

**Hearing Order OH-001-2014
Trans Mountain Pipeline ULC (Trans Mountain)
Application for the Trans Mountain Expansion Project (Project)**

Written evidence of E. Baxter

Name of intervenor: North Shore No Pipeline Expansion (NSNOPE)

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1 **1. Introduction**

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3 This is the written evidence of Erian Baxter prepared and filed on behalf of the registered
4 intervenor North Shore No Pipeline Expansion (“NSNOPE”). It will address the recreational use
5 and the reliance of water – based business interests on the pristine quality of the area of the
6 District of North Vancouver known as Deep Cove, located on the North Shore, extending from
7 Cates Park which is opposite the Westridge Marine Terminal (the “WMT”), north along Indian
8 Arm. Specifically, it will address:

- 9
10 a) Erian Baxter’s background;
11 b) Deep Cove Canoe and Kayak Centre and Deep Cove Outdoors;
12 c) Recreational use of parks and marine areas located opposite the WMT and north
13 up the Indian Arm;
14 d) Experience with the Burnaby oil spill, July 24, 2007.

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16 Erian Baxter’s evidence addresses that portion of the District of North Vancouver that is located
17 adjacent to Burrard Inlet East of the Second Narrows Bridge and Indian Arm and the
18 neighborhood known as Deep Cove. Unless otherwise stated, her evidence is related to that area.

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20 **2. Role with NSNOPE and background**

21 Erian Baxter is a member of NSNOPE. Ms. Baxter currently resides at 4467 Strathcona Road,
22 North Vancouver, BC. She is a co-owner of Deep Cove Canoe and Kayak Centre, located in
23 Deep Cove Park, at 2156 Banbury Rd, adjacent to the beach. She is also co-owner of Deep Cove
24 Outdoors, located at 352 Lynn Ave, North Vancouver, BC. Erian Baxter grew up Deep Cove,
25 North Vancouver. Her mother, Ingrid Baxter, was caretaker of Myrtle Park for many years,
26 living in one of the original log cabins in Deep Cove Park, from 1981 for approximately 5 years.

27 **3. Deep Cove Canoe and Kayak Centre and Deep Cove Outdoors**

28 It is Erian Baxter’s concern that the impacts of an oil spill from tanker or pipeline at the WMT
29 will have a significant impact on her business and is an unacceptable risk.
30 Ms. Baxter’s mother, Ingrid Baxter, purchased “Watson Boat Rentals” in 1981. Now it is called
31 Deep Cove Canoe and Kayak Centre Ltd., owned and operated by Bob Putnam, Erian Baxter and
32 Ingrid Baxter.

33
34 Deep Cove Canoe and Kayak Centre Ltd has over 47 employees during their high season, with
35 approximately 15 of those working full time during the high season and 8 full time year round.
36 Most of their employees are North Shore residents.

37
38 Their annual sales for 2014 at our Waterfront location were over \$1,392,000 and over
39 \$1,070,000 at their closely associated Retail store, Deep Cove Outdoors.

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2 Their annual concession fees to the District of North Vancouver for 2014 were \$141,221.02. In
3 the past 5 years of their business (2010 – 2014) they have paid the District of North Vancouver
4 \$673,424.00. This is a significant amount of revenue for the District of North Vancouver from
5 one business that would be lost if the water became contaminated.
6

7 One of the benefits of their kayak rental business is that one can always use the water. People
8 will go out on the water in rain or shine. This is unlike skiing. If there is no snow, no one will
9 ski. Ms. Baxter’s greatest fear is that something will affect the water that makes it unsafe for
10 people to paddle. The loss of a summer season would be devastating to both businesses.

11 **4. Recreational use of parks and marine areas located opposite the WMT and north**
12 **up the Indian Arm.**

13 Having grown up in Deep Cove, her mother owning a boat rental company, and currently being
14 co-owner of Deep Cove Canoe and Kayak Centre Ltd., Ms. Baxter has vast knowledge of the use
15 of Indian Arm and the Burrard Inlet for recreational activities and its range of recreational
16 offerings.
17

18 Indian Arm is the southern most coastal fjord in North America. The waters are sheltered and
19 calmer than most ocean boating destinations. There are many destinations to go to within a short
20 paddle and many beaches. Ms. Baxter’s website for Deep Cove Canoe and Kayak Centre sums
21 up the nature of Indian Arm: “Indian Arm is a paddler's paradise! This 18 km fjord/inlet has calm
22 waters and stunning scenery combining to provide a spectacular wilderness escape just minutes
23 from the city.”
24

25 Ms. Baxter’s kayak rental business is very busy, sending many people out to enjoy the water
26 surrounding Deep Cove. At the Deep Cove location they have a fleet of over 120 boats and stand
27 up paddle boats, and in the summer these small vessels are always being used. They also rent
28 over 40 kayaks and up to 20 Stand Up Paddleboards out of a location at Cates Park during the
29 summer months.
30

31 Specifically, at the Deep Cove location, for 2 hour rentals, they sent out over 5000 double kayaks
32 in 2014, that’s over 10,000 participants, and in 2013 it was 4272 doubles with 8544 participants.
33 They sent out over 6973 single kayaks in 2014 and 6199 in 2013. More kayaks were also rented
34 for longer periods of time, or for the whole day.
35

36 Deep Cove Canoe and Kayak Centre hosts many regular group programs also:
37

- 38 a) In hosting school groups, they had over 2000 students out on the water in 2014 (school
39 strike year) and over 4100 in 2013. As well, they have been part of CoveCliff
40 Elementary’s Physical Education Curriculum since 2006 with an additional 200 students
41 or so participating each Spring. In the summer they have kid’s camps: 186 kids
42 participated in 2014 and 133 kids participated in 2013.

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b) They host corporate groups, with over 320 participants in 2014 and 645 in 2013. They host sessions English as a Second Language Groups with over 995 participants in 2014.

Deep Cove Canoe and Kayak Centre also operates many weekly community based programs as well as some annual events:

a) Weekly, they host the “Tuesday Night Races” that attracts over 100 participants, and is considered the biggest paddle race in Canada on a weekly basis and has been running for over fifteen years. For fourteen years they have hosted “Women on Water” that attracts up to 90 women in high season, and a newer event, “Social Stand up Paddleboard Night” which currently attracts up to 12 participants in the summer, yet this evening will grow as other community nights have.

- b) Annually Deep Cove Canoe and Kayak Centre hosts:
 - Tour D’Indian Arm: over 80 participants
 - Board the Fjord: Over 100 participants
 - Canadian Surfski Championships (international race in Howe Sound): over 70 participants
 - Deep Cove Daze: Cardboard Kayak Race: 20 teams, 80 participants
 - Deep Cove Daze: Free demos for kids: 80 participants
 - New Year’s Day Penguin Plunge: over 300 participants and 2000 spectators. In 2015 they raised \$1400 at this event for North Shore Rescue.

The use of Indian Arm for kayaking alone contributes significantly to the local North Vancouver community and the broader tourism community.

There are many other businesses and organizations that rely on the clean and beautiful waterways. For instance, the building that houses Deep Cove Canoe and Kayak Centre also houses the Deep Cove Rowing Club, which also hosts numerous water-based events. Ms. Baxter is familiar with at least four kayak rental businesses that depend on Indian Arm, such as Rocky Point Rentals in Port Moody. There are also many other water-based business and activities on Indian Arm, such as Power To Be, an organization inspiring youth and families in need of support to discover their abilities, Takaya Tours, cultural tours run by Tsleil-Waututh Nation in Cates Park, Takaya Tours in Belcarra Park, Camp Jubilee up Indian Arm, Deep Cove Marina, Vancouver Water Ski Club, and there is Wally’s Burger Concession on land in Cates Park.

There are outstations up Indian Arm for Deep Cove Yacht Club, Burrard Yacht Club, and the Royal Van Yacht Club’s Wigwam Inn.

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2 There are five government docks in the area in Deep Cove (very busy), Strathcona, Woodlands,
3 Cates Park (very busy) and Belcarra Park.

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5 There are Provincial Parks at Twin Islands, a one hour paddle from Deep Cove Kayaks, Granite
6 Falls, Indian Arm Provincial Park, and Belcarra Provincial Park.

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8 With so much to offer, Indian arm and Burrard Inlet off Cates Park are extremely busy with
9 pleasure boats, kayaks, paddle boards, all manner of boat traffic. At Cates Park, every parking
10 spot fills up on a summer day. Indeed, Deep Cove has just had to host a Parking Meeting to try
11 and address the popularity of Deep Cove as a tourist attraction.

12

13 The photographs and information filed by KinderMorgan regarding recreational boater use
14 (B256 Trans Mountain Pipeline ULC Technical Update #2 Part 2 of 2 (A62401) B256-31 Part 7
15 Recreational Boat Traffic Part 01 A4A414, pp. 15 - 20) do not show the actual level of activity
16 on the water in this area. The photos show an area with very few recreational boaters, paddle
17 board users or kayakers. They are inaccurate and fail to show the very high level of recreational
18 use of Indian Arm and Deep Cove, as described above.

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20 Ms. Baxter is very concerned about the extreme negative impact an oil spill would have on her
21 business and the quality of life in Deep Cove.

22 **5. Experience with the Burnaby oil spill, July 24, 2007**

23 Deep Cove Canoe and Kayak operated both the Takaya Tours rental locations out of Cates Park
24 and Belcarra Park in 2007 when there was a small accidental spill into Indian Arm from a
25 construction incident in Burnaby. At the time of this spill, there was no communication from
26 anyone to either location that there had been a spill. They found out about the spill when they
27 noticed that all their kayaks coming in were covered in oil. People were walking around in the
28 contaminated water, pulling in kayaks. They had to close facilities for days and clean their
29 equipment. Ms. Baxter is concerned that there is no system in place to adequately warn residents
30 when there has been spill. This was a very minor incident in comparison the risks that will
31 increase if there is such an expansion as Kinder Morgan is proposing currently.