
SMALL CRAFT HARBOURS
PACIFIC REGIONAL HARBOUR AUTHORITY
ADVISORY COMMITTEE (PRHAAC)

RECORD OF DISCUSSION

Friday, November 2, 2018
Boardroom B, 2nd Floor, 401 Burrard Street, Vancouver, BC

PRHAAC Members:

Ben Maberley, Whaler Bay HA
Bruce Evans, Fanny Bay HA
Frank Mauro, HA of Pender Harbour
Jaime Da Costa, Steveston HA
Janet Rooke, Harbour Authority Association
of BC (HAABC)
Lutz Budde, Oona River HA
Michael Griswold, Quadra Island HA
Mike Jacobs, Haisla HA

SCH Ex-Officio PRHAAC Members:

Karen Calla, Regional Director
Jordan Mah, Regional Manager Harbour
Development
Nakita Cheung, Harbour Development
Officer

Guests:

Robin Richardson, Senior Program Advisor
Vahid Kahnamelli, Regional Engineer, SCH
Stephanie Paterson, Program Officer, SCH
Spencer Wright, Program Officer, SCH
Athen Yuen, Program Officer, SCH
Keith Lawson, Superintendent Technical
Management, CCG
Jason van der Valk, Vessels of Concern
Officer, CCG
Ryan Greville, Navigation Protection Program
Manager, TC

1. WELCOME AND REVIEW OF AGENDA

- The meeting Agenda was reviewed and adopted.
- Welcomed new member – Janet Rooke

2. REVIEW OF RoD and ACTION ITEMS

- Action Items from the previous meetings were discussed. The Dredging topic will be deferred to the next face to face meeting as further discussions need to occur within SCH.

3. DFO and SCH UPDATE

Karen Calla provided the following updates to members:

- Budget 2018 included \$250 million over two years for projects. There will be three major capital projects with the majority of other projects being smaller. All projects must be finished in two years.

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- A new Minister was announced. The current Minister of Fisheries, Oceans and the Canadian Coast Guard is the Honourable Jonathan Wilkson. Minister Wilkson is located in North Vancouver.
- National headquarters has officially and successfully moved to Moncton, New Brunswick.
- Divestitures are in progress for harbours that no longer contribute to the commercial fishing industry. After a divestiture, the harbour will be available to the public for five years.
- Standing Committee on Fisheries and Oceans (SCOFO) is conducting a study on SCH and has been visiting various sites. Ben Maberley was invited to attend and present. Unfortunately, Ben is unable to attend.
- It has been decided that Frank Mauro will attend the SCOFO meeting to represent PRHAAC.

Jordan Mah provided the following SCH updates to members:

- Jordan has accepted a new position and will depart SCH at the end of November. Karen Calla is currently finding a replacement for Jordan.
- Nakita Cheung will be backfilling Michelle Cho while she is away on maternity leave.
- Claire Salvador has moved to the Harbour Development team to on assignment as the Consultation and Engagement Coordinator. She will work on First Nations Consultations and Athen Yuen will backfill her.
- Katie Rattan is on leave and Robin Richardson will fill her role as the Client Services manager.
- Nationally, client services have created three working groups to steer policy and plan priorities.
 - Indigenous Reconciliation Working Group – The working group will explore how SCH can adopt policy to support reconciliation and related efforts across Regions. A work plan is currently being developed.
 - Lease Working Group – SCH is currently using a template from 2011 with small modifications to the 1980 template. The group's goal is to clarify the mandate and strengthen delivery. Updates to the template will be made where required. They are currently identifying issues and options for discussion. The current intent is to create different leases for specific types of harbour authorities.
 - Compliance and Enforcement Working Group – This group was formed based on feedback from NHAAC and Eastern Canadian Regions due to compliance issues. The focus is on how to support harbour authorities to further enforce lease provisions. The group is also identifying issues and options for discussion.
- Members of PRHAAC were interested in the possibility of increasing lease durations. Jordan advised there may be issues with Treasury Board as changes to the lease will likely need to be the same for everyone.

<p>Action Item: SCH will raise the possibility of increasing lease durations to the lease working group.</p>

- Anything developed by the working groups will go to PRHAAC and NHAAC for consultation after SCH has discussed internally.
- Jordan announced NHAAC representatives. Michael Griswold, Ben Maberley and Lutz Budde will attend NHAAC between November 13 and 15 in Winnipeg, Manitoba.

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- Aside from working groups, SCH will also plan to continue work on zonal planning, long term strategy and harbour authority classification.

Jordan Mah provided the following regional updates to members:

- The Department of Justice replied to SCH and advised SCH cannot prohibit liveboards due to arm's length relationship with harbour authorities. HAABC is developing a policy and agreement for harbour authorities to implement. This will be similar to moorage agreements and SCH will continue to work together with the HAABC on the policy development.
- Role clarification and expectations for cranes continues. SCH is consulting colleagues to explore the policy, and an update will be provided at the HAABC seminar in February. PRHAAC members notified SCH that harbour authorities have heard other regions divested their cranes to the harbours. Overall, further clarification on operation, maintenance, and liability need to be clarified.

<p>Action Item: SCH continue to explore and discuss cranes internally and provide update in February at the HAABC seminar.</p>

- Regional distinction awards are open for nominations. Two new categories were added (Long Standing Service and the Up and Comer Individual Distinction Awards) and everyone is encouraged to send a nomination to SCH. The Environmental award has also been renamed Innovation to better encompass harbour authority commitments to innovation. All Regional distinction awards recipients are eligible and put forward for National awards.
- 4. Net Recycling**
- Nakita Cheung provided a brief update on the groups SCH has spoken with and information found to date. PRHAAC was notified that Minister Wilkson signed onto the Global Ghost Gear Initiative (GGGI) in September. A few of the options discussed were to create hubs to build volume, asking fishermen with empty boats to drop nets off, and paying fishermen during the off season to strip nets. The HAABC has also formed a working group to tackle net recycling and will be in touch with PRHAAC.
 - Jaime Da Costa explained a company they were working with previously requires a large amount of nets. She has recently found a local company that may work with Steveston to recycle the nets. Unfortunately there are no companies interested in taking poly plastic based nets. Burying nets continues to be the main option.
 - Jaime noted that nets take a long time to strip and require a skilled fisherman to do properly. This is not an activity suitable for untrained volunteers. Ben Maberley mentioned he has a net area at his harbour and may be able to assist with net stripping.
 - PRHAAC members suggested saving lead lines from nets and salvaging them for scrap. This would create a fund for net stripping wages.

5. HAABC/ HAC Updates:

Janet Rooke provided the following HAABC updates to the group:

- 2018 HAABC Seminar will be in Ucluelet in the second week of February. The HAABC is currently putting an agenda together. They are exploring transportation methods and plan to have more details by mid-November. Frank Mauro and Mike Griswold send their regrets as they will not be able to attend the seminar.

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- Janet announced a new administrator was hired for HAABC. The previous title was Executive Director, but the HAABC board of directors felt Administrator better fit the roles and responsibilities.
- Janet also recognized the amazing job HAABC President Rob Clarke has done during the HAABC's transition between administrators.
- The HAABC has completed a draft of the liveboard policy and it is currently under review by their lawyer.
- It was recently found that many vessels hold a license, but are no longer actively fishing. The HAABC will review their fee structures and licenses. A solution will be explored with their lawyer.
- A Warehouse Lien Act template has been put together by the HAABC lawyer.
- In October, Janet had the opportunity to attend a conference in Moncton and shared her experience with the group. During the conference she received many questions on insurance, harbour authorities, associations and lease renewals. Derelict vessel concerns are fairly low on the East coast because winter weather forces boat owners to take their boats out.

Ben provided the following Harbour Authority Corporation (HAC) updates:

- The AD&D and DNO policy have been renewed.
- All claims run through the HAC office through Ron now.
- Ron will attend all NHAAC and Regional Seminars.

6. Third Party Liability

- Ben Maberley notified the group that HAC is interested in being the third party liability insurance supplier. This would be beneficial to harbour authorities because all insurance would be in a single centre. If HAC has the third party liability they can tailor and work with the insured directly to make it specific to them. This will also give HAC better negotiation power.
- HAC is interested in the third party liability activities that occur in harbour authorities.
- Mike Jacobs raised that it would be helpful if harbour authorities had a list of what their liabilities are. This would allow them to coordinate their risk management.
- Concerns over enforcement of insurance with users was raised. There was also a discussion on how it is becoming harder to insure vessels over \$35,000 in BC. The group was interested in knowing the limits on size and value of boats within insurance criteria.

7. Oceans Protection Plan (OPP) Update:

Keith Lawson, Superintendent Technical Management, provided an overview of OPP initiatives at the Canadian Coast Guard (CCG):

- Keith spoke about a few of the 40 programs that are ongoing at CCG. Their current approach is a whole of government strategy. Partnerships and engagement with indigenous groups, stakeholders, and coastal communities are central to their strategy.
- Under OPP, CCG is focusing on logistic depots, stronger regional response plans, increased marine safety information, and creating meaningful partnerships.
- With the response network expanding, CCG will also be sharing various new information sharing systems. To reduce blackout periods and landlines, upgrades to the operations network will enable CCG to support radar, VHF, and AIS. After completion, CCG will have a robust and reliable system.

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- Through changes to CCG's mandate, they are expanding their response fleet. They now have enhanced authorities for an efficient and effective emergency response. One of the new vessels will be leased for three years and drastically increase CCG's towing capacity. The vessel is large enough to host an Incident Command Post, conduct training exercise, and respond to environmental incidents.
- CCG will install four new lifeboat stations and is working closely with First Nations in areas to select locations.
- To improve environmental response, CCG is modernizing their equipment. They are introducing brand new technology and replacing lifecycle equipment. CCG will also procure Mobile Incident Command Posts and equipment. Risk analysis is also being conducted by using a methodology to cyclically analyze requirements for search and rescue services. Continuous improvements to the program are made based on statistical evidence of marine traffic volume and incidents, as well as, extensive consultation with mariners, industry and First Nations for local knowledge.
- Through OPP, CCG has expanded their emergency response training in their community level response network. Training includes, search and rescue, marine first aid, and oil spills. CCG is conducting training in various First Nations in BC.

Jason van der Valk (Vessels of Concern Officer) and Ryan Greville (Navigation Protection Program Manager) provided an overview of the new Vessels of Concern (VOC) program at Canadian Coast Guard (CCG) and Transport Canada (TC):

- The new VOC program will be governed by the Wrecked, Abandoned or Hazardous Vessels Act (Bill C-64) and is a joint effort between TC and CCG. Officers will be stationed in zones and cross trained between the two departments. The training is currently being developed nationally and will bring consistency. After the act is passed, VOC officers will have enforcement abilities. The program is not a response program and will focus on case building and legal laws.
- Ryan Greville explained that Bill C-64 will use a graduated enforcement approach and is meant to encourage compliance. The intent is to be proactive by placing the onus on the owner and equipping the Government of Canada to respond and hold them accountable. Under the new act it will become prohibited to deliberately let a vessel become wrecked, abandoned, or dilapidated.
- A brief discussion on concerns around enforcement and fines occurred. The Canadian Maritime Law Association letter to the Standing Senate Committee on Transport and Communications was mentioned. SCH noted they have been advised on the letter through zone meetings and acknowledge the concerns. SCH will continue to follow the letter closely and TC will provide analysis to the senate. The HAABC will also write a letter to the senate. CCG confirmed they have received the original letter and are aware of the concerns raised.
- Ryan also noted that TC and CCG are currently discussing the definitions for dilapidated, hazard, wreck, and abandoned. This will clarify who will address and respond to each type of vessel. Discussions on how to co-delegate then standardize policy and procedures across all situations with consistent communications and actions are occurring.
- Jason van der Valk provided a quick overview of activities Bill C-64 will make illegal. Of particular interest to the group was the establishment of a licensing and ownership framework.
- A discussion on licensing requirements took place amongst the group and how it could take effect in BC.

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- Jason spoke about CCG VOC program's three pronged approach to prepare for Bill C-64. VOC officers are currently building an accurate inventory of VOCs in Canadian Waters. They are verifying vessels that were received in their initial inventory by locating, assessing and adding them to a new inventory. They have also engaged with First Nations, marine partners, and other stakeholders to build awareness of the new program, gain assistance with the inventory, and request onsite feedback on specific risks that VOC pose to communities.
- In the future, the VOC program will build a risk assessment tool and fund to assist in remediating vessels in the inventory. They will also educate the public on effective life cycle management and place more responsibility on vessel sellers to ensure purchasers register vessels in their name.
- Jason reminded the group about the TC Abandoned Boats Program and DFO SCH Abandoned and Wrecked Vessels Removal program. A request was put out to the group for assistance in updating the inventory. The group was asked to take photos, record the current condition, make notes and send information to the Western Region VOC program.
- A reminder to report VOC was mentioned. If anyone finds a VOC call the Marine Pollution Reporting Line at 1-800-889-8852 or email ROC1COR1@dfo-mpo.gc.ca.

8. Abandoned and Wrecked Vessel Removal Program

Nakita Cheung and Jordan Mah provided a brief update on the program.

- The group reviewed meeting materials detailing the projected legal possessions, removals and disposals to be completed by March 31st, 2019.
- A tentative date for the next round of applications was announced. SCH is currently working with national on a simplified form.

9. NHAAC Pacific Region Overview

- The group discussed the draft Pacific Region updates presentation and approved of the contents. SCH will add a small addition to the presentation for Ben Mabblerley to speak on the Whaler Bay Coastal Response Program.
- The NHAAC agenda was reviewed and the group raised the need to add HAC and third party liability to the agenda. The group was encouraged to raise any concerns or challenges for PRHAAC representatives to bring forward at NHAAC.
- Mike Jacobs raised concerns over OPP. There is a need for more consultation and engagement with the public to be more fair and inclusive of all harbours on the BC coast.
- The group resumed conversations on topics to present SCOFO. An outline and briefing items were adopted for Frank Mauro to present.

10. ADVISOR UPDATES

- Janet Rooke raised that fishermen are concerned about closures and notices of fisheries. Communication is needed on how they affect communities.
- Jaime Da Costa noted that VOC, dredging and net recycling continue to be major concerns for Steveston.
- Lutz Budde would like to see program officers come out in person more often. He is concerned about the three year inspection review reports. Lutz suggested having program officers work with the harbours regarding actions to take as harbours are not clear on who is responsible for items. Clarity on responsibilities will prevent issues.

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- Ben Maberley spoke about divestitures and how more proactivity is needed. SCH and PRHACC should be working towards divesting Southern Gulf Island sites. Janet weighed in and advised on how commercial fishing use in the area is decreasing. Recreational boating is increasing and private marinas are increasing their fees Janet raised the need for a fishermen to have an avenue to report a SCH that refuses them or charge commercial fishermen more. SCH should remind harbours that the DFO mandate is to serve the commercial fishing industry. SCH also advised the group to notify their program officer if they are aware of harbours charging different rates for commercial fishermen.

11. WRAP-UP AND NEXT MEETING

- Members were advised that the next PRHAAC meeting will be in February 2019 at the HAABC seminar.