



**Presentation to the Standing Committee on Fisheries and Oceans
Re: Derelict and Abandoned Vessels**

Speaking Notes¹

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(Check against actual delivery)**

- Thank you.
- My name is Bob Peart. I live in North Saanich, BC – just outside Victoria.
- I am Chair of the Friends of Shoal Harbour, or FOSH as we call ourselves.^{2 3}
- A priority for FOSH is the proliferation of derelict and abandoned vessels in Shoal Harbour Migratory Bird Sanctuary⁴, so your invitation to speak is timely.

- I want to acknowledge the complexity of this matter, and thank the employees in Transport Canada and the Coast Guard for their help in addressing this issue. We have a positive working relationship with the regional staff, and appreciate their assistance.

¹ I want to acknowledge Malcolm Falconer (Tsehum Harbour Task Force) and Michael Simmons (Saanich Inlet Protection Society) for their help in compiling these notes.

² Shoal Harbour Migratory Bird Sanctuary was established in 1931. It is located with the traditional lands of the W̱SÁNEĆ People and the Tseycum First Nation.

³ FOSH is a totally volunteer run federal registered charity established about 20 years ago.

⁴ <https://www.canada.ca/en/environment-climate-change/services/migratory-bird-sanctuaries/locations/shoal-harbour.html>

- Although we are frustrated because there is so little progress – there was a recent notice in our local paper to dispose of two vessels in Tsehum Harbour.⁵
 - The points I am making today are national in scope, however I speak to you from the Saanich Peninsula and the surrounding waters of the Salish Sea. Our harbours⁶ are filled with derelict and abandoned boats. The situation seems totally out of control and local folk are pretty fed up.⁷
 - However, rather than dwelling on this dire state of affairs or assigning blame, let's focus on solutions.
- My overarching message today is that the time has come for the Federal Government to reassert their legal powers, enforce existing legislation and provide the leadership that is so desperately needed, before this situation gets even more out of hand.

POINT ONE *The Federal Government needs to empower and support community initiatives.*

- There are a number of positive local solutions evolving in our coastal waters in an effort to fill the niche vacated by the federal government.⁸ However, their success requires the Federal Government to fulfill their legal obligations.
- Likewise, for any initiatives being led by Indigenous People and Indigenous Marine Guardians.⁹ Their efforts will be a moot point without Federal support.

⁵ <https://www.peninsulanewsreview.com/notices/notice-of-intention-to-dispose-2-vessels-7592514>

⁶ For example: Tsehum Harbour, Brentwood Bay, Cadboro Bay, Mill Bay, Sooke Basin and Ganges Harbour.

⁷ Coast Guard has a fairly accurate number of the illegal pleasure craft up and down the British Columbia coast. We've been told that number is as few as 1500 and as many as 6000.

⁸ Please review the measures being taken in such locations as False Creek, Deep Cove, Bowen Island, Kelowna and the Gorge Waterway to get a sense of their approach.

⁹ Such as the restoration of traditional clam beds, conservation of eel grass beds or the protection of natural beaches.

- Similarly, for provisions of the BC Land Act and the coastal water lease permit process.
- Specifically related to the conservation of Shoal Harbour Migratory Bird Sanctuary, any progress being made by groups like ourselves or the Canadian Wildlife Service, is being impeded by the lack of federal attention.
- The critical point is that without federal government support it will be difficult for any of these community-based measures to succeed.

POINT TWO *That Transport Canada and the Canadian Coast Guard enforce the existing legislation, redefine associated legislation (as appropriate) and empower local communities to manage private mooring buoys.*

- The core source of any ‘vessel of concern’ is the virtually unlimited supply of private mooring buoys.
- In 2004, the responsibility for the Private Buoy Regulations was transferred from the Canadian Coast Guard to Transport Canada.
- Since then Transport Canada has largely failed to exercise its authority to enforce these regulations.
- As well, the federal government’s definition of a mooring buoy as a ‘minor work’¹⁰ and the narrow definition of ‘abandoned’ and ‘dilapidated’¹¹ seriously hampers any efforts to enforce.
- This situation needs to change.

POINT THREE *Return the oversight, enforcement and compliance of the Private Buoy Regulations to the Canadian Coast Guard.*

- The Federal Government needs to return to the level of control that existed prior to the 2004 transfer. The Canadian Coast Guard is best suited to provide this leadership.

¹⁰ Reference the Minor Works Order, the Canadian Navigable Waters Act.

¹¹ Reference *the Wrecked Abandoned and Hazardous Vessels Act*.

- We need a single authority to manage moorings, licensing, pollution and removal of vessels of concern, and this authority should be the Coast Guard.
- DFO oversees the Coast Guard so it makes sense, from a management perspective, to transfer the legal authority and funding back to the Coast Guard.

POINT FOUR *The owner registry of vessels needs to be modernized.*

- Transport Canada has for years repeatedly stated that the owner registry will be modernized, yet we see little progress.
- Without knowing the ownership of vessels our bays will continue to be polluted by these abandoned vessels.
- Meanwhile, Washington State has a system of annual registration that is quite effective. And a key point, it is being actively enforced.¹²
- Canada needs to put in place a similar registration system now.

SUMMARY The time has come for the Federal Government to assert their legal powers, enforce existing legislation and reestablish their role prior to the 2004 transfer of authority. It is time for the Federal Government to provide the leadership that Canadians expect and that other related governments and community groups can then follow with confidence.

The concern is that without these changes our coastal waters will continue to be a dumping ground for these unwanted vessels.

This metaphor that has always struck me. Think of these abandoned vessels as if someone has left a rusty old Winnebago in your driveway and the efforts that you would make to have that Winnebago removed.

¹² Washington State Department of Licensing. <https://dol.wa.gov/vehicles-and-boats/boats>

The situation is similar it is just that the ocean waters seem far removed and aren't as personal or as familiar.

Thank you.

References

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