Listing of the proposed West Coast Oil Pipeline as a project of national interest under the Building Canada Act

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Recommendation

The Raincoast Conservation Foundation urges the federal government not to designate the West Coast Oil Pipeline as a project of national interest. Construction and operation of an oil terminal and deep-sea port for Very Large Crude Carriers at the proposed Roberts Bank location in the Fraser River estuary would place a major crude-oil delivery and marine loading system in habitat used by some of Canada's most iconic species, including Pacific salmon and endangered Southern Resident killer whales (SRKW). The project would add threats that directly affect the health and functioning of SRKW Critical Habitat: increased underwater noise that interferes with feeding and communication, loss of Chinook salmon rearing habitat, risk of ship strikes, and risk of a consequential oil spill. The proposal is still too undefined for an informed decision because the route, terminal footprint, vessel operations and spill scenarios have not been established.

At a minimum, no PONI listing decision should be made until the proponent publishes a complete project description and independent assessments demonstrate that the project can comply with the Species at Risk Act, avoid the destruction of Critical Habitat, account for cumulative effects, and protect the ecological functions and ecosystem services of the Fraser River estuary.

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Executive Summary

The Government of Alberta is proposing an oil pipeline from Alberta to Delta, BC that would transport up to one million barrels of crude oil per day to a deepwater port on Roberts Bank in the Fraser River Estuary. The federal notice describes a pipeline of approximately 1,250 kilometres, with about 11 pump stations, receipt and delivery tank terminals, and an offshore loading facility capable of serving Very Large Crude Carriers, some of the world's largest oil tankers.

The Major Projects Office states that the precise route and project features remain to be determined. The notice therefore asks Cabinet to consider a Project of National Interest listing before the location and scale of many effects are known (Major Projects Office 2026a; Canada Gazette 2026).

The proposed marine terminus is Roberts Bank on the outer delta of the Fraser River estuary. The estuary is more than 21,000 hectares and connects the largest salmon-producing watershed in Canada to the Salish Sea. Its mosaic of saltmarsh, mudflat/ sandflat, eelgrass, dendritic channels and nearshore waters supplies migration, feeding and rearing habitat for salmon and other fish, supports internationally significant migratory-bird populations, and sustains food-web relationships that include endangered Southern Resident killer whales (Scott, Dixon and MacDuffee (herein Scott et al.) 2020; Key Biodiversity Areas Partnership 2026; WHSRN n.d.).

The Fraser River estuary is not an undeveloped region with ecological capacity to spare. Habitat alteration from dikes, jetties and draining of wetlands have removed more than 85% percent of the estuary's use by salmon (Finn et al. 2021) and other aquatic species. Existing port development at Roberts Bank has filled, dredged and fragmented intertidal and subtidal habitat. Lower Fraser salmon populations have declined while the remaining estuary continues to function as a nursery and migration corridor. Additional industrialization must therefore be assessed against the condition of the whole system, rather than against a baseline that treats past losses as permanent and irrelevant (Scott et al. 2020).

The Fraser River estuary plays a huge role in providing services that conventional project assessments often leave off the ledger: fish production, flood attenuation, water filtration, nutrient cycling, shoreline protection, recreation, tourism and cultural benefits. A Lower Mainland natural-capital assessment undertaken more than a decade ago estimated annual

benefits of $30 billion to $60 billion from aquatic nearshore services and $5.4 billion from land-based services (MacDuffee et al. 2016). A broad benefit-transfer estimate placed the Fraser estuary's services at approximately $480 million per year. Such estimates demonstrate that habitat loss transfers real costs to the public and future generations (Molnar et al. 2010; Scott et al. 2020).

An oil terminal in the Fraser River estuary could damage this system at several levels. The Fraser's salinity gradient, suspended sediment, tidal channels, mudflats, marshes and armoured shorelines create conditions in which any oil spilled may disperse, strand, submerge or become incorporated into sediments. Juvenile and adult salmon can be exposed through contaminated waste. Oil that strands or sinks is difficult to detect and recover, and residual contamination can extend exposure beyond the initial event (Logan, Scott and MacDuffee 2018).

The proposal has significant implications for the recovery of Southern Resident killer whales and the quality of their Critical Habitat. Construction and operation of the terminal and deep-sea port, and the associated vessel traffic (tankers, tugs, escort vessels), would add four linked threats: underwater noise that can mask echolocation and communication and interfere with feeding feeding; loss of Chinook salmon rearing habitat and its potential effects on prey; increased risk of ship strikes; and oil spill risk exposure, especially through inhalation of toxic volatile organics at the air-water surface.

Because the SRKW population is small, slow-reproducing and socially complex, these added pressures can have population-level consequences (Fisheries and Oceans Canada 2018; Jarvela R et al. 2017, Independent Science panel report, RBT2 Report).

The legal concern is equally serious. Section 58 of the Species at Risk Act prohibits destruction of critical habitat for listed endangered and threatened aquatic species. Section 73 of SARA – known as the jeopardy clause – has a strict legal requirement that a project must not jeopardize the survival or recovery of a species (Canada. 2002). Section 73 SARA permit authorization may be issued only if alternatives and mitigation can be pursued that minimizes harm and do not jeopardize the survival or recovery of the species.

A PONI designation should not weaken those requirements or allow Cabinet to make these determinations before the project is even defined. The prudent course is to decline listing. If consideration continues, the government should first require a complete project description with independent assessments of adverse effects and risks to both the Fraser River estuary and Southern Resident killer whales.

Recommendations

1. Do not add the West Coast Oil Pipeline to Schedule 1 of the Building Canada Act.

2. Do not make a listing decision while the precise route, terminal site, delivery-terminal footprint, offshore loading design, dredging and filling requirements, tanker classes and frequency, and associated infrastructure remain undefined.

3. Require a regional and cumulative-effects assessment for the Fraser River estuary and Salish Sea that incorporates existing habitat loss, approved and proposed port expansion, shipping traffic, underwater noise, contaminants, salmon status and climate-driven changes in estuarine conditions.

4. Require the project to satisfy SARA on its own terms. Do not exempt WCOP from section 73's requirement that an authorized activity must not jeopardize the survival or recovery of Southern Resident killer whales.

5. Require project-specific underwater-noise modelling that includes construction, terminal operations, VLCC tankers, tugs and support vessels, evaluates masking and lost foraging opportunity, and adds these effects to existing and approved vessel traffic.

6. Require project-specific assessment of the loss or alteration of Chinook salmon rearing habitat.

7. Require project-specific assessment of ship-strike risk from project vessel traffic, including the cumulative effects from existing and approved vessel traffic.

8. Require credible worst-case spill scenarios for the terminal and marine route. Scenarios should consider seasonal hydrology, wind and tide, submerged and stranded oil, response delays, sensitive habitats, salmon life stages, Southern Resident presence and population-level consequences.

9. Account for ecosystem services and public liabilities in the economic case, including habitat loss, lost fisheries and recreation, spill response, long-term monitoring, restoration, residual damage and the value of risk transferred to the public.

10. Apply the precautionary principle where serious or irreversible harm is plausible and scientific certainty is incomplete. Uncertainty about the precise footprint is a reason to withhold designation, not a reason to presume effects can later be mitigated.

11. Do not proceed with a listing decision without meaningful consultation with, and where required, the free, prior and informed consent of, the First Nations whose territories and waters would be affected by the terminal, the marine route, and a potential spill. An accelerated federal process must not compress that obligation. Raincoast does not speak for any First Nations and respects the positions of the Nations affected.

1. Purpose and Scope

This submission responds to the 1 August 2026 Canada Gazette notice inviting views on whether the proposed West Coast Oil Pipeline should be listed as a project of national interest. It focuses on the proposed marine oil terminal near Delta on Roberts Bank, in the Fraser River estuary. It considers oil-spill risk, Southern Resident killer whales, ecosystem services, and the interaction between a project-of-national-interest designation and the Species at Risk Act.

The submission has used the federal project description and legislation; peer-reviewed published studies by Raincoast scientists (including the lead author on this submission) on the Fraser River estuary and Southern Resident killer whales, Raincoast submissions and expert legal reports on the Salish Sea, Lower Fraser salmon habitat, oil spills and Southern Resident killer whales and their critical habitat; peer-reviewed research cited in those reports, and the federal record, including the CEAA federal Panel Report assessing Roberts Bank Terminal 2 proposal. Because the WCOP proposal is at a conceptual stage and lacks the project-specific information, statements about its precise physical footprint are speculative. The absence of that information is itself material to the listing decision.

AI disclosure statement: We used an artificial intelligence tool to assist in developing the first draft of this submission based on the sources cited above. The lead author (Misty MacDuffee) was an author or co-author on almost all cited Raincoast Conservation Foundation publications. She edited and revised the AI-assisted draft and takes responsibility for the final content.

2. The Proposed Project and the Decision Before Cabinet

The federal notice describes an oil pipeline transporting up to one million barrels/day of Canadian crude from Bruderheim, Alberta to a deepwater port near Delta, BC in the Fraser River estuary. Major components include a 1,250 km pipeline, infrastructure with approximately 11 pump stations, a tank farm terminal, and an offshore marine loading facility for Very Large Crude Carriers. The proposed corridor could follow the Trans Mountain corridor, but the final route and features have not been determined (Canada Gazette 2026; Major Projects Office 2026a).

The ability to load Very Large Crude Carriers is not a minor design detail. It implies substantial marine works, navigation requirements, storage and transfer infrastructure, exclusion and safety zones, tug and support services, and regular tanker movements through the Salish Sea. Yet the

public notice does not identify the exact terminal site, landmass, berth configuration, tank capacity, dredging volume, causeway or trestle requirements, pipeline landfall, number of annual vessel calls, product specifications, or spill planning assumptions.

Those omissions prevent a defensible comparison between asserted benefits and ecological costs. They also prevent the public and responsible ministers from determining whether critical habitat would be destroyed, whether alternatives could reduce effects, whether mitigation is feasible, and whether the activity could satisfy SARA's survival-and-recovery condition.

3. The Fraser River Estuary

3.1 Habitat value

The Fraser is Canada's largest salmon-producing watershed and one of the great rivers of the Pacific coast. It is more than 1,300 kilometres long, drains roughly one quarter of British Columbia, and delivers large volumes of freshwater and sediment to the Salish Sea. Every juvenile Fraser River salmon that migrates to sea and every returning adult spawner, passes through the lower river and estuary, and many populations rear there before entering marine waters (Chalifour et al, 2019, 2021, [MM1] Scott et al 2025, Scott, Dixon and MacDuffee 2020).

At more than 21,000 hectares, the Fraser River estuary contains an interconnected mosaic of sandflats, mudflats, eelgrass, tidal marsh, dendritic channels and other nearshore waters. These habitats all play unique roles. Marsh and eelgrass provide shelter and food; mudflats and biofilm support invertebrates and migratory birds; dendritic tidal channels connect freshwater and marine habitats; and the salinity gradient allows juvenile salmon to make the physiological transition to ocean life. The value lies in the mosaic and its connectivity, not simply in the number of hectares labelled as habitat (Chalifour et al 2019).[MM2]

Research in the estuary found juvenile salmon and other fish using multiple habitats rather than a single interchangeable habitat type. Raincoast’s work on juvenile salmon in the Fraser River estuary (Chalifour et al. 2019) recorded 37 fish species in eelgrass, compared with 19 in marsh and 22 on sandflats. That pattern supports a precaution against assuming that one habitat type, or a constructed compensation site, can replace another (Chalifour et al. 2019, 2021).

3.2 Salmon and food-web connections

The Fraser watershed supports Chinook, chum, coho, pink and sockeye salmon as well as steelhead, cutthroat trout, eulachon and sturgeon. Although the Lower Fraser watershed represents less than five percent of the Fraser Basin's area, it supports more than half of the river's Chinook and chum, approximately 65 percent of its coho, 80 percent of its pink salmon and important sockeye populations (Scott et al. 2020).

The estuary links these fish to the wider Salish Sea. Juvenile salmon transport energy outward as they grow and migrate; returning adults transport marine nutrients into freshwater and terrestrial ecosystems. Fraser River Chinook salmon are also the principal prey of Southern Resident killer whales. Damage to estuarine rearing habitat can have ripple effects through the food web, affecting species beyond the project footprint.

3.3 Migratory birds and international recognition

The Fraser River estuary is recognized as a Wetland of International Importance under the Ramsar Convention, as a Western Hemisphere Shorebird Reserve Network site, and as a global Key Biodiversity Area. It is a major stopover on the Pacific Flyway for birds moving among South America, North America and the Arctic. The site supports Western Sandpipers, Dunlin, Brant, Trumpeter Swans and many other species (Ramsar Convention Secretariat 2012; WHSRN n.d.; Key Biodiversity Areas Partnership 2026).

This value depends on timing as well as area. Research at Roberts Bank found that fatty acids in intertidal biofilm peaked during the spring shorebird migration. A disturbance that changes sediment, salinity, current or biofilm productivity can therefore affect a food resource at the short period when migrating birds depend on it most (Schnurr et al. 2020).

3.4 Existing habitat loss and cumulative effects

The estuary has already absorbed extensive diking, drainage, dredging, filling, industrial development and shoreline armouring. Dikes are estimated to have removed approximately 70 percent of the estuary's use by fish, aquatic invertebrates and waterfowl, with 85% of the historical floodplain now inaccessible to juvenile salmon (Finn et al. 2021, Scott et al. 2020). Across the Lower Fraser Valley, forests and wetlands have been replaced by agricultural and urban land uses, with remaining habitats are highly fragmented.

Roberts Bank itself has been repeatedly modified. The original coal terminal was constructed on reclaimed land and later expanded. Scott, Dixon and MacDuffee report that the 1981-1982 expansion filled 115 hectares of intertidal and subtidal habitat, dredged 95 hectares and removed 62 hectares of eelgrass. The Roberts Bank Terminal 2 project would add the footprint of another large marine terminal in the same system. The environmental review of any terminal must account for those past losses, anticipated impacts and cumulative effects. The correct baseline is not the condition immediately before construction. It is the ecological condition of a system whose capacity has already been reduced and whose remaining habitats carry a larger share of the work.

4. Ecosystem Services and Economic Value

The Fraser River estuary is productive infrastructure. It supports fish and wildlife, moderates flooding and erosion, processes nutrients, stores carbon, filters water, supports recreation and tourism, and maintains options for future generations. These services are not free in an economic sense; they are simply not invoiced. When development removes them, costs appear as reduced harvest, increased flood and erosion exposure, restoration expense, lost recreation, declining species, and public spill liabilities.

Scott et al.2020 summarize several valuation approaches. A Lower Mainland natural-capital study estimated annual benefits of $30 billion to $60 billion from aquatic nearshore services such as flood protection, water supply and fish and wildlife habitat, and $5.4 billion from land-based services such as water filtration, flood protection, air quality and waste treatment. Applying a broad global benefit-transfer value to the approximately 21,000-hectare estuary produced an estimate near $480 million per year. These figures use different geographies and methods and should not be added together. Their shared lesson is that treating habitat as having zero value biases project economics (Molnar et al. 2010; Scott et al. 2020).

The same report estimated the direct annual value of harvested Fraser salmon at the mouth of the Fraser River (Area 29) at more than $12 million.[1] Fraser River salmon are not just harvested at the Fraser mouth; they are harvested in the BC marine migration routes all the way to Alaska, and also upstream of Areas 29 to the Thompson and Upper Fraser drainages. Recreational and commercial fishing also support expenditures, employment and well-being that do not appear in the terminal proponent's ledger.

[1] While noting that depressed abundance makes current harvest a fraction of its potential.

Economic assessment should therefore use a natural-capital account with transparent methods, uncertainty ranges and distributional analysis. It should identify who receives project revenue, who bears spill and habitat risk, whether liability limits leave residual costs with the public, and how permanent habitat losses compare with temporary construction employment.

5. Southern Resident Killer Whales (SRKW)

5.1 The project is in critical habitat

Southern Resident killer whales are an endangered population of salmon-eating whales listed under Schedule 1 of the Species at Risk Act (SARA). The Salish Sea contains Critical Habitat necessary for their survival and recovery, and that habitat is legally protected under SARA. The proposed oil terminal and deep-sea port at Roberts Bank, together with the associated tanker route through the Salish Sea, would place construction, operations and project-related shipping within critical habitat.

Critical habitat is more than a mapped boundary. It must retain the acoustic, prey, and water quality conditions that allow Southern Residents to find and capture high quality prey, communicate, and use important feeding areas. The recovery of SRKWS is constrained by insufficient year-round availability of Chinook salmon, underwater noise and vessel disturbance, contaminants, and their vulnerability to stochastic events. Under existing conditions in the Salish Sea -ie levels of prey availability, underwater noise and contaminants – the population is projected to decline by about one percent per year (Williams et al. 2024). The population therefore has little to no capacity to absorb added pressure. New sources of underwater noise, prey declines, collision risk and oil-spill risk must be assessed cumulatively against the existing conditions (Williams et al. 2024; Independent Science Panel on SRKW Recovery 2025).

The terminal footprint could remove or alter Fraser River estuary rearing habitat used by juvenile Chinook salmon, an important prey source for Southern Residents. The federal review of Roberts Bank Terminal 2 provides a relevant cumulative-effects warning: its panel concluded that increased marine shipping and effects on Fraser River Chinook salmon would contribute to significant adverse cumulative effects. While not a project-specific prediction for WCOP, it demonstrates the concerns for increased vessel traffic and habitat loss at Roberts Banks and why these combined effects should not be assessed separately.

Project-related movements by Very Large Crude Carriers, tugs and support vessels would

increase vessel traffic through critical habitat and must be assessed for acoustic disturbance and ship-strike risk. Documented lethal collisions involving Southern Residents show that this is not a theoretical pathway; for a population of this size, the loss of even one whale can affect survival and recovery. These effects must be evaluated cumulatively with existing and approved port and shipping activity (Review Panel for the RBT2 2020; Raverty et al. 2020; Carretta et al. 2024).

5.2 Underwater noise

Southern Residents hunt using sound. They use echolocation clicks to detect and capture salmon and rely on acoustic communication to coordinate movement and social behaviour. Vessel noise overlaps with the frequencies they use and can reduce the distance over which prey and other whales are detected. As background noise rises and vessels get closer, whales may call more loudly, spend more energy searching, change their patterns or stop feeding (Fisheries and Oceans Canada 2018, Tennessen et al. 2024, Independent Science Panel Report on Recovery Actions, 2025).The relevant effect is cumulative lost foraging opportunity.

Construction noise, terminal operations, tankers, tugs and support vessels would be added to an already busy shipping corridor and critical habitat in the Salish Sea. Any project assessment must evaluate the cumulative effects of existing and future vessel noise, including chronic acoustic masking, behavioural disturbance and the repeated loss of feeding opportunities. These sublethal effects matter for a population whose recovery is already limited by prey availability.

6. A Crude-Oil Terminal at Roberts Bank

6.1 The asserted need for a deepwater port

The notice specifies a deepwater port and loading capacity for Very Large Crude Carriers. Deep water may reduce the need for offshore transshipment and permit larger cargoes, but it does not establish that Roberts Bank is a suitable location. The relevant question is not whether the preferred design is commercially efficient. It is whether choosing Roberts Bank and the Fraser River estuary is a suitable location for a project of this magnitude.

The suitability of Roberts Bank must be assessed in light of the exceptional ecological value and sensitivity of the Fraser River estuary, its existing cumulative industrial pressures, and the potential for further habitat loss and disruption of ecological functions. Commercial preference

cannot substitute for evidence that an oil terminal and deep-sea port are compatible with protecting this ecosystem.

6.2 The missing footprint and design information

No reliable terminal footprint can be calculated from the public description. The project lacks a published site plan showing the delivery tanks, containment areas, marine berth, trestle or causeway, dredged areas, navigation channel, tug facilities, pipeline landfall, power supply, road and rail access, construction staging, and safety zones. It also lacks a schedule of vessel movements and a description of the crude products to be handled.

These are threshold facts. A footprint is more than the area covered by concrete. It includes permanent and temporary habitat loss, altered currents and sediment movement, underwater noise, lighting, air emissions, chronic contamination, vessel disturbance, anchorages, wake, collision risk, exclusion zones and induced infrastructure. Until those elements are mapped, a claim that effects can be mitigated is unproven and untestable.

6.3 Direct and cumulative effects

Construction would require massive filling, dredging and disposal, each with distinct effects on fish, birds, benthic habitat, water quality, estuary function and productivity and acoustic conditions. Operation would add chronic noise, light and vessel activity. Tankers and support vessels would extend effects beyond the terminal through Southern Resident critical habitat and transboundary waters.

The project would not operate alone. It would overlap with existing coal and container terminals, ferry traffic, proposed Roberts Bank Terminal 2 activity, commercial shipping, fishing, recreation and other developments. Cumulative effects must be assessed at the population and ecosystem scale. Project-by-project mitigation cannot demonstrate recovery if the combined disturbance continues to increase.

7. Oil-Spill Risk

7.1 The Fraser River Estuary is unusually sensitive to oil

An estuary combines river flow, tides, wind, salinity gradients, sediment transport and complex shorelines. The Lower Fraser includes mudflats, marshes, eelgrass, backwaters, braided channels, riprap, log booms and industrial structures. These features create many pathways for

oil to disperse and many surfaces on which it can strand. They also make containment and recovery difficult (Logan et al. 2018).

The behaviour of a spill depends on oil type, weathering, temperature, salinity, suspended sediment, waves and response time. Diluted bitumen may initially float, but weathering and interaction with mineral particles can increase the likelihood of submergence or sinking. Once below the surface, oil becomes difficult to track and conventional booming and skimming lose effectiveness. Oil deposited in sediment or marsh can persist and become a source of chronic exposure (MacDuffee et al. 2018). This is the reason a longstanding federal restriction prohibits the movement of oil at the existing Roberts Bank terminal; because it poses an unacceptable risk to the Fraser River estuary (Roberts Bank Environmental Review Committee,1996).

7.2 Salmon exposure

There is no safe season for a spill in the Lower Fraser River or estuary. Salmon migrate into and through the estuary almost year round, either as juveniles using the estuary to feed and grow before transitioning to marine life, or as mature adults returning to their natal tributaries in the Fraser watershed to spawn.[2] Different populations use the lower river, estuary and Salish Sea throughout the year (Logan et al. 2018).

Oil can expose juvenile and adult fish through droplets and dissolved compounds in water, contact with contaminated sediment and consumption of contaminated prey. Petroleum -associated PAHs can disrupt heart development, cause deformities, reduce growth and impair later reproductive performance at concentrations below those causing immediate mortality. Effects on prey and invertebrates can also reduce food supply.

A spill may therefore affect more than the fish present on the day. Residual oil can expose later cohorts, and damage to rearing habitat can reduce growth and survival across populations already affected by habitat loss and other pressures.

7.3 Oil spill risk for Southern Resident killer whales

Killer whales must surface to breathe and have not been shown to reliably detect or avoid oil slicks. Volatile hydrocarbons concentrate at the air-water interface, creating an inhalation pathway during breathing, resting, travelling and feeding. A spill that harms Chinook salmon can affect Southern Residents even when whales do not encounter the slick directly (Jarvela Rosenberger et al. 2017; MacDuffee, Logan and Paquet 2018).

[2] This sentence was revised from the original submission to clarify the potential oil source as the marine terminal, not the pipeline.

Jarvela R et al. (2017) developed a framework for risk that evaluates the likelihood of individual oil exposure and population-level consequences in 21 marine mammal species in British Columbia. The framework found Northern and Southern Resident killer whales and sea otters in the highest overall-risk group. Southern Residents ranked highly because they spend substantial time at the surface, breathe at the air-water interface, have a small population and complex social structure, reproduce slowly, occupy high vessel traffic critical habitat and specialize on prey that is itself vulnerable to decline (Jarvela Rosenberger et al. 2017).

The study also combined the vulnerability framework with an existing model of a hypothetical 15,000 m^3 diluted-bitumen spill near Turn Point in Haro Strait. Depending on the probability-of-oil-presence threshold, the modelled spill overlapped 22 to 80 percent of designated Southern Resident critical habitat in Canada and the United States after 15 days. This was a case study at a high risk spill location on the presumed tanker route.

Experience after the Exxon Valdez spill demonstrates the potential extent of harm. Twenty-two whales in two distinct ecotype groups of Alaska killer-whale died after their exposure to the spill in Prince William Sound. One population remained depressed for decades and the other became functionally extinct after losing its reproductive females to the spill. These outcomes do not predict the result of every spill, but they show that mortality in a small, slow-reproducing and socially structured population may be irreversible on a management timescale (Matkin et al. 2008; Jarvela Rosenberger et al. 2017).

7.4 Contamination in the Lower Fraser River and estuary

A recent study by Raincoast Conservation Foundation (Scott et al. 2026) reveals there is widespread degradation of fish habitat in the Lower Fraser River and estuary. Water and sediment samples collected in 2025 contained complex mixtures of contaminants, with concentrations generally higher in the Fraser River's North Arm with numerous exceedances of environmental-quality guidelines.

Sediment contamination was especially pronounced, with average concentrations that were 6.5 times higher in the North Arm than in the Fraser River's South Arm, and hydrocarbons -particularly polycyclic aromatic hydrocarbons (PAHs) associated with industrial activity, road runoff and smoke—accounted for most exceedances. PAHs are toxic and can harm or kill developing fish, even at very low concentrations.

The degradation of fish habitat that was identified raises important questions about the prospects of further industrial expansion in the Fraser River estuary. Turning the Fraser River estuary into a superport for ships and oil tankers increases routine operational discharges of oil and oily wastewater from vessel and shore-based activities, harming the fragile foodweb that it reaches, even without a large accident.

7.5 Limits of oil spill response and recovery

In moderate wave, current and tide conditions, conventional booms and skimmers may recover only 10–15% of spilled oil at best, leaving most of the oil in the environment. Tides, river flow, weather, broad mudflats and sensitive marshes constrain further recovery operations. Spill response reduces harm *only* when crews can find, reach, contain and remove oil without causing greater damage. Mechanical recovery is not effective once oil strands in vegetation, penetrates sediment or submerges. Aggressive shoreline treatment can further damage habitat.

Preparedness should be assessed as demonstrated capability under adverse conditions, not as nominal equipment capacity. The proponent should disclose mobilization times, operating limits, recovery assumptions, waste capacity, wildlife response, submerged-oil detection, long-term monitoring and restoration standards. Residual damage and uncertainty must remain in the risk calculation after mitigation.

8. Brief PONI and SARA Implications

The West Coast Oil Pipeline has not yet been listed under the Building Canada Act. If it is listed, the Act would accelerate and consolidate federal authorizations and deem required findings and opinions favourable to permitting the project, although an authorization cannot be granted solely on that deeming rule. A separate 2026 discussion paper also proposes a limited Cabinet power to exempt a specific project from SARA's jeopardy test (Building Canada Act, ss. 6-8 and Schedule 2; Government of Canada 2026).

The practical point for this submission is brief; PONI status must not displace the biological fact that the project would operate in Southern Resident critical habitat. No listing or later authorization should proceed unless independent evidence shows that underwater noise, Chinook rearing-habitat loss, ship-strike risk, oil-spill risk and cumulative effects are consistent with the population's survival and recovery. WCOP should not receive an exemption from SARA's jeopardy test.

9. Economic Assessment

The federal project page identifies market diversification, government revenue, employment and investment as expected benefits. Those claims should be tested using the same level of scrutiny applied to environmental effects. Construction employment should be separated from permanent employment; gross activity should be separated from net public benefit; and forecasts should disclose assumptions about costs, throughput, prices, financing and public support (Major Projects Office 2026a).

The economic account must also include risk. A major spill can close fisheries and recreation, interrupt navigation, impose cleanup and monitoring costs, damage wildlife and habitat, and reduce non-market benefits. Some losses cannot be restored within a project life, and some cannot be monetized credibly. Excluding them does not make them zero.

A complete analysis should compare the project's claimed benefits with the annual flow of ecosystem services placed at risk, the replacement or restoration cost of damaged habitat, and the expected value of spill losses across the project's operating life. It should also disclose who bears losses that exceed insurance, proponent assets or statutory liability.

The absence of a defined terminal and shipping plan prevents that analysis today. Cabinet cannot know whether a project provides net benefits to Canada when the principal ecological footprint and public liabilities are still unknown.

10. Conclusions

The Fraser River estuary is a nationally and internationally important ecological system that supports salmon, migratory birds, fisheries, recreation and commercial activity, coastal protection and Southern Resident killer whales. It has already lost much of its historic habitat and continues to face cumulative industrial and shipping pressure.

The proposed West Coast Oil Pipeline would deliver up to one million barrels of crude oil per day to a deepwater marine facility near Delta, but the government has not published the precise route, terminal site, footprint, dredging and filling requirements, vessel schedule or project-specific spill assessment. These are not details that can safely be postponed until after designation. They determine whether the project can avoid critical-habitat destruction, satisfy SARA and protect the estuary.

The defining species-at-risk issue is that the terminal and associated shipping would be located in Southern Resident killer whale critical habitat. The project would add underwater noise that

would interfere with feeding and communication, remove or alter Chinook salmon rearing habitat, increase ship-strike risk and create an oil-spill risk for a population ranked among the marine mammals most vulnerable to population-level effects from oil exposure.

The Raincoast Conservation Foundation urges the federal government not to designate the West Coast Oil Pipeline as a project of national interest. If consideration continues, Cabinet should defer any decision until the project is fully described and independent scientific assessments address cumulative underwater noise, Chinook rearing-habitat loss, ship-strike risk, credible worst-case spills, the amount and function of critical habitat affected, Southern Resident population consequences and every SARA condition.

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