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Standing Committee on Fisheries and Oceans

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• (1100)

[English]

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

Welcome to meeting number 124 of the House of Commons Standing Committee on Fisheries and Oceans. This meeting is taking place in a hybrid format, pursuant to the Standing Orders.

Before we proceed, I would like to make a few comments for the benefit of witnesses and members. Please wait until I recognize you by name before speaking. Those in the room can use the earpiece and select the desired channel. Please address all comments through the chair.

Today, we're studying derelict and abandoned vessels. Pursuant to Standing Order 108(2) and the motion adopted on February 8, 2024, the committee is resuming its study of derelict and abandoned vessels.

I'd like to welcome our witnesses for the first panel. Today, we have Bonny Brokenshire, environmental professional, and David Mitchell, mayor of Bridgewater.

Thank you for taking the time to appear today. You will each have five minutes or less for your opening statement.

Ms. Brokenshire, you have the floor.

Ms. Bonny Brokenshire (Environmental Professional, As an Individual): Thank you, honourable Chair, vice-chair and esteemed committee members, for the opportunity to appear before you today. I appreciate your dedication to safeguarding Canada's marine ecosystems by addressing complex challenges facing our oceans, including derelict and abandoned vessels. I am grateful to contribute today to the conversation.

I have lived on the west coast of Canada all of my life, and I currently reside on Nexwléxwm, or Bowen Island, which is about 10 kilometres by boat from downtown Vancouver.

During the past 18 years, I have had the privilege of working on various marine-based projects, including planning and implementing multipronged approaches to restoring socioecological and socio-economic vibrancy in bays located in Átlk'a7tsem, or Howe Sound.

I am an environmental professional with years of experience in local government, focusing primarily on the Átl'ka7tsem region of the Salish Sea. Throughout my career, I have been honoured to collaborate with the Squamish and Tsleil-Waututh nations, community

action groups, marine contractors, provincial government agencies, elected officials like MP Patrick Weiler, the Department of Fisheries and Oceans, and Transport Canada—all with a common goal aimed at mitigating pollution, ecosystem degradation, social concerns and economic impacts stemming from derelict and abandoned vessels.

Often exhausting the local government tool box on Bowen Island—for example, we've adopted relevant bylaws, obtained a provincial tenure to enable legal management of marine areas and spent our limited budgets—we've looked to higher levels of government for financial and enforcement support. We were successful in establishing strong working relationships with provincial and federal staff, but in my experience their legislated authority, funding and staffing resources were constraining.

I could speak at length about the many facets of derelict and abandoned vessels, but today I would like to focus on one issue I feel is of paramount importance if we are to achieve long-lasting change. Specifically, I'd like to focus on the proliferation of mooring buoys in vulnerable areas like Átlk'a7tsem and other regions of the Salish Sea, and how they relate to the problem of derelict and abandoned vessels.

In my experience, bays that are inundated with mooring buoys are often inundated with derelict and abandoned vessels. Once a mooring buoy is dropped in the ocean, the associated tackle, anchor chain and block remain in place. Around Bowen Island, some have been there for up to 50 years, from anecdotal conversations with locals. The sea floor around the anchoring systems of the buoys is often devoid of life from constant chain scouring.

Federal programs, such as the oceans protection plan, have been positive steps, and I am deeply appreciative of the work done by staff within the DFO and TC to exercise their jurisdictional authorities. However, the number of mooring buoys installed throughout Átlk'a7tsem, and the number of vessels tied to them, will undoubtedly continue to increase if legislation, regulation and funding for enforcement are not strengthened.

If the Canadian Navigable Waters Act and the associated private buoy regulations were to be opened up, there is room for augmentation with respect to mooring buoys, which I consider minor works. Looking at ways to address the proliferation of mooring buoys and, ultimately, the derelict and abandoned vessels tied to these buoys is important if we are to enhance the well-being of all species living near, on and in our oceans.

Thank you once again for your time, your efforts and your consideration of this issue. I look forward to the questions and comments today.

• (1105)

The Chair: Thank you.

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

Mr. David Mitchell (Mayor, Town of Bridgewater): Thank you.

Ladies and gentlemen of the committee, thank you for inviting me today to speak to you on the issue of derelict vessels. This is actually my second time addressing the committee. I was here maybe five or six years ago. Since since the last time I was here, much has changed in our community.

First, however, I want to share about the impacts of having these vessels in our community. Almost three decades ago, the federal government of the day was divesting itself of federal wharfs. In the town of Bridgewater, the federal wharf was given to a society called the Artificial Reef Society. The purpose of this group was—self-explanatory in its name—to create artificial reefs in the Atlantic Ocean. Ironically, something you cannot do. It assumed control of the wharf, and shortly thereafter the problems began.

For those not familiar with the town of Bridgewater, we are a town of 9,000 people. We are the economic centre of the south shore of Nova Scotia. Our beautiful town is divided by a tidal river, the LaHave, which leads directly to the Atlantic.

In 1998, the society decided to acquire the HMCS *Fraser*, the St. Laurent-class destroyer that served in the Royal Canadian Navy and was declared surplus. The plan was to convert this ship to a floating museum, yet it had no funding secured to do so.

I want to note that I'm not aware if there is currently a policy that would prevent the acquisition of surplus vessels, especially from the military, by organizations, like it was done for the *Fraser*. Had there been one that set out rules for such acquisitions, such as ensuring funding was even in place for any proposed future use beyond scrap, our story would be much different.

While the *Fraser* and its proud history sat rotting at our wharf, the society then welcomed the HMCS *Cormorant*, a Royal Canadian Navy diving support vessel, to the wharf in 2000. To this day, the ownership of that vessel is still in dispute, but what cannot be disputed is the fact that it was the society that allowed it to dock in our town.

This is another ship with an incredible history, and for the record, it was part of the 1994 expedition to recover the ship's bell from the SS *Edmund Fitzgerald* in Lake Superior. However, like the *Fraser*,

it sat rotting, eventually listing, sinking, being raised and listing again for 21 years until it was finally removed in 2021.

The *Fraser* was bought back by the Canadian Forces in 2009 from the Artificial Reef Society for a dollar and taken away to Sheet Harbour for scrap at a cost of potentially millions.

Over the years, the wharf changed ownership from the Artificial Reef Society to the actual chair of the society itself, and nobody knows how that happened. For over 20 years, a number of fishing trawlers were then docked at the wharf, again, to rot like all the others.

The impact on our community was threefold. First, the risk to the environment was always heightened. This was a daily fear across our entire community. These vessels were in constant danger of breach and were known to still contain fuels, oils and lubricants. Remember, this is a tidal river, so any spills would impact dozens of kilometres of river and shoreline, all with homes, parks and community uses. The others were the impact it had on local property values and the community's morale.

While the excitement of the arrival of the *Fraser* quickly wore off, it was clear there was no viable plan to do anything with the ship. As more and more ships arrived and were simply left there without any purpose or plan, our flagship community park, which was directly across from these ships, was always in the shadow of decay. The homes in the area that faced these ships had depressed valuations, and the wharf itself, left rotting behind the vessels—something we didn't even know until the *Cormorant* was removed—could never be redeveloped or used for its intended purpose.

The impact these vessels have, regardless of the community they're in, goes beyond just the vessels themselves. It's obviously the space they take up and the environmental risk I mentioned, but I don't want to discount the impact it has on a community itself, knowing it essentially has no tools or ability to get rid of these vessels without the support or lead of a federal organization or the Coast Guard itself.

There is some good news, finally, for our story. Last year, the wharf was sold to new owners, and just a few months ago—less than two months, in fact—the three trawlers that were remaining were dismantled on site. Now we no longer have any vessels at our wharf. The new owner, apparently, has some new exciting plans for the community. I haven't seen those, but I've been told that the community will be very happy.

I cannot express how happy our people are to no longer have to look at these vessels or worry about the chemicals coming out of them and into the water. There are new rules in place that should prevent this from happening here and elsewhere, but I cannot stress enough just how damaging, or impactful, it can be to have any kind of watercraft left to rot.

I thank you for your time today. Of course, I'm happy to answer any questions you might have.

• (1110)

The Chair: Thank you for keeping on time.

We'll now go to our first round of questioning.

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

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

Thank you to our witnesses for being here today to take part in this study.

First off, Mr. Mitchell, in what you basically described as a graveyard for vessels in Bridgewater, were all those vessels that you described considered abandoned and derelict, or would they be on the list of the 120 or so vessels in Atlantic Canada? Would they have made that list or not?

Mr. David Mitchell: My understanding is that they did eventually make the list, but it took some time to get them there as the ownership was in dispute. We had years where someone would claim ownership, and then they would deny ownership. The *Cormorant* was eventually added to that list, as were the others behind it.

Mr. Clifford Small: Do you have any suggestions for the committee as to how that process could be streamlined?

Mr. David Mitchell: That's a great question.

For me, I think we even have to go back to the original point I was trying to make in my opening remarks, which was that none of this would have happened had a divestiture of a federal property gone into the proper hands with a plan. To me, it's not just the ability to abandon a vessel at a wharf. It's who has control of that wharf and can even allow a vessel to come upriver, in our case, and abandon it.

I think now that the process has been tightened, and it is easier to get a vessel on the derelict and abandoned vessel list. Our issue was that when ownership was in dispute, that process could take years. As we know, the court system can just take years and years, and that's what happened to us. It was back and forth.

Mr. Clifford Small: Regarding the problems you've encountered there in Bridgewater, are you familiar with any other municipalities throughout your region that have had similar problems, or is Bridgewater being targeted for the dropping off of these vessels?

Mr. David Mitchell: The town of Shelburne, Nova Scotia, had the *Farley Mowat* docked there and sunk for many years. That has also since been corrected, but that was almost a decade of that vessel being parked at the wharf, blocking it from being truly used as the port that it should have been. I know that, when I testified here many years ago, the mayor of the town of Shelburne also spoke to the exact same issue. It's an open port. It's kind of a free-for-all. If it looks like there's dock space, they'll come up and park them there.

• (1115)

Mr. Clifford Small: How about the coastline, the beaches and the coastal communities in your part of Nova Scotia? Do you think that the list of abandoned vessels in Atlantic Canada represents the

actual number of abandoned vessels, or do you think there might be a few more than are recorded?

Mr. David Mitchell: I think there are some more. I know certainly up around Cape Breton there are some that are on beaches. I think they're probably discounted because they're small. I know on the west coast it's a lot of small craft that are considered derelict and abandoned. On the east coast, it tends not to be pleasure boats; it tends to be trawlers, scallop draggers and things like that. I do know there are some communities where they've been there for 50 years, so they're kind of off the radar of the list, while the focus is on the newer ones that have been more recently left there.

Mr. Clifford Small: Yes, because it seems to me that with 935 in British Columbia and only 119 in all of Atlantic Canada's four provinces, there might be quite a few that are not on that list.

Mr. David Mitchell: Again, my understanding is that, on the west coast, it is mostly smaller pleasure craft that are left. For us, there are fewer, but they're much larger.

Mr. Clifford Small: Thank you, Mayor Mitchell.

My next question is for Ms. Brokenshire.

Mr. Mitchell just mentioned that the *Farley Mowat* had been abandoned. I find it odd, from such a champion of the environment and the ocean and all things wonderful, that a ship like the *Farley Mowat* would be abandoned and that someone who cares so much about the ocean would even have their name on the side of a vessel that's abandoned and polluting. It's shocking.

You mentioned the lack of funds. Has your group reached out to the David Suzuki Foundation or any groups like the ENGOs that work on various causes? Do you think some of these groups should care more about and put more money into helping remove some of these threats to the ocean, such as abandoned vessels and moorings?

Ms. Bonny Brokenshire: Throughout Átlk'a7tsem, or Howe Sound, we have very strong working relationships with the David Suzuki Foundation and other NGOs, and I find very engaged community members as well. The local municipalities, Bowen Island Municipality in particular, and Squamish and other municipalities around the sound, do have some budgets, and we haven't tapped into asking for funding specifically for abandoned and derelict vessels.

There's a lot of work that has to go on prior to actually removing the vessel, as we know, with finding the owners and going through many sorts of channels that lead to dead ends. Where I would say that the action groups, NGOs, have been extremely successful and very busy is in the aftermath of derelict and abandoned vessels, the cleanup, so being more reactive. I think, in speaking to lots of these folks, it just seems daunting with the legislation and the multi-tiered government legislation. We have the local bylaws and the provincial layer and the federal layer, so potentially it could be a source of funding. However, as I say, currently it's more the reactive aspect where they've been active.

The Chair: Thank you for that.

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

Mr. Patrick Weiler (West Vancouver—Sunshine Coast—Sea to Sky Country, Lib.): Thank you, Chair.

I want to thank both the witnesses for being here today.

Ms. Brokenshire, I want to ask a couple of questions of you.

You mentioned you're seeing that Mannion Bay and other bays that have a lot of mooring buoys are having a lot of damage done to the ocean floor because sometimes you have buoys there for 50 years or more. I know the Bowen Island Municipality took a fairly innovative approach to doing what it could to tackle this issue, both through creating a new bylaw as well as getting tenure to manage these marine areas.

I was hoping you could share with this committee the process you went through or that the municipality went through and what impact that's had over time.

• (1120)

Ms. Bonny Brokenshire: Thank you, Mr. Weiler.

It's a long tale that I don't have time to talk about, but when I say it's a multipronged approach, it truly is a multipronged approach.

I want to go back 15 years when the community kids were told by their parents not to go to the shores of Mannion Bay where there were really high E. coli counts. There was junk and debris all over the shores. In my experience in the Átlk'a7sem, or Howe Sound, derelict and abandoned vessels occur where there's some place for them to tie up, where there's a safe landing spot and where they're close to amenities. All of these three components are alive and well around Mannion Bay.

The bay was inundated with mooring buoys. There were over 50 mooring buoys in an area that.... If you go by the private buoy regulations and consider the swing distance based on depth of water, I calculated that 16 buoys could be in that bay, yet there were over 50. There were, I would say, upward of 12 to 15 abandoned vessels.

We started trying to establish some tools and working with other levels of government. We obtained a licence of occupation, a tenure from the province. The reason we did this was that it gave us some authority with respect to trespass, but it's a loose tool. We were also able to achieve or instate a bylaw for charging for mooring buoys. We needed the tenure in place first to establish a mooring buoy bylaw, through which we charge a nominal fee for mooring buoys,

which then goes back into the ecological restoration of the bay, but that was through tenure.

We have a use of water areas and beach area bylaw that we instated. We also have a voluntary non-anchor zone to protect the eelgrass. We couldn't have a no-anchor zone because it's not a navigable water channel; it's a protected bay. However, we have protected the eelgrass that way. Plus, we just have community involvement and lots of eyes on the bay.

We've definitely, over the last 15 years, decreased the number of abandoned vessels, and there are now no abandoned vessels in the bay. With the mooring buoy bylaw, the owners of the vessels tied to the buoys have to register with the municipality, so there's a lack of anonymity now with those folks in the bay. We have no abandoned vessels, and the mooring buoy sweeps from Transport Canada have been invaluable.

It's very hard to get Transport Canada to come out because it's a lot of staffing resources, but they have been very useful. If I could say one thing, it would be having monies to allow staff to come out and do mooring buoy sweeps. We've reduced the number of mooring buoys down to about 27, and Transport Canada and the federal government paid for the removal of all that tackle. We also impounded the buoys at the time that were abandoned and derelict and tied to those buoys. The federal government also paid for the disposal of those vessels, but since then it's been really tricky to get mooring buoy sweeps conducted in the bays that need them.

That would be my take-away, if I could say one thing today.

Mr. Patrick Weiler: Thank you very much for that.

One of the other comments you mentioned was that the legislative authority was constraining and that if the Wrecked, Abandoned or Hazardous Vessels Act was opened up, there would be some room for augmentation.

I was hoping you might be able to share with the committee what some of your ideas might be for that augmentation.

Ms. Bonny Brokenshire: Yes.

Speaking to the correlation of mooring buoys and abandoned and derelict vessels, if the Canadian Navigable Waters Act was opened up, I think it would be beneficial to see more enforcement of provisions related to mooring buoys. Right now, as long as a mooring buoy conforms to the above-water aesthetics, it can be plunked down wherever.

Once a buoy is in place, we go out and take GPS coordinates of all the mooring buoys around Bowen Island so we know which ones have been put in. We do that every six months, but even with that database and the GIS layer that we welcome share, we still can't get the action to come and remove those buoys. Enforcement is really key, and I would really like to see some sort of maybe regulation associated with private buoys as that seems to be the issue in Átlk'a7sem, or Howe Sound.

• (1125)

Mr. Patrick Weiler: Great. Thank you.

The Chair: Thank you, Mr. Weiler.

We now go to Madame Desbiens for six minutes or less, please.

[Translation]

Mrs. Caroline Desbiens (Beauport—Côte-de-Beaupré—Île d'Orléans—Charlevoix, BQ): Thank you, Mr. Chair.

I thank the witnesses for being here.

I represent a Quebec riding, but I'll ask the witnesses from the west coast the same question I've asked a number of witnesses: Do you communicate with environmentalists?

Earlier, Ms. Brokenshire talked about the David Suzuki Foundation, which I know very well. It's interested in the St. Lawrence River, among other things. Do you communicate with various Quebec representatives about the ghost ships in the gulf of the St. Lawrence, or is your expertise focused mainly on the west coast?

[English]

Ms. Bonny Brokenshire: I did get some of your question. Thank you very much.

Yes, we're primarily focused on the west coast. I don't know whether there was another component to the question. I'm sorry, but I didn't hear.

Mr. David Mitchell: For us, we're focused mostly on our region. Our communication would have been with federal and provincial departments of the environment more than environmental groups.

[Translation]

Mrs. Caroline Desbiens: Mayor, you have your work cut out for you. From what you say, this a serious issue. Listening to your testimony, it occurred to me that legislative management is lacking. If legislation or regulations on ship divestiture were put in place, would they help you manage the situation? Would a federal act improve it?

[English]

Mr. David Mitchell: I think, certainly, for our example there are the two pieces. It was the federal piece of property that was put into private hands with no checks or balances to see what its use was going to be. I'm sure, looking back, whoever made that decision to give it to the Artificial Reef Society.... My understanding is that not only did they give it to the Artificial Reef Society, but they gave them money to maintain it. Therefore, taxpayer money actually funded the creation of this graveyard for ships.

The other component is that two very historically significant Canadian military vessels were given to an organization that had no

plan. The *Fraser* was one of the first Canadian naval ships for female sailors. That's pretty important, yet that history just gets dismissed. If you do a Wikipedia search on that ship, all that history ends with a little line at the bottom, which reads that it was just rotting in Bridgewater. The *Cormorant*, as I said, recovered the bell from the *Edmund Fitzgerald*. That's pretty impressive, yet there were no checks or balances.

In terms of some federal regulation, I think there's opportunity for two there. The first is better checks and balances for the divesting of any federal property, wharfs particularly, but also how do we, whether it's a Coast Guard or navy vessel, make sure that whoever takes that on can fund and support whatever future use it has?

[Translation]

Mrs. Caroline Desbiens: If I understand correctly, the glaring problem isn't just regulations but funding.

I don't know if you're aware of the *Nipigon*, a former Canadian warship in the St. Lawrence River in the Rimouski-Neigette—Témiscouata—Les Basques riding. It was sunk back in 2003.

There are a lot of amateur divers in the St. Lawrence, which is an extremely complex river in terms of navigation and currents. Rather than venturing into the very deep and dangerous *Empress of Ireland* wreck, they sunk a ship to create a training museum for apprentice divers. The boat was secured and everything dangerous, such as ammunition, was removed before the vessel was scuttled in the St. Lawrence. It was a spectacular sight, by the way.

Could that be a solution for some ships? Obviously, not all boats can be salvaged. In some cases, could boats become training sites for divers?

• (1130)

[English]

Mr. David Mitchell: I appreciate the question. I think "yes" is the answer.

My understanding is that even as a country we have two different rules. Unless something has changed in the last few years, you can submerge a vessel on the west coast for an artificial reef. You cannot submerge a vessel in the Atlantic for an artificial reef. The same department makes that decision from coast to coast, but it's two different....

Again, in our case, with that wharf being handed over to the Artificial Reef Society, I believe that was their original intent, but then they were not able to do it.

I think it's a great idea. It happens around the world, where vessels are properly cleaned, sunk and used for tourist activities like diving and teaching. However, right now, unless something has changed in the last few years, I don't think it can happen in the Atlantic.

The Chair: Thank you, Madame Desbiens.

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

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

Welcome to the witnesses who are here today.

First of all, through the chair, I had no idea that this had happened with the two HMCS vessels on the east coast. That's really upsetting to hear.

I know we have the HMCS *Nanaimo* on the west coast, in my riding of Nanaimo—Ladysmith. It's in Esquimalt. I know the crew takes incredible care of those vessels. I know the vessels currently do illegal substances work, preventing illegal narcotics from reaching our shores. The care of the vessels, the pride the crew takes in those vessels, as well as the pride felt by the community in the work that's being done, is tremendous. To hear that there have been two HMCS vessels that have been left like this for so many years is very disheartening.

Just to clarify and just so it's on the record, could you say that the museum never happened?

Mr. David Mitchell: You're absolutely correct. The museum never came to be. Nothing came to be of the ship.

Ms. Lisa Marie Barron: That's very disheartening. I know there are also limited resources going into this important work. It's something to keep an eye on for the rest of the HMCS vessels as we move forward on a process.

I have another question, Mr. Mitchell.

You spoke about the three trawlers that were dismantled on site. Perhaps you're not the expert on this, but do you have any more information that you can provide to us around what that looked like and who did it? Any further information would be very helpful.

Mr. David Mitchell: Yes, for sure.

That was a process led by the Canadian Coast Guard. Thank goodness the funding for that wasn't from the taxpayer. It was from the ship-source pollution fund. My understanding is that this fund is paid for by industry, so the Coast Guard will be going after the owners of the vessels to try to recoup that. If not, at least it's not coming from a pot of taxpayer money.

They were able to pull up two of the ships onto shore to be dismantled. The third had to be very carefully dismantled in the water because it was so fragile. Again, it was filled with lubricants and had fuel in it. It's a tidal river, so if there were any mistakes, parts of that ship and its contents would be going all the way out, past very pristine islands, into the Atlantic.

It was all handled very well, though. Again, it was overseen by the Coast Guard, but almost 30 years later.

Ms. Lisa Marie Barron: Thank you.

One thing that comes up over and over again is having the appropriate plans and spaces for vessels to be dismantled that ensure we're taking into account those who are doing the work, by having work safety standards in place, as well as the environmental impacts. It's always interesting to learn from examples that have already done that.

We have a spot called Union Bay in British Columbia, where we are seeing a tremendous amount of pollution happening from ship-breaking. I think it's good for us to learn from what we are doing coast to coast to coast, so we don't repeat the same patterns. Thank you for that information.

Ms. Brokenshire, you mentioned a voluntary non-anchor zone. I'm wondering if you could tell us a little bit more about the responses you received to allocating this voluntary non-anchor zone and any changes you've seen to that area.

Are people voluntarily following those recommendations? Some more information would be helpful.

• (1135)

Ms. Bonny Brokenshire: Thank you for the question.

We have a very engaged community. There are a lot of waterfront property owners around the bay. We also take really good inventory of our eelgrass beds, which are a vital nursery for our forage fish and salmon species.

The idea came out of Washington state. We did install these voluntary no-anchor zones. They've been in place for three boating seasons now and I'm happy to report that we haven't seen anybody go inside those zones and anchor.

We've done lots of education around that. I'm just really pleased with that. If people do go inside there without anchoring, there are lots of kayakers and people who utilize the bay for recreation, now that the derelict and abandoned vessel problem has somewhat been resolved, who are very good educators. We've had great success with that.

Ms. Lisa Marie Barron: Thank you.

I find this interesting. It sounds like there is a bit of community buy-in on this, which has resulted in a cultural shift on what's acceptable and not acceptable in this area. It seems this has influenced a lot of the decisions being made in this area.

Would that be accurate?

Ms. Bonny Brokenshire: Yes. It hasn't been without controversy, though, especially when we talk about live-boards and how that feeds into derelict and abandoned vessels.

It's about consistency in messaging, the legislative bylaw tools in place and community buy-in.

Ms. Lisa Marie Barron: Thank you.

I think this speaks to the importance of having the community involved in these processes and making sure there's full consultation with all of those who are living in the communities and are impacted by these decisions.

I realize there are only a few seconds left of my time. I wanted to ask you a little more about the impacts of all the mooring vessels on the sea floor. Perhaps we can find time for you to answer that in another question.

Thank you.

The Chair: Thank you, Ms. Barron.

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

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

Thank you to both witnesses for being here.

Mr. Mitchell, you mentioned that your community is on a tidal river.

Could you explain jurisdiction over the dock space, the foreshore and the underwater land? Who has jurisdiction over those?

Mr. David Mitchell: My understanding is that the underwater land is controlled by the federal government. The water lots are federal in nature. I can't speak about where the town's land jurisdiction ends and the water begins. It was certainly never something in municipal control. Everything that was federal was handed to this organization.

Mr. Mel Arnold: This sounds slightly different from what I understand to be the situation in British Columbia, where, in a river, the riverbed is provincial Crown jurisdiction. That would be a significant difference, again, between the east coast and the west coast. I hope we can get that clarified.

Regarding the vessel remediation fund, it's been proposed that there be a levy of a \$10 flat fee applied to pleasure craft, and a fee based on vessel size for commercial vessels. That \$10 fee would be every five years.

Would that fee cover the cost of the removal or remediation of a vessel?

Mr. David Mitchell: Certainly, on the east coast, it wouldn't. I'm thinking of the cost of just moving the *Cormorant*, which was towed to Sheet Harbour. My understanding is that the towing fee was almost \$1 million. Then you have to pay to scrap it.

On the west coast, yes....

• (1140)

Mr. Mel Arnold: The same question is for Ms. Brokenshire.

Ms. Bonny Brokenshire: I think, potentially, for pleasure craft of an average of 25 feet and fibreglass-hulled.... Right now, the cost to demolish and dispose of said vessel is approximately \$3,000. Yes, I think that fund could potentially be useful.

Mr. Mel Arnold: Will \$10 every five years pay for \$3,000?

Ms. Bonny Brokenshire: I'm sorry. Collectively, if there was some access to funds....

Mr. Mel Arnold: Don't you feel that the fee would get eaten up simply by the administrative costs of the fee?

Ms. Bonny Brokenshire: Potentially, yes.... There would be a bit more money there, I guess, if it went into a coffer of sorts.

I'm not too familiar with what's being proposed.

Mr. Mel Arnold: Okay.

You mentioned disposal and so on. What types of materials can be repurposed or recycled? Steel or aluminum vessels seem fairly apparent. Beyond that, is there any recycling available?

Ms. Bonny Brokenshire: The wooden boats are just landfilled. The fibreglass ones are crushed into cubes. I don't know what they do with those cubes of fibreglass afterwards. I think a lot of them are destined for the landfills as well.

Mr. Mel Arnold: I'll go back to the jurisdictional piece.

You've spoken a lot about the buoys in the bay and so on. There has been a similar problem on Shuswap Lake. The battle seems to be ongoing over whose jurisdiction it is, whether it's Transport Canada, the ministry of environment, the province or even a regional district. They're determining who has the responsibility or jurisdiction to remove unregistered buoys and so on.

How have you managed to work around that? Is it easier because it is a marine or sea-type environment? Is it really just the federal government, or are there multiple jurisdictions involved there as well?

Ms. Bonny Brokenshire: In my experience, it is just clear-cut with our scenarios—the sea floor being provincially regulated in and around Bowen Island, but the water column and the buoys being federally authorized. It's Transport Canada that I go to. The navigation protection officers are the ones I really lean on heavily for support.

Mr. Mel Arnold: Okay. Thank you.

The Chair: Thank you, Mr. Arnold

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

Mr. Mike Kelloway (Cape Breton—Canso, Lib.): Thank you, Mr. Chair.

To the witnesses, thank you very much. I'm going to start with Mayor Mitchell.

First, Mayor, thanks for your opening testimony giving us a picture of how the derelict vessels impact a community, not just from an environmental standpoint—that alone would be enough—but also with respect to property values and just a community self-esteem aspect.

You talked about the journey. I think it's 21 years, 30 years, something to that effect. It had me thinking in terms of your leadership. Being in the grassroots, you clearly heard about this every day, going to the grocery store, the home hardware store, whatever the case may be. We have come to a successful resolution 30 years later—speed, that's not.

Can you drill down a little bit in your testimony in terms of this example? I was going to call it a best practice, but I'm not sure I would call it that. Give us some recommendations from a federal perspective working with a community or working with municipalities.

What are we doing well and what could we be doing better, based on your experience in Bridgewater, which I spent a lot of time in? I used to work at the Nova Scotia Community College and spent a lot of time at the Lunenburg campus.

Then I'll share my time with MP Hardie. Thank you.

Mr. David Mitchell: Thank you. That's a great question.

What's happening well now is that there are some tools in place. There are some insurance requirements for larger vessels, certainly, to make sure that, if they are abandoned, there's a way to get the funding out of the insurance company to scrap them. Certainly for us, the ship-source pollution fund—we need to think of a new name; it's a tongue twister—was something that we could tap into, which, I think, makes the decision easier when it comes to the federal government and the Coast Guard, because you don't have to use taxpayer funds. It should be a much more thought-out, difficult process to trigger a million-dollar cheque for ship dismantling, so I think that made it easier. I think those things are working well.

I think what could be improved is this. Each of you are elected to represent your communities, and some of your communities have abandoned vessels. Sometimes I feel that the disconnect can be actually with the member of Parliament. Our riding is massive—Halifax all the way down almost to Yarmouth. My MP has six hours in a car sometimes just to get from tip to tip, so the disconnect might be on really understanding the full impact.

As a mayor, I sometimes feel I don't always have the access to the federal government people who can help make a decision for my community, because sometimes it also goes beyond just the member of Parliament—government, not in government. It depends what side you are on sometimes.

If there's something that can be improved, I think it would be the collaboration among all parties when it comes to the grassroots and what the impact is on that community. For us, again, it should have been much shorter than 30 years to remove some of these vessels, which clearly had a number of impacts.

• (1145)

Mr. Mike Kelloway: I totally agree.

I'll pass my time to MP Hardie.

Mr. Ken Hardie (Fleetwood—Port Kells, Lib.): It's a question for Ms. Brokenshire.

I had some correspondence from the Victoria yacht club and the Cadboro Bay Dead Boats Society. That's very poetic sounding, isn't it?

This will be a simple yes-or-no answer. They say in British Columbia that the province owns the beds of inland seas such as the Strait of Georgia. As such, B.C. provincial laws apply to coastal land-use activities such as the use of beaches, long-term moorage or siting and building docks, each of which are also subject to the Canadian Navigable Waters Act.

Also, they report that, within British Columbia, the seaward boundaries of waterfront municipalities are deemed to extend 300 metres seaward from the natural shore boundary. Accordingly, municipal bylaws and associated regulations applicable to activities, development and land and water use within those areas are eligible and applicable.

Is that the case? Is that your understanding?

Ms. Bonny Brokenshire: That is correct, yes.

Mr. Ken Hardie: Then we have real questions about jurisdiction, which I think we can take up in further questioning.

Thank you.

The Chair: Thank you, Mr. Hardie.

We'll go to Madame Desbiens for two and a half minutes or less, please.

[*Translation*]

Mrs. Caroline Desbiens: Thank you, Mr. Chair.

Mr. Mitchell, I want to come back to the *Nipigon*, which was sunk off the coast of Sainte-Luce-sur-Mer in 2003. Initially, the estimated project cost was approximately \$1 million. I think the project took five or six years to complete.

Previously, we heard that since 2016, \$2.2 billion had been allocated to address the ghost ship issue. We were told that some results had been achieved. We were given a chart and told that about 100 ships had been removed from the water. We were also told that there are currently no tools to trace ghost ships.

What's your take on this? That's a lot of money, \$2.2 billion. Are the funds being used in the right place? Or are they misdirected? Do we have the technology we need? Where do you think the problem lies?

[*English*]

Mr. David Mitchell: That's a great question.

Certainly, speaking as a municipality, I don't really know what tools we have other than contacting the other orders of government, whether it's the Department of the Environment, the Department of Fisheries and Oceans or their provincial counterparts. With regard to municipalities, especially for ours.... We're a small town of 9,000 people. We don't have the staff resources allocated. Even hearing about the funds that you're talking about that are available, I don't even know how we would know any of that because there is a bit of a disconnect, going back to the previous question on what we can do better.

Hearing there's \$2 billion in funding for this, I think that you're 100% right. In 2024, we should have better tools to identify.... I even think of, in many ways, this: Why are we treating vessels differently from cars? Everyone has to register their car. They have to do it every year. Hearing about \$10 every five years, I wonder why we aren't doing that every year. I think that those are the things that we could be doing better in 2024.

• (1150)

[Translation]

Mrs. Caroline Desbiens: Thank you, Mr. Mitchell.

[English]

The Chair: Thank you, Madame Desbiens.

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

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

Ms. Brokenshire, I think I'm going to skip my last question that I asked you to follow up on, but it would be good, of course, for us to get in writing any impacts that you saw to the ocean floor bed from the excessive number of vessels that were moored in that area that you were talking about.

I want to ask specifically about the enforcement. We know that we currently have a system in place where it's easier for vessel owners to abandon their vessels than to actually dispose of them properly. There are a lot of good mariners out there who want to do the right thing, but we don't have the systems in place to ensure that mariners know how and where to dispose of their vessels. It's an ongoing problem.

We've touched today on the delay in being able to identify the vessel owner, and we know how interconnected this is with the enforcement of this. You talked about how it would be helpful to see an increase of enforcement provisions in the mooring of the mooring buoys. I'm wondering if you have seen delays as a result of not being able to identify vessel owners or delays, period, that you could highlight for us.

Ms. Bonny Brokenshire: Thank you.

Yes, it is tricky. There are often huge delays in identifying the last known owner of a vessel. Sometimes I'll go through five different owners, or even just two, and the scent is lost. The trail goes cold. Yes, it's really tricky to identify them.

With our local bylaws in place now, on that lack of anonymity, there is a better chance to find the owners because we have the jurisdiction through our letters patent for 300 metres from high-water

mark seaward, so we were able to establish that list. That was one part of your question.

If I could go to the mooring buoy piece to that, as I've stated, I think it's a very crucial part of this puzzle. It's really tricky to, as I say, encourage or to mobilize the support from Transport Canada. They do great work, but they're just inundated with work. As I say, in 15 years, we were able to do two sweeps around Bowen Island, not for lack of trying, and we have great relationships, working relationships, with TC staff.

I feel that the reactivity is there with respect to being the receiver of wreck and being able to quickly deal with a vessel that is a potential polluter. However, the identification and the proactivity are missing.

The Chair: Thank you, Ms. Barron.

We'll now go to Mr. Bragdon.

To make sure everybody gets their rounds in, we're going to do two four-minute rounds. We're going to do four minutes for Mr. Bragdon and then four minutes for Mr. Hardie, before we finish up.

You're up, sir.

Mr. Richard Bragdon (Tobique—Mactaquac, CPC): Very good. Thank you, Mr. Chair.

Thank you to the witnesses for providing testimony today, and thank you for your time, for your expertise and knowledge, and for your experiences. We appreciate it.

I'll start with you, Mayor Mitchell, and you can speak to this as well, Ms. Brokenshire, from your perspective. Is there a prioritization based on the level of risk that certain vessels pose to the surrounding environments and ecosystems? How does that get established?

Have you found that there's been good co-operation, whether it's with the Department of Transport or the federal government, in responding to that, when you're saying that this is urgent and this needs to be dealt with or we're going to have an ecological crisis on our hands or have a real problem?

How have you found the uptake? When you hear testimony that it takes 30 years to get a vessel out of the water.... I know it's a complicated business. It's not simple, but there must be a way of prioritizing those types of situations. Can both of you speak to that?

I'll start with you, Mayor Mitchell.

• (1155)

Mr. David Mitchell: Thanks. That's a great question.

I can't fully answer it because I don't know what the criteria is for prioritization. I only know that there was some—as loose as it was—by hearing that from my former member of Parliament, Bernadette Jordan, who was, I believe, instrumental in bringing in some of the new changes and regulations for this. She explained at the time why ours were not first on the list. Of course, I thought all of our things should be first on the list, but I understood that there were some others.

However, I don't know what that criteria is, and it is perhaps something that needs to be revisited because, as I said in my opening remarks, at many points, the *Cormorant* sunk, touched the floor, the seabed. It listed and chemicals were coming out, yet fast-forward and it was still there 10 more years. If that's not on the cusp of an ecological disaster, I don't know. Maybe others were worse.

Mr. Richard Bragdon: Was there ongoing communication with the department throughout that time, Mayor Mitchell? Were they reaching out? Was the Department of Transport, DFO or your area MP, I'm sure, trying to say that it was an urgent matter? Did you find that there were any extra efforts put in at that point? Was there a response there, or is there a mechanism?

Obviously, there needs to be more clarity around that. That's for sure.

Mr. David Mitchell: Yes, the responses were a bit unique, I think. The responses we got when the vessel was first sinking weren't to remove it. It was whether it could be taxed differently. Suggestions were made by other orders of government that the town should perhaps declare it a dangerous and unsightly property. A vessel moored is not something with a PID.

Mr. Richard Bragdon: Are you telling me that they were worried about wording and categorization rather than dealing with the problem?

Mr. David Mitchell: That's correct.

Mr. Richard Bragdon: Wow.

Would that be similar on the west coast, Ms. Brokenshire?

Ms. Bonny Brokenshire: Yes. As has been talked about, our problem is more that they're pleasure craft. They're small, generally speaking, but it's that cumulative effect. With respect to assessing for risk—that is, a boat that will potentially sink and for which the taxpayer will have to pay for removal and disposal—the risk is not determined to be great, yet there are many of them. As well, the areas in which they are moored are vital areas. They're very ecologically rich and protected areas, such as estuaries and those sorts of places. I would say the risk evaluations are not effective.

Mr. Richard Bragdon: Would you both describe it as a confusing process currently and as not clear for either the municipalities or key stakeholders? You need a whole lot more clarity around this. Am I missing something here? I just want to be sure.

Mr. David Mitchell: I would agree with that sentiment. Yes, it is very confusing. Again, the smaller you are as a municipal unit, the fewer and fewer resources you have. For our staff, we can only go to DFO, Coast Guard or Environment. Beyond that, we don't know who to turn to.

Mr. Richard Bragdon: Then it becomes jurisdictional ping-pong.

The Chair: Thank you, Mr. Bragdon. You've gone a bit over.

We'll go now to Mr. Hardie to finish up.

You have four minutes or less.

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

It looks like identifying the owner of the vessel is really a challenge. I presume if we're dealing with a lot of “dock and dash”, where it just sort of appears and blows down, basically, has there been any...?

As a first question, is it easier, as I would presume, to abandon a vessel at a buoy as opposed to the dock? Is it easier to basically leave the vessel and escape undetected at the buoy?

Ms. Bonny Brokenshire: We have cameras at our docks. I think that level maybe deters some people, but we have had vessels left at docks. I think you're correct that it is easier at buoys.

Mr. Ken Hardie: Is there no mechanism by which somebody who comes into the dock or to a buoy has to log their presence with a harbourmaster or anything like that?

Ms. Bonny Brokenshire: In certain areas, that is the case. Gibsons in Howe Sound has a harbourmaster and has some regulation around what has to take place when you come in to moor.

Too, if you're going to be having a mooring buoy in Mannion Bay, you have to register that through our bylaws. It was through a lot of staff resources and municipal involvement that we established that bylaw. A lot of municipalities don't have those regulations.

• (1200)

Mr. Ken Hardie: It would seem that firming that up at the head end would basically remove a lot of additional excess costs at the other end, when you're trying to clean up the mess.

Let me describe a regime here. You come in, you dock or you tie up at the buoy and you don't register. Can there be a mechanism in place that, after x number of days, you can impound that vessel?

Ms. Bonny Brokenshire: You can if there are bylaws in place at the local government level.

Mr. Ken Hardie: Well, there's an idea for you.

Ms. Bonny Brokenshire: Yes, but to do so, the costs are incurred by the local government.

Mr. Ken Hardie: Twice now when we've looked at suggestions cost has intervened. I think we need a conversation that suggests that, again, an investment up front can mitigate a lot of the additional costs, not to mention the disruption. I mean, you guys need to read about "broken windows", a policing and civic strategy that took place in New York City years ago. I think the same applies here. Perhaps the nature of the conversation needs to shift from what's going on now to a better identification of vessels and owners and the proper legal framework, if you like, and funding up front to prevent the kinds of issues we've been talking about here.

That will go into the recommendations, Mr. Chair.

Thank you.

The Chair: Thank you, Mr. Hardie.

I want to say thank you to Mr. Mitchell and Ms. Brokenshire for their testimony today before the committee. I'm sure everyone was enlightened by some of what they heard. I'm sure it will show up in the report along the way.

We'll now suspend for a moment as we change out our witnesses.

• (1200) _____ (Pause) _____

• (1205)

The Chair: I'd like to thank the witnesses.

For the second panel, we have Mr. Eric Dahli, chair of the Cadboro Bay Dead Boats Society, and Bob Peart, chair of the Friends of Shoal Harbour Society.

Thank you for taking the time to appear today. You will each have up to five minutes for your opening statement.

Mr. Dahli, you have the floor for five minutes.

Mr. Eric Dahli (Chair, Cadboro Bay Dead Boats Society): From Cadboro Bay in Victoria, my name is Eric Dahli. I am the chair of the Cadboro Bay Dead Boats Society.

I'm not going to talk at this moment about licence of occupation for mooring buoys, about riparian rights or about intertidal zones. A lot of that is contained in the information that we have provided.

Let's start off, and let's pretend that one day a rusty old RV drives onto your lawn. The RV owner and his friends start throwing their garbage onto your lawn. Then—oh, my goodness—they empty their sewage holding tank in your driveway. Then they move to another neighbour, and the party continues. I also want you to imagine that, while all this is going on, you're living on the seabed with the creatures that live in the eelgrass. Moored boats are dumping garbage and sewage on you.

We have a problem here in Cadboro Bay. Starting in 2017, we removed from the beach over 15 vessels of various sizes, mostly sailboats and one burned-out hulk of a houseboat. We are presently looking to work with the provincial ministry and the municipalities of Oak Bay and Saanich, because Cadboro Bay is blessed with having two municipalities. It's a multijurisdictional thing right from the get-go.

We're also working with the Songhees Nation and a group called SeaChange. We're cleaning up the bay and replanting eelgrass.

With the licence of occupation, which will be managed by the Royal Victoria Yacht Club, boats that come into the mooring field will require insurance. They will require holding tanks. We're hopeful that a minimal fee, which has not been determined yet.... This will be money in and money out. No one is trying to make any money here. We just want to keep the bay clean.

With regard to the people who are mooring in the bay, there's a housing crisis. We know that. If people are following the rules and doing everything properly, that is certainly not a problem—living in the bay. We would like to talk to somebody, perhaps the RCMP marine division, about wellness checks on the people living in the bay. Winter's coming. We get southeasters in Cadboro Bay, and we don't want other boats up on the beach. Once they hit the beach, they become quite dangerous. Every little kid wants to play pirate. They want to climb all over the boats, and these are not safe.

We've looked at other jurisdictions. Washington state, just south of us here, has a system that we think is pretty good. A few years ago, I went back to my homeland of Norway. We took a cruise—and I would call it fjord-intensive—from Oslo to the North Cape. I counted derelict vessels on that trip. When we got back, the number was zero. I don't know what they're doing, but they're doing it well.

Thank you very much.

• (1210)

The Chair: Thank you for that.

We now go to Mr. Peart.

You have five minutes or less, please.

Mr. Bob Peart (Chair, Friends of Shoal Harbour Society): Thank you.

My name is Bob Peart. I live in North Saanich, just outside of Victoria. I'm chair of Friends of Shoal Harbour—or FOSH, as we call ourselves. A priority for FOSH is the proliferation of derelict and abandoned vessels in Shoal Harbour Migratory Bird Sanctuary, so your invitation's timely.

I acknowledge the complexity of this matter, and I thank the employees at Transport Canada and the Coast Guard for their help. We have a positive working relationship with them and appreciate their assistance. We're very frustrated because of the lack of progress on this matter. However, just recently, there was a notice in our local paper to dispose of two vessels in Tsehum Harbour, so there is some progress.

The points I'm making today are national in scope. However, I speak to you from the Saanich Peninsula and the surrounding waters of the Salish Sea. Our harbours are filled with derelict and abandoned boats. The situation is out of control, and local folks are really fed up. However, rather than dwelling on this dire state of affairs or assigning blame, I want to present a few solutions. My overarching message today is that the time has come for the federal government to reassert its legal powers, enforce existing legislation and provide the leadership that's so desperately needed.

One, the federal government needs to empower and support community initiatives, such as what Eric was just talking about. There are a number of positive local solutions evolving in our coastal waters in our efforts to fill the niche vacated by the federal government on Bowen Island; however, their success requires the federal government to fulfill its legal obligations. Likewise, for any initiatives being led by indigenous people or guardians, their efforts will be a moot point without federal support, and similarly for provisions of the B.C. Land Act and the coastal water lease permit process.

Specifically to Shoal Harbour Migratory Bird Sanctuary, any progress being made by groups like ours or the Canadian wildlife service is impeded by the lack of federal attention. The federal government needs to support the difficult work that these community-based measures are trying to put in place.

Two, Transport Canada and the Canadian Coast Guard need to enforce their existing legislation, redefine associated legislation and empower local communities to manage their private mooring buoys. The core source of any vessel of concern is the virtually unlimited supply of private mooring buoys. In 2004, the responsibility for the private buoy regulations was transferred from the Coast Guard to Transport Canada. This was a mistake. Since then Transport Canada has largely failed to exercise its authority to enforce these regulations. As well, the federal government's narrow definition of a mooring buoy as a "minor work" and the narrow definitions of "abandoned" and "dilapidated" hamper our efforts to enforce. This situation needs to change.

Three, return the oversight, enforcement and compliance of the private buoy regulations to the Canadian Coast Guard. The federal government needs to return to the level of control that existed prior to the 2004 transfer. The Coast Guard is best suited to provide this leadership. We need a single authority to manage the moorings, and this authority should be the Coast Guard. DFO oversees the Coast Guard, so it makes sense from a management perspective to transfer the legal authority and funding back to the Coast Guard.

Four, the owner registry of vessels needs to be modernized. Transport Canada has, for years, repeatedly stated that the owner registry will be modernized. We see little progress. Without knowing the ownership of vessels, our bays will continue to be polluted by these abandoned vessels. As Eric said, Washington state has a system of annual registration. It's effective and enforced. Canada needs to put in place a similar system.

The time has come for the federal government to assert its legal powers, enforce existing legislation and re-establish its role prior to the 2004 transfer. It's time for the federal government to provide the leadership that Canadians expect, so that related governments and

community groups can do their work with confidence. The concern is that, without these changes, our coastal waters will continue to be dumping grounds for these unwanted vessels.

Thank you very much.

• (1215)

The Chair: Thank you for that.

We now go to our line of questioning from our members.

Members, I'm going to be strict on the time because it's not a full hour. We have 40 minutes of questioning left. If it's six minutes, it's six minutes. If it's five minutes, it's five minutes.

We go to Mr. Small first, for six minutes or less.

Mr. Clifford Small: Thank you, Mr. Chair, for the chastising.

Thank you to the witnesses for being here today.

Mr. Peart, we keep hearing a lot about private mooring buoys. I guess it's more of a British Columbia thing. I haven't seen much of it Newfoundland and Labrador. Who owns these private mooring buoys?

• (1220)

Mr. Bob Peart: No one. My understanding is that you could go into a harbour and dump an old motor, hook up to an old motor and just attach your boat to it.

Mr. Clifford Small: Who has jurisdiction over the waters where these private mooring buoys are in place?

Mr. Bob Peart: It depends. Mostly it's federal. In British Columbia, the private mooring buoys sit on B.C. Crown land, and if you're within 300 metres of the shore, the municipality has some jurisdiction. It's very complex. It's very confusing, but the whole thing centres around private mooring buoys—and this situation did not exist prior to 2004.

Mr. Clifford Small: Basically, they're all inside the jaws of the land, which is B.C. provincial government jurisdiction. Why don't they just go out and remove them all, get rid of them? If they removed those mooring buoys, do you think that would solve any part of the problem, or would vessels still be abandoned and just throw out their own anchors?

Mr. Bob Peart: That's exactly what they do, sir. They just throw out their own anchors. You know, Eric has as much experience around this as I do. It isn't clear for the province to go out and clear it because there's overlapping federal jurisdiction. The private mooring buoy regulations right now are the responsibility of Transport Canada, and the regulations aren't being enforced.

Mr. Clifford Small: If there weren't a single private mooring buoy in place, would we still have the problem?

Mr. Bob Peart: I don't understand. I'm sorry.

Mr. Clifford Small: It seems that the private mooring buoys are getting a lot of blame for vessels being abandoned, but wouldn't folks still tend to abandon their vessels even if there were no private mooring buoys in place?

Mr. Bob Peart: Yes, sure. They'd put them next to a beach or a dock, but the private mooring buoying situation makes it so much easier and facilitates the problem. The enforcement of the private mooring buoys is with Transport Canada, and they're not being enforced.

Mr. Clifford Small: Thank you very much.

In terms of the hazard to the coastal environment and the ecosystem, how would you rank these abandoned and derelict vessels and the buoys? How would you rank that against open net-pen salmon farms?

Mr. Bob Peart: I don't think it's an apt comparison. Our harbours are small. Our harbours have these boats in them. Many of them don't have storage tanks. Some of them are scraping the bottom. Some of them have hazardous waste. This is being left in our harbours and bays. It's a very serious problem. The enforcement rests with Transport Canada, and Transport Canada isn't enforcing the private mooring buoy regulations.

Mr. Clifford Small: DFO has jurisdiction over salmon farming, and we hear in the media everywhere every day how bad salmon farming is for the ocean ecosystem. However, I never hear anything about abandoned vessels and the effort to try to get those vessels and moorings out of it.

Mr. Bob Peart: If you lived in British Columbia and if you lived in, certainly, the bottom part of Vancouver Island and Salt Spring Island, you'd be hearing a lot about it, sir. The folks here are pretty fed up. The Coast Guard has numbers, and the numbers are anywhere from 1,500 to 6,000 abandoned vessels. It's a very serious problem.

Mr. Clifford Small: There are lot more abandoned vessels than those in the registry. Is that what you're saying?

Mr. Bob Peart: That's correct.

Mr. Clifford Small: How do we go about getting that registry updated?

Mr. Bob Peart: There are two things I'm suggesting. One is that the responsibility for regulations for the private mooring buoys

should come back to the Coast Guard, which is where they were before 2004.

The second thing we're recommending is that a registration system, perhaps similar to Washington state's, be put in place by the federal government. As one of your witnesses was saying earlier, it's the same as with a car. You register your car and you drive. You need to register your boats before you can move them.

• (1225)

Mr. Clifford Small: There's not enough time for another question.

The Chair: Thank you for saying that, Mr. Small. I apologize for chastising you earlier.

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

Mr. Ken Hardie: You can go ahead and chastise him. That's okay. He chastised me too.

Mr. Peart, I wanted to ask the first question of you, but to do that, I have to give Mr. Dahli some credit.

Mr. Dahli, I picked up your submission to the committee today from the Cadboro Bay Dead Boats Society, and I wanted to quote something from that piece to Mr. Peart. It reads:

Despite entailing the use of provincial Crown Land (covered by water), BC Land Use Policy for Private Moorage does not apply to mooring buoys used for private moorage because the Provincial responsibility for regulating that use of Provincial lands has been relegated by policy edict to Transport Canada....

At one point, the province had the pen, or the hammer, if you want to use a curling term. You said it should go back to the Coast Guard from Transport Canada. Transport Canada is worried about navigation. That's all it really focuses on.

Sir, would you not suggest that it go back to the province, where it started out?

Mr. Bob Peart: You would have to talk to someone more knowledgeable than me. Maybe Eric knows.

However, the responsibility prior to 2004 rested with the Coast Guard, and private mooring buoys, as I understand it, have been a federal responsibility. Where the B.C. Land Act—

Mr. Ken Hardie: Because my time is limited, perhaps we can go to Mr. Dahli and suggest that the responsibility should go back to where it used to be, which is the province, which basically has the land use, including the seabed, of all of the interior ocean frontage we have in B.C.

Mr. Dahli.

Mr. Bob Peart: If I may say—

Mr. Ken Hardie: Excuse me, Mr. Peart. I need to ask a question of Mr. Dahli.

Go ahead, Mr. Dahli. That was for you. Do you think it should go back to the province, where it used to be?

Mr. Eric Dahli: Thank you.

One of the things we are facing—and we are in a jurisdictional quagmire out here—as far as I understand it is that the seabed is the jurisdiction of the province. The water between the seabed and the surface is the jurisdiction of Fisheries and Oceans, and the surface is the jurisdiction of the Coast Guard. Therefore, when you come in and drop a mooring buoy in a bay, you are, in fact, touching on three different jurisdictions and would require—I would guess, if you did it properly—three licences.

However, people come into any bay, throw something overboard and attach a line to it, and it ends up drifting ashore, sadly.

Mr. Ken Hardie: There you go.

Sir, I'll have to interrupt again because my time is limited, and I don't want to be chastised.

An hon. member: [*Inaudible—Editor*]

Mr. Ken Hardie: Yes, well, it's the fear of God.

All right. We have the problem now. Between the two of you....

We'll start with you, Mr. Peart. I'm sorry I cut you off earlier.

What is the eventual solution that makes all of this go away?

Mr. Bob Peart: My understanding is that the best solution is to return to how it was before 2004 and have the Coast Guard be responsible for private mooring buoys.

Mr. Ken Hardie: With respect, sir, that doesn't get to the root of the problem with people abandoning boats.

Mr. Dahli, I would like to hear your comments, please.

Mr. Eric Dahli: People from every jurisdiction should sit down—like my schoolteacher said, “Sit down and play nice”—and figure out your jurisdictions. Until we get it done, we will continue to do these things. We have to look at what Washington state did. I got all the papers on Norway. They run a good show, and I'm not saying that because I'm Norwegian.

• (1230)

Mr. Ken Hardie: You're allowed.

When it comes to recommendations, we're brimming with them here. The reflections we had earlier indicated that we could treat vessels much the same as we treat motor vehicles, requiring vehicle identification numbers or vessel identification numbers, including some hidden on the hull, so that we could actually identify who owned the thing.

Also, we could have very active harbourmaster activities to ensure that anybody coming in and mooring to the dock or mooring to a private buoy, or a public one, if there is such a thing, has to register with the harbourmaster. If they don't, the boat gets towed.

These are the sorts of things we need to be talking about, rather than squabbling over the jurisdictions we have with the current conditions. Let's eliminate the current conditions entirely.

Mr. Bob Peart: In many of our harbours and bays, there are no harbourmasters, so that makes it really awkward.

The Chair: Thank you, Mr. Hardie.

We'll now go to Madame Desbiens for six minutes or less, please.

[*Translation*]

Mrs. Caroline Desbiens: Thank you, Mr. Chair.

I'll say to the witnesses that the topic is truly interesting. I support this logic. Every province has a motor vehicle registration agency, which keeps records of each vehicle and its owner. Unless proven otherwise, each owner is responsible for their vehicle, and the owner can be traced with the vehicle serial number.

As a rule, there are fewer boats than motor vehicles. Couldn't each province set up a boat registration system for boats bought on its territory to make it easier to locate them on waterways? Could the solution used for motor vehicles be adapted to boats, which would then be similarly managed?

Let me know if this is already the case. If boats are registered, do records exist?

[*English*]

Mr. Bob Peart: Do you want me to answer?

[*Translation*]

Mrs. Caroline Desbiens: Of course you can answer. You're both experts.

[*English*]

Mr. Bob Peart: I don't understand the constitutional authority here. There is some federal responsibility. If the province, like British Columbia, could have a system such as that, some kind of registration system is really needed. Whether it's provincial, federal or a combination of both, I don't understand how that would work. However, some kind of registration system similar to what's happening in Washington state, that's what is really needed.

[*Translation*]

Mrs. Caroline Desbiens: It would be a registration system that links the boat to a clearly defined owner who has an address; a real person, in other words.

[*English*]

Mr. Bob Peart: That's correct.

[*Translation*]

Mrs. Caroline Desbiens: That would make it easier to trace owners and naturally remind them of their obligations if ever their boat disappears.

[English]

Mr. Bob Peart: That's correct. Right now, my understanding is that, for many of the vessels that are being abandoned, it's next to impossible to trace the ownership. You can't go to Mr. Jones and say, "Please take your vessel out", because it's so confusing as to who actually owns the abandoned vessel.

• (1235)

[Translation]

Mrs. Caroline Desbiens: Once a boat has sunk to the bottom, is the history still required? Is it necessary to know if the boat is at the bottom, or if the wreck is moored to a buoy? Is it harder to spot on the bottom? What about sonar? Even sailboats usually have some type of locating system. Could the focus be on some type of emitter that could trace the boat?

[English]

Mr. Bob Peart: Yes. There really needs to be a system such as what you're saying, whether it's provincial or federal or some kind of authority. We need to be able to trace the owner of the boat, whether it's attached to a buoy or a dock, or whether the boat actually is sunk on the bottom. Right now, it's really very difficult to trace who actually owns most of these abandoned and derelict boats.

Eric, do you want to add anything?

Mr. Eric Dahli: No, thank you. Whatever Bob says, I totally agree with.

[Translation]

Mrs. Caroline Desbiens: What about Norway or even the state of Washington? Is that how things work? Are we further ahead technologically at locating boats, even if they're at the bottom?

[English]

Mr. Bob Peart: Again, I don't know what's going on globally, but I would say the system Canada has right now is quite inadequate. There is no registration system. Transport Canada says that there will be one coming, and we've been waiting and waiting and nothing seems to be coming. I understand even recently there was some kind of bill passed in the House of Commons about some kind of registration fee, but we're holding our breath. We haven't seen any progress on the registration side of it at all. Along with the transfer of ownership of the private mooring buoys, those two things together are really key to why we have such a problem out here.

The Chair: Thank you, Madame Desbiens.

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

Ms. Lisa Marie Barron: Thank you, Chair.

Welcome to our witnesses here today.

The first question I have today is going to go to Mr. Dahli.

First of all, you mentioned the papers on what's happening in Norway. I would love for that to be submitted to the committee for us to review. It's always important for us to be able to look at examples, not just within Canada but internationally, so I would love to be able to see those.

My question to you, Mr. Dahli, is about how in the notes that were provided to us here, on the second page, you say, "We therefore need", and you talk about the requirement for "succinct criteria for evaluating and rating the safety and environmental risks of listed and reported pending derelict vessels, and a provision to alter its listings and response plans accordingly as so warranted."

This really resonates with what I'm hearing from within the community, where people are expressing their concern that the bar is too low for the environmental impact that needs to be assessed before the boat can be pulled out and all the problems that go along with that. There are strict criteria. The bar is too high, so then they wait to get them pulled out and then they're sinking. Then they're bringing them back up to float again, and then they're sinking again. It's just this ongoing problem. I'm wondering if you can speak about how important these criteria are to seeing the necessary action being taken in a timely manner.

Mr. Eric Dahli: When a vessel comes into Cadboro Bay, when the ship hits the sand, so to speak, we immediately get a hold of the Coast Guard. We immediately call upon our group of volunteers, and we go and quickly evaluate the boat. Then we relay that back to the Coast Guard with pictures of what is happening. Sadly, unless there is an oil leak or a gas leak, it gets on a back file. Nothing happens immediately.

We've had a couple of occasions where there have been some hypodermic needles wash ashore when the boat washed ashore. That gets the attention of the local police, but without a hydrocarbon spill, the boat can languish on the beach until the pirates come along and strip it of all the shiny bits. Then the kids come and play on it. It very quickly becomes a derelict and something not worth doing anything with, except begging and pleading and borrowing to get the damn thing off the beach.

• (1240)

Ms. Lisa Marie Barron: Thank you so much.

I want to emphasize how much I appreciate both of you highlighting today, in very descriptive ways, the real impacts this is having on people on the west coast. We know this has implications coast to coast. However, particularly on the west coast, we are seeing the detrimental impacts of a lack of a sound federal strategy that interconnects all of those involved. Therefore, I appreciate the information.

I have too many questions.

I'm going to Mr. Peart.

In the notes you provided to us, point two speaks about “empower[ing] local communities to manage private mooring buoys.” There was one thing that stood out to me with a previous witness, Ms. Brokenshire, who talked about the bylaws in place through the Bowen Island Conservancy, of which she's a member. She talked about the fact that, through this process, the municipality takes on the costs. I hope I'm remembering what she said accurately.

I wonder if you could speak about how important it is that we have a federal strategy, where the federal government takes the leadership required for these strategies, so that municipalities already overburdened with the downloading of resources don't feel the impacts of the steps needed to move forward with the mooring plan.

Mr. Bob Peart: Yes, I was able to listen to your previous witnesses.

We have False Creek, Deep Cove, Bowen Island, Kelowna and Gorge waterway here. There are a number of communities trying to move forward to control this. Again, without more federal authority on private mooring buoys, the abandoned boats just shuffle along. Say there's a vessel on Bowen Island they don't like. They approach the owner, but the owner will just move to the next harbour.

As I said earlier, the core reason for a lot of these abandoned and derelict boats is the fact that the private mooring buoy situation isn't regulated. Yes, communities have the 300-metre zone. Places like Bowen Island put in a licence of occupation. It has helped the situation locally, but it isn't helping the overall situation, in the sense that the private mooring buoy regulations aren't being enforced.

The Chair: Thank you, Ms. Barron.

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

Mr. Mel Arnold: Thank you, Mr. Chair.

Thank you to both witnesses for appearing today.

I want to start out by making sure we're clear on something.

Are vessel owners required to register vessels when purchased, in your understanding?

Mr. Eric Dahli: I can answer that with some of the experiences we've had in Cadboro Bay.

First, the two happiest days in a boat owner's life are the day he purchases it and the day he gets rid of it. That's the other best day.

Mr. Mel Arnold: The question is, are vessel owners required to register their vessel? I've checked the Government of Canada website, and it says they are.

Mr. Eric Dahli: There are many vessels that change hands with a few dollars, and there is no record—

Mr. Mel Arnold: Are they required to register those vessels by law?

Mr. Eric Dahli: I am not—

Mr. Bob Peart: They are when it's initially purchased, but a boat could be in the water for 30 or 40 years and have seven different owners. The confusion is after the initial purchase.

• (1245)

Mr. Mel Arnold: However, I looked at the Government of Canada's website. Owners are required to register a vessel under the large vessel register or a pleasure craft licence.

Mr. Bob Peart: Is that when they purchase it?

Mr. Mel Arnold: No matter who from, it's when they purchase it. It's not necessarily brand new. It's whenever they purchase it. I can state this, because I used to be in the small-vessel repair business. Whenever a vessel is transferred, you are required to transfer the registration.

What is happening? Can you say whether or not that law is being enforced?

Mr. Bob Peart: It is not being enforced.

Mr. Eric Dahli: I agree.

Mr. Mel Arnold: We currently have laws that could address this, but they're simply not being enforced. Is that correct?

Mr. Bob Peart: That is correct.

Mr. Eric Dahli: I agree wholeheartedly. There are vessels in Cadboro Bay that have old K numbers on them that do not exist anymore. They've been handed down through a lot of cash deals that you can't trace.

Mr. Mel Arnold: Thank you.

Mr. Peart, you mentioned that Transport Canada has committed to modernizing the vessel owner registry. When was that commitment made?

Mr. Bob Peart: I don't know the details. I'm just saying that in the conversations I have with individuals at Transport Canada, they say, “Yes, we're working on it. We're working on the system. We'd like to do it. Yes, we need a registration system.”

More recently, I was told by Elizabeth May that a bill was passed in the House of Commons to set up some kind of registration system through Transport Canada. Again, I don't know the details, but I think that's happened within the last six to nine months.

Mr. Mel Arnold: Thank you.

Again, Mr. Peart, you mentioned that regulations are not being enforced. Can you elaborate a little further on what regulations you were referring to?

Mr. Bob Peart: Most of them would be related to the private mooring buoys, the Navigable Waters Act and WAHVA. Those are the—

Mr. Mel Arnold: What's WAHVA? Is that an acronym?

Mr. Bob Peart: Let me look it up. I always have to look. It's the Wrecked, Abandoned or Hazardous Vessels Act.

That enforcement prior to 2004 was more directly related to the Coast Guard and that responsibility was then transferred out to Transport Canada. Subsequently, since 2004, Transport Canada has not been enforcing the regulations as effectively as the Coast Guard was.

Mr. Mel Arnold: Thank you.

Mr. Dahli, you mentioned that we're in a jurisdictional nightmare. Can you take 30 seconds to elaborate on that?

Mr. Eric Dahli: I can only speak from the experience of Cadboro Bay, where we have two municipalities, first nations with an interest in the bay, the province and the federal government with its many departments. For example, when we phone in to report a vessel on the beach, the first thing that happens is they ask, like I said before, "Are there any hydrocarbons leaking?"

If not and if we can make it to that boat, we discover, for example, that there is no number on it at all. There is no plaque in a port-hole saying, "In case of emergency call". The boat may have been tied up in the bay for months. We have no idea.

On the beach, the municipality of Saanich has put up signs that say, "In case of emergency", and there is the Coast Guard emergency number. It falls between the cracks more times than not. When we first started in 2017—

• (1250)

The Chair: Thank you, Mr. Dahli. We're going to have to end it here.

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

Mr. Patrick Weiler: Thank you, Chair.

I want to thank our two witnesses for their testimony thus far and for being here.

I'll continue with the jurisdictional quagmire. I know Transport Canada will have a role if there's a navigation risk with mooring buoys and otherwise. Sometimes, DFO will have a role if it's in a small craft harbour. As Mr. Dahli was saying before, you have a number for the Coast Guard that you can call if there is an emergency situation. My experience has been, from hearing from constituents in my riding, that people are oftentimes waiting for weeks in those cases, and sometimes, those situations actually get much worse.

With that in mind, I have a question for Mr. Peart. You mentioned that, from your point of view, this is a system that was better regulated when the Coast Guard had the responsibility for it. I wonder why the Coast Guard is better suited for this, or if this might just be a matter of resourcing for Transport Canada.

Mr. Bob Peart: It seems to me that the Coast Guard is a logical place. First off, the Coast Guard has boats, so they can get on the water. Transport Canada, in a lot of cases, doesn't have boats. Certainly, out here, our experience is that it doesn't have access to boats. The Coast Guard has the ability to get on the water, and they're more local; they're regional. Prior to 2004, my understanding is that the system worked quite well. The Coast Guard seems logical to us, because, again, it's within DFO, so there's more of a direct relationship and it just seems like a logical body for us.

I suppose it could be done by Transport Canada. It would have to be resourced much better than it was, and it would also have to enforce, which it hasn't. It would need clarification around what abandoned boats are, and we'd need a clearer definition around abandoned and derelict, as well.

It could be done by Transport Canada, but I think it's cleaner to have it sit with the Coast Guard.

Mr. Patrick Weiler: The next question is for Mr. Dahli.

A situation that I find often plays itself out is that you have a boat owner who wants to get rid of a boat because it's getting to the point where it's falling apart, and you typically find a vulnerable Canadian who, oftentimes, is living with housing insecurity. This person ends up becoming a live-aboard, and they don't actually end up registering the boat. Then you have someone living in an unsafe situation with no way of actually tracking this.

I, unfortunately, see this set of circumstances play out over and over, and I'm wondering, from your point of view, what the best way is to approach this type of a circumstance.

Mr. Eric Dahli: If, and when, we get our licence of occupation in Cadboro Bay, then the moorage field will be under control. In order to moor in the moorage field, you will need to have insurance and you will need to have a holding tank. By the way, the Royal Victoria Yacht Club has agreed to manage the licence of occupation in Cadboro Bay. When the people come in and sign in, their boat will be checked.

We also want to have, as part of this, a wellness check so that every so many days, if someone's time has expired and they're going to leave the bay or get their stay renewed, there would be a wellness check. We'd like to work with the RCMP marine division on that so that, if there is, in fact, an issue, the representative from the yacht club, when they go to a vessel and see something they are not happy with or are concerned about, can contact the marine division. The municipality of Oak Bay does not have a navy.

• (1255)

The Chair: Thank you, Mr. Weiler.

We'll go on to Madame Desbiens now for two and a half minutes or less, please.

[*Translation*]

Mrs. Caroline Desbiens: Thank you, Mr. Chair.

Witnesses, you're saying there are 100 factors used to assess each boat's risks and determine what to do with the boat. We know that abandoned boats have been used for criminal activity, and what that implies for examining the 100 factors involved if a dangerous good or illegal substance was on board.

Do you think simpler, more suitable criteria and working in phases would increase productivity or efficiency? What if a dozen assessment criteria were used to detect whether a boat carries illegal substances, but another 10 for the boat's environmental risk? Determining the consequences of abandoning each boat could be based on priority.

[*English*]

Mr. Bob Peart: Are you asking Eric?

Mr. Eric Dahli: If the question is for me, somehow I don't have interpretation up and running on my machine. I'm sorry.

Mr. Bob Peart: One of the first steps is that the federal government needs to clarify the definition of a mooring buoy as a minor work. There needs to be a clearer definition of "abandoned" and a clearer definition of "dilapidated". You can do this by regulation.

Once that's been clarified, you could go to an organization like the Coast Guard. It would be able to very easily set up a list of criteria as to what is hazardous. I'm sure it could come up with three, four or five top criteria pretty quickly.

The Chair: Thank you.

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

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

Thank you, again, for all the important information you've provided to us today.

I want to bring it all together with this point. We know that, on average, if we look at every year, we see—and this is a very rough number—that for every one vessel that's cleaned up, five are being abandoned right now in British Columbia. Those are extraordinary numbers. We can see that what we're doing is not meeting the need.

The other point I was going to mention is that, in particular, we're seeing the impacts in some of our local communities. In my riding of Nanaimo—Ladysmith, along the coast of Ladysmith, there are vessel graveyards that are getting bigger and bigger. I know we're also seeing a problem in Gonzales Bay.

Perhaps I'll start with you, Mr. Dahli, and then, Mr. Peart, if we have time. Can you speak to how important it is that we have a comprehensive national strategy in place that would take into account first nations, municipalities, the provinces and the federal government, all working together to address this issue?

Mr. Eric Dahli: If we don't all work together, we will continue being smacked from pillar to post as we go along. Like I said, Cadboro Bay is blessed with two municipalities. It's not that people

would point fingers at another jurisdiction, but it appears to happen. As a former bureaucrat, I look at the links between municipal, provincial and federal, and it gives this old fella a headache trying to figure out just what it is that we're doing.

• (1300)

Ms. Lisa Marie Barron: Thank you.

Mr. Peart, do you have any final words on that?

Mr. Bob Peart: Yes, absolutely. We need a comprehensive national approach that brings all the jurisdictions, municipalities and parties together to figure out a way to move forward. However, I would just preface that, in the meantime, the federal government needs to enforce its existing regulations, transfer the powers back to the Coast Guard and set up a registration system.

Ms. Lisa Marie Barron: Thank you.

The Chair: Thank you for that.

I want to thank our witnesses, Mr. Dahli and Mr. Peart, for sharing your knowledge with the committee today as we work through this particular study.

I see that Madame Desbiens is putting up her hand for something.

[*Translation*]

Mrs. Caroline Desbiens: Yes. I'd just like to point out that when sound checks are done with people taking part via video conference, we need to be sure they know how to use the interpretation controls. I say this because I often lose precious seconds. Thank you.

[*English*]

The Chair: That was definitely worthwhile mentioning, Madame Desbiens. I'm sure the clerk will make note of that. However, in many cases, people don't have anyone there in order to figure out the interpretation.

Again, thank you everyone for a great meeting today.

The meeting is adjourned.

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