

J. D. Hansen

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Minister of
Fisheries and Oceans



Ministre des
Pêches et des Océans

Ottawa, Canada K1A 0E6

JUL 29 2003

Captain Gordon Houston
President and Chief Executive Officer
Vancouver Port Authority
1900 Granville Square, 200 Granville Street
Vancouver, British Columbia
V6C 2P9

Dear Captain Houston:

Thank you for your letter of May 5, 2003, outlining the Vancouver Port Authority's (VPA)'s proposal for expansion of the container terminal at Roberts Bank.

As you may be aware, Fisheries and Oceans Canada (DFO) Pacific Regional staff has met with VPA officials on several occasions over the last eight months to discuss this terminal expansion proposal. During these meetings, and in subsequent correspondence, DFO staff has clearly identified the unacceptable impacts to critical fish habitat that would occur with several of the proposed expansion options, specifically the Deltaport Expansion, and Terminal 2 Options #2 and #3.

DFO rejected a similar Roberts Bank expansion proposal by the National Harbours Board in the mid-1970s because of the highly valued fish habitat that would be destroyed. DFO's position on this proposal is consistent with the earlier one, confirming that the Fraser River Estuary habitat adjacent to the port is critical for the ongoing health of Fraser River fisheries. DFO will not consider issuing a *Fisheries Act* Section 35(2) authorization for the destruction of this critical fish habitat.

DFO Pacific Regional staff has suggested that VPA focus its efforts on options that have a lesser likelihood of damaging critical fish habitat. I understand that VPA has proposed some potentially less damaging proposals, such as Terminal 2 Options #1 and #4. As these options are in deeper water, where construction would likely have less impact on the Estuary's fish habitat, it may be possible to consider *Fisheries Act* Section 35(2) authorizations in these areas if studies indicate that Fraser River estuarine functions and productivity would be retained.

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I encourage the VPA to continue working with DFO Regional staff in identifying other options or key studies regarding the ongoing development of the Roberts Bank terminal expansion plans. Our Major Projects Review Unit of Habitat and Enhancement Branch would be pleased to review and comment on alternative proposals or terms of references for studies proposed by the Vancouver Port Authority.

Thank you for keeping me apprised of your intentions.

Yours truly,



Robert G. Thibault