

# Protecting BC's Coast

BC's natural resources are central to our economy and our livelihoods.

Life on BC's north coast revolves around the marine environment. Culture, economy, stewardship - the ocean plays a pivotal role in the region's web of community, driving a robust marine-based economy.

Each year, the region's ocean-based industries generate:



\$1.1 billion  
in revenue



\$667 million  
to our GDP



over 9,000  
full-time jobs

**40%** of the north coast is directly or indirectly employed in ocean-based industries.

And then there's the ecosystem on which all this human activity depends. Thousand-year-old globally unique glass sponge reefs are located offshore; recovering whale populations congregate in rich and quiet feeding grounds; the sea is connected to the Great Bear Rainforest, one of the largest intact coastal temperate rainforests, as well as rivers like the Skeena and the Nass; and abundant streams feed estuaries that nurse all five species of Pacific salmon. It's a superlative and spectacular area.

The federal government can protect this marine environment through **two important decisions:**

## Ban oil tanker traffic on BC's North Coast

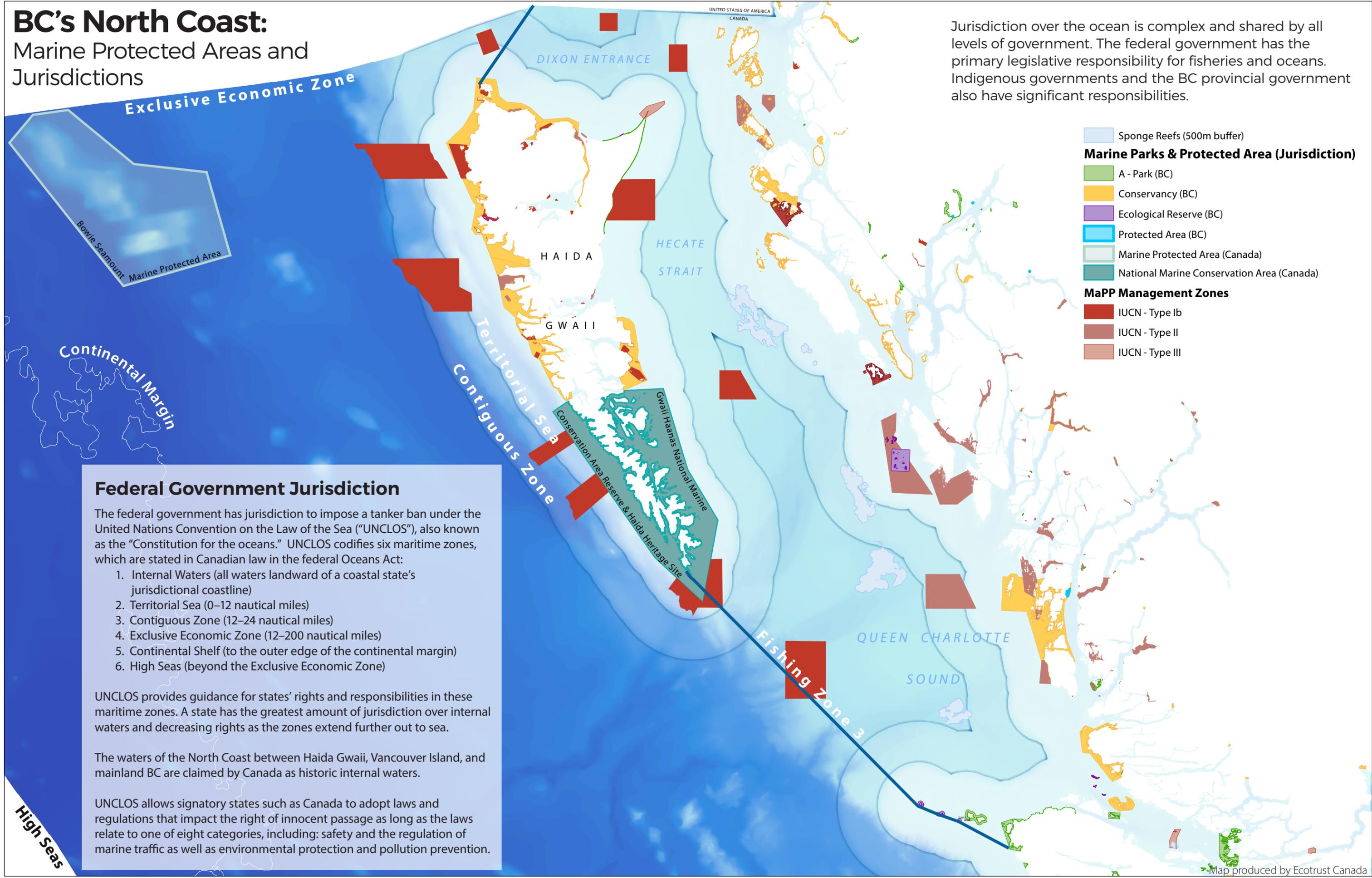
Oil tanker traffic represents a major hazard to north coast economies and livelihoods. The risk of environmentally catastrophic oil spills is a major concern, as well as impacts such as increased erosion from large boat wakes. First Nations throughout the region oppose oil tanker traffic.

## Implement a network of MPAs on BC's North Coast

Marine protected areas (MPAs) reserve portions of our ocean for conservation. Like parks on land, they protect important habitat and species. MPAs can help protect coastal areas and communities, enhance food security, create and keep jobs, and improve ecosystem resilience.

# BC's North Coast: Marine Protected Areas and Jurisdictions

Jurisdiction over the ocean is complex and shared by all levels of government. The federal government has the primary legislative responsibility for fisheries and oceans. Indigenous governments and the BC provincial government also have significant responsibilities.



- Sponge Reefs (500m buffer)
- Marine Parks & Protected Area (Jurisdiction)**
- A - Park (BC)
- Conservancy (BC)
- Ecological Reserve (BC)
- Protected Area (BC)
- Marine Protected Area (Canada)
- National Marine Conservation Area (Canada)
- MaPP Management Zones**
- IUCN - Type Ib
- IUCN - Type II
- IUCN - Type III

**Federal Government Jurisdiction**

The federal government has jurisdiction to impose a tanker ban under the United Nations Convention on the Law of the Sea ("UNCLOS"), also known as the "Constitution for the oceans." UNCLOS codifies six maritime zones, which are stated in Canadian law in the federal Oceans Act:

1. Internal Waters (all waters landward of a coastal state's jurisdictional coastline)
2. Territorial Sea (0-12 nautical miles)
3. Contiguous Zone (12-24 nautical miles)
4. Exclusive Economic Zone (12-200 nautical miles)
5. Continental Shelf (to the outer edge of the continental margin)
6. High Seas (beyond the Exclusive Economic Zone)

UNCLOS provides guidance for states' rights and responsibilities in these maritime zones. A state has the greatest amount of jurisdiction over internal waters and decreasing rights as the zones extend further out to sea.

The waters of the North Coast between Haida Gwaii, Vancouver Island, and mainland BC are claimed by Canada as historic internal waters.

UNCLOS allows signatory states such as Canada to adopt laws and regulations that impact the right of innocent passage as long as the laws relate to one of eight categories, including: safety and the regulation of marine traffic as well as environmental protection and pollution prevention.

High Seas

## Banning oil tanker traffic on BC's North Coast

Oil tanker traffic puts BC's coastal industries and communities at risk.

The waters of the north coast are notoriously dangerous and difficult to navigate. With the amount of oil tanker traffic that would result from Enbridge's Northern Gateway proposal, BC can likely expect many small spills each year and a catastrophic spill of over 10,000 barrels every 12 years.

An oil spill on the north coast would devastate the region's economy, costing thousands of jobs and billions of dollars in cleanup costs and lost revenue.

**Permanently banning all oil tanker traffic on BC's North Coast** – including the Dixon Entrance, Hecate Strait, and Queen Charlotte Sound – will help protect the health and well-being of the north coast's communities and environment.

**525,000**

barrels of oil and bitumen would travel through the North Coast each day under the Northern Gateway proposal.

## Completing a network of MPAs

In 2010, as a signatory to the UN Convention on Biological Diversity, Canada pledged to protect at least 10% of marine areas by 2020. As of 2014, we had protected just 1% nationwide.

Work is underway to complete a network of MPAs guided by the 2014 Canada-BC Marine Protected Area Network Strategy. One way to accelerate the network is to use the results of the Marine Plan Partnership for the North Pacific Coast (MaPP), a co-led process between 18 First Nations and the Province of British Columbia.

Through stakeholder consultation and biological assessments, MaPP has identified Protection Management Zones for ecologically, culturally, and economically valuable habitats. Using these zones would increase BC's marine protection from 3% coverage of the EEZ to 4.5%.

**Building on MaPP's developed planning and zoning work** will help Canada take a major step forward in meeting its commitment.

**79%** of

Canadians polled in 2014 agreed that Canada should create something similar to the national parks system for the ocean.

**By putting both of these policies in place, the federal government will help protect our economy and our livelihoods.**



West Coast Environmental Law is dedicated to safeguarding the environment through law.

Since 1974 our staff lawyers have successfully worked with communities, NGOs, the private sector and all levels of governments, including First Nations governments, to develop proactive legal solutions to protect and sustain the environment.

**West Coast Environmental Law**

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**Sources:** Hotte and Sumalia, Potential Economic Impact of a Tanker Spill on Ocean-Based Industries in British Columbia (2012) in WWF; Marine Plan Partnership for the North Pacific Coast, About MaPP (2015); WCEL, Numerous Groups Applaud PM Trudeau's Leadership (2015); WWF, Benefits of a Healthy Ocean (2015).