

## **DELEGATION REQUEST**

**Names of People Speaking:** Ray Rewcastle (Spokesperson), Robert Kerr and Marilynne Manning

**Organization you are representing:** Concerned Citizens of Union Bay (CCUB)

**Primary Purpose of Organization:**

To halt ship breaking at 5084 Island Hwy South in order to protect the environmentally sensitive area of Baynes Sound, Lambert Channel, our shellfish and herring fisheries and our fish habitats as well as to ensure the safety of the public in and around Union Bay, who call it home.

**Meeting Details**

**Subject Matter**

To present to the Board of CVRD the consequences of ship breaking over beaches within residential areas instead of utilizing deep water industrial containment of all toxins and hazards that are associated with the demolishing decommissioned vessels and barges.

**Specific Request of the Regional District**

Will the Regional District:


1. Confirm that ship breaking is non-compliant with the existing land use for 5084 Island Hwy South,
2. Verify that it has not entered into any agreement(s) with the current owners of UBIL or Deep Water Recovery (the operator) regarding a change in land use of 5084 Island Hwy South,
3. Verify that ship breaking anywhere in the Comox Valley is inconsistent with the Comox Valley Official Community Plan, its goals and objectives,
4. Issue a cease and desist order to stop the ship breaking operation at 5084 Island Hwy South immediately?

**Requested Meeting Date**

Meeting of the Board of CVRD, January 11, 2022, 4 pm

**Audio-visual Equipment Needed**

Digital interface to allow for a Powerpoint presentation



**No Shipbreaking  
in Baynes Sound!**

## Who We Are

- We would like to first acknowledge that we are meeting on the traditional unceded territory of the K'omoks First Nation.
- We are here today as a voice for not only ourselves, but for those who cannot speak for fear, for those who do not have a voice, our environment, our fisheries, our wildlife and our children.
- We are residents and families of Union Bay, the adjacent neighborhood and the Comox Valley.
- We are a team comprised of a Science High School Teacher, Retirees, Artists, Healthcare Workers, College Professor, Marine and Wildlife Biologists, a Project Director for International Engineering and Construction Companies, a Forensic Auditor, HSE Management, a Regulatory Compliance Manager, Business Managers and Business Owners and an international organization NGO.
- Collectively, we have over 120 years of expertise in Heavy Industrial Construction and Regulatory Compliance in the Oil and Gas, Mining, Power, Petro Chemical and Pulp and Paper Industries in Canada and the US.
- We are problem solvers.

# **Concerned Citizens of Baynes Sound (CCOBS) – Partnership with NGO Shipbreaking Platform**

## **NGO Shipbreaking Platform – Brussels, Belgium:**

- The NGO Shipbreaking Platform is a coalition of 17 environmental, human and labour rights organizations **globally**. For more than 10 years, as the world's leading organization campaigning for clean and safe ship recycling, it has been fighting for shipbreaking workers' right to a safe job, the use of best available technologies, and for equally protective environmental standards globally.
- More than 100 non-governmental organizations around the world, the European Union, the UN Special Rapporteur on Human Rights and Toxics, and major shipping banks and investors have voiced their support to the Platform's objective to end dangerous and polluting shipbreaking practices.
- The organization has successfully pushed for a new European law that aims to divert an increasing number of ship owners towards safe and clean ship recycling and sets a standard that bans beaching, demands environmentally sound management of wastes downstream and decent working conditions.

# Shipbreaking is globally known as one of the **Most Dangerous and Hazardous Industries**

- Shipbreaking is the process of dismantling an obsolete vessel's structure for scrapping or disposal, conducted at a drydock. It includes a wide range of activities, from removing all gear and equipment to cutting down and recycling a ship's infrastructure. Shipbreaking is a challenging process, due to the structural complexity of the ships and the many environmental safety and health issues involved.



# Hazards and Effects of Shipbreaking

- **Human Costs:** death, disease from asbestos, hydrocarbon residues, heavy metals, toxic paint, fumes, PCBs, from inhalation, dermal absorption, flash ignition (welding torch fires).
- **Environmental Costs:** hydrocarbon residues and other contaminants and toxins from ships are spilled and mixed with soil and water on the land and foreshore, causing widespread pollution of the marine environment and threatening the life of coastal and marine biodiversity.
- **Shipbreaking is considered Hazardous Waste**
- **Canada's Marystown NL:** *"...to now include shipbreaking in what we have already confirmed as very high exposure levels (to toxins), certainly speaks to the tsunami of occupational disease and deaths we have seen from Marystown Shipyard."*  
Canadian lawyer Chesley (Ches) Crosbie said the "human cost" of shipbreaking is still being felt today. Three Decades later.

# WWF Canada May 2019 Report

## Toward Integrated Management in Baynes Sound

*“The marine region is a source of significant ecological productivity as well as economic activity. It is the highest ranked cumulative and spawning area for herring in the Strait of Georgia and is a critical feeding and overwintering area for water birds. Baynes Sound also supports the highest density of intertidal shellfish aquaculture in British Columbia, producing over half of all the shellfish cultured in the province.”*

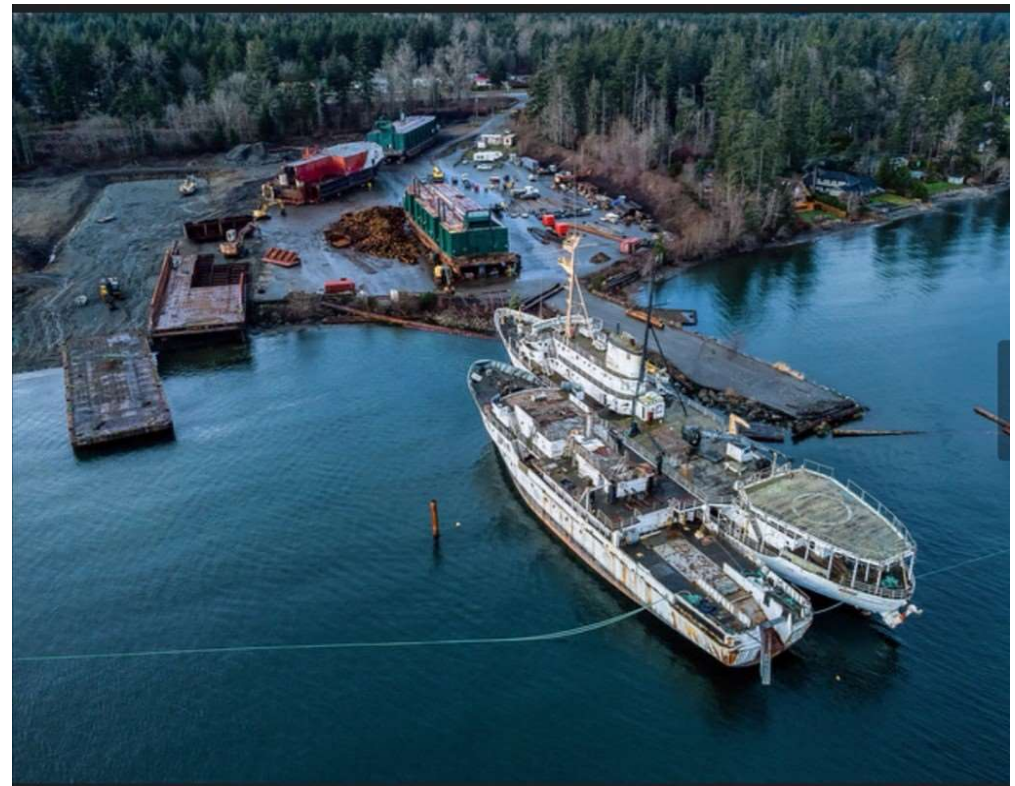
- Located on the traditional territories of several First Nations including K’omoks First Nation who are also opposed to this operation.
- It is recognized as an Ecologically and Biologically Significant Area (EBSA) by the Federal Government that calls for enhanced management.
- There are numerous salmon bearing streams that enter the sound and provide pathways for migration.
- Within a kilometer of the shipbreaking operation, there are 100 species of birds of which seven are listed at risk.

<https://wwf.ca/wp-content/uploads/2020/11/Toward-Integrated-Management-in-Baynes-Sound.pdf>

**Right**

**and**

**Wrong**





## Responses from Governing Agencies

- “Our area of responsibility stops at the high tide mark.” - FLNR
- “Our area of responsibility starts at the low tide mark.” - DFO
- “We don’t have jurisdiction on what is done on the land.” - FLNR & DFO
- “We are accountable for the land but not the foreshore lease.” - CVRD
- “We are responsible for the fish habitats.” - DFO
- “We are responsible for Bird Conservation/Species at risk.” – CWS
- KFN press release (Dec 16, 2021) said they have been voicing their concerns with CVRD, Provincial and Federal Governments for over 18 months.

<https://komoks.ca/kfn-opposed-to-ship-breaking-activities-in-union-bay/>

**“This is a disaster waiting to happen”- KFN**

## Expectations

- KFN's objection along with residents of Comox Valley to shipbreaking in Baynes Sound cries out for leadership by all levels of government. There is no safe way to conduct shipbreaking in Baynes Sound.
- **After reviewing, NGO Shipbreaking Platform agreed that this shipbreaking operation on Baynes Sound must be shut down now.**
- We encourage the CVRD to reach out to the Province, Attorney General, and Federal government to utilize their resources and expertise. The Operator of this site appears to be well funded and aggressive, necessitating the CVRD to strengthen their expertise with all available resources.

## **Solutions / Proposed Next Steps**

- CVRD to issue an immediate Cease and Desist Order to UBIL/DWRL for all operations at their shipbreaking site in Union Bay.
- FLNR to issue an immediate Cease and Desist Order to UBIL/DWRL for non-compliance activities on the foreshore lease.
- Ensure UBIL/DWRL send all vessels to an accredited shipbreaking site at an existing heavy industrial deep water marine port.
- Ensure UBIL/DWRL are accountable to remove all remnants of this shipbreaking operation and remediate the hazardous waste site.
- Federal and provincial government agencies should work together to determine best practices for shipbreaking.

## Questions for CVRD

- What was said to FLNR, which approved the water lease?
- Does the Union Bay volunteer fire department have the appropriate resources to respond to a hazardous spill, chemical fire or catastrophic event?
- What is being done about the creek diversion? The creek diversion was completed by UBIL/ DWRL without required assessment and a development permit. What is the path forward?
- **DWRL has been operating in non-compliance to the CVRD zoning bylaws**
  - **How long are you going to allow this hazardous waste operation to continue?**
  - **What has and is the CVRD doing on a regular basis to monitor and ensure that public safety and the environment are being protected, while DWRL operates in non-compliance? If so, provide logs and meeting minutes.**
- Why are you continuing to jeopardize Baynes Sound and the health of your constituents?

**Concerned Citizens of Baynes Sound (CCOBS),  
K'omoks First Nation and all credible  
environmental studies do not support  
shipbreaking in Baynes Sound.**

