



Infrastructure and Transportation

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MAY 15 2014

Tanker Safety Panel Secretariat
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Dear Captain Houston:

I would like to thank the Panel for inviting the Government of Manitoba to participate in the second phase of your review focusing on the Arctic region. I understand you had engaging and productive discussions on May 5, 2014 concerning the Port of Churchill and Hudson Bay region with provincial representatives from Manitoba departments of Infrastructure and Transportation, Conservation and Water Stewardship, Mineral Resources, and Aboriginal and Northern Affairs.

As you are aware, Manitoba's interest in the Panel's work stems from the active consideration by private sector proponents of a crude oil supply chain through the Port of Churchill. Manitoba's abiding principle as these supply chains are being considered is absolute protection of the sensitive and pristine eco-system in the vicinity of Churchill estuary and the larger Hudson Bay.

In Phase 1 of the Tanker Safety Review, Manitoba submitted five principles for the Panel to consider, as they might apply to the technical, regulatory and operational aspects of the oil spill preparedness and response regime. We suggest that these principles can be applied to the scope of your second phase, as they remain the cornerstone of our policy approach on this matter. These principles are centered on:

- demonstrably quantifying that a revised regime will lessen the risk and results of oil spills;
- equivalency of level of service in all regions;
- an expanded federal role in education and outreach;
- use of a risk-based approach to devising elements of the regime; and
- proper and holistic treatment of the Port of Churchill and its marine routes, given the differing operational regimes in place north and south of 60° latitude.

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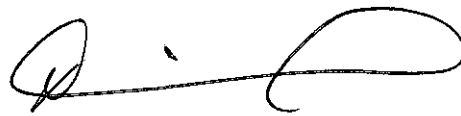
In its Phase 1 report, the Panel outlined where improvements can be made to the current regime generally. Manitoba is supportive of some of the general themes raised by the Panel—in particular, those themes that focused on a risk-based approach, and that recognized there is a need for response times to be improved using a variety of strategies specific to a regional situation. Additionally, the principle asserted by the Panel that taxpayers should not bear the burden of spills is one we fully support as well. For example, this theme is one we have mirrored in regard to the oil-by-rail accident response and compensation regime currently under review by the federal government. Overall, Manitoba believes these themes are appropriate for application in Arctic latitudes and recommend that they be reflected in the second report.

Building on the five principles from our first submission, we do have some additional considerations in regard to the Arctic oil spill preparedness and response regime, and in particular, the Hudson Bay Region. Given a small, dispersed population and vast geography in the Arctic and Hudson Bay region, quite simply, there is concern that the baseline human and operational resources may be lacking to plan for and respond adequately to a spill. There remains a critical need to assess the current efficacy of a process whereby the response organizations for the Hudson Bay area are wholly stationed in the East. Given the Coast Guard's more prominent role north of 60°, we similarly expect the report to treat the issue of the capacity of the Coast Guard to discharge its responsibilities.

Unique planning approaches also need be considered as an adjunct to the core role of the response organizations and the Coast Guard. For example, the permanent staging of equipment and facilities in key regional Arctic and northern centres, coupled with enhanced program, planning and training support with and for relevant provincial, regional and local organizations—including aboriginal peoples—should be considered by the Panel to enhance the regime in the Arctic.

Manitoba would like to thank the Panel once again for allowing us to share our views on this important issue.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'D. McNeil', with a large, sweeping flourish extending to the right.

Doug McNeil, M. Eng., P. Eng.
Deputy Minister

- c: Honourable Steve Ashton, Minister of Manitoba Infrastructure and Transportation
- Mr. Hugh Eliasson, Deputy Minister, Manitoba Mineral Resources
- Mr. Grant Doak, Deputy Minister, Manitoba Conservation and Water Stewardship
- Mr. Harvey Bostrom, Deputy Minister, Manitoba Aboriginal and Northern Affairs