

# Wrecked, abandoned and problem vessels

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## What is happening with problem vessels?

On February 11, 2015 another abandoned vessel capsized causing diesel to seep from her inboard engine into Mannion Bay, Bowen Island. As tides ebbed and flowed the diesel sheen dissipated but hydrocarbon residue may have infiltrated prime forage fish spawning habitat.<sup>1</sup> Removal of the wreck was authorized by Transport Canada's Receiver of Wrecks, an officer that acts as a custodian of a wreck in the absence of the rightful owner. Demolition and disposal of this boat cost Bowen Island Municipality approximately \$3000. This amount does not include the social and environmental costs associated with this abandoned, wrecked vessel.

During the last decade, there has been an increase in the number of boats abandoned in Howe Sound.<sup>2,3</sup> It is not lawful under the Canada Shipping Act to abandon a vessel, but due to a lack of identification such as boat name or hull identification number, tracking down the owner is difficult. As a result, often the cost of removal and disposal of wrecked and abandoned vessels falls upon concerned citizens and local government.

# What are problem vessels and why are they an issue?

While the term derelict is often used to describe an un-maintained boat, wrecked, abandoned and problematic are terms that have more distinct legal meaning:

- **WRECKED VESSELS** are those boats that are no longer intact. They may reside on the sea floor or clutter the shoreline. Vessels in imminent danger of sinking may also be classified as wrecks. Without restoration they are no longer seaworthy. Transport Canada's (TC) Receiver of Wrecks can authorize the removal of a wrecked vessel under provisions in the Canada Shipping Act (CSA) and the Navigation Protection Act (NPA).
- **ABANDONED VESSELS** are legislated in the NPA and the CSA. The NPA, Section 20, deems a vessel abandoned after 30 days when no owner can be located. Authorized removal of abandoned vessels in Howe Sound waters may be obtained through TC's Receiver of Wrecks. Funding for the removal is limited. Often the person or agency performing the work is held financially accountable.
- **PROBLEM VESSELS** include boats that are causing social unrest or ecological degradation as a result of, for example, raw sewage or grey water discharge, garbage disposal, or intentional beaching by live-aboard occupants or known owners. Problem vessels may be abandoned and become wrecks. Problem vessel owners may be found in contravention of local bylaws, e.g. land use or zoning bylaw provisions; provincial legislation, e.g. Land Act, Trespass Act Environmental Management Act, Public Health Act; or federal statutes, e.g. Fisheries Act.

The problems with problem vessels include environmental contamination, compromised safety and visual impacts. Bays, harbors and channels near amenities and with accessible beaches are particularly susceptible to harmful ecological, social and economic impacts arising from these boats. Unmaintained, abandoned, and problem vessels such as floating storage units may sink and release toxins and debris into the marine environment. Marine life and habitat are impacted and degraded from these polluting vessels and mariner and beachgoer safety is jeopardized.

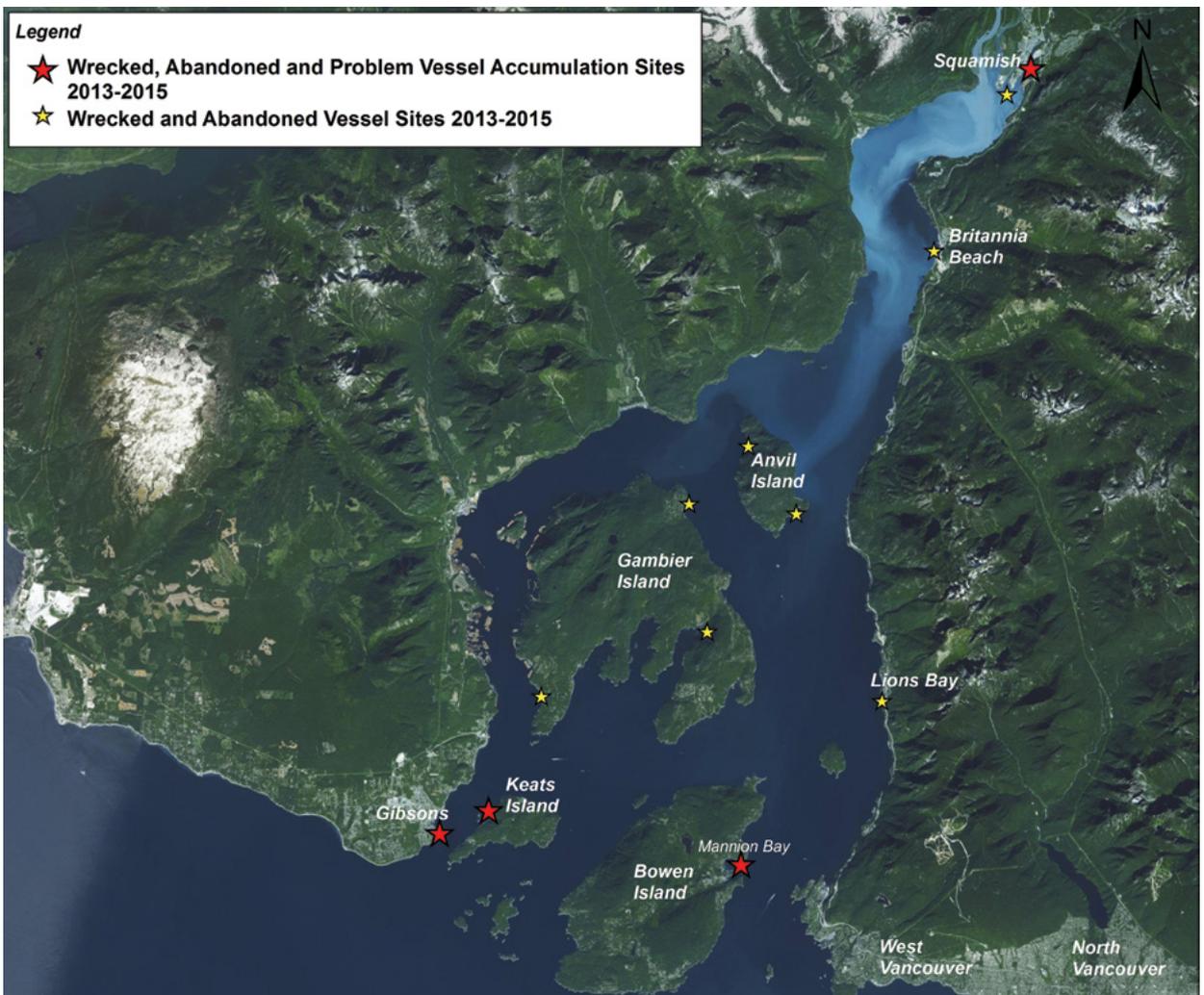


Diesel spill at Sandy Beach, Bowen Island, February 11, 2015.  
(Photo: B. Brokenshire)

# Who is working on the issue?

Multi-jurisdictional authority exists in Howe Sound’s waters making navigation through the sea of legislated authorities and responsibilities challenging. Collaborative enforcement involving local bylaw officers, RCMP, Coast Guard, federal Fishery officers, federal

Environmental Enforcement officers and provincial Natural Resource officers is often required to effectively manage legal breaches associated with problem vessels. Pursuant to provisions in Part 2 of the CSA, all boat owners must ensure their license or registration



Wrecked, abandoned and problem vessel accumulation sites and other sites where wrecked or abandoned vessels were found in Howe Sound from 2013 to 2015. Imagery: ESRI World Imagery

information is up-to-date. Federal enforcement of this section could reduce the community’s burden associated with wrecked, abandoned and problem vessel as anonymous vessel owners may be more likely to pollute or abandon their boats.

The Federal Government is now working on the issue. From Pamela Goldsmith Jones, Member of Parliament for West Vancouver–Sunshine Coast–Sea to Sky Country, comes this message: “On, June 6, [2016] MP Bernadette Jordan from Nova Scotia introduced her private member’s Motion 40 on derelict and aban-

doned vessels. On behalf of the government of Canada I introduced amendments to strengthen the motion. I will be working closely with Transport Canada to broaden the definition that reflects challenges on the west coast. Based on the work of many in our community, we refer to the matter as abandoned and derelict vessels, barges and docks. Transport Minister Garneau is taking the lead on this, which is very good news.”<sup>4</sup> Federal commitment to the addressing the issue was confirmed in the new federal Ocean Protection Plan released November 7, 2016.<sup>5</sup>

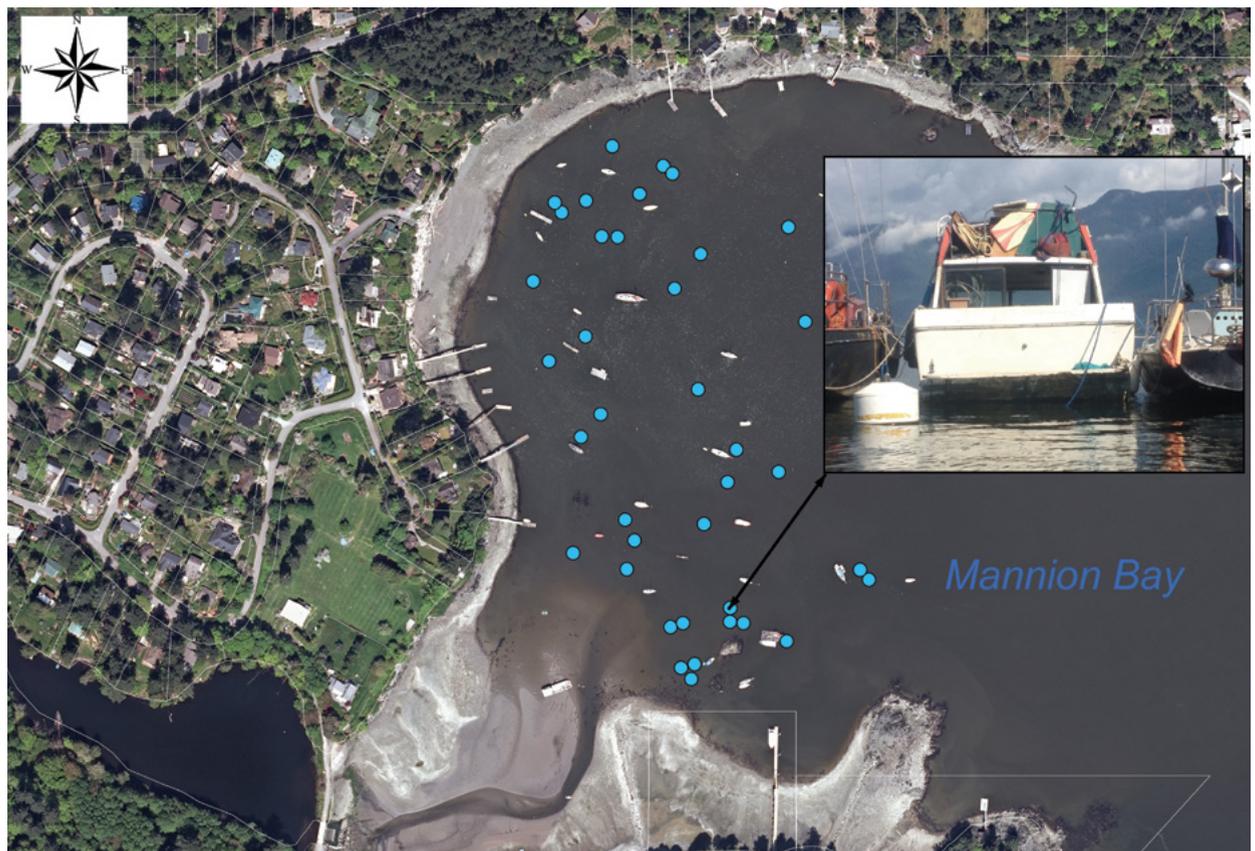


Figure 1. GIS vessel inventory layer (blue dots) from Bowen Island Municipality database 2015. Imagery: Islands Trust

# What can you do?

SOME ACTIONS CONTRIBUTED BY CORI



## Individual and Organization Actions:

- Keep your boat license and registration information up-to-date, and maintain your boat!
- Share information with local governments. For example, Bowen Island Municipality conducts vessel inventories in Mannion Bay every six months (Figure 1).
- Establish a Howe Sound action group. A group of citizens and government representatives could assemble to collectively share data and develop integrated solutions to reduce ecological, social and economic impacts associated with wrecked, abandoned and problem vessels in Howe Sound.
- Explore opportunities at the local community level to support the Federal and Provincial agencies (with legislative authority) to increase enforcement and compliance of marine regulations. This could include a marine committee consisting of local concerned stakeholders and local government representation to provide a watchful eye on activities on the water to report problem situations before they create larger environmental problems.



## Government Actions and Policy:

- Keep vessel inventories.
- Enforce local and municipal bylaws with respect to live-aboards.
- Develop educational material to increase awareness of environmental risks associated with problem vessels.
- Develop policies to close the gaps in jurisdiction over problem vessels.
- Implement owner pay policies.

# Resources

## Island Trust Derelict Vessel Advocacy

<http://www.islandstrust.bc.ca/trust-council/advocacy/marine-environment/abandoned-and-derelict-vessels-advocacy/>

## Transport Canada publication related to wrecks and abandoned boats

<http://www.tc.gc.ca/eng/marinesafety/abandoned-boats-wrecks-4454.html>

## BC Ministry of Forests, Lands and Natural Resource Operations; Dealing with Problem Vessels and Structures in BC Waters

[http://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/dealing\\_with\\_problem\\_vessels\\_and\\_structures.pdf](http://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/natural-resource-use/land-water-use/crown-land/dealing_with_problem_vessels_and_structures.pdf)

## BC Ministry of Forests, Lands and Natural Resource Operations; Technical Staff Guide on Problem Vessels and Structures

[https://georgiastrait.org/wp-content/uploads/2015/04/14.09-technical\\_guide\\_to\\_dealing\\_with\\_problem\\_vessels\\_and\\_structures.pdf](https://georgiastrait.org/wp-content/uploads/2015/04/14.09-technical_guide_to_dealing_with_problem_vessels_and_structures.pdf)

## Future of Howe Sound Derelict Ships - Finding Solutions

<http://futureofhowesound.org/campaigns/shipbreaking/derelict-ships/>

# Footnotes

<sup>1</sup> de Graaf, R.C. 2014. Bowen Island surf smelt and Pacific sand lance spawning habitat suitability assessments. Prepared for the Bowen Island Municipality and the Islands trust, Bowen Island Local Trust Committee.

<sup>2</sup> Future of Howe Sound Society. November 17, 2014. Derelict Ships-Finding Solutions. Retrieved from: <http://futureofhowesound.org/campaigns/shipbreaking/derelict-ships/>

<sup>3</sup> Bowen Island Municipality Vessel Inventory 2005 – 2015. Retrieved from: Bowen Island Municipality GIS database and records May 2016 by the author.

<sup>4</sup> <http://pgoldsmithjones.ca/>

<sup>5</sup> <http://pm.gc.ca/eng/news/2016/11/07/canadas-oceans-protection-plan-preserving-and-restoring-canadas-marine-ecosystems>