

1 May 1997

Hon. Sergio Marchi, Minister of Environment
House of Commons
Ottawa, Ont. K1A 0A6

Dear Mr. Marchi:

I write to draw your attention to the permit issued on April 9 under the Canadian Environmental Protection Act, Part VI (Ocean Disposal), Section 73(1), to allow the **disposal of the decommissioned warship HMCS Saskatchewan in waters off Snake Island, near Nanaimo, British Columbia.**

By this letter we wish to serve formal Notice of Objection to the issuance of this permit, as per section 89(3) of the Canadian Environmental Protection Act, and respectfully ask that you immediately establish a Board of Review regarding the disposal of the HMCS Saskatchewan, prior to its scheduled disposal date. This matter is urgent, as the ship is scheduled to be sunk on June 14.

The Georgia Strait Alliance is a coalition of about 50 environmental, recreational, labor, commercial marine and other organizations founded in 1990 to protect, preserve and restore the marine environment and ecological well-being of Georgia Strait and its adjoining waters. Our members have expressed their concerns many times regarding the deliberate dumping of old military ships to create artificial reefs for divers.

Our reasons for calling for a Board of Review for the HMCS Saskatchewan ocean disposal permit are as follows:

1. The proposed site for the HMCS Saskatchewan lies within the jurisdiction of the elected local government, the Islands Trust. The Islands Trust is the duly elected government for the Gulf Islands of British Columbia, responsible for land-use and amenity planning within the Trust area. Its Policy Statement Bylaw No. 17 (adopted in 1993 and reaffirmed last year) states that "Trust Council holds that artificial reefs should not be developed in the Trust area." The Islands Trust is part of the referral process on ocean dumping applications within its jurisdiction and has already expressed its clear opposition to the ocean disposal of the HMCS Saskatchewan. Therefore, issuance of the permit contravenes the wishes of local communities and runs roughshod over the policies of the duly elected local government.
2. No public hearings were held prior to the issuance of this permit. There were a number of meetings called by the proponents and proponents made presentations on local radio, TV and to schools, but these were part of a promotional campaign and in no way constitute public hearings. Public hearings need to be advertised in advance, include written and verbal submissions, allow the public to question project proponents and regulatory officials, and provide a formalized means for considering public input in the decision-making process. They

are common practice in many land-use and development decisions and provide an imperfect, but reasonably democratic means for the public to get information and express its concerns or opposition to regulators and decision-makers. Meetings organized by proponents to promote a project cannot take the place of such processes.

3. Environment Canada's Interim Guidelines for applying for an ocean disposal permit for disposal of vessels under the Canadian Environmental Protection Act state that, "If the vessel is to be sunk as a recreational diver attraction, EC recommends that the applicant not only advertise in the local newspaper, but advises and consults directly with all relevant third party interest groups identified in Appendix II of this document." Appendix II is a very short list, but includes the United Fishermen and Allied Workers Union, West Coast Environmental Law Association, and BC Environmental Network - yet none of these three organizations were contacted by the applicant. We would submit that the public "consultation" that took place was wholly inadequate and consisted almost exclusively of public promotion rather than public consultation.

4. There is no scientific consensus on the value of artificial reefs and indeed, many scientists believe that artificial reefs, especially when made out of materials of convenience like old ships, can be harmful to the marine environment. For an artificial reef to be beneficial to the marine environment, it needs to be designed for the specific location and for enhancement of specific species considering factors such as the number of chambers, chamber size, optimum reef size, design, substrate, depth vs. distance offshore, spatial arrangement or configuration and materials, etc. Artificial reefs made of old ships and other cast-off materials are unnecessary and may even harm the environment by replacing existing natural habitats with less effective artificial ones. I would refer you to the following sources:

- Dr. James Bohnsack, "The Rediscovery of the Free Lunch and Spontaneous Generation: Is Artificial Reef Construction Out of Control?", American Institute of Fishery Research Biologists Briefs, 1987
- Raymond M. Buckley, Washington Dept. of Fisheries
- Jeffrey Polovina, Bulletin of Marine Science vol. 44 No. 2, 1989
- Bill Summers (oceanography professor) and Steve Quinnell (fish biologist), in "Biologists doubt fake-reef benefit", Bellingham Herald, December 5, 1992

5. Disposing of materials of primarily metallic origin by dumping them at sea contradicts the federal government's laudable "three R's" policy of reduce, re-use and recycle and is highly wasteful of scrap metal and aluminum resources that could otherwise be recycled. In addition, this sets a very bad example for the public and discourages the conserver society that Environment Canada has been rightfully urging citizens to create.

6. Pollutants aboard old, highly compartmentalized military ships (including oils, solvents, greases, asbestos, toxic paints and other toxic compounds) are difficult to fully remove. A U.S. correspondent of ours reports that last October he was at an oil spill contingency

meeting at Dauphin Island Sea Lab when a Coast Guard officer had to leave in a hurry, as a so-called "clean" wreck placed as an artificial reef off the Florida coast suddenly started leaking fuel. Disposal of these ships may therefore constitute a violation of the federal Fisheries Act, in that it may introduce deleterious substances into fish-bearing waters, and it also would appear to be inconsistent with the London Convention of 1972 aimed at preventing further pollution at sea.

In conclusion, we believe that deliberate sinkings of disused ships for artificial reefs runs counter to sound ecological management, pollution prevention and prudent fisheries management. We know that you have also received letters of objection from a number of other organizations and individuals, and in light of the above concerns and the concerns they have expressed, we urge you to promptly appoint a Board of Review to re-examine the permit for the ocean disposal of the HMCS Saskatchewan. We would appreciate your earliest possible reply. Thank you.

Sincerely,
Laurie MacBride
Executive Director, Georgia Strait Alliance

cc: Hon. Charles Caccia, Standing Cttee on Environment & Sustainable Development
Hon. Fred Mifflin, Minister of Fisheries and Oceans
Hon. David Anderson, MP
Bob Ringma, MP
Svend Robinson, MP
Policy and Planning Committee, Islands Trust
Hon. Cathy McGregor, BC Minister of Environment, Lands & Parks
Hon. Corky Evans, BC Minister of Agriculture, Fisheries & Food
Hon. Dale Lovick, MLA
Hon. Jan Pullinger, BC Minister of Small Business, Tourism and Culture
Denis O'Gorman, BC Ministry of Environment, Lands & Parks