export on the other.

I would say the national interest is bringing people with, on the surface, different interests together to find out, where their common interest is, and whether mechanisms exist -- they may be ones that were mentioned at this table by MP Cullen or Mayor Brain or MLA Rice, or they may be others -- and find a solution that doesn't say there will be a winner and there will be a loser in this instance and, in the other instance, there will be a winner over here and a loser ther.

Because it, frankly, makes losers of us all.

The Chair: With that, thank you very much, witnesses.

For our last panel, from Friends of Wild Salmon, we have Modestus Nobels, Chair; from the T. Buck Suzuki Environmental Foundation, Luanne Roth, North Coast Estuary Campaigner; from Haida Gwaii CoASt, Valine Brown, Co-founder, and from the Coastal Emergency Response Working Group, Chris Sankey, Co-Chair.

Mr. Nobels.

Modestus Nobels, Chair, Friends of Wild Salmon: Thank you, Mr. Chair.

First of all, I'd like to thank the committee for coming to Prince Rupert. We greatly appreciate you coming here today to hear our testimony. And I'd like to also acknowledge that we meet today in the traditional territories, unceded territories, of the Tsimshian People, and we welcome and thank them for that.

My name is Des Nobels. I've lived in the region for just over four decades, and I was a commercial fisherman for three decades in this area, as well. I am the chair of the Coastal Community Network, and I am the chair of Friends of Wild Salmon. I am also an elected official with the North Coast Regional District, here, and have been for 16 years.

Well, it's a hard act to follow, that we just had. Being the end of the day, I know it's been a long day, and I will try to keep it as brief as possible, but it's really tough to sort of come in after you've heard all of the comments through the course of the day and provide you with much in a way that's new.

Nonetheless, Friends of Wild Salmon is a coalition of First Nations, community groups, fishing organizations, and unions who work on protecting wild salmon in the Skeena Watershed on the north coast.

The coalition was originally formed in 2005 in response to the threat of open-net fish farms moving into the northern waters. Later, the coalition worked on the thread of coal-bed methane developments in the headwaters of the Skeena Watershed, and then on the proposed Enbridge Northern Gateway project.

Most recently the coalition has been monitoring and providing information to communities on the more than a dozen liquefied natural gas projects that were being proposed for the northwest.

In northern British Columbia, there's has been a long history of support for a tanker ban and moratorium, over four decades. Some of our members have been advancing and advocating for the tanker moratorium in the northern waters since the first proposal of the supertanker port in Kitimat in the 1970s.

More recently, during the National Energy Board hearings on Enbridge's Northern Gateway proposal, approximately 500 northern citizens made presentations to the panel opposing the project, and many of those called for a tanker ban in northern waters.

Municipal governments in the area most directly affected by it have been clear and consistent in their support of a tanker moratorium. Most recently, the City of Prince Rupert, Kitimat, and the North Coast Regional District have written letters to the Honourable Marc Garneau, Minister of Transport, expressing their support for Bill C-48. Those three letters are part of the appended piece.

At earlier stages of input to the government on the tanker ban bill, the Friends of Wild Salmon coalition had called for a ban on both crude and refined oil. While Bill C-48 only covers crude and persistent oils, we still strongly support this position and this bill.

However, there are two areas where we would like to see changes. One is in the relation to the ministerial exemption provision. This broad power of exempting oil tankers from the bill's prohibitions could, in future, be used to circumvent the bill's very purpose, without any requirement that the public even be notified of such exemptions.

Our colleagues at West Coast Environmental Law are providing more detailed analysis and recommendations for such specific changes to the bill that would address those concerns, and we support their recommendations.

The other areas that Friends of Wild Salmon would like to see amended is the threshold of the 12,500 metric tonnes. We believe it is important that coastal communities' needs be met, but believe that this can be done under the threshold of 2,000 tonnes.

By prohibiting the transition of more than 2,000 gross tonnes of oil as cargo in any oil tanker, the moratorium would allow community resupply in tank barges carrying less than 2,000 gross tonnes of oil, as well as in vessels that are not oil tankers. Example, vessels carrying oil in drums, trucks, and trailers.

The 2,000-tonne threshold, which was proposed by Transport Canada in its moratorium discussion paper, with reference to the Moratorium Liability Act and the International Conventions in its schedules, strikes an appropriate balance by allowing for the fuel resupply while protecting northern ecosystems and communities from the higher spill risks posed by larger bulk shipments of oil.

As you have heard here today from many other presenters, we are people of place; and this is our place. We have worked hard for almost four decades and beyond to protect it.

We have spent over four decades in this area, working diligently and very seriously in terms of creating a vision for ourselves. We have that vision, and that vision requires a pristine and intact natural marine environment.

This tanker ban is the only way that we see in ensuring that that is maintained and kept intact. Without that, as many have pointed out here today, we are no more. This place is gone, and we are gone as people of this place. And I believe that we need to ensure that all of us who live here have the right to continue to live here as we have chosen. Thank you.

The Chair: Ms. Roth.

Luane Roth, North Coast Estuary Campaigner, T. Buck Suzuki Environmental Foundation: Thank you very much for inviting me. I'd also like to acknowledge that we're on Tsimshian territory, and I'm thankful for that. I like being here.

I am the north coast estuary campaigner for the T. Buck Suzuki Environmental Foundation, and we've been established for a long time. We were started by commercial fishermen to protect habitats.

You've heard so many arguments, and I don't want to belittle at all the ideas of the local people and their reliance on the seafood, but I did want to bring up one point that I thought might have more general interest. And that is that this salmon that we're talking about is important for all of Canada.

Most of you know that fish-derived omega-3 is really important for your health, but a lot of people don't know that there is actually a global shortage of it. And, like, flax, land-based omega-3 is a different type of omega-3. The fish-derived stuff is EPA and DHA, and it comes from the ocean. That's the main source. There are only minor other sources.

It also doesn't come from salmon farms, because salmon farms can't produce it. They have to use herring and anchovy and other types of fish for their fish meal to feed the salmon, and they actually use up way more than they actually produce in the salmon. So our wild salmon are a huge supply of it.

A lot of Canadians like to get their omega-3 through salmon, and Canada only has two rivers that have millions of salmon returning to them. One is the Fraser, and one is the Skeena, and this act would protect the Skeena.

The most likely place for a crude oil tanker terminal would be here in Prince Rupert, right at the mouth of the Skeena River. It's right in the estuary. And Joy was talking about all the salmon and the smolts, but all of those Skeena salmon that come from miles inland, about 100 million smolts end up right in the estuary, right beside where tankers would be loading. And they need to condition themselves to the switch from fresh to salt water; they need to grow and they move up the coast until they are strong enough to go off-shore and grow and come back to us with all that omega-3.

So this idea that we could maybe have a compromise and have a corridor that's coming from Prince Rupert, I mean, that's not a compromise at all, because this is the main place where that would be.

I also want to mention that -- I gave you a map, too, just to show. I know a lot of people don't understand how far the oil travels on the ocean. Because if you think about land-based spills, the idea of a corridor just doesn't make sense if you think, this black arrow here goes from the bottom of Alberta way up past Edmonton. This is all to scale; these maps are all the same scale. That's the distance that the Valdez oil spill affected in 56 days. It went further than that.

So it's huge, and people here know about that, and they know how far oil can travel. And that's one of the reasons I think they're so terribly concerned.

The other thing I wanted to mention about this idea of a corridor as a compromise, you brought up the marine risk assessment that the Port of Prince Rupert did about this corridor, and I'm very concerned, if you look at that, that you won't understand that it grossly underestimates the risk. I've looked at that very carefully, because it forecasts one accident every 23 years -- one incident every 23 years -- if we didn't have oil tankers, and 10, I think, a year if we did. And then, of course, those won't all have an oil spill.

But then, just after that came out in 2012, a container ship ran aground and then, two years later, a coal ship ran aground on the rocks. It broke open, it took on water, and so I was thinking, two incidents in just two or three years after the thing came out, and there is supposed to be one in 23 years.

So I knew something was wrong, and I looked through it carefully, and it excluded anchor-dragging incidents. And they are a serious concern, here. They were brought up in the documents that looked at the different ports. They said Prince Rupert wasn't a safe port for vessels over 50,000 deadweight tonnes, because they would have to go to another area to anchor, because we don't have safe anchors for them.

So they think that there is hard rock, was suggested, with mud overlying smooth rock, and that's why the anchors are driving here. And the larger the vessels, it seems, the more they drag anchor. And on page 156 or 151, I can't remember what, it says in there that they did not include anchor dragging incidents.

The Chair: We're at six minutes.

Ms. Roth: Oh, sorry. I guess my other point was just that diesel oil, that this moratorium is already a compromise. And so we're looking at shipments now of diesel oil, methanol, gasoline, and it's coming in the port here. And if you don't pass this bill, I'm really afraid that then there will be an effort to ship crude or bitumen, and that's just too dangerous for this area.

The Chair: All that arrives by train.

Ms. Roth: Yes, oil by rail.

The Chair: Ms. Brown.

Valine Brown, Co-Founder, Haida Gwaii CoASt: [*Indigenous language spoken*]. I acknowledge that I am a guest here on Tsimshian territory. I am a Haida citizen, and I speak here as a co-founder and representative with the community group called Haida Gwaii CoASt.

I am here to state our strong support for Bill C-48 for endless reasons and, given the time constraints that have been imposed, I have chosen to highlight three reasons.

First, oil tankers pose an unacceptable risk to lands, waters, and people. And I know that you've heard that today, and you've heard that elsewhere.

Second, the tanker moratorium has been a topic for decades, and formalizing this protection is long overdue. Again, I know that you've heard that today.

Third, Indigenous nations have already given this region protection from oil tankers.

My motherland, Haida Gwaii, has been home to my ancestors for more than 13,000 years. This is a magnificent place that is linguistically, culturally, and ecologically rich. With collective title and rights, our territory extends into what is known as the Hecate Strait, Dixon Entrance, and Queen Charlotte Sound.

This is home to an abundance of sea life, and this time of year we are privileged to see grey whales feasting in our waters. Humpback whales and orcas are active. Sometimes I can see these beautiful creatures from my living room window. Last night, there were three grey whales outside my living room window. The community hurries out with awe and gratitude whenever a whale is spotted feasting and thriving in our waters.

Herring are starting to spawn this time of year. Herring roe and kept is a delicacy, a nourishing and traditional food that continues to be incredibly valuable to us today.

Soon, we will start seeing migrating sea birds passing through and coming to Haida Gwaii. Some of our resident marine birds are unique subspecies found nowhere else in the world.

We don't get our food from a grocery store. This is the season that we're preparing to be fishing and harvesting for the year's food supply. This is something that we have done for thousands and thousands of years.

In addition to being an important food source, many of these animals and species are listed and protected under Canadian acts, such as the Species at Risk Act.

In total, our shorelines are nearly 5,000 kilometres. These waterways, beaches, and intertidal zones are home to endless creatures and critters, and provide sustenance to Haida people as they have for millennia.

It is our responsibility to safeguard all of this, and oil tankers put everything at risk.

I am here representing Haida Gwaii CoASt. We are a coalition of local people who volunteer our time to stewarding our lands and waters from the threat of oil tankers. We might be called a grassroots group. We rely on volunteers and the dedication of like-minded people who accept the responsibility of taking care of our place in the world.

CoASt was originally created in the 1970s, when an oil import facility was proposed into Kitimat. I'm sure you're all familiar with that. I was born into a lineage of people with inherent lands and waters around Haida Gwaii.

We also have a perpetual responsibility to steward this place and take care of her, in the exact same way that you take care of your homes and your families.

I am fortunate to live in a place where my neighbours, Haida and newcomers, share these values.

CoASt was very involved in the lead-up to the Enbridge joint review panel hearings in 2012, and I attended every one of the hearings on Haida Gwaii and listened to hundreds of people's statements in opposition to that proposed oil export project, and we rejoiced when Enbridge was no longer a threat to us, and we applauded when this bill was introduced that would eliminate the risk of future oil projects like that.

It is time, once and for all, to formalize protection of this wealth and unique region. Haida Gwaii will never accept this risk. For decades, our local people have been dedicated to this tanker moratorium, and we will continue to do what is right for our communities and for the natural world.

Just over nine years ago, Coastal First Nations, an alliance including the Haida, Old Massett, and Skittigit, signed a declaration that says, in upholding our ancestral laws, rights, and responsibilities, we declare that oil tankers carrying crude oil from the Alberta tar sands will not be allowed to transit our lands and waters. And it's time that the federal government come in line with our coastal First Nations in this tanker ban.

In 2014, my nation reaffirmed our opposition by passing a law that states that the council of the Haida Nation will continue to oppose any transport projects that would ship refined and/or crude oil, including bitumen, through Haida waters. That same year, we also passed a law prohibiting LNG tankers through our territory.

There are international tools such as the United Nations Declaration on the Rights of Indigenous Peoples that uphold our rights, our authority, and our jurisdiction, and Bill C-48 aligns with our laws and the protections that we have already put in place. It also provides the federal government an opportunity to uphold the tenets of UNDRIP, which I trust you are all familiar with, and in a very real way is an act of reconciliation.

On behalf of decades of volunteers of Haida Gwaii CoASt, it's an honour to be here and state our strong support for this bill. As a Haida citizen, I am obliged to reiterate that Bill C-48 aligns

with our laws and, in many ways, it doesn't go far enough in protecting the lands and waters in this region.

I would be remiss not to mention that this process has not been inviting or public, and I am one voice from a community group, and the message that I am here to deliver to you is representative of all of my friends and neighbours. We encourage the Senate to do what is right for reconciliation and the long-term protection of this region by adopting Bill C-48. Thank you.

The Chair: Thank you, Ms. Brown.

Mr. Sankey.

Chris Sankey, Co-Chair, Coastal Emergency Response Working Group: Thank you. I'm not going to reiterate everyone's concerns with regard to fish, the environment; I get all that.

First, I want to welcome you to the coast Tsimshian territory of Lax Kw'alaams and Metlakatla.

My name is Chris Sankey. I am a member of the Lax Kw'alaams Band and a former councillor. I am also a businessperson with regard to Blackfish Environmental. In 2015 and 2016, I served as co-chair to the Coastal Emergency Response Working Group.

I want to get right to the tanker moratorium, and I want to provide some context on what I know, the engagement that the federal government had with us, and what I know that I have chosen to walk away from politics.

In November 2016, the announcement was made about formalizing a crude oil moratorium. The government seemed ready to impose a solution on our communities without real consultation. And I can tell you, when I heard Minister Garneau mention that he had met with Lax Kw'alaams 52 times, and I'm hoping some of our members could hear this, I can tell you that is actually not true. The two times I've been on council, he met with us twice. He may have met with Mayor Helin on other matters, but to say that he met 52, I call tell you, is actually very incorrect.

The two times that I met with him, this is going back to the Crest Hotel, where he had mentioned, as I sat there, they imposed a solution on our communities without real, meaningful consultation. Minister Garneau said that he was putting it in place because: "My boss made a promise."

At the Crest Hotel, with many First Nations leaders in attendance, the minister asked people to raise their hands on whether they were for or against the moratorium. There was no discussion around what the options were from the leaders, or what approaches First Nations leaders wanted to see. The minister made it so that it was a choice for or against. All the while, our Coastal Marine Response Working Group was working with the very First Nations leaders, with the exception of a couple, who were invited at this table, including leaders and technical staff.

We were also asked if we would host a meeting in a coastal community. We had representation from leadership, technical staff, and we said we would love to do that. Unfortunately, when the tanker moratorium was announced, we became divided.

As to the impacts that I have noticed and witnessed, if the moratorium is passed as it is, permanently legalizing this process, Canadians lose the right to decide their future, a right to provide options to protect our environment, the right to obtain employment, and more importantly, the right to be heard. This isn't just about moving Canada's resources to markets. We run the risk of losing something even greater, something even bigger than all of us, and that is our ability to work together as communities, provinces, and as a country.

We can't do this when we are divided. We cannot do this when the very foundation that we rely on is fractured. This is our opportunity to find common ground and work together.

With this proposed legislation, I have witnessed more division within our Indigenous communities than ever before. People are not distinguishing the difference between gas and oil. This process has put many leaders and decision makers in an extremely difficult situation. It is easy to say yes to the moratorium. Why? Because it's easier to go with the status quo to avoid the backlash and judgment of being pro-development. I have experienced every single one of those. I urge leaders who are for the moratorium to rethink their decision and find common ground to work together and solve these issues together.

It is quite evident that the government isn't prepared for when our communities say yes to development. By all accounts, we have usually given the answer of no. First Nations people are angry, and they have a right to be. I don't blame the water protectors. I don't blame the protestors. They have every right to have concern for our environment.

However, this process has a lot to do with why there is more division within our country and within Indigenous communities. For far too long, we have been left out of Canada's economic agenda, until now.

This promise for a moratorium has carried over to gas, rail, and other port-related opportunities. When will it stop? The promise to implement the moratorium has and will create massive repercussions that no one can or will be able to stop, not even the government. First Nations are already at odds, and worse, threats continue to be made on both sides that are for and against. One day, I fear the threats will come to be a reality and I fear that someone is going to be seriously hurt. That's how bad I have seen it, that is how bad I have experienced it, and that's how bad it has become.

We talk about working together as a country. In our neighbouring province of Alberta -- I'm a B.C. boy, I'm a coastal boy, and I do work out there -- suicide rate was up to 30 per cent or higher than average Canadian. Why? This, when me growing up in a reserve had witnessed so many suicides. Now, it's a tribute to so many environments and situations and the upbringing through residential school, but the fact remains these people took their own lives. Between 2013 and 2017, over 1,000 people, due to the economy, took their own lives.

Minister Carr once said to us, "Look at me. You and I have to make tough decisions." I want the Minister and all of you to look at me. You and I have to make tough decisions every day, when we wake up. We look at our families, our friends, and our communities and think: How best can I give my family and community a fighting chance as we move into the future? This country, your country, our provinces, our home, they are your family, your friends, and your colleagues who have battled together and fought one another, but together we are stronger.

Lastly, I've learnt this. I've learnt that sometimes, and every once in a while, it's better to keep the peace than be right. In this case, it's imperative that we marry the two, look to amend or give options to the moratorium, and help bring this country and Indigenous communities back together. Thank you.

The Chair: Thank you very much, Mr. Sankey.

Senator Miville-Dechêne.

Senator Miville-Dechêne: Thank you for your testimonies.

Mr. Sankey, first of all, I am trying to reconcile your powerful speech and your title, Coastal Emergency Response Working Group. I don't see the relationship; I'm sorry. Maybe it's late. So if you could just clarify that?

Mr. Sankey: Sure. In 2015 myself and Ryan Lane from Metlakatla formed an independent body to invite leaders from the coastal communities to come and sit in and talk about everything marine safety. And it was disrupted, unfortunately, when the moratorium was announced, and in this meeting people were talking about everything marine safety to accommodate the existing infrastructure that we currently fact today, which we don't have when it comes to emergency response.

Senator Miville-Dechêne: Okay, so it's more of a working group.

Ms. Brown, you said -- and I just want to be clear -- that the Haida Gwaii, or you personally, if you could clarify that, don't want any vessels carrying liquefied natural gas going through your territorial waters.

As you know, there is a project to that effect in Kitimat, so what are you planning to do?

Ms. Brown: Thank you for that question. It's a good one, and I will say at the outset that I'm not in any capacity, at this moment, to speak to what I or my group that I represent, Haida Gwaii CoASt, is prepared to do. But I can reiterate that, yes, that is the official position of my nation. The Council of the Haida Nation has passed that as a law.

CoAST stands for Communities Against Supertankers, and so that does extend both to oil and LNG tankers transiting through Haida waters.

Senator Miville-Dechêne: As you know, I'm not saying there's no risk, but obviously the ban doesn't extend to LNG, because it's less of a risk; it's not like an oil spill.

So what would you say to that? Zero risk for everything?

Ms. Brown: I am well aware that Bill C-48 does not include LNG tankers. I did state in my closing statement that this bill, in my opinion and Haida Gwaii CoASt's opinion, does not go far enough, and it is with specific regard to that, yes.

Senator Miville-Dechêne: Thank you.

The Chair: Senator Patterson.

Senator Patterson: Mr. Nobels, you know the water; you've been a fisherman. I have learned about the port here a little bit, and I was told by the authority that one of the big appeals of this port and its reduction of risk is that there is a short distance to the open water, and that that distance is sheltered. And we know about the spin-off benefits to this community, including Indigenous employment at the Port Authority.

I was really surprised to hear you say that the bill should go further and include refined oils. And I understand some of them are now being developed by the Port Authority, propane and related products. So do you really think that the 500 ships that come in here a year, I understand, are at risk of an accident in this beautiful, sheltered harbour?

Mr. Nobels: Thank you for that question. In short, yes, they are endangering this harbour. I've lived in this area for the last four-and-a-half decades. I've fished for the last 35 years in this area, as well. I have great experience with the weather here.

As my colleague has pointed out, it was noted very clearly that this harbour is not the best of anchoring sites. It has a very solid, hard bottom overlaid with a very thin layer of mud, which doesn't allow for a large vessel to maintain its spot in anchoring.

In terms of the position that we have taken, we've heard a lot here today about compromise, about finding that place of balance. We believe we have found that place of balance in Bill C-48. We have not pursued the other portions of this.

When we met with Minister Garneau a number of years ago with regard to this issue and started the discussions around it, we at that time were rather adamant that these other talks should be a part of that discussion, but, realizing that that was not a position that was going to go, we came to a place of compromise and we said, fine, we wish to address persistent oils as being the major issue in terms of our coast and in the protection of it.

We understand that these other commodities also create issues for us, but they are issues that we are willing to at least deal with at the moment, and hopefully come to some understanding of as we move forward. But initially it's these crude carriers that need to be kept from our coast.

As a commercial fisherman, I can attest to the violence of the weather that we experience here, and it's an incredible force to witness. I have spent time on the water, sitting in winds of over 118 knots in intensity. It's not something that you want to experience more than once, and it's something that goes on quite often.

We have ships coming into this area right now, container ships that are coming in here. Many of them come in with damage. They are coming through along the bottom end of the Charlottes. Some of the worst weather that we see is off the bottom end of Haida Gwaii. We have seas there that reach astronomical heights. We have huge pushes of water coming both north and south through that entrance, and I can attest to the violence of the weather that exists there.

So in the end, yes, we have a coast here that is extremely savage. It doesn't suffer fools well, and it will, in the end, cause an immense amount of grief if we allow these tankers to move into the area.

Senator Patterson: Mr. Sankey, you've talked about the divisiveness that has arisen from this debate with Indigenous communities, and maybe in the broader community, and unknown implications from its passage. I wonder if you would recommend that the voluntary ban has been in place, and I believe it's been respected. Would you recommend that, if the bill doesn't go ahead, the voluntary ban will continue to do its job, without causing the kind of rifts in communities that you've described?

Mr. Sankey: I think that, to mitigate risk and to give it peace of mind, I support the moratorium, but put a time frame on it so that you could go back and adequately consult with those who are looking for options to bring economic development to their communities.

In its existing form right now, it doesn't do that. It's for or against. If you want to talk about consultation, let's do consultation. I can only tell you from my experience, and what I witness in the conversations I've been in with Minister Garneau, the second meeting was all of 30 minutes and there was no discussion around options. There was a promise to be made, and I'm keeping it.

The Chair: Senator Simons.

Senator Simons: First of all, I want to say that, thanks to Mr. Nobels and Ms. Roth, I am now so hungry for salmon, and all I have in my purse is a banana. It will not be the same thing.

I was very moved by Mr. Sankey and Ms. Brown, as young leaders in your community. It was tremendous to hear from you both.

Mr. Sankey, you say that when you spoke to the minister, you wanted to discuss with him options or amendments and look for common ground. I don't know how much common ground there is to be found, but what options or amendments did you want to propose?

Mr. Sankey: It's entirely up to the leadership. I think that, right now, communities are at odds and people assume that discussions are taking place when they're really not, not in our particular area.

I'm telling you this from experience; that's not what happened. I really believe that, if we could get some sort of support back to the Coastal Emergency Response Working Group -- within three months, I had every leader attend the meeting, with the exception of two, which was Skittigit and the Nisga'a, who were invited. We had a representative from Old Massett who stated his position he was against a tanker project, or oil project, which was great because he brought a different perspective that a lot of people otherwise would have never thought about.

The Chair: Just so it's clear, he was against the tanker ban, or was he against an oil project?

Mr. Sankey: He was for the moratorium.

The Chair: Okay.

Mr. Sankey: He was for the moratorium. I want to make sure that's clear. He was there to represent his people, and he was very clear with the table that he was against any sort of oil project.

However, what I'm saying is, around the table, people were agreeing to disagree, but we found that the common denominator was that everybody still wanted to protect the coast, whether you were for a project, or you weren't. And bringing the two groups to meet in the middle, to think of things they would have never thought of, it gave a different perspective.

And the table was honest, constructive, objective, and people had a safe place to talk about a proposed project that didn't exist. That's what the table's mandate was. We weren't there to make the decision on behalf of their communities or the leaders; we wanted to hear from the leaders, with their technical staff, and hear what they thought would work.

That's all I can say. It was very positive. Whether they were for or against, they felt safe to discuss the project, to talk about oil without the fear of backlash. And I made it very clear that every leader has a right to an opinion, whether they are for or against.

The Chair: Senator MacDonald.

Senator MacDonald: Thank you to the witnesses. Maybe just a question for all of you, in terms of what we're discussing here today.

Mr. Nobels, you do a lot of fishing here around the harbour. I grew up in a fishing community. I've fished on the Grand Banks; a lot of my family has fished, on both sides of my family. A lot of shipping, too, a lot of people in the merchant marine.

When you talk about the risk of the harbour and the weather, you know, the weather is pretty tough in the North Atlantic, too. It's pretty tough weather, living in a marine environment. You

mentioned the problem with anchorage, but this is a deepwater port. You could handle the largest vessels in the world, just as we can on the east coast.

Wouldn't these vessels, when they came in, wouldn't they come in and wouldn't they be docked at a station for moving petroleum? They wouldn't really have to anchor. They wouldn't be out in the strait with a valve running out and feeding them, the way they do in the Bay of Fundy.

Mr. Nobels: The port and the proponents have informed us that their intent is to bring a ship in, dock it to the mooring facility, fill it, and then return to see. And that may well be the case, but the reality is that we are also able to provide anchorages of convenience. So if a vessel leaving the dock here decides that it wishes to anchor and park itself for a period of time, there is no way to restrict that. That is just an anchor of convenience, and internationally that is something that we provide.

That being said --

Senator MacDonald: But they have that now, right?

Mr. Nobels: They have that now, yes. That is the reality, so we are stuck with that situation.

What we don't have is sufficient anchorages to allow for a vessel of this size to actually safely anchor. And, in the report that was provided initially when the studies were done, moorings were suggested as a possibility to put in to avert any incident of anchor dragging or any such grounding due to an anchoring situation.

The reality is that, as many have pointed out to you today, human error is a far more common instance than we wish to acknowledge, and as such I would suggest to you that we are not willing to accept any level of risk, period, with regard to this. We do not believe that what we presently have is worth exchanging for a short-term economic gain, when we have at our doorstep a long-term, viable, sustainable economy and livelihood.

As you're heard here today from everyone around this table and in this room, we all live in part from this water. I live in a small community across the harbour here on Digby Island, where you came in on the airport; it's a place called Dodge Cove. We built the northern fleet. Over 1,200 vessels were built out of that community and put into the water here. The issue around the fishery here that you've heard today is a significant one. It's one that we did not design; it was one that was designed in Ottawa for us. It doesn't work for us. It doesn't work for our communities.

We have a substantial fishery here that we could generate massive amounts of economic opportunity through, but because of political constraints and policy directives, we are unable to achieve those goals. There are other who are benefiting very well from our fish stocks here, but it is not those of us who live here, sir.

Senator MacDonald: Well, you'll never get me to advocate more interference from Ottawa about anything. I think we all live with that on both sides of the country.

Mr. Nobels: That's true, and that's one of the things that you're hearing here time and time again from people, is that, as people of place and as people who understand this place, we feel that we deserve and have a right to sit at the table to make these decisions. And that has not been the case in the past, and it doesn't appear to be the case into the future.

So whether you support or do not support Bill C-48, the reality is that all of us are demanding far greater input into the process, whatever it is.

The Chair: Senator Gagné.

Senator Gagné: Mr. Nobels, you have spoken in favour of Bill C-48, but you question why the Minister of Transport had been granted the power to order exemptions to the moratorium. I was wondering under what circumstances, if any, would it be acceptable for the minister to exercise his exemption power.

Mr. Nobels: You know, I could not honestly answer that question. I'm not sure what that piece would be. I would hope that, if there is an instance where the minister is considering such an option, that he come to the people of this region before he exercises that power.

Senator Gagné: Mr. Sankey, let's go back to the question of input, and also trying to reach a common ground and the importance of consultation and everything. But you also said, what I was hearing is that at least, in the times that you did meet, you did agree to disagree.

So in this case, for this particular bill, do you think there is space for compromise, or is it just a question of people who agree and people who do not agree?

Mr. Sankey: That's a very good question. Innovation and technology is changing all the time, and I'm proud to be a part of that. At the table, we left those decisions up to the leaders, and it was one of those things where, if a project is going to come, if it's going to come into our backyard, should it come, what could we do to work together to find common ground where it benefits those who are for and those who are against.

But when the moratorium was announced, we couldn't conclude and follow through for the rest of the year with regard to how best we could work with those, and how we could benefit those out in Haida Gwaii versus development taking place in the Coast Tsimshian territory. Who we could benefit those at Heiltsuk versus everything that's happening here in Prince Rupert.

The reality is there are only a few communities that are benefiting. I do have to agree, as a person who has been elected, it's hard to hear your friends say, "Well, I live in Hartley Bay. How can I take advantage of economic opportunity in Prince Rupert? I don't have a job."

And these are not just people that I walk by every day. These are people I've grown up. These are people I know. But my mandate was our people first.

The Chair: Do you want to add to that, Ms. Brown? You indicated you wanted to say something.

Ms. Brown: Yes, thank you. I would like to add just quickly around nations agreeing and some disagreeing. And just to add further context, Haida Gwaii and the group that I represent does stand to be at the tail end of these projects, and so we are essentially having to accept, or we are being threatened with all of the risk and absolutely no benefit.

We're not talking about jobs in our communities. We're not talking about any kind of economic benefit that would be reaching us. And all across the coast, I'm sure in all of your own homes, you've seen the impacts of boom and bust industries, and we have experienced that. On Haida Gwaii, we are looking at ways that we can start rebuilding a healthy community and healthy environments and sustainable economies that also incorporate our definitions of wealth, which aren't always tied to monetary value.

I just wanted to add that.

The Chair: Senator Smith.

Senator Smith: Ms. Brown, earlier when we had MLA Jennifer Rice here, I just read in her document she gave us: "Coastal communities are subsistence communities. When you live on $250 a month, and you're a single mom with three children, and milk is $10 a gallon, you simply cannot survive without the resources from the land and water."

When I saw that, I'm just thinking it tied to your question, or your recent dissertation you just gave us. How can you, as a young leader, help to change that mindset and the reality for that young single mom who has three kids and living off welfare at $250 a month? What do the young people want?

Because we had young people come to Ottawa many times, Indigenous kids, and we talked about your expectations. The expectations of those young people coming to Ottawa are very high. I see this, and I say, "Is this the expectation hat some of the younger people have, that you're just going to survive, and because it's nice and green -- and it's beautiful; when you land here, you're breath taken by the colour and by just the immensity of nature. That's just a simple statement from a simple person.

But I'm just wondering, how do young leaders like yourself change that mindset? Or is this what many young people are thinking? How do you get out of that rut?

Ms. Brown: I'll answer that question. It's a great one, and I'm glad that, when you flew in and you landed -- I'm assuming you had not been here before -- you acknowledged and recognized that you are in a very rich and very unique place, in a lot of ways.

Senator Smith: That's right.

Ms. Brown: As for your specific question, and $250 a month and $8 cartons of milk, I am not familiar with those statistics. But to speak to the question about what youth want, the youth who I talk with, the youth who I am hearing from want a climate-stable future. They want to be living in a world where they can be relearning their languages, and I am going to trust that you are all familiar with the history of residential schools and the impacts that that has had on us. That is the future that the youth on Haida Gwaii want.

They want to know that they're going to be able to continue to live off the land in the way that they have for thousands and thousands of years. They want self-determination, and they want to know that they can be completely independent, and they want to see what real reclamation of sovereignty looks like.

The Chair: Are they independent now?

Ms. Roth: "They" being?

The Chair: Your young people from your part of the country. Are they independent now?

Ms. Brown: Yes. I mean, on Haida Gwaii, we are absolutely unceded, untreated territory. We are independent. We do have our sovereignty and our independence, and we are looking at ways that we can continue to build sustainable economies that work for us.

Senator Patterson: Could I just have one more? I'm not trying to be stone-headed, because I don't think I am, but I think there's a realistic other benefit or base that young people need to have. They need to have some form of economic employment so that, you know, you can't live off nothing. You have to have the environment; it has to be very amenable. But at the same time you have to have the ability to survive and, when I say survive, hopefully have a half-decent place to live and you have at least some basic comforts.

And I just want to make sure, and I'm trying to understand the mindset of young people. What do they look for besides having a beautiful climate and having the beautiful land? What about their lives in terms of trying to get something for themselves and their families?

Ms. Brown: To respond to your question in relation to this bill, passing Bill C-48 will ensure us the opportunity to build that future and to make sure that we're investing in our own communities, that we are the decision-makers on what kind of projects we see in our communities, and we can define what kind of economic opportunities are sustainable to us.

Senator Patterson: Thank you.

The Chair: Okay. Senator Cormier.

Senator Cormier: Thank you, Mr. Chair. I will ask my two short questions in French.

(French follows – Senator Cormier cont'g – Alors mes deux questions suivent en fait les questions de la sénatrice Gagné.)

(après anglais – Senator Cormier -- … ask my two short questions in French.)

Alors mes deux questions suivent en fait les questions de la sénatrice Gagné. Ma première question est pour vous. Vous parliez spécifiquement sur le projet de loi, donc vous parliez que vous aviez une réserve sur l'exemption qui serait accordée au ministre.

Alors selon le projet de loi comme tel, il est bien précisé que le ministre serait autorisé à exempter un bâtiment des interdictions mentionnées à l'article 4 lorsque la cargaison est essentielle au réapprovisionnement communautaire ou industriel, ou est autrement dans l'intérêt public. Et il y a eu un amendement qui était rajouté qui dit que le ministre doit publier l'arrêté de l'exemption pour que tous les citoyens puissent savoir pourquoi il a exempté un tel bâtiment.

Alors j'aimerais vous entendre sur cet article précisément. Est-ce que le libellé qui est là vous conviendrait ou pas?

(anglais suit – Mr. Nobels : Thank you for the question. If I recall correctly, …)

(Following French – Senator Cormier -- Est-ce que le libellé qui est là vous conviendrait ou pas?)

Mr. Nobels: Thank you for the question. If I recall correctly, and I'm rolling my memory back here a little a bit with regard to this, in terms of the exempt piece and the requirement by the minister to gazette that exemption and then put that Gazette out so that it's noticed. I think, when we were in Ottawa presenting to the House of Commons Standing Committee on Transportation, the request at that time was that, when the Gazetting would be done for an exemption, that that Gazetting would be made broad, a broad announcement going out to the various communities that would be impacted by that, not just Gazetted within Ottawa but fully around, so that everyone knew what the minister was expecting or attempting to do, and that, in turn, we could respond in some fashion to that.

Under the present system, if I understand it correctly, it's gazetted, but there is not a wide distribution of that Gazetting. So unless you are following the Gazetting of pieces as it comes out of the legislation, you wouldn't even know that that has taken place.

So we request that that be made far more public, and to a broader base.

Senator Cormier: I think that's what is written here, so thank you very much.

(French follows – Senator Cormier cont'g : Monsieur Sankey, une question pour vous. Je comprends que vous éprouvez beaucoup de frustrations …)

(après anglais – Senator Cormier cont'g: I think that's what is written here, so thank you very much.)

Monsieur Sankey, une question pour vous. Je comprends que vous éprouvez beaucoup de frustrations à l'effet qu'il n'y a pas eu de consultations réelles autour de ce projet de loi et que ce projet de loi a été assez divisif dans votre communauté.

Est-ce que, à votre avis, afin de pouvoir poursuivre la conversation et éventuellement poursuivre la consultation, est-ce que l'inclusion d'une obligation de révision à période fixe du projet de loi serait pertinente pour vous, s'il y avait une clause qui préciserait que le projet de loi doit être révisé de manière périodique afin de tenir compte des avances technologiques, du raffinement des produits, de la situation? Ceci permettrait-il à votre avis de continuer une conversation autour des enjeux qui touchent ce moratoire?

(anglais suit – Mr. Sankey : Yes. I think that it gives us time to review all options.)

(following French – Senator Cormier -- … avis de continuer une conversation autour des enjeux qui touchent ce moratoire?)

Mr. Sankey: Yes. I think that it gives us time to review all options. I think people want peace of mind that their coastline is going to be protected. I think that it gives the ability to take a look at what innovation and technology is out there, which there is.

It also gives leaders an opportunity to go to their respective communities, because I don't feel there was enough conversation with our members. There was not enough conversation where people could be heard to express their written views or verbal views. There was not enough communication within the community so that they could stand up and be heard.

I don't think they have had the choice. It's either you're for or against, and they never had the opportunity to -- they're going to say no, because I don't believe that everything has been fully presented. And even if they still say no, at least give the process a chance for options.

You know, people want to talk about sustainable economies. And I started off, because I know I didn't have a lot of time, where almost over 1,000 people took their own lives in Alberta because the economy tanked. Do I believe that we have a responsibility to all of Canada? Yes, but I also believe that we have a responsibility to our members.

Innovation and technology is changing, and a lot of stuff we are fortunate to be involved with. We are moving through sustainable economies, around land-based closed containment.

Senator Cormier: I just want to know, would you have an idea as to when we should have that revision of the law, when it becomes law? It should be a revision at, what, every five years, every 10 years? Do you have an idea? Do you have a suggestion?

Mr. Sankey: I don't believe in a lifetime ban, because things change. Innovation changes. I believe that, to satisfy both sides, put a time frame on it. Put the moratorium in. Let's revisit it. Let's go through the process of understanding what's happening globally in the next three to five years, but I don't recommend a lifetime ban, because somebody somewhere, what's happing right

now is innovation. The safety of the product, how it's being done, has significantly changed from what happened in Valdez, for example.

The Chair: Senator Patterson.

Senator Patterson: Ms. Brown, thank you for your testimony. I was struck when you said, "As Indigenous People, we can define what economic opportunities are beneficial to us." I think I quoted you correctly. I wrote that down.

So what I'd like to ask you is this. There is an Indigenous Nation to the north of Haida Gwaii, the Nisga'a, who tell us they are eager to benefit from opportunities to supply the energy-hungry Asian markets, and they say they are a self-governing nation, they have a rigorous environmental regime, regulatory regime.

So I guess I'd like to ask you this. Would you say that, as Indigenous people like the Haida, the Nisga'a, too, have the right to define what economic opportunities are beneficial to them?

Ms. Brown: Thank you for that question. It's a great one. Among many of the rights, of course we have the right to determine what is best for our communities and for our nations and for our territories. And so I think that the key piece that I would highlight, which I'm sure you are familiar with, is the United Nations Declaration on the Rights of Indigenous Peoples that I mentioned briefly.

There are several articles that reference free, prior, and informed consent, and so, as independent sovereign Indigenous nations, we all have the right to free, prior, and informed consent.

The Chair: So you are saying that you have the right to say no, even though it doesn't have anything to do with your territory?

Ms. Brown: If my territory stands to be impacted, absolutely, I do have a right to respond to that. And free from any kind of coercion, any kind of threats, with all of the information that I need to make an informed decision, I have the right, and that needs to be respected, to consent to that or to not consent to that, yes.

The Chair: Even though it hurts the other nation?

Senator Patterson: I guess that question was, would you say that of the Nisga'a even though they make take a different position than the Haida Gwaii?

Ms. Brown: Absolutely. I have no right to comment on what any other nation decides is best for them or their community.

Senator Patterson: One thing I'm also curious about, because I live in a region of 25 coastal communities that's very dark and cold, solely dependent on diesel -- we don't necessarily like

that -- but I was intrigued. I understood you to say that the Haida had passed a law to prohibit the transport of refined product to coastal communities?

Ms. Brown: The bulk transport of fossil fuels, yes. And that includes LNG tankers. That does not include diesel transport, which is where I see you going with this question.

The Chair: Except to your place.

Ms. Brown: Bulk transport. We're talking about scale.

Senator Patterson: Thank you.

The Chair: Thank you so much, senators, and thank you so much, witnesses.

Before we say goodbye to our witnesses, and I want it for the record, I want to thank the people of Prince Rupert for welcoming us so warmly, and I want to thank all the impassioned presenters. Even though I disagreed with some of them, I thought their arguments were solid. We had a little bit of tense debate here and there, but it was impassioned and it was a very Canadian kind of day, I think.

So I want to thank everybody for their presentations, and I want to thank all the people for their hospitality. With that, the meeting is adjourned.

(The committee adjourned.)