



Update on the National Strategy to Address Abandoned and Wrecked Vessels

AVICC 2024

Transport Canada



Purpose

Provide an update on the status and implementation of the National Strategy on Abandoned and Wrecked Vessels



Objectives of the National Strategy



To reduce the number of abandoned and wrecked vessels in Canadian waters by:



Preventing the occurrence of new problem vessels



Making progress in remediating existing problem vessels

Wrecked, Abandoned or Hazardous Vessels Act *(WAHVA)*

What does WAHVA do?

- ✓ Strengthens Vessel Owner Liability
- ✓ Prohibits Irresponsible Vessel Management
- ✓ Enhances Federal Powers (Coast Guard and TC)
- ✓ Establishes Compliance and Enforcement Regime
- ✓ Realigns Existing Authorities
- ✓ Both TC and CCG are obligated to work together

Came into force July 30, 2019 – Coast Guard and Transport Canada are actively assessing vessels for compliance and enforcement



Wrecked, Abandoned or Hazardous Vessels Act *(WAHVA)*

What doesn't WAHVA do?

X Obligate either Department to remove and/or dispose of a vessel

X Allow the Department to address vessels that are not in violation of a prohibition

- Vessels that are not hazards, dilapidated or abandoned
- Vessels that are being lived on or at anchor
- Vessels above the high water mark or on land
- Structures or things that are not vessels

Came into force July 30, 2019 – Coast Guard and Transport Canada are actively assessing vessels for compliance and enforcement



Illegal Practices and Penalties

Under the Act, you may not:

- Abandon your unwanted vessel.
- Cause your vessel to become a wreck because you fail to maintain it.
- Sink, strand or ground your vessel on purpose.
- Without being authorized, leave your vessel in poor condition in the same area (within a radius of three nautical miles) for more than 60 days.
- Leave your vessel adrift for more than 48 hours without taking measures to secure it.
- Allow your vessel to be a hazard

Penalties for non-compliance:

- Maximum violation penalties range between \$5,000 to \$50,000 for individuals, and \$25,000 to \$250,000 for companies or corporations.
- Conviction of a regulatory offence by way of prosecution could result in a maximum fine of up to \$6 million and/or prison terms.

Illegal Practices and Penalties (CCG)

Under the Act, Part 2 (Hazardous Vessels)

If the Minister of DFO has reasonable grounds to believe that a vessel or wreck poses or may pose a hazard, he or she:

- Take the measures to prevent or eliminate the hazard including removing the vessel, the wreck of their contents, dismantling or disposing the vessel.
 - Monitor the measures taken by any person to mitigate or eliminate the hazard
 - Direct any person to take or refrain from doing something
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- Part 1 (Maritime Casualty)
 - Vessel involved in a maritime casualty that resulted in a wreck that poses a hazard.
 - Direct the owner to locate the wreck
 - Direct the owner to mark or remove the wreck

Illegal Practices and Penalties (CCG)

Penalties for non-compliance:

- Maximum violation penalties range between \$5,000 to \$50,000 for individuals, and \$25,000 to \$250,000 for companies or corporations.
- Conviction of a regulatory offence by way of prosecution could result in a maximum fine of up to \$6 million and/or prison terms.

How to be a Responsible Vessel Owner

- Keep your vessel (or boat) in good condition.
- Plan ahead – Think about your vessel's retirement plan.
- When your vessel reaches the end of its life, recycle or dispose of it legally and responsibly.
- If you own and operate a vessel over 300 gross tonnage in Canadian waters, you must carry insurance or other financial security to cover potential wreck removal costs.
- If you own or operate a vessel involved in an incident that resulted in a wreck, you must report, locate, mark and, if necessary, remediate any hazards including, if required, removing the wreck.
- Ensure that your vessel is licensed or registered. If you sell it make sure to transfer the ownership documentation properly.

Vessel Remediation Fund

- The Government of Canada committed to look at options to establish a long-term, sustainable, vessel-owner-financed fund to address hazardous wrecked and abandoned vessels.
- TC and the CCG are evaluating strategies for the creation of such a fund, which:
 - ✓ would allow for the remediation of wrecked and abandoned vessels when the owner is unknown, cannot be located, or is unable to pay, and;
 - ✓ provide funding for activities that prevent vessel abandonment from occurring in the first place.
- The fund could include applying a surcharge, similar to the approach in the State of Washington and other jurisdictions, to reduce the financial burden on taxpayers for vessel remediation.
- This surcharge would be distinct from the proposed PCL service fee, but may be applied as part of the same transaction to minimize costs and overhead.
- As options remain under development, TC plans to engage with stakeholders in the coming months on a more concrete proposal, including assessment of stakeholder impacts of any proposed surcharge.



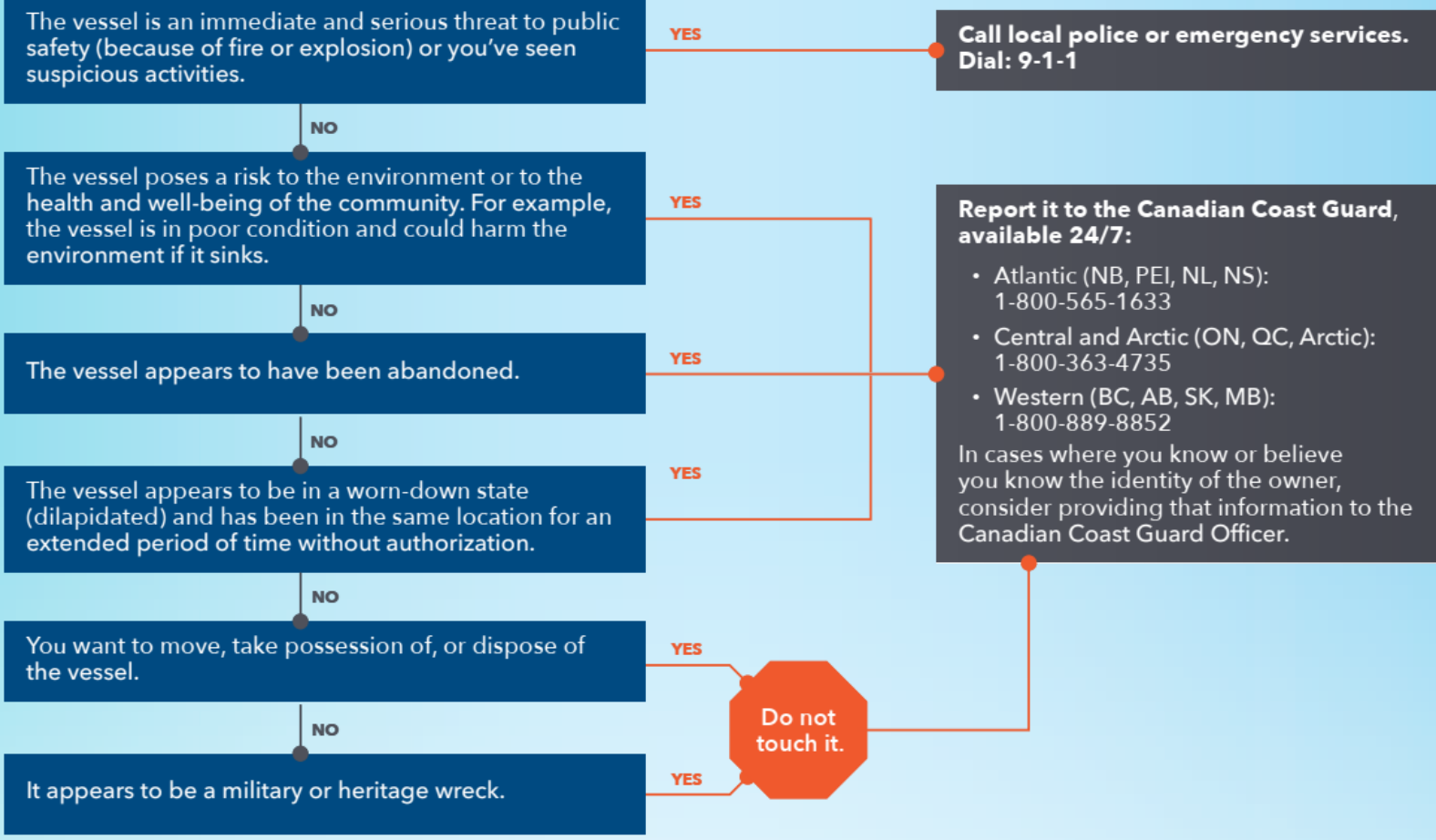
Enhancing Vessel Owner Identification

- The ability to identify vessel owners is key to holding them responsible under WAHVA and all other marine legislation/regulations
- Details of the proposed amendments to the *Small Vessel Regulations* (SVR) will include a shorter 5 year licencing period as well as a small fee and surcharge to fund removal of vessels.
- Expand to include for pleasure craft that:
 - have an engine of 7.5 kilowatts (10 horsepower) or more; or
 - are above 6 metres in length, whether they have an engine or not (e.g., sail-alone vessels)
 - Exclusion for human-powered vessels (e.g., kayak, canoe)
- Proposed enhancements to the commercial vessel registration systems are mostly tied to transformation of IM/IT systems.



How to report a Vessel of Concern

CONTACT CANADIAN COAST GUARD



Call local police or emergency services. Dial: 9-1-1

Report it to the Canadian Coast Guard, available 24/7:

- Atlantic (NB, PEI, NL, NS): 1-800-565-1633
- Central and Arctic (ON, QC, Arctic): 1-800-363-4735
- Western (BC, AB, SK, MB): 1-800-889-8852

In cases where you know or believe you know the identity of the owner, consider providing that information to the Canadian Coast Guard Officer.

Do not touch it.



Who to Contact

Presenter

- Transport Canada – Navigation Protection Program: Ryan Greville

Report a Vessel of Concern

- Canadian Coast Guard, available 24/7:
 - Western: 1-800-889-8852

Taking possession of a wreck / Obstruction to navigation

- Transport Canada's Navigation Protection Program:
 - Pacific: 1-604-775-8867

Thank you

