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# Standing Committee on Fisheries and Oceans

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Chair: Mr. Ken McDonald





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• (1100)

[English]

**The Chair (Mr. Ken McDonald (Avalon, Lib.)):** I'll call this meeting to order.

Welcome to meeting number 14 of the House of Commons Standing Committee on Fisheries and Oceans. Pursuant to Standing Order 108(2) and the motion adopted on January 20, 2022, the committee is resuming its study of marine cargo container spills.

I'm not going to go through everything about the hybrid format, everything going through the chair, and social distancing. We've heard that often enough. I'd also like to remind all participants that taking screenshots or photos of your screen is not permitted.

I would now like to welcome witnesses.

For the first panel today, we have, from the Nanaimo Port Authority, Captain Singh, vice-president, marine operations and harbour master. From the Vancouver Fraser Port Authority, we have Captain Madiwal, director, marine operations and harbour master.

I'd like to welcome back Madam Gaudreau to committee today, and also Mr. Paul-Hus. I pronounced that right, I hope. Welcome back, sir. It's good to have you here.

We'll now begin with opening remarks from Captain Singh for five minutes or less.

Go ahead, please.

**Mr. Satinder Singh (Vice-President, Marine Operations and Harbour Master, Nanaimo Port Authority):** Thank you, Chair, for the opportunity to speak about MV *Zim Kingston*.

I would like to start by saying that safety, security and sustainability were the pillars upon which Nanaimo Port Authority undertook the salvage operation of *Zim Kingston*. I had the privilege of representing the port in the initial unified command discussions pertaining to safety, security and environmental protection. The ship was held to a very high level of scrutiny and safety protocols, which included regulatory requirements. Once NPA was satisfied with the protocols that would be in place, the vessel was permitted to conduct salvage operations at DP World Duke Point terminal.

During the salvage operation, the port played an integral role in terms of ongoing safety, security, and environmental protection protocols that were adhered to at Nanaimo Port Authority. One example of this was when the ship sustained a fire on board during the salvage operation. On behalf of Nanaimo Port Authority, I had rescinded all hot work permits on the ship until my investigation was

complete and I was satisfied that the proper safety protocols would be adhered to.

I also attended the vessel at different instances to make sure that the processes were adhered to. I investigated the fire incident in particular through interviews on board the *Zim Kingston* of the salvage team and the ship's crew. The practical assessment of the hot work process was also observed physically, and the hot work permit was reinstated for the vessel to carry on with its operations.

It is noteworthy that *Zim Kingston* was successful in terms of completing the operation. The disposal process was administered with a very high level of diligence in terms of safety protocols, including regulatory requirements, in co-operation with the terminal operator, which was DP World in our case.

Case in point: *Zim Kingston* owners commented on their reception by the port of Nanaimo. This is one comment that I received: "From our experience during the vessel's stay at the Port of Nanaimo, we would like to point out your prompt response to our inquiries and the availability of anchorage when [it] was needed for our vessel." The second comment was as follows: "Environmental protection protocols were followed to the utmost detail in accordance with the submitted cargo discharge plan: Your quick response to safety issues that were raised during our operations [and] towards risk assessment and implementation of mitigating actions was remarkable."

Some other salient points worth noting here are as follows: No other facility was able to accommodate *Zim Kingston's* salvage operation in the western region due to variables such as congestion and the time it would take to unload the damaged containers. We didn't allow the ship to offload at anchor, which was a ship barge operation, because doing so was considered unsafe and dangerous according to the input of the Snuneymuxw First Nation, who are partners and who have a relationship agreement with Nanaimo Port Authority. We respected the first nation response and looked for other options to complete the operation, which led to the DP World solution.

NPA notes that had DP World been an active container facility, lost revenue would have been a decision-making consideration. Variables could render the terminal less flexible in administering this operation. All the same, NPA would have explored active vessel management options in collaboration with the terminal to facilitate the operation.

I have a process timeline that starts on October 24, 2021, and ends on February 2, 2022, when *Zim Kingston* left Nanaimo Port Authority for its next port of call.

The process started with Nanaimo Port Authority being abreast of the situation through CCG Western Region-Victoria MCTS information bulletins and news outlets. On the 29th, Transport Canada's Canadian Marine Advisory Council reached out to various stakeholders. On November 4, the agent initiated conversation with Nanaimo Port Authority.

My time is up, Chair.

Thank you.

• (1105)

**The Chair:** Thank you for that.

We'll now go to Captain Madiwal for his five minutes or less.

Go ahead, please.

**Mr. Shri Madiwal (Director, Marine Operations and Harbour Master, Vancouver Fraser Port Authority):** Thank you, Chair.

Good morning, everyone. Thanks for the opportunity to speak with you today.

My name is Shri Madiwal. I'm the director of marine operations and harbour master at the Vancouver Fraser Port Authority.

Let me start by acknowledging that the port authority's Canada Place office is on the ancestral land of the Musqueam, Squamish and Tsleil-Waututh peoples, and I extend thanks to them.

The Vancouver Fraser Port Authority is a federal agency responsible for the stewardship of the lands and waters that make the port of Vancouver Canada's largest port. As a Canadian port authority, our mandate is to enable Canada's trade through the port of Vancouver by protecting the environment and considering local communities.

Our role as a port authority is to ensure goods are moved safely, efficiently and sustainably. We do this by providing the marine infrastructure and services that provide for a high level of safety and environmental protection.

Vessel safety is a shared responsibility, and the port authority works closely with other federal agencies—Transport Canada, the Canadian Coast Guard and the Pacific Pilotage Authority—to ensure the vessels calling at the port of Vancouver navigate and operate safely.

The port of Vancouver has an industry-leading safety record on vessel navigation. In 2020, the Pacific Pilotage Authority reported 99.90% incident-free assignments. This has been consistent in the last few years.

In case of an incident and/or an emergency within our jurisdiction, the port authority is not the first responder. We rely on other federal and local emergency services.

We collaborate with other organizations, such as the Canadian Coast Guard, the Canada Border Services Agency, the RCMP and

the local police and municipalities to oversee safety and security and to respond to any incident within the port. We work with them on emergency response planning to promote safety and emergency preparedness. Usually this takes the form of working with the first responders and other agencies and providing information on the situation through our 24-7 operations centre, our security cameras, our patrol boats and our drone.

I would like to take this opportunity to express my deep appreciation to the Canadian Coast Guard team. Their services such as oil spill response, search and rescue and marine traffic control keep Canadian waters and our coast safe.

I would be remiss if I did not mention the Government of Canada's investment in the two emergency towing vessels on the south coast of British Columbia. The two leased vessels have proved useful since their deployment in 2018. These vessels are critical emergency response assets on the coast and play an important role during incident response.

In closing, I want to reiterate that although we have an excellent safety record in the port and on the south coast of B.C., marine accidents can occur at any time. We need to be prepared to respond and protect the mariners and the marine environment, including indigenous local communities and the surrounding waters.

Thank you, Chair. I look forward to answering your questions.

• (1110)

**The Chair:** Thank you. Both of you were a little bit under the time, and that is really appreciated.

Before I go to rounds of questioning, I will let members know that I'm going to get a little stricter on the time. I have little warning cards to let you all know where you are with your time, because it seems that we're losing time as we go through each list of questions. Then in the end somebody suffers for it, so I'll try to be a little stricter.

We'll now go to questions.

We'll go to Mr. Perkins for six minutes or less, please.

**Mr. Rick Perkins (South Shore—St. Margarets, CPC):** Thank you, Mr. Chair, and thank you for trying to keep us on time. You've been very kind in letting everybody play a little and we don't want to have our other members fall short and not be able to get answers.

I want to thank both witnesses very much for appearing on this important study.

In particular, Mr. Singh, thank you for your kindness and willingness to be here while you're still recovering from COVID, which, luckily—knock on wood—I've yet to have. I'm glad to see that you're on the road to recovery.

I'm going to refrain from my desire to ask both witnesses about the new labour regulations that came into force on February 1 and are hurting our ports in Atlantic Canada and to get your opinions. I'll stay away from that for now.

Mr. Singh, I think you ran out of time on your presentation. I wonder if you could start from the beginning and go through a chronology of how and when you found out about the incident with the *Zim Kingston*. Then when Mr. Singh is done, Mr. Madiwal, perhaps you could do the same. What were the various stages of your response to that, and your involvement, please?

**Mr. Satinder Singh:** Thank you for the question.

I did actually send the chronological order of how the Nanaimo Port Authority got involved.

I'll start by saying that initially my office was abreast of the updates related to *Zim Kingston* as they were being disseminated through the Canadian Coast Guard western region, Victoria MCTS and other news outlets. The last update I could find in my email was from October 24.

On October 29, Transport Canada, through the Canadian maritime advisory committee, reached out to my office and advised that assessments were being done on the vessel's seaworthiness. Transport Canada representatives were actively working with incident command to review plans related to the eventual movement of *Zim Kingston* from its current location to an appropriate yet to be determined berth or anchorage.

On November 4, Navitrans Shipping Agency reached out to Nanaimo Port Authority with an introduction, and advised that they had already received guidance as to the requirement from Vancouver Fraser Port Authority to proceed to the Vancouver anchorage. However, it appeared that the English Bay weather might be too rough to discharge safely, and they felt the better option was looking at a Nanaimo anchorage.

Navitrans Shipping Agency requested my thoughts as harbour master and requirements to explore the option to proceed to a Nanaimo anchorage to discharge damaged containers that had been secured on board. The discharge at that point was planned through a float crane and barge, with a full comprehensive plan that would be provided to the Nanaimo Port Authority.

On November 6, I requested further information, in terms of CBSA, TC and CCG contacts for this initiative, and the ship's charter representative, legal counsel and owner representative. On November 7, a unified command was convened by Canadian Coast Guard, which included the following incident commanders: myself, Nanaimo first nation representative, owner of *Zim Kingston*, provincial representative, and owners, contractors, and environmental leads from Environment and Climate Change Canada.

Between November 7 and December 2, the Nanaimo Port Authority worked with agents as primary contact and unified com-

mands as a secondary to facilitate the salvage operation feasibility at NPA.

Some of the things we dealt with were that CBSA initially couldn't discharge in Nanaimo because there is no approved facility in Nanaimo for a container discharge. Therefore, based on customs rules and regulations, technically they couldn't allow the ship to discharge at Nanaimo.

The first nation engagement and response was encouraged through Nanaimo Port Authority and the unified command. We worked together collaboratively to collectively come up with a solution in terms of their first option, which was to discharge at anchor.

The transit plan was reviewed and confirmation sought that TC was on board. TC had no concerns, which was later conveyed to Nanaimo Port Authority. The container discharge plan was reviewed and confirmation sought that TC, Environment Canada and Canadian Coast Guard were on board. The Canadian Coast Guard and TC had no concerns with the discharge plan. The fire and salvage plan was reviewed. Transit environmental risk review was reviewed and confirmation sought that TC, EC and CCG were on board. TC and Canadian Coast Guard had no concerns.

Safe working procedures were reviewed, with focus on the Nanaimo Port Authority operations, and confirmation sought that TC was on board with the operational visibility. It was conveyed that TC did not have a role in approving the safe work procedures for this operation. The Nanaimo Port Authority was dependent on the ship's operator to provide all of that information. We reviewed that information and approved it.

The concept of operation and air quality monitoring was reviewed and confirmation sought that Environment Canada and CBSA were on board with that initiative. The concept of operation baseline water monitoring plan was reviewed and approvals were confirmed. CCG had no further concern with this concept. The overview of the waste management plan was reviewed and confirmation was requested from TC that it was appropriate. TC did not have a role in approving this as it was conveyed to the Nanaimo Port Authority.

• (1115)

**The Chair:** Thank you, Mr. Singh. The six minutes allotted to Mr. Perkins have gone a little bit over.

We'll now go to Mr. Hardie for six minutes or less, please.

**Mr. Ken Hardie (Fleetwood—Port Kells, Lib.):** Thank you, Mr. Chair.

Thank you to our witnesses.

Captain Singh, I'm sorry that we're going to ask you a lot of questions and you're struggling to get over the bug. I hope it hasn't been too serious for you.

The fire on the *Zim Kingston* started in a reefer unit, I understand.

**Mr. Satinder Singh:** That is correct. The fire actually resulted from an adjacent container being worked on and a spark meeting the reefer container insulation.

**Mr. Ken Hardie:** For people listening in, a reefer unit is a refrigerated unit for goods that need to be kept cold, obviously.

What do they use to power the refrigeration units on these containers?

**Mr. Satinder Singh:** I cannot answer that question because I don't have factual information on what they use to power the reefer unit.

• (1120)

**Mr. Ken Hardie:** That's something that would be interesting to know, because it would be necessary to know if there's fuel involved, etc.

On the location of the reefer unit, was it above deck? I guess it was above deck, right?

**Mr. Satinder Singh:** It was adjacent to the hot work being performed and—

**Mr. Ken Hardie:** It wasn't below deck. It was up in the open air.

**Mr. Satinder Singh:** That's correct. It was exposed to the open air.

The reason the spark got away and got into the reefer container was that the fire blanket did not cover the reefer unit fully.

**Mr. Ken Hardie:** Okay.

Now, securing containers is obviously something that's really important, because they stack them very high. Was there any sense that the systems used to secure the containers failed, or was it simply that the weather was too rough for any kind of system to work properly?

**Mr. Satinder Singh:** My understanding, and because I visited the ship as well.... I did not feel that the containers were stacked too high or over the limit of stacking. I felt that inclement weather resulted in the unfortunate incident that the vessel met.

**Mr. Ken Hardie:** Captain Madiwal, we obviously are concerned when containers fall overboard, but do you notice close calls? Do you notice ships coming into port that may not have lost anything but where things have moved around fairly substantially, especially above deck?

**Mr. Shri Madiwal:** Yes, Ken, that's a great question. Thanks for the opportunity to answer that.

In the case of the container strength securing arrangements and the locations, the International Maritime Organization has very strict guidelines around what needs to be done, and in all the class surveys that are being done for the vessels, the construction, they ensure those things are followed.

On the question specifically to the port of Vancouver, I would not be able to comment on that, because we have not received any information on whether the containers have shifted or have been lost during the transit.

In the case of any incident that occurs, the report definitely goes through the marine occurrence system to Transport Canada and the Transportation Safety Board, and those are the things we would track, but unfortunately we have not had any incident that would be considered in the same scenario.

**Mr. Ken Hardie:** Would you not hear from the dockworkers, though, if a ship came into port with shifted cargo that made off-loading those containers more dangerous to the workers?

**Mr. Shri Madiwal:** I think this question would be better answered by the ILWU or BCMEA. I wouldn't have that information to comment on.

**Mr. Ken Hardie:** Okay.

This is for Captain Singh, or for you, Captain Madiwal.

MCTS operations were under the microscope of this committee six years ago with the closure of the Comox base and the shifting of everything down to Victoria—to Sidney, I guess it was.

Do you have any reflections, any reports or any monitoring of those systems and their reliability? I'm particularly concerned with outages where communication with vessels breaks down simply because a system goes offline at the MCTS location.

**Mr. Shri Madiwal:** I would like to start first with the MCTS and the Canadian Coast Guard service. It's a world-class service that we have in Canada. I think we need to be really proud of the service that is provided by the Canadian Coast Guard.

In terms of the redundancy in the systems and backup, I think we have one in Victoria station and we also have one in Prince Rupert. They always back up each other as well. All the coverage that is available through the south coast of B.C., and even to the north, is captured under the MCTS. I believe that even within the area control centre they have equipment redundancy as well, so even if there's—

**Mr. Ken Hardie:** Can I get a quick answer from Captain Singh on that?

Do you share Captain Madiwal's sentiments with regard to MCTS, sir?

**Mr. Satinder Singh:** Yes, I do.

I will add that we have had power outages, and yes, we have worked with MCTS to provide that redundancy as well here at the Nanaimo Port Authority, as we have the marine domain awareness system that was leveraged during that time.

I think it's a partnership, if you may, that really works well in the western region of Canada. Everybody works together well.

• (1125)

**The Chair:** Thank you. Your time is up.

We'll now go to Madam Gaudreau for six minutes or less, please.

[Translation]

**Ms. Marie-Hélène Gaudreau (Laurentides—Labelle, BQ):** Thank you, Mr. Chair.

I want to thank everyone for joining us.

First, Mr. Singh, I wish you a speedy recovery.

I took note of all the details that you shared with us. In your opinion, the collaboration, follow-up, protocols, receipt of notices, and so on, were carried out.

Mr. Madiwal, I want you to explain what you meant by the statement that, during an incident, there's some type of emergency collaboration.

[English]

**Mr. Shri Madiwal:** In terms of collaboration, the lead agency in such a marine casualty is assigned to the Canadian Coast Guard. The Canadian Coast Guard manages the incident command system and also includes all of the other relevant agencies responsible to support the incident command within the incident command post. That's what collaboration means.

For example, if there were an incident in the port of Vancouver jurisdiction, we'd be part of the response team. We'd also be part of the incident command, working with the federal, provincial, local and municipal response agencies, and also with Transport Canada and other federal agencies. We do collaborate on those issues.

[Translation]

**Ms. Marie-Hélène Gaudreau:** Thank you.

My next question is about the investigation process. It's for Mr. Singh and Mr. Madiwal.

I would like you to share your expertise in this area. A spill can have an environmental impact. My main focus is obviously to find solutions so that this type of situation doesn't happen again. I'm thinking of future generations. That's exactly what I said this week.

Is there an investigation mechanism for establishing guilt or assigning blame?

Do you know of any fines or penalties large enough to ensure that a more proactive approach is taken?

[English]

**Mr. Satinder Singh:** I can go first.

The Transportation Safety Board investigates all incidents and provides factual information in terms of how those incidents could be mitigated with best practices in the future. It is an independent agency that provides that information, which could be leveraged for the benefit of the committee as well when it is exploring options.

In terms of blame, I personally don't think that finding blame or placing blame allows for a way to improve things. I find that working together collaboratively and including everybody from the outset, bringing people who have expertise and are subject matter experts to the table, can expedite and mitigate risks for the marine industry in the future.

In the case of the *Zim Kingston*, the Nanaimo Port Authority got engaged later, after discussions were already in place with other entities. I believe that if the Nanaimo Port Authority were included from the outset, when the incident occurred and when discussions were starting to happen, there would have been a shorter timeline to manage the salvage operation and also come up with a plan in terms of mitigating the risks in the future.

[Translation]

**Ms. Marie-Hélène Gaudreau:** Mr. Madiwal, do you also believe that the port authority should have been—

[English]

**Mr. Shri Madiwal:** I have a little different view to answer your question....

[Translation]

**Ms. Marie-Hélène Gaudreau:** I wanted to know whether you agreed with Mr. Singh's comments.

• (1130)

[English]

**Mr. Shri Madiwal:** I wouldn't fully agree. I have a little different opinion on that.

In terms of the oil spill prevention and preparedness, I think we have done a lot in the country. In Canada there are strict regulations under the Canada Shipping Act on the vessels and also in terms of the preparedness with respect to early detection and response. We have a world-class oil spill response facility on the west coast of B.C.

In terms of liability for oil spill response, we have the oil spill liability convention and the ship-source oil pollution fund, to which everyone contributes. In case the liability exceeds the shipowner's insurance, that fund kicks in. Similar to that, in the context of the *Zim Kingston*, where you have packaged goods and not an oil spill, those things are also covered under the hazardous and noxious substances convention, which Canada was early in adopting and ratifying, and the IMO conventions.

The short answer is that the shipowner is still liable first for addressing all of the environment issues, recovery and repair. When the shipowner's liability is exceeded, then the fund kicks in and provides some additional benefits to the local communities so there is no damage to the environment as a cost, and that is available to everyone.

**The Chair:** Thank you.

We'll now go to Ms. Barron for six minutes or less.

**Ms. Lisa Marie Barron (Nanaimo—Ladysmith, NDP):** Thank you, Chair.

Thank you to our witnesses who are here today.

It's so nice to see you, Captain Singh. I want to just acknowledge my appreciation for your taking me on a great tour of the work that you were doing in the port of Nanaimo related to the *Zim Kingston*. It's nice to have you here.

Captain Madiwal, I hope we have a chance to meet in person soon.

I want to expand a little bit, Captain Singh, on something you touched on related to the timeliness of communications with the port of Nanaimo and being able to respond to the *Zim Kingston*. We know that the *Zim Kingston* was anchored along the coast for about a month before it reached the port of Nanaimo. I'm wondering if you can talk a little bit about why that was the case. Do you think having the *Zim Kingston* anchored for about a month posed any additional risk?

**Mr. Satinder Singh:** There was a delay in managing the *Zim Kingston* incident. I do believe that the Nanaimo Port Authority was included after all other options were exhausted. If the Nanaimo Port Authority had been included from the outset at the table to discuss options for the *Zim Kingston*, perhaps the vessel would have been in Nanaimo sooner. I do not actually know if that would have been the case, but I suspect it would have been, considering we were looking for a solution to help the *Zim Kingston*.

Constance Bank was not the best location for the vessel to remain in. That is why the agent, when they reached out to the Nanaimo Port Authority, was very anxious to move very quickly.

**Ms. Lisa Marie Barron:** Thank you, Captain Singh.

I saw first-hand the number of people involved and the process of sorting debris. It's quite the process, requiring a lot of people on the ground and leadership to make sure that all of the pieces were being taken care of.

I'm wondering if you can speak a little more, specifically around the port's process for disposal of debris from the ship and how you ensure that it's managed safely for people and the environment.

**Mr. Satinder Singh:** Yes. *Zim Kingston* provided Nanaimo Port Authority with a waste management plan. In collaboration with the terminal, Nanaimo Port Authority was assured that the disposal would take place as per their register in terms of what type of waste would be disposed of and how, who would be the operator, and which recognized facility would be receiving that waste. Once that was established, everybody worked great, as you saw first-hand, Lisa Marie. It was a really good experience, just to see how people could really come together and do a great job to facilitate a solution. That speaks to humanity as a whole.

• (1135)

**Ms. Lisa Marie Barron:** Thank you.

Captain Madiwal, one ongoing concern that we're hearing about is the increased amount of cargo containers being shipped in our waters and the increased height. We're seeing that the shipments are getting larger and higher. There are all of these other pieces, of course, around the extreme weather patterns we're seeing.

I'm wondering if you could speak a little bit about how ports are keeping up with this demand. With all of the complexity of the shipping, that seems to be happening more and more.

**Mr. Shri Madiwal:** Thank you, Lisa, for that question. I'll answer it in two parts.

First, about the safety, container vessel sizes generally in the last decade or so have grown considerably. As you know, the container is supposed to be one of the best inventions of this decade. So many items have been shipped through containers. Though the largest container ship is about 24,000 TEUs—a TEU is a 20-foot equivalent unit—on the west coast of North America, we don't see large vessels that have been deployed in this trans-Pacific run.

For example, the largest vessel that would call at the port of Vancouver would be around 13,000 TEUs to 14,000 TEUs. Compared with what the world deals with and manages in terms of large vessels, I would say that fairly medium-sized vessels call at the port of Vancouver. Overall, in terms of safety reasons, I don't think we have a challenge around that. We still have a lot of facilities that can accommodate much larger vessels safely. It's entirely up to supply and demand and the carriers that deploy those vessels in the zone.

The second thing is around the demand and the global supply chain challenges. The pandemic has definitely changed the spending habits of Canadians, just as it has everywhere else in the world. That has definitely spiked the demand. Just last year our container volumes grew by 6% annually, which was a big increase. We handle about 3.7 million containers in the port of Vancouver. The demand continues to grow. We think we will soon run out of capacity in the very short term on the west coast of B.C.

That's a big challenge for not only B.C., but also Canada. That's where we're working with all the partners to see what infrastructure we'd like in order to support the growing needs of the port, but also Canada.

**The Chair:** Thank you, Ms. Barron. You went a little bit over, so we'll end it there.

We'll go to Mr. Arnold for five minutes or less, please.

**Mr. Mel Arnold (North Okanagan—Shuswap, CPC):** Thank you, Mr. Chair.

Thank you to Mr. Singh and Mr. Madiwal.

I'll start off with you, Mr. Singh, and hopefully you can answer the question.

Who is responsible for determining and confirming the security of cargo on board a vessel as it comes into or exits Canadian waters?

**Mr. Satinder Singh:** That is CBSA.

**Mr. Mel Arnold:** CBSA is responsible for that?

**Mr. Satinder Singh:** Yes, it is.



**Mr. Mel Arnold:** Does the ship's captain or shipmaster have to pass on that certification information?

**Mr. Satinder Singh:** Yes. The shipmaster will provide all documentation that CBSA requires to administer their regulations accordingly.

**Mr. Mel Arnold:** Does that include the securing of containers on board the vessel and the ship's stability assessment?

**Mr. Satinder Singh:** Negative. That would be the ship's captain's responsibility. For containers coming into Canada and being off-loaded here in Canada on terminals, it would be CBSA's responsibility to make sure they are screened and properly managed. With regard to the terminal, they also have a responsibility in terms of the marine facility security plan, which looks after the overall terminal posture of security.

**Mr. Mel Arnold:** We've heard that the ship may have delayed coming into port on its way in.

Could either of you confirm whether that is the case? If it did delay coming in, can you elaborate on why?

• (1140)

**Mr. Shri Madiwal:** I can answer that question, Mel. Thanks for the question.

The *Zim Kingston* was actually loitering out at sea when the incident occurred, with the high seas and bad weather. At that time, there were anchorages available in the port's jurisdiction. Unfortunately, the port authority did not receive any request for anchoring the vessel in the port.

I wouldn't be able to comment on that. The shipowner or the agent would be the right party to comment on why the vessel was still loitering when there was a safe refuge or anchorage available in the port.

I would also like to highlight the use of anchorages and the conditions we're seeing in the port. There are two major issues, one pandemic-related. Many vessels have COVID cases and require quarantine. In addition to that, the global supply chain challenges have really caused the whole supply chain to create a lot of disrupting activities.

In addition to that, last year in B.C., in 2021, we had major weather events—

**Mr. Mel Arnold:** I will have to ask you to be brief. If you wish to provide further information, we would be happy to receive it in writing. We have limited time for our questions.

You mentioned the contract tow vessels that are now on the west coast. I believe you were referring to the two that were contracted in 2018 for a period of three years, and then that contract was renewed in November 2021, for only a year.

Do you know if there are any long-term plans for tow vessels on the west coast? This three-year term with a one-year extension is almost up and leads to a question of what the west coast capacity is going to be in the future.

**Mr. Shri Madiwal:** Unfortunately, Mel, I don't have any response to that, or any indication on what the government's plan is around the extension or a national strategy on emergency towing.

**Mr. Mel Arnold:** Thank you.

On the tracking of the lost containers, we heard there are two that contain toxic materials that have not been recovered. What gaps are there in tracking or finding those two containers to make sure those toxic chemicals aren't released into the environment?

**Mr. Shri Madiwal:** Again, I don't have any information on that. I'm sorry, Mel. I think that will be a question most suited for the Canadian Coast Guard, which has been involved in tracking the containers.

**Mr. Mel Arnold:** Thank you.

With regard to the response time to the initial calls for assistance, do you have any information as to what those response times were and whether they were adequate to service the vessel's requirements?

**Mr. Shri Madiwal:** The initial fire incident was reported by the ship at approximately 12:45 p.m., and the Coast Guard did the first rescue operation at somewhere around 17:30 to 18:00. The first vessels that arrived on scene were the *Maersk Tender* and *Maersk Trader*. Those were the vessels of opportunity. That was close to midnight, so that was about 18 hours later. The next day in the morning, at 6:30, the emergency towing vessel was on site. There were some additional Coast Guard ships, but they wouldn't be able to assist with the firefighting operations.

That's the information we know right now in terms of the response timings.

**Mr. Mel Arnold:** Thank you very much. My time is up.

**The Chair:** Thank you, Mr. Arnold.

We will now go to Mr. Morrissey for five minutes or less, please.

**Mr. Robert Morrissey (Egmont, Lib.):** Thank you, Chair.

Either captain can answer the question.

Following up from Ms. Barron, shipping container traffic has increased significantly over the past decade—one would say the past 20 years. My opinion is that it's the most efficient, most cost-effective way of moving goods and also the most environmentally friendly, because the large volume that's moved with little fuel consumption certainly has a big impact on reducing carbon emissions.

Could you comment briefly on what impact you have seen on the west coast in the growth in the past year? In Canada, we're an exporting and importing country. Is my assumption correct that the container vessels are becoming bigger and more efficient?

Captain Madiwal.

**Mr. Shri Madiwal:** Thank you so much for the question, Robert.

The short answer is yes. As vessels grow larger, the carriers are looking at achieving economies of scale so that they can support the growing trade demands in Canada.

There is a perception that container vessels only support the import trade. Many people are not aware that they also support a lot of exports through Canada. A lot of grain exports also happen. Specialty crops go through the containers as well.

In the last decade, we have seen a consistent growth in the container trade. The prognosis and the forecast look very strong. Last year was, again, an anomaly in terms of the growth that we expected. It was almost the growth that we would have seen in the next three years that was achieved in year one.

• (1145)

**Mr. Robert Morrissey:** The energy consumed on a tonnage of goods moved by container overseas would be the lowest cost of moving of any transportation mode. Would I be correct on that?

**Mr. Shri Madiwal:** That's correct. For any mode of transportation, carriage by sea is the lowest in terms of the emissions standards.

**Mr. Robert Morrissey:** With this dramatic growth in container traffic and the size, could you comment on the incidents at sea of losing containers? It's limited or minor. Would I be correct in that assumption?

When an incident occurs, it gets international news, but it does not happen a lot. Is that a correct assumption?

**Mr. Shri Madiwal:** That is correct. Most of the incidents that have happened with the lost containers are related to the weather, but far [*Inaudible—Editor*].

**Mr. Robert Morrissey:** Weather is weather. We cannot control that with anything.

I want you to comment briefly, Captain Madiwal. What was the situation like prior to 2018? You referenced in your statements the two leased vessels, and Mr. Arnold referenced.... What was there before these two vessels were contracted by the Government of Canada?

**Mr. Shri Madiwal:** We didn't have anything.

**Mr. Robert Morrissey:** We had nothing.

**Mr. Shri Madiwal:** We had nothing. We relied on private companies.

**Mr. Robert Morrissey:** So the response time, the infrastructure and the capability have significantly improved with these two vessels.

**Mr. Shri Madiwal:** That's correct.

**Mr. Robert Morrissey:** So it's essential that we go there.

Thank you, Captain Madiwal.

Captain Singh, you stated that the Nanaimo port should have been involved sooner, that it would have shortened the salvage time or response time.

Could you explain briefly how it would have reduced the time and may have mitigated the environmental damage?

**Mr. Satinder Singh:** Yes, definitely.

How it would have expedited the process would be that we would have had all the information to work with that was already

disseminated with the various parties prior to the Nanaimo Port Authority being involved. Having that information from the onset would have allowed decision-making and internal meetings to be had and for the Snuneymuxw First Nation to be engaged early on in the process, as well.

I think those were the things I was alluding to.

**Mr. Robert Morrissey:** One of you referenced the collaboration and interaction between the Canadian Coast Guard and your port sites.

In your closing comments, could you comment on the working environment between the port authorities responsible in mitigating these incidents?

**Mr. Satinder Singh:** Yes. My comment is simple. Just as this committee is a committee where all the great minds come together to come up with a solution, similarly in the western region, all the port authorities, the Canadian Coast Guard, TC, RCMP and all other partners also come together to find a collective solution.

**Mr. Robert Morrissey:** You see no deficiencies in any of those federal government bodies.

**Mr. Satinder Singh:** I'll let Vancouver Fraser Port Authority talk about that.

**Mr. Shri Madiwal:** My thought on that, Robert, is that no one agency has the entire bandwidth to deal with such a major casualty. We have to work with all three levels—federal, provincial and local—and with other agencies to gain their support. I think we have established a good emergency response framework. We've also tried and tested a lot of exercises and the system is functioning.

**Mr. Robert Morrissey:** Thank you.

**The Chair:** Thank you, Mr. Morrissey.

We'll now go to Madam Gaudreau for two and a half minutes, please.

[*Translation*]

**Ms. Marie-Hélène Gaudreau:** Thank you, Mr. Chair.

Mr. Singh, when I spoke about investigation mechanisms, you referred to documents. I tried to check in the past few minutes whether we had those documents. I don't think that we received them. We would be grateful if you could send them to us. It would help us make recommendations.

Can you send them to us?

Moreover, according to what we heard earlier, there was a delayed response from the time the incident was reported at 12:45 p.m. to the time of the first rescue operation at 6 p.m. As we all know, there was definitely a lack of communication. I'm reassured that this isn't about interest or intentions.

However, we must take the bull by the horns. Given the technology and the prevention tools available to save our planet and to keep it as healthy as possible, this approach is no longer acceptable.

Do you agree that this committee must quickly make recommendations that can lead to extremely significant action? We heard earlier about an increase of over 6% in imports and exports.

Can you comment on this topic?

In addition, we know that communication is lacking. However, something else must be causing issues. If you have any ideas of ways to help us, I would be grateful if you could share them with us.

• (1150)

[English]

**Mr. Satinder Singh:** I'll check with internal counsel to make sure I don't contravene any rules in terms of providing that information. I'm happy to provide all that information to the committee, so that the committee can come up with a solution in the future.

[Translation]

**Ms. Marie-Hélène Gaudreau:** Thank you.

Now back to my question.

[English]

**Mr. Shri Madiwal:** I'll answer the question around the response time. It is extremely important. The response time framework needs to be developed in Canada.

Unfortunately, we do not have response timing. With our neighbours down south, this was one of the issues they addressed through the Oil Pollution Act of 1990 around an emergency response and a framework, so that everyone has an agency responsible for that.

Depending on the location of the vessel, the assets need to be strategically located where they should be able to respond in that minimum time. That is something that is missing within the Canadian framework.

**The Chair:** Thank you.

We'll now go to Ms. Barron for two and a half minutes or less, please.

**Ms. Lisa Marie Barron:** Thank you, Chair.

I'm finding these questions and answers really interesting. Thank you.

One thing I was reflecting on is that in reality, even one container falling into our oceans is one too many. I've learned that in the winter of 2020-21, as one example, there were approximately 3,000 containers that fell into the Pacific Ocean. In light of that, there's a huge impact on our marine environment, as well as on our coastal communities.

Captain Madiwal, can you speak a bit about some suggestions that are being made? There's a possible solution of placing an eco fee on shipping containers, which would be paid by the shippers. I wonder if you might share some of the thoughts you have around whether there would be any impact at the port of Vancouver, and if you anticipate any challenges in implementing such an eco fee.

**Mr. Shri Madiwal:** Thank you, Lisa, for that question.

Any fee that we implement is always going to be tough for any entity. What we need to look at in the broad perspective is the competitiveness of Canada as a whole. Are we creating a thing where

the cost of bringing in goods is going to increase? The cost is going to be passed over to the buyers, the users and the consumers.

In addition to that, the separate aspect is whether the owners of the dangerous goods that you reference, the containers, need to pay. I'm going back to the liability question. It's important, when you talk about the polluter pay principle in Canada, and we try to follow that. I believe there is also a structure in place, especially in the HNS fund, for hazardous and noxious substances, to which any ship contributes. In case there is further damage or it requires further liability, the fund can be utilized.

My recommendation would be to use that framework rather than introducing another fee, because there's an internationally accepted standard and any container carriers or shippers would be used to that in different countries.

**Ms. Lisa Marie Barron:** Thank you for your thoughts, Captain Madiwal.

My concern is that with the current framework that we have, many coastal communities are bearing the costs, unfortunately. I'm looking at ways that we can better set up a system where coastal communities aren't bearing the brunt of the financial costs. There's also our marine environments.

I appreciate looking at what's in place and then improving that.

Perhaps I can—

• (1155)

**The Chair:** Thank you, Ms. Barron. You've gone a bit over.

**Ms. Lisa Marie Barron:** My time is up. Thank you.

**The Chair:** We'll now go Mr. Small for five minutes or less, please.

**Mr. Clifford Small (Coast of Bays—Central—Notre Dame, CPC):** Thank you, Mr. Chair.

Thank you to the witnesses for coming here today and taking part in this very important study.

An ounce of prevention is worth a pound of cure. My angle is more on prevention, because it's much easier to prevent these things from happening than to try to clean them up afterwards.

With today's technology, was it necessary for the *Zim Kingston* to enter the storm, or could it have paused its journey to avoid the storm? What's your take on that, Captain Singh?

**Mr. Satinder Singh:** My take on that is that the vessel had at its disposal the equipment and better forecasting that was utilized by the vessel's captain to make a decision that, at that time, he felt was the best decision that he could make. I would hate to speculate that he had additional information that could have been utilized to make a better decision.

**Mr. Clifford Small:** Thank you for that response.

Captain Madiwal, it is well known and a big concern that container spill frequency is becoming more of a threat, and it's a big concern to underwriters and insurance companies. Commercial pressure on masters to meet their schedules often causes them to sail in heavier weather than they should.

Was the *Zim Kingston* under timeline pressure to dock and offload in Vancouver, to the best of your knowledge?

**Mr. Shri Madiwal:** To the best of my knowledge, I don't think that the *Zim Kingston* was under any pressure to dock, because that was exactly the reason.... Because of the congestion in the port, the vessel was required to wait for many days before they could actually dock, so there was definitely time at hand.

Again, on the pressure on the master, there is a framework book, which we call the international safety management code. The master definitely has an overriding responsibility on the safety of the vessel, cargo and the crew on board.

**Mr. Clifford Small:** He didn't have to enter the dangerous quadrant of that storm. He could have held back, by the sound of it.

My next question is regarding the integrity of securing gear. Do you know how often this gear is inspected and tested to make sure its integrity is suitable for the extreme stresses that this gear comes under?

**Mr. Shri Madiwal:** There is a robust protocol on that, which is followed by the shipowner and also supervised and managed by the class certification that actually certifies the class of the vessel. I believe there is an annual inspection regime. There's a quinquennial inspection regime. Any items that are broken, twisted or that require replacement are replaced according to that process, and records are all available on the boat. Transport Canada marine safety and security is the lead agency that is responsible to verify those things when the vessel arrives in the port.

**Mr. Clifford Small:** How accurate are the reported load weights in these containers, to make sure that the ship is not top heavy, in the load plans for the containers on board? Can we be confident that the process is not rushed in foreign ports in order to make timelines?

**Mr. Shri Madiwal:** That's an excellent question, Clifford.

This is an issue that was bothering all of the global community of container carriers, and also the safety of the container vessels.

I believe it was about six or seven years ago when IMO implemented the mandatory weighing of all containers. You will know that the container vessels are generally top heavy, so that also creates some stability issues. To ensure the stability and the safety of the vessel and the crew, it was important that all the containers be weighed before loading. All of that is included in the plan and has been verified ashore. Also, after loading, the master has to verify that the vessel is safe for a voyage.

• (1200)

**Mr. Clifford Small:** Thank you, Mr. Chair.

**The Chair:** Thank you, Mr. Small. There are 10 seconds left on the clock. We'll use that somewhere along the way.

That brings us to the end of our first hour of testimony.

I want to say thank you to Captain Madiwal and Captain Singh for appearing before the committee today, albeit virtually versus being here in person. We appreciate your appearance, and I'm sure that everybody has been enlightened by the knowledge you've shared here today.

**Mr. Shri Madiwal:** Thank you, Chair.

**Mr. Satinder Singh:** Thank you.

**The Chair:** We'll recess for a couple of moments now to change to our next panel of witnesses before we begin questioning.

• (1200)

(Pause)

• (1200)

**The Chair:** We're back.

I will remind everyone that interpretation services are available for this meeting. Please inform me immediately if interpretation is lost and we'll ensure it is restored before resuming.

The "raise hand" feature at the bottom of the screen can be used at any time if you wish to speak to or alert the chair.

One thing I'd like to remind people is that when you are ready to speak, click on the microphone icon to activate your mike, and please speak slowly and clearly. When you are not speaking, your mike should be on mute.

As a reminder to participants, it is not permitted to take screenshots or photos of your screen.

I'd now like to welcome our witnesses.

From the Living Ocean Society, we have Karen Wristen, executive director. From the Surfrider Foundation of Canada, we have Lucas Harris, executive director; and Alys Hoyland, youth coordinator, Pacific Rim chapter.

We'll now hear opening remarks from Ms. Wristen, for five minutes or less, please.

**Ms. Karen Wristen (Executive Director, Living Oceans Society):** Thank you, Chair.

With apologies to the interpreter, I realized this morning my notes are too long by half, so I'm going to speed through some of the initial remarks I was going to make.

Today, I'd like to review some of legal and economic drivers behind the dramatic increase in container losses in recent years and touch on some of the risks these have posed for B.C. waters that we find unacceptable and controllable, and finally propose some solutions for the committee's consideration.

Very briefly, the international regime governing container ship traffic is outdated. It was created in 1924 and has not been upgraded to reflect modern concepts of liability, of consequences for negligence, or the risks posed by the type of cargo that's now being carried to the ocean. Canada has been a bit of a laggard in this respect in that there have been several attempts to improve and update the rules. We are not a signatory to those.

Between the existing legal regime that minimizes liability for the ship's carrier and the economic pressures to deliver more goods faster, we can expect that without any intervention the number of container spills is only going to increase. This poses risks for the ocean, its inhabitants and coastal communities. They're bearing risks that properly belong to the shippers and the carriers. Once a container is lost at sea, unless it's posing a hazard to navigation, it's lost. Nothing is done to recover it, primarily because we can't track it. Modern technology could solve that problem.

The risks that are borne by the ocean and coastal communities are nearly impossible to qualify or quantify, largely because little is known about what's being carried aboard the container ship. The manifests aren't required to provide detail on the nature of the goods and the risks they pose for the ocean, with the sole exception of those listed as dangerous or hazardous and noxious substances. In the case of these goods, there doesn't appear to be any limit on the danger that can be mixed in with more benign cargo. The provisions for safe stowage of that cargo are purely voluntary.

The *Zim* spill provided us with three examples of what can go wrong in such a regime. First of all, it was carrying chemicals capable of spontaneous combustion when exposed to moisture on an open deck. There's nothing in the rules or codes of conduct to prevent this, but it beggars belief that such a casual approach to the carriage of highly volatile chemicals and to the property of others could actually be part of an internationally accepted regime.

It's fortunate that there was no loss of life as a result of the fire on board the *Zim Kingston*, and it's also fortunate the ship didn't break up or damage the property of other shippers. This is solely due to the fortuitous presence of two salvage tugs with the pumping capacity capable of keeping the ship cooled while the fire burned out.

The first shortcoming demonstrated by the *Zim* spill is that we have neither the rules to prevent toxic chemical releases, fires or explosions nor the equipment to deal with them when they occur.

The second shortcoming exposed by the *Zim* incident is that we really have no idea what to expect from the missing sunken containers. Two of them are known to contain a chemical that is acutely toxic to aquatic organisms, and we have no idea where they are or what condition the cargo is in, and 102 of the containers are simply mysteries. We're told that the manifest, which is not made public, describes the cargo only in the most general sense. We have no means of assessing the size or nature of the risk that has been assigned to the ocean. How, then, are we to begin to hold the polluter to account for the risk or to plan and pay for a response when those sunken containers break up and release their content?

The third problem exposed by the *Zim* spill is that Canada has no container spill response plan, no trained workforce to respond and no policy on cleanup end-points.

In short, there is a policy vacuum where container spills are concerned. In that void, the ship's owner retained an agent with no shoreline salvage experience, no knowledge of the local terrain, infrastructure or response assets, and gave him command of the entire operation. That agent decided to prioritize the removal of goods that were still contained in a beached container over the goods that

were strewn all over the beach. That choice is largely responsible for the fact that debris is now strewn on every beach from Haida Gwaii to Tofino, at the very least.

The mindset that gave rise to the above choice is at least consistent with the nature of the whole international scheme governing carriage. Whatever is already spilled is lost and gone forever. What's still contained is potentially salvage at best, and at worst, removing it will prevent further loss.

● (1205)

What's entirely missing from this approach to spill response is a focus on preventing damage to the ocean and to the life that depends most directly on it. The spilled cargo posed a real and immediate threat of widespread plastic and other more toxic pollution, damage to coastal communities and damage to the wildlife that did not even register in the priority-making process.

That is the policy void that I hope this committee will seek to fill.

● (1210)

**The Chair:** Thank you, Ms. Wristen. The time has expired for your opening remarks. If you've provided your opening remarks to the committee, we have them in writing. If not, if you would do that, we'd appreciate it.

We'll now go to Mr. Harris for five minutes or less, please.

**Mr. Lucas Harris (Executive Director, Surfrider Foundation Canada):** Thank you, Mr. Chair.

Hello, members of the standing committee. My name is Lucas Harris. I'm the executive director of Surfrider Foundation Canada.

I live in Victoria, B.C., and I acknowledge with respect the territory of the Lekwungen-speaking peoples. I'm meeting with you today from San Clemente, California, the traditional territory of the Acjachemen people.

Surfrider Foundation is a non-profit grassroots organization dedicated to the protection and the enjoyment of the world's ocean, waves and beaches for all people through a powerful activist network. Based in British Columbia, Surfrider Foundation Canada is part of the global Surfrider community of international affiliates located in Argentina, Australia, Europe, Japan, Senegal and the United States.

Surfrider is a non-profit corporation and a registered charity in Canada and currently has three local volunteer-led grassroots chapters in Tofino and Ucluelet—that's the Pacific Rim chapter—and also in Victoria, which is known as the Vancouver Island chapter, and in Vancouver as well. The organization also supports two youth school clubs at the University of Victoria and Ucluelet Secondary School.

So far, our focus is on addressing several key coastal environmental issues, including plastics reduction, ocean protection, beach access, coastal preservation and water quality, but most relevant to the issue of marine cargo container spills is our work on ocean protection and defending the oceans from challenges threatening the vitality of the ecosystems.

Our ocean faces growing challenges from pollution, habitat loss, development and climate change. If that wasn't enough, shipping threatens to crowd our oceans and degrade the health of the ecosystem due to the impact of cargo container spills and the debris they create.

Surfrider Foundation Canada works to protect our ocean and address dangers to it. Today and in the future, our ocean protection initiative includes mobilizing grassroots campaigns to respond to the cleanup needs associated with marine cargo container spills and participating in regional ocean planning.

I'll now pass this off to my colleague, Alys Hoyland.

**Ms. Alys Hoyland (Youth Coordinator, Pacific Rim Chapter, Surfrider Foundation Canada):** Thanks, Lucas.

My name is Alys Hoyland. I'm the youth program coordinator of the Pacific Rim chapter of Surfrider Foundation Canada. I've been leading the organization's response to marine cargo container spills. I'm grateful to live within the traditional and unceded territories of the Tla-o-qui-aht First Nation here in Tofino.

The full impact of container spills is hard to determine. The immediate ramifications of spills which happen in nearshore environments are the most tangible: solid waste polluting shorelines, entanglement of and injury to fauna and navigational hazards to boaters from floating debris.

However, spills that happen on the open ocean also have damaging consequences to shorelines and coastal ecosystems. Containers and their cargo, particularly plastics, can persist in the marine environment for decades, if not centuries, and circulate in ocean currents, absorbing pollutants and eventually making landfall.

Surfrider Canada has been on the front lines of marine debris mitigation efforts in B.C. for many years, including container spill response. In 2016, the *Hanjin Seattle* lost 35 empty containers near the mouth of Juan de Fuca Strait. Fragments of containers and their plastic foam insulation lined the west coast of Vancouver Island.

The response was slow and debris was spreading, so Surfrider mobilized volunteers, liaising with various government agencies and first nations partners to execute debris removal efforts. Seven months later, some compensation was eventually obtained from Hanjin, but it was in no way commensurate to the scale that was required.

The magnitude of resources necessary to tackle this kind of spill demonstrated the urgent need for federal support, and Surfrider welcomed the development of motion 151, a national strategy to combat marine plastic pollution, which was to include the creation of annual dedicated [*Technical difficulty—Editor*].

In the wake of *Zim Kingston*, it's become clear that there is still considerable work to do to close the legislative gaps identified after *Hanjin*.

After hearing of the spill in 2021, Surfrider immediately began liaising with the Canadian Coast Guard and the BC Marine Debris Working Group. Our network has a long history of collaboration, and we had volunteer resources ready to deploy within days of the initial spill. Unfortunately, it was weeks before our group was tasked, and at that point king tides had refloated much of the spilled debris, distributing it over an increasingly large geographic area.

Furthermore, wind and wave action had already disintegrated some of the debris. Without a public manifest of lost cargo, given the extensive stretch of coastline affected we had serious concerns about how to accurately identify and monitor the spread of the debris in order to hold the responsible parties accountable for the full cost of cleanup.

To mitigate the impact of container spills in the coastal environment, it's essential to find ways to prevent spills, but when they do occur, Surfrider Canada is providing three recommendations for the committee to consider.

The first is to increase the response capacity in relation to marine cargo container spills, which must include the knowledge, skills and equipment necessary to address cleanup—

- (1215)

[*Translation*]

**Ms. Marie-Hélène Gaudreau:** Mr. Chair, I have a point of order.

Sorry to interrupt you, Ms. Hoyland.

I must congratulate the interpreter, because he's doing an outstanding job. Some comments are slipping by us and the interpreter can hardly catch his breath because of the fast pace.

Ms. Hoyland, I won't take up your time. Your remarks are so valuable. I would love to be able to understand you. However, unfortunately, I'm missing a number of things. If you could slow down the pace, it would make our job easier.

[English]

**The Chair:** I think that has just been asked, so there's no need for me to repeat it, but, again, you have about 15 seconds left on your time of five minutes.

Please remember to talk slowly for the interpreters who are trying to keep up. They do their best, and they're doing a fantastic job.

**Ms. Alys Hoyland:** My apologies, I'll speak more slowly.

Essentially, I'd just like to leave you with the recommendations that Surfrider Canada would like to put forward. Primarily they are to increase low response capacity in relation to marine container spills; implement a marine debris monitoring and management plan that adequately addresses all forms of marine debris impacting coastlines; and also to provide greater transparency on the contents of marine container spills and increase accountability to parties that are responsible.

Thank you.

**The Chair:** Thank you. We'll now go to our questioning.

I'll go to Mr. Perkins first for six minutes or less, please.

**Mr. Rick Perkins:** Thank you, witnesses. Those are both fascinating presentations.

We certainly sympathize with the need to try to get everything in that you want to get in when you have limited time. With that in mind, my first question will be for Ms. Wristen.

I don't think you had a chance to talk about your solutions in your presentation. I'm really looking forward to hearing the rest of it, so I'm wondering if you could elaborate on that portion of your presentation, please.

**Ms. Karen Wristen:** Certainly. Thank you for the question.

I'm getting terrible feedback. Is the committee hearing that as well? No? All right.

When we found with the international oil spill regime that it was likely the international agreements didn't provide enough compensation to pay for the likely cost of spills and cleanup, Canada set about creating its own fund, a supplementary system to support cleanup efforts. They imposed a small levy on the volume of oil being transmitted through Canadian ports, and they created the oil spill pollution fund.

That's exactly the kind of approach we're recommending taking here. It has the benefit of spreading the risk that is currently borne by the ocean and by coastal communities and spreading it out over a vast number of players. The number of containers being shipped through our ports is huge. The levy would only need to be quite small in order to create a substantial fund that could then be used to fund and create a permanent joint spill response task force. When I say "joint", I mean joint with the first nations on whose territory these spills occur, the federal government and the provincial government.

This has to be done co-operatively with all jurisdictions, because all jurisdictions are fully engaged in dealing with the sequela of a spill. Such a force would need to be tasked with creating geographic response plans, planning the response timelines, setting policy

for response objectives, end-points of the cleanup, if you will. It needs to recruit, train, equip and drill a workforce that's capable of responding to spills quickly, and to develop the infrastructure that's needed to support that task force, because there is virtually no infrastructure in most of these remote areas that are impacted by the spills.

There's also work that needs to be done at the international level, and that is to modernize the shipping regime. It is unacceptable that it continues to provide virtually no liability. In the face of economic drivers that are creating larger ships that are less seaworthy, in the face of increasing Pacific storms, we absolutely need some intervention here to update that regime. It's going to take years and co-operation of trade partners, for sure, but Canada can play a leading role in that, and I believe we should. Work needs to be done at both the IMO and the United Nations Environment Programme where we could work on eliminating expanded polystyrene foam as a packing material, certainly in the case of anything being shipped by marine container.

Finally, we need response equipment that's commensurate with the size of the ships that are using our ports and the nature of the cargo. This is a point we made throughout the hearings into the pipelines that were scheduled for Vancouver and the central coast. We just don't have—

• (1220)

[Translation]

**Ms. Marie-Hélène Gaudreau:** I have a point of order, Mr. Chair.

[English]

**The Chair:** Ms. Wristen, could I ask you to raise the boom on your headset a little bit higher? We're getting a lot of crackling through the sound system.

**Ms. Karen Wristen:** Thank you.

I was just making my final point. We need to upgrade the response assets that we have here. The tugs that were retained by the federal government to deal with spill response were clearly not sufficiently powered to deal with the fire on board the *Zim Kingston*. That could have been a disaster of incredible proportion had the Maersk tugs not been available to put that fire out.

This is something we need to turn our attention to for all modes of shipping, that we have the towing and salvage capacity and the firefighting capacity required by the types of cargo being sent through our ports.

**Mr. Rick Perkins:** Okay. Thank you very much.

I think I have about a minute left, so I'll go to this question.

We've heard testimony that the liability is only up to six years for container spills within our waters. Obviously, we don't track or know where a lot of the containers are when they come off, as you mentioned. What technology and what changes would you make to the liability issue so that as this develops, we have a greater ability to pursue the companies and their insurance companies for these spills?

**The Chair:** Please give a short answer.

**Ms. Karen Wristen:** A short answer...?

Increasing the liability insurance is obviously the easiest and first move to make. The assignment of liability, though, created under the Hague-Visby rules that currently govern shipping—that needs to change, because the shipowners are not liable for errors of seamanship, and they should be. The equipment they have to predict weather is equipment that they didn't have in 1924, when these rules were made. They should take on a greater liability so as to take greater care with their cargo.

**The Chair:** Thank you.

We'll now go to Mr. Hardie for six minutes or less, please.

**Mr. Ken Hardie:** Thank you, Mr. Chair.

Thank you to our witnesses.

Ms. Wristen, I'm sorry; I'm looking through the notes, and I don't have the identification of your organization. Who do you belong to?

**Ms. Karen Wristen:** My apologies. I am executive director of Living Oceans Society. We're a non-profit organization based in Sointula, B.C.

**Mr. Ken Hardie:** The issue with the rules governing ships, how they're loaded, how they're operated, etc., are international, of course, because they move from jurisdiction to jurisdiction. Generally speaking, if a ship is coming into Vancouver harbour, for instance, are you aware of whether it's likely that they'll be visiting other ports up and down the west coast as part of their overall voyage?

**Ms. Karen Wristen:** I don't think one can generalize about ships in general. It is certainly possible, but we'd need to be more specific.

**Mr. Ken Hardie:** We can have the most wonderful rules, but it would seem that international agreements would distill them down to the lowest common denominator if we're dealing with ships that are going from port to port to port, up and down a particular coast of a continent.

You said that the vessels being put into service are “less seaworthy”. What do you have to back up that claim?

• (1225)

**Ms. Karen Wristen:** Perhaps less seaworthy is the wrong term. They are “less resilient” to the types of storms we're seeing more frequently in the Pacific Ocean in particular. Longer ships—

**Mr. Ken Hardie:** Is there any technical information that you can offer us, or perhaps send to us off-line, as we deliberate on our recommendations?

**Ms. Karen Wristen:** I certainly can. Yes.

**Mr. Ken Hardie:** That would be excellent.

You mentioned too that the Maersk vessels were able to help fight the fire. Are you proposing that the federal government essentially duplicate the capacity that's already there in the private sector? Or do you think there's a partnership, say, or some kind of mobilization agreement where we can take advantage of material and facilities that are in place already?

**Ms. Karen Wristen:** Those tugs are not necessarily available to us on demand for a spill. That's the problem with relying on the private sector assets. Those two tugs just happened to be in Victoria at the right time. We need reliable capacity for responding to spills that we can call on when we need it.

So yes, I'm suggesting that the federal government should invest in it and that it should be paid for, at least in part, by a levy on the shippers.

**Mr. Ken Hardie:** Mr. Harris, what's the annual budget of Surfrider? What kind of money does it take to keep your organization afloat, if you'll pardon that?

**Mr. Lucas Harris:** Surfrider Foundation Canada is a grassroots organization. We are in the beginning stages of becoming a formal international affiliate of the broader Surfrider Foundation network.

The current annual budget right now is around \$160,000 for several paid staff and some essential operation activities.

**Mr. Ken Hardie:** The reason for asking is that is we have investigated a number of different aspects of what goes on in the ocean, etc. I'm impressed, but at the same time concerned about the number of organizations that seem to crop up and present themselves to us that have tremendous goals and really want to do a great deal of good work. There just seems to be so many of them. I just don't know if we're diluting our overall effort by having so many people wanting to do good that we're duplicating effort and we're uncoordinated and all of those things.

Does that concern you? Do you see any effort, in fact, to pull together all these NGOs who all want to do the right thing but may be getting in each other's way?

**Mr. Lucas Harris:** That's an excellent question, Mr. Hardie. I see where you're coming from.

I would say in response that Surfrider Foundation has been one of the key organizations involved in the marine debris issue in B.C. We did some of the first remote cleanups back in 2010 and have continued doing that type of work and really raising awareness about the scale of the issue of marine debris impact on the coast of British Columbia.

In fact, we observe the need for coordination amongst organizations. We connected with Ms. Wristen and her organization early on and collaborated to be the co-founders of the BC Marine Debris Working Group, which at that point was called the Vancouver Island marine debris working group.



We, of course, are very much tuned in to the need for collaboration across this myriad of environmental groups. We've been around since the beginning of this issue, I would argue—both Living Oceans and Surfrider Foundation—and are definitely seeking solutions to increase collaboration across the grassroots and non-profit sector.

**The Chair:** Thank you, Mr. Hardie. There are only about 12 seconds left in your time.

We'll go to Madam Gaudreau for six minutes or less, please.

[*Translation*]

**Ms. Marie-Hélène Gaudreau:** Thank you, Mr. Chair.

I want to thank the witnesses for their presentations.

I won't be asking many questions, because I'll be using my time to share my thoughts. This is a public meeting. It's being recorded. Our messages can be shared.

I'm pleased to have heard your presentations this morning. In the past few minutes, many comments have affected me deeply. I want you to know that your work is critical. Keep it up, because we're getting to the real issues. We thought, from the start, that we had to hurry up and respond. Why? Because as imports and exports increase, so does our port capacity, both in eastern Canada, particularly along the Saint Lawrence River, and in British Columbia.

I took note of your recommendations, which I fully endorse. I'm also eager for the committee to list them. I completely agree with your view on how difficult it can be to understand certain issues, such as containers that slip away and are never found.

I find it a little difficult to explain this type of situation to my children. I tell them that it's a bit like cell phone networks, which can pose public safety issues. We can travel to the moon, but we can't install cell phone networks throughout Quebec and Canada. It's the same thing for the oceans. We have all the necessary technology, but unfortunately, we're missing something. What are we missing? We lack the political will. I want you to know right now that people, parliamentarians, support you and believe you. Your voice is extremely important if we want to make progress.

Just a minute ago, I heard about some assistance measures introduced in various places. I believe that, if you're here today and you're so vigilant, then the government hasn't done its job. Your response is a collective action to save Mother Earth, and we're all affected.

I think that the complacency observed shows the need for political will. Your work must continue, and your message must be hammered home. I encourage you to not necessarily wait for an invitation to pass on the message. Your presentations have been extremely clear. I want to say that, with our new structure—as you heard, we have an alliance with an opposition party—projects will be more easily accepted in Parliament. I really believe that, ultimately, we'll be walking the talk if we can manage to get along.

I'll ask you one question. I'd like to hear your thoughts on a statement that came out last Tuesday and that I'm sure you heard. The science says that dangerous materials that fall into the ocean

wouldn't cause problems once they have dissolved. I haven't seen the report yet.

Given your expertise, what do you think of this statement? I would like to hear from each of you in turn.

• (1230)

[*English*]

**Ms. Karen Wristen:** If I could begin, the solution to pollution was never dilution. Has these containers that contained the dangerous chemicals washed up in nearshore waters, they could have wiped out all life in an inlet or a bay.

We don't know the volume of the material that was contained in them, so we can't properly quantify the risk. That's just wrong. We need to be able to do that.

**Ms. Alys Hoyland:** I'd love to jump in as well.

There are serious concerns about long-term monitoring as well. When we can't accurately track where these containers are and we don't know where the load of chemicals will eventually spill, it's almost impossible for us to engage in any long-term monitoring and to fully understand, from a scientific perspective, what the ramifications of that chemical being in the aquatic environment will be. Until we have that information, we can't categorically say what is or isn't going to happen, from a scientific perspective.

Personally, I find it unacceptable that we are accepting that a certain level of chemical pollution is okay in our waters.

**Mr. Lucas Harris:** I will add that Canada is endowed with some of the most amazing natural environment spaces and ecosystems. It's in the best interest of the committee to think about proactively being cautious about how we manage these materials and respond to spills. It's in our best interest to do all that we can to find ways to reduce the impact to the natural environment. There's an opportunity here to really demonstrate leadership in a way that is desperately needed to reduce the impact of these types of spills.

Avoiding acknowledging the allowance of spills and considering that the material won't be of impact would be a bad approach. It's important to find ways to avoid these spills from happening altogether.

• (1235)

**The Chair:** Thank you.

We'll now go to Ms. Barron for six minutes or less, please.

**Ms. Lisa Marie Barron:** Thank you, Chair, and thank you to the witnesses for being here today.

First and foremost, I want to express a huge thanks for all the work you're doing to protect our coasts, working on such a shoestring budget. It's clear that there have been many challenges in being able to do the work that you're doing. It is incredible what you're able to accomplish.

I also want to thank you for your ongoing efforts to collaborate together. I'm impressed by the work that's coming out of the BC Marine Debris Working Group, and your ongoing efforts to collaborate amongst one another as organizations that are doing this work, but also to collaborate and communicate with the Coast Guard and all those involved, in particular with those who are contracted to take on this work by the shipper.

I'm hearing, from everybody I've spoken to so far, about the challenges in having a shipper contract an organization to do the cleanup that does not understand the landscape in which they're working and that is not communicating effectively with those who are on the ground, the first nations and organizations like yours.

This question could perhaps go to Ms. Wristen.

We heard from the Coast Guard officials about wanting to work alongside first nations. However, we saw a big disconnect, for example, with communications with the Quatsino First Nation in the first few weeks.

I'm wondering if you can speak to this and the challenges, please.

**Ms. Karen Wristen:** I think that the Coast Guard is still grappling with fully taking on board the incident command system, and that it does not yet have permanent and reliable connections with the first nations communities, who ought to have had a seat at the table from the get-go. I understand there was one nation at the table, but it was not Quatsino, and that's where the containers fetched up. That's where the locus of the on-the-ground cleanup effort occurred.

I happen to know, because I know Chief Tom Nelson. I telephoned him and discovered that the contractor had not contracted with him for labour to clean up the spill. At the same time, the contractor was asking us, the BC Marine Debris Working Group, to send in volunteer labour. That's just not right. The first nations come first.

I told the contractor to make a deal with Quatsino before speaking to us further about what labour was needed. That caused additional delay, but it had to happen. That is the way that things should be done.

This is one reason why we recommend a joint spill response task force. The Coast Guard needs help in putting together the regional response plans and the regional response people, personnel and equipment, that are going to be needed. Let's get on with planning for it, because there's going to be another one of these spills soon.

**Ms. Lisa Marie Barron:** Thank you, Ms. Wristen.

I'm wondering if those from Surfrider could speak a bit more about the delays in getting permission to start their work, specifically on how that played out with the *Zim Kingston*.

Perhaps I could ask Ms. Hoyland about that.

**Ms. Alys Hoyland:** Immediately after the spill and as soon as we heard that it had happened, we in the Pacific Rim branch started reaching out to our local Coast Guard networks in Tofino and also the Pacific Rim National Park Reserve. The spill happened alarmingly close to where the *Hanjin* happened five years previously, so we were fully prepared for those containers to maybe wash up on beaches close to us. We wanted to get the plans in motion and to establish the connections with the federal agencies and the people who were involved on the ground.

When it became clear that wasn't going to happen, that the containers had moved further north, we reached out to the BC Marine Debris Working Group and to the regional command of the Coast Guard to establish what resources we had available as a collective. We also communicated that to the Coast Guard, so that, again, we knew what we had available, and we were able to [*Technical difficulty—Editor*] the importance of speed in these situations. The longer the stuff sits on the ground, the further it spreads and the worse the situation gets. We communicated that proactively, and we were ready to respond.

Unfortunately, the cost of the polluter pays principle, and the need for the owner of the ship to contract someone to coordinate the cleanup.... We were essentially actively dissuaded from engaging in any cleanup for weeks. It wasn't until we approached the contractor to say, "These are the resources we have. Can we support you?" that the conversation even went anywhere.

It was disappointing because, as I said, we had resources, human resources, boat assets, and all of the frameworks that we've developed from working together for such a long time. We were ready to go and to respond in a timely manner, but we weren't asked to do that.

• (1240)

**Ms. Lisa Marie Barron:** Thank you, Ms. Hoyland.

Both you and Mr. Harris spoke to the work you did as an organization around the *Hanjin Seattle* spill in 2016. It's really important that we take the lessons learned from previous spills and also now from the *Zim Kingston*, and apply them to our work moving forward.

I'm wondering if you could speak a bit to the experience of the lessons learned from the previous spill in 2016, and how it compared to the response that we saw most recently with the *Zim Kingston*.

**The Chair:** Thank you, Ms. Barron. We've gone over time, so if the witnesses could submit an answer to that question in writing, it would be appreciated.

We'll now go to Mr. Arnold for five minutes or less, please.

**Mr. Mel Arnold:** Thank you, Mr. Chair, and thank you to all of the witnesses for appearing today. It's great to hear the on-the-ground, edge-of-the-water information that you're able to provide.

I'll begin with Ms. Wristen and possibly ask Ms. Hoyland the same question.

Government officials appeared at this committee two days ago, and one mentioned lessons learned from the *Zim Kingston* spill. However, when those officials were asked what lessons had been learned, they weren't able to provide specifics, but the committee was told that they were actually in the middle of an after action report, which raises a question. Do government departments and agencies consider this matter closed? In your opinion, were there deficiencies in the government's response to the *Zim Kingston* incident, and were there lessons to inform and improve future responses?

Ms. Wristen, please go first.

**Ms. Karen Wristen:** I don't know, and it's rather alarming to me that I don't know, because I've been asking for information about the spill from the Coast Guard and did not get anything back.

All Canadians deserve to know what the spill response regime is, and what lessons we learned from *Zim Kingston*, but there is simply no communication about this, even to those of us who were at least tangentially involved, and certainly, trying to be involved in the ongoing cleanup effort that is going to be required for the next decade or so to deal with this debris. It's very clear that the policy void I mentioned in my earlier remarks is readily apparent in this case.

I don't know who established the end-points for the cleanup, but I can tell you that I flew over some of the impacted beaches on Monday of this week and discovered easily identifiable pieces of debris from the *Zim Kingston* spill on the Helen Islands, Lanz and Cox Islands, and the Scott Islands group inside of a marine national wildlife area. There were also several pieces along the North Coast Trail. The debris is still out there, and it is going to require further efforts to address.

I do not know—

**Mr. Mel Arnold:** Thank you. Our time is so short, and I wish you had more time. If there is more you'd like to contribute, we'd certainly like to see it in a written submission.

Ms. Hoyland, would you say there were lessons learned to improve future government responses?

**Ms. Alys Hoyland:** As Karen has also alluded to, the policy gaps in responding to marine debris are as evident as they were after *Hanjin*, unfortunately. The debris has spread. We know that it's affecting a huge stretch of the B.C. coastline. I'm alarmed to hear that we are in the after phase, because this is clearly an ongoing issue. It's clear to anyone who lives on the coast that it's an ongoing issue. The debris is very much still out there and we're going to continue to encounter that debris, especially since there are 102 containers that are still unaccounted for.

I'd say the lessons learned are that we need a robust plan for marine debris management generally. It's impossible at this point to do a container spill cleanup, if you like. The stuff is so dispersed along the coast that it would be impossible for us to go out and recover every single item from the *Zim Kingston*. What we need is a strategic plan for how we can continue to monitor our coastlines and continue to manage the marine debris issue that we are dealing with as coastal communities in B.C.

• (1245)

**Mr. Mel Arnold:** Thank you for that.

This year, in my riding of North Okanagan—Shuswap, we've suffered catastrophic wildfire issues. I've heard from indigenous communities that their knowledge and capabilities could have been put to better use.

Would you say there's an opportunity or room for better cataloguing of resources that are available in local communities and better collaboration? I don't know if the government could take on all of the monitoring and cleanup without local indigenous communities and local volunteer organizations. Would you say there's better opportunity out there?

Go ahead, Ms. Hoyland.

**Ms. Alys Hoyland:** I think the great opportunity here is that the BC Marine Debris Working Group has already had a great head start on that. We have existing relationships with first nations communities and the guardians programs that exist in a lot of those communities. There are local resources that exist for extracting and managing marine debris on a local scale. The marine debris working group is that for B.C., which is an amazing asset that I'd recommend the government rely on to formulate a strategy and further establish relationships with first nations communities, as well, with regard—

**Mr. Mel Arnold:** Thank you.

**The Chair:** Thank you for that.

Mr. Harris, you have your hand up. I don't know if that was to provide an answer or if there was something you weren't hearing.

**Mr. Lucas Harris:** I was going to expand on what Ms. Hoyland said.

**The Chair:** If you could do that in writing, we'd appreciate it. Mr. Arnold's time has expired. It's gone a bit over.

We'll now go to Mr. Hanley for five minutes or less, please.

**Mr. Brendan Hanley (Yukon, Lib.):** Thank you, Mr. Chair.

Again, thank you to all of you for presenting today. It's fascinating testimony.

My background is in health and in two career areas: emergency medicine and public health. My interests are in the response, especially, as well as the prevention aspects.

Ms. Wristen, you talked about that surge in container spills in 2020. Could you elaborate on container losses and whether that was a blip? Is there a trend over the years? Is this in proportion or out of proportion to the increasing volume of container traffic?

In some ways, I would expect that with more experience and better technology, with more containers per ship, that container loss should go down in proportion to the volume, at least, if not overall, to achieve some kind of high standard of near zero loss.

**Ms. Karen Wristen:** The fact is that the larger ships are more vulnerable to windage. They're stacking so many containers so high that these ships are quite vulnerable to losing their centre of gravity, if you will, in the wind. They're also vulnerable to high seas. A long ship in a high sea can suffer structural stress that can impair its integrity, so no, the bigger ships aren't giving rise to more safety.

The additional safety equipment they have on board could give rise to more safety if they felt that they needed to be more careful, but because they're not liable for their judgments of seamanship under the international convention, they're not more careful. They're simply responding to the economic drivers that caused them to want to bring more cargo more quickly.

• (1250)

**Mr. Brendan Hanley:** Thanks.

You talked about oil spill responses and an international example, I think, of where we could potentially go with a container spill response. I hope I caught that right. Can you talk about some good examples in international practice with regard to something that we could emulate in terms of agreements or even more regional practices on cargo container spills prevention?

**Ms. Karen Wristen:** Internationally, there has been quite a bit of work done to improve the rules for carriage at sea. That work is summarized in the Rotterdam Convention—to which we are not a party—driven largely by the EU, I believe. If you want to look to a regime that provides more modern and realistic rules for this multi-modal carriage that didn't exist in 1924, when the existing rules were made, that is where I would look.

In terms of good examples of a response mechanism, I would suggest that the best mechanisms spread the risk as far as possible, with as little cost as possible, to each player. In that regard, a levy per container is exactly the right approach to take. With a very small levy on every container sent through our ports, we could create a fund that would fund a standing spill response effort that is joint with the communities and takes advantages of all those local assets and local know-how.

**Mr. Brendan Hanley:** Thank you. That's great.

I think I have about a minute left, and I want to turn to Mr. Harris or Ms. Hoyland on the emergency response and the role of volunteers.

Clearly, as you said, there's not really an end time to the spill. This is an ongoing effort that is largely dependent on the pooling of resources and volunteers. In helping organizations like yours or others to scale up your ability to respond, where would you see that we could do better in investing more in resources to support grass-roots organizations?

**Mr. Lucas Harris:** I'm happy to start, and then Ms. Hoyland can jump in.

**Mr. Brendan Hanley:** You have 15 seconds, I think.

**Mr. Lucas Harris:** Volunteers play a critical role, but I think the responsibility goes much further beyond the role of our organizations. This is an opportunity for the federal government to really take a leadership role and find ways to allocate assets beyond our capacity. We're happy to help, but much work needs to be done. We need assistance.

**The Chair:** Thank you, Mr. Hanley.

We'll now go to Madam Gaudreau for two and a half minutes, please.

[*Translation*]

**Ms. Marie-Hélène Gaudreau:** Thank you, Mr. Chair.

I want to tell the witnesses how much their participation in our study matters. If you must take action now to solve problems, the reason is that the government failed to respond in a concrete manner.

I'm hearing that reform is needed, but not just in your area. The employment insurance system also needs a reform, as well as the privacy system. It's a big job.

In the meantime, I encourage you to keep hammering your message home, and even to make submissions. I encourage you to do so to ensure your survival. You matter.

We'll have some work on our end in terms of setting priorities. You and I both know that Fisheries and Oceans Canada isn't a priority, even though the issues concern the environment, the quality of our waters and the quality of what we put on our plates. The committee has a great deal of work to accomplish.

I also want to thank you for building close relationships with the indigenous communities.

If you had a recommendation regarding these communities, what would you say about the relationship that we must maintain and strengthen together?

[*English*]

**Ms. Karen Wristen:** Perhaps I could take a first cut at this.

The first nations communities in question are quite small and remote. They do not have the capacity at the present time to participate in the kind of standing joint task force that I suggest we need to have on this coast. They must be given some assistance with developing the capacity to participate, on an ongoing basis, in training and drilling.

That would be my recommendation.

• (1255)

**Ms. Alys Hoyland:** I echo Karen's sentiments entirely in terms of capacity building. Also, engagement from the very beginning is so important to ensure that we are acknowledging the knowledge, experience and wealth of information that exists within our first nations communities in terms of marine stewardship. Having first nations voices on board through all parts of the process for these kinds of responses is imperative.

**The Chair:** Thank you, Madam Gaudreau. Your time is up.

[*Translation*]

**Ms. Marie-Hélène Gaudreau:** Is my time really up?

[*English*]

**The Chair:** Two and a half minutes are not long in real time.

We'll now go to Ms. Barron for two and a half minutes or less, please.

**Ms. Lisa Marie Barron:** Thank you, Chair.

Mr. Harris, my question is for you. You can probably fill in some other pieces, if you'd like.

I appreciate what has come from all of the witnesses here today around the fact that this is an ongoing issue. The spill occurred, but we're continuing to see debris washing up on our shores. It really does speak to the timeliness of this study occurring so that we can better understand how to prevent these spills from occurring and also to mitigate the environmental impacts and costs to our coasts that will happen moving forward.

Mr. Harris, can you speak to the ongoing communications with the Coast Guard as debris has continued to wash up on the shores? What does that look like with your work? What has occurred to help clean up the debris?

**Mr. Lucas Harris:** Thank you very much for the question.

I'm going to allow Ms. Hoyland to respond. She's been much more involved on the ground with the coordination of the different organizations involved.

**Ms. Alys Hoyland:** Thanks, Lucas.

We haven't had very much communication from the Coast Guard in terms of reports of debris. The information that we have has come from information sharing between ourselves and our peers within the BC Marine Debris Working Group. The information that we have available and the manifest, if you can call it that, that we've developed has purely been from the information that we've recorded as individual entities as members of the BC Marine Debris Working Group.

In terms of information that's been reported to the Coast Guard, we haven't been made privy to that. I would very much like to suggest that open communication with the Coast Guard would be very much appreciated, though.

**Ms. Lisa Marie Barron:** To clarify, when you find debris on the beaches, what's the next step that you take as an organization?

**Ms. Alys Hoyland:** If it's container-related debris, then we have been keeping a record of that. We've been taking coordinates and photos where possible and then sharing that within our network so

that we can further build our understanding of how far the debris is spreading, what types of debris is washing in where and also to gather evidence that this issue isn't over yet.

There's also survey work that's been undertaken by Rugged Coast Research Society and Living Oceans. Surfriider has been involved in a minor part in terms of the survey work with helicopters to get a broader sense of the larger stretch of coastline that's been affected.

**The Chair:** Thank you, Ms. Barron.

Mr. Small, you're up next. We have about three minutes left, if you want to use those three minutes in questioning.

**Mr. Clifford Small:** I'll just give each witness a minute to tell us what they'd like to see out of this study.

We'll go in the order that you're listed.

Ms. Wristen, please go first.

**Ms. Karen Wristen:** Thank you.

What I would most like to see is the establishment of the joint spill response task force, integrating it among the federal, provincial and first nations jurisdictions involved and getting it properly resourced to be able to respond to a spill in a timely manner.

**Mr. Clifford Small:** Go ahead, Mr. Harris.

**Mr. Lucas Harris:** I think it's time to see leadership from the federal government to really add capacity with regard to spill response. Volunteers have done an amazing job rising to the occasion when these events do happen, but, as you've heard today, there's so much more work that needs to be done to fill the gap.

I think it goes beyond the volunteer organizations. We're happy to play a critical role in being that on-the-ground feedback loop, but this is an opportunity to enter this space and create a spill response regime that will help to really reduce the impact to the marine environment.

• (1300)

**Mr. Clifford Small:** Thank you, Mr. Harris.

Go ahead, Ms. Hoyland.

**Ms. Alys Hoyland:** I'm echoing everything that my colleagues have said here and also adding that ongoing monitoring as part of a strategic marine debris management plan is essential for us to get a better understanding of the threats that are facing our coastline from marine debris, part of that being container cargo spills.

It's absolutely unconscionable that these pre-consumer items, items that have been created and never used, are being dumped wholesale into our oceans and left for communities to clean up. Ongoing monitoring and a strategic plan that engages first nations, the BC Marine Debris Working Group and coastal communities to address this issue and implement upstream solutions, including extended producer responsibility, are essential for moving forward.

**Ms. Karen Wristen:** If I may, funding on a regular, annual basis is needed to fund all of the shoreline cleanup work that needs to be done, whether it's a result of ongoing activity on the ocean or container spills.

**The Chair:** Thank you, witnesses, for your participation here at committee today and the information that you've shared with us.

I want to remind members before we go to get their witness list to the clerk for the next study on scientific studies and advice for DFO. The deadline would be Monday, April 4, at 5 p.m.

I'd like to thank all committee members.

Thank you, Mr. Ellis, for filling in for your colleague, Mr. Perkins, in the last 45 minutes or so. I know you didn't get a chance to participate, but I've seen you in the House and I think you'll fit in quite well in your role as an MP. Again, welcome to committee.

**Mr. Stephen Ellis (Cumberland—Colchester, CPC):** Thank you, Mr. Chair.

**The Chair:** Thank you to the interpreters, analysts, clerk and all staff.

The meeting is adjourned.

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