

**From:** Minister of Transport / Ministre des Transports (TC) [<mailto:TC.MinisterofTransport-MinistredesTransports.TC@tc.gc.ca>]

**Sent:** Thursday, June 09, 2016 7:43 AM

**To:** Clare Frater

**Subject:** Concerns over commercial vessel anchorages in the Southern Gulf Islands

Mr. Peter Luckham

Chair

Ms. Clare Frater

Policy Advisor

Islands Trust Council

[pluckham@islandstrust.bc.ca](mailto:pluckham@islandstrust.bc.ca)

[cfrater@islandstrust.bc.ca](mailto:cfrater@islandstrust.bc.ca)

Dear Mr. Luckham and Ms. Frater:

Thank you for your correspondence of December 18, 2015, and May 9, 2016, regarding your concerns over commercial vessel anchorages in the Southern Gulf Islands. Please accept my apology for the delay in replying.

As you noted in your letter, over the past five years there has been an increase in the number and size of commercial ships requiring local anchorage while awaiting berths at the ports of Nanaimo and Vancouver. Whenever possible, commercial ships are allocated anchorages within a Canada Port Authority's area of jurisdiction and management. There are occasions when the volume of shipping exceeds the capacity of anchorages under the control of port authorities, leading to reliance on nearby sheltered waters that are suitable for anchoring commercial shipping vessels.

The right to anchor a vessel is part of the common law right of navigation. Therefore, a vessel is generally free to anchor temporarily in any appropriate location, unless such anchoring is specifically prohibited by a law or regulation. Commercial shipping anchorages are selected based on the quality of their anchor-holding ground, shelter from high winds and proximity to shipping routes and port logistics. These criteria ensure the safety of vessels and their crew and the safety of other users of the water space and surrounding environment.

Transport Canada is well aware of the growing pressures being placed on anchorages in the Southern Gulf Islands and is engaged in an ongoing review. In 2015, the department convened a working group to address anchorage issues in support of a safe, secure and efficient marine transportation system that contributes to Canada's economic growth and trade objectives, while remaining environmentally responsible and taking into account the negative effects on local communities. The Southern Gulf Islands Anchorages Working Group comprises the Pacific Pilotage Authority, the British Columbia Coast Pilots, the Chamber of Shipping of British Columbia, the Port of Vancouver, the Shipping Federation of Canada, the Nanaimo Port Authority and Transport Canada.

The Working Group began by carrying out an anchorage optimization exercise for Southern Gulf Island anchorages that took into account vessel requirements such as increased vessel size, shelter from high winds, proximity to shipping routes and port logistics. The Working Group also considered residential complaints, such as noise, lighting and safety, as part of its review. This led to a reduction in the number of Southern Gulf Island anchorages from 36 to 29, moving and/or adjusting anchorage sites and developing conditions of use for some anchorages. Of the 29

remaining anchorages, 18 have daylight restrictions for arrivals and departures. These changes were originally published in a Notice to Industry (#04/2015) on May 21, 2015.

The Working Group is also examining the feasibility of five new anchorages adjacent to Gabriola Island, which you referred to in your letter. To this end, the Pacific Pilotage Authority recently commissioned an environmental assessment of the proposed anchorages to evaluate potential anchorage interactions with the biophysical environment and to provide a framework for potential regulatory approvals that may be required in the future. The environmental assessment has been completed and the report has been shared with island residents and other interested parties, including Islands Trust. Follow-up consultations on the report with First Nations and the public are currently being planned.

With respect to your request to consider measures to minimize anchorage use in the Southern Gulf Islands and to reduce risks from vessels that continue to use anchorages in the Islands Trust area, I would like to express my appreciation for your comments and assure you that these are being shared with the Working Group as it continues to explore and consider a wide range of options for the Southern Gulf Islands.

As for your recommendations regarding marine safety, I would also like to assure you that I am working closely with officials within Transport Canada and other departments to meet my commitment to improve marine safety in the Pacific and in all Canadian waters, as instructed by the Prime Minister in his mandate letter to me. Your comments will be very helpful to this work and additional opportunities will be made available for you and all interested parties to submit your views directly.

One such opportunity involves community input into the Area Response Planning Initiative (ARPI). This initiative is a partnership between Transport Canada and the Canadian Coast Guard and seeks to identify where improvements can be made to further strengthen the current ship-source oil spill preparedness and response regime and to ensure that it remains responsive to changing demands and practices. These engagement sessions have been taking place on Vancouver Island and in the Lower Mainland since the end of May and will continue throughout June. The department appreciates Islands Trusts' attendance at the May ARPI engagement sessions and values the organization's contribution to marine safety.

Thank you for sharing your views and recommendations regarding Salish Sea anchorages. Should you have any further questions or concerns regarding the work being done by the Southern Gulf Islands Anchorages Working Group, I would encourage you to contact Ms. Yvette Myers, Regional Director, Marine Safety and Security, Pacific Region, at [Yvette.Myers@tc.gc.ca](mailto:Yvette.Myers@tc.gc.ca).

Yours sincerely,

The Honourable Marc Garneau, P.C., M.P.  
Minister of Transport