

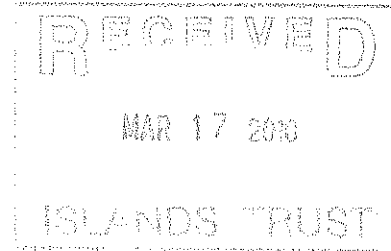
Minister of Transport,
Infrastructure and Communities



Ministre des Transports,
de l'Infrastructure et des Collectivités

Ottawa, Canada K1A 0N5

MAR 11 2010



Ms. Sheila Malcolmson
Chair
Islands Trust Council
200-1627 Fort Street
Victoria, British Columbia
V8R 1H8

Dear Ms. Malcolmson:

I am writing in response to your correspondence of January 5, 2010, regarding freighter safety in Plumper Sound, British Columbia. Please accept my apologies for the delay in responding.

Transport Canada is committed to ensuring safe and secure, efficient and environmentally responsible marine transportation. Various domestic and international conventions, regulations, standards, procedures and inspection regimes have been established to protect life, property and the marine environment. It is standard practice worldwide to designate anchorages outside of ports. Under common international law, vessels have the right to navigate and to anchor, and these rights cannot be infringed upon, except in a limited number of specific circumstances. The Vessel Operation Restriction Regulations have been put in place on some Canadian waterways; however, restricting well-used marine traffic areas, including Plumper Sound, would not be practical, as such action would significantly impede navigation.

Safety mechanisms have been put in place to protect Canada's coastlines and surrounding waters from accidental or deliberate pollution. The Canada-United States Cooperative Vessel Traffic System receives 96-hour advance notice from foreign vessels entering Canadian or U.S. waters. Pilots are commissioned to accompany those vessels in transit. In addition, Canadian Coast Guard Marine Communications and Traffic Services monitors vessel movements by radar, automated identification system and radio surveillance.

Canada

Transport Canada investigated the grounding of the *Hebei Lion* that occurred on November 18, 2009. It was determined that there was no damage or pollution resulting from this incident, and the department is satisfied that corrective action taken by the vessel's master and agents was appropriate and in accordance with approved safety procedures. However, because of this and other similar incidents where vessels in Plumper Sound have dragged anchor, Transport Canada has informed industry that the department intends to issue a strong advisory regarding the anchoring of vessels in the designated anchorages within Plumper Sound during winter months (October 31–April 1). It is important to note that this would not prevent vessels from using the anchorage during this period for unusual or extenuating circumstances for short periods when strong wind warnings are not forecasted.

Individuals or groups who are interested in requesting changes to the regulatory framework of marine matters can bring forth their proposals and concerns to the Canadian Marine Advisory Council, Transport Canada's national consultative body for marine matters. National and regional meetings are normally held twice a year in the spring and fall. Members include representatives of individuals and parties that have a recognized interest in boating and shipping pertaining to safety, recreational matters, navigation, marine pollution and response and marine security. Participants must speak on behalf of their constituencies. Statements made by members during the session are public and are recorded along with the members' names and associations in the minutes, which are distributed to participants and available upon request. For further information, I would invite you to contact the department's Regional Marine Safety Office at 604-666-5300.

Thank you for writing.

Sincerely,



John Baird, P.C., M.P.

c.c. The Honourable Gary Lunn, P.C., M.P.
The Honourable Barry Penner, M.L.A.
Mr. Murray Coell, M.L.A.