

35. ABANDONED VESSELS: IMPROVING OVERSIGHT AND ACCOUNTABILITY

In response to more than a decade of calls from the Union of British Columbia Municipalities in May 2017 Transport Canada announced an Abandoned Boats Program (ABP) to assist in the assessment, removal and disposal of abandoned and/or wrecked small boats that pose a hazard in Canadian waters. The objectives of the ABP are to:

- Reduce the number of abandoned and/or wrecked boats in Canadian waterways and the hazards they pose;
- Contribute to the protection and preservation of the environment;
- Reduce the impacts of these boats on Canadian coastal communities;
- Enhance economic opportunities; and
- Increase awareness of the boat owners' responsibilities.

The ABP has multiple components, such as helping educate small vessel owners about how to responsibly manage their vessels and supporting research on vessel recycling and environmentally friendly vessel design. The assessment and removals component of the program funds vessel removal assessments and the permanent removal and disposal of abandoned small wrecked vessels.

Eligibility for funding include recipients such as:

- Provinces, territories, municipalities and local governments;
- Indigenous groups, communities and organizations;
- Private ports and/or marinas;
- Canadian port authorities; and
- For-profit and not-for-profit organizations.

The second call for proposals from the federal government for the assessment and removal of abandoned vessels closed March 15, 2018. Eligible activities for cost reimbursement include conducting vessel removal assessments and removal and disposition of abandoned vessels. Overall, the ABP has pledged that it will provide up to \$5.6M over 5 years to projects that must be completed by March 31, 2022.⁹⁶

The federal government committed \$260K⁹⁷ and \$300K for assessments and removals under the ABP in 2017. In comparison, it cost \$1.2M to remove the Viki Lyne II from Ladysmith Harbour. On March 12, 2018 Transport Minister Garneau announced \$240K for 21 vessel removals in Canada as part of the first round of ABP funding. The Chamber of Commerce supports these measures and their continuation.

Several bills have been introduced in parliament to further address the issue of abandoned vessels, however, there remains no comprehensive strategy and jurisdiction that requires the removal and/or recycling of abandoned vessels before they become serious environmental or navigational hazards. On October 30, 2017, the Transport Minister tabled C-64, An Act respecting wrecks, abandoned, dilapidated or hazardous vessels and salvage operations. The Bill amongst other things, brings the Nairobi International Convention on the Removal of Wrecks into Canadian Law for vessel over 300 gross tonnages, creates set of violations, penalties and offences, fines and penal sanctions for owners abandoning their vessels.

⁹⁵ <http://www.tc.gc.ca/en/programs/abandoned-boats-programs.html>.

⁹⁶ Tc.gc.ca/eng/apply-abp-ar-r-funding.html.

⁹⁷ \$260K in 2017 is for abandoned and/or wrecked vessels in federally-owned small craft harbours.

The proposed legislation includes, but is not limited to:

- Prohibiting the leaving/disposal of a dilapidated vessel in the same place for more than 60 days without authorization; and
- Establishing an administration and enforcement scheme, including administrative monetary penalties.

Bill C-64 does not adequately address jurisdictional gaps and may continue to leave coastal communities and taxpayers with the burden of dealing with abandoned vessels. Recommendations to address these jurisdictional gaps include designating the Canadian Coast Guard as the agency responsible for directing the removal and recycling of abandoned vessels,⁹⁹ improving the vessel registration system and creating a fee to help cover the cost of vessel disposal, as was implemented in Washington State in 2003. These recommendations have been discussed at length by the Standing Committee on Transport, Infrastructure and Communities.¹⁰⁰ The Washington State model for fee collection to cover the cost of disposal is considered to be a successful example by the Islands Trust Council and many others.¹⁰¹ "Currently there are three different databases for Canadian-registered vessels, and they are by no means current or accurate.¹⁰²" Incomplete and inaccurate records coupled with a licensing process that is poorly understood, and inconsistent enforcement lead to a lack of accountability on the part of the boat owners.

In addition, the creation of a pilot "turn-in program" via a safe recycling facility will assist with preventing vessels from becoming hazards in the future and will support the creation of good green jobs by supporting local marine salvage businesses as Oregon and Washington State have done.¹⁰³ The probability of pollution and debris from any abandoned vessel in Canada's waterways has the potential to negatively impact local fishing, tourism and industry in our communities and should not be underestimated. At the Standing Committee on Transport, Infrastructure and Communities, Chris Wellstood, the Director of Marine Operations and Security at the Vancouver Fraser Port Authority said that, "Abandoned vessels can pose a threat to the environment, which I think is a major point. If they go adrift, they can pose a navigational hazard to deep-sea vessels and can cause the port to be shut down to avoid a bigger accident¹⁰⁴."

On April 29, 2017, the B.C. NDP announced that if elected, that the Province will show leadership to help clean up and protect our waterways and strike a working group comprised of First Nations, federal, provincial and local government representatives, along with other key stakeholders, with a mandate to develop and recommend a regulatory and funding framework by May of 2018.¹⁰⁵ To date, local governments, First Nations, marinas, port operators, taxpayers, and businesses are still calling for action.

THE CHAMBER RECOMMENDS

That the Federal government:

1. Designate Coast Guard as the agency responsible for directing the removal and recycling of abandoned vessels;

98 <http://www.parl.ca/DocumentViewer/en/42-1/bill/C-64/first-reading>.

99 MP Sheila Malcolmson Briefing Notes Its Time for Federal Action to Clean Up Abandoned Vessels Oct 2017.

100 www.ourcommons.ca/documentviewer/en/42-1/TRAN/meeting-90/evidence#Int-9967391.

101 www.ourcommons.ca/documentviewer/en/42-1/TRAN/meeting-90/evidence#Int-9967391.

102 www.ourcommons.ca/DocumentViewer/en/42-1/TRAN/meeting-89/evidence#Int-9957166.

103 www.dnr.wa.gov/programs-and-services/aquatics/derelict-vessels/legal-authorities-and-how-program-works.

104 <http://www.ourcommons.ca/DocumentViewer/en/42/TRAN/meeting-91/evidence>

105 <https://mailchi.mp/bcndp/bc-ndp-to-announce-strong-measures-to-clean-up-and-protect-our-waterways?e=%5bUNIQID%5d>

2. Improve vessel registration so that owners can be held accountable;
3. Fund a study of the Washington State model of fee collection for the costs of disposal of abandoned and wrecked vessels on the West Coast; and
4. Create a pilot "turn-in" program for safe disposal and recycling of abandoned vessels.

That the Provincial government:

5. Work with the Federal Government in the development of a West Coast wide strategy in cooperation with First Nations and local governments to build a comprehensive strategy and regulatory framework for addressing the financial and environmental risks of abandoned vessels.

**Submitted by the Greater Nanaimo Chamber of Commerce and Ladysmith Chamber of Commerce
Supported by the Campbell River Chamber of Commerce, Comox Valley Chamber of Commerce,
Greater Victoria Chamber of Commerce, Saanich Chamber of Commerce
The Policy Review Committee supports this resolution.**

