Capital Regional District
Abandoned Boats Program

Coast Waste Management Association
Solutions for Recycling and Reducing Plastics and Marine Debris – Plenary Session
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Jody Watson
Supervisor, Environmental Planning & Initiatives
Capital Regional District

John Roe
Executive Director
Dead Boats Disposal Society
Abandoned Boats – A regional problem

- Abandoned and derelict boats have been an issue across the region for years. Estimated 50 abandoned boats in our region.
- Abandoned boats are a federal responsibility but a local government problem.
- TC launched ABP grant program in 2016.
- CRD Board directed staff to pursue funding to assess and remove abandoned boats across the region.
TC ABP Grant and CRD Contribution

TC ABP Education and Removal Funds require 25% funding from proponent.

CRD Board allocated $350K from Environmental Resource Management Reserve Fund (from Landfill tipping fees) to support applications to TC ABP for the Capital Region.

See one? Say something.
If you see a boat that looks abandoned, please let us know.
Snap a photo, jot down the boat’s location (or GPS coordinates) and send these details to infoline@crd.bc.ca so that we can potentially remove and dispose of it safely.
Abandoned boats impact the health and safety of our shorelines, especially if fuel, chemicals or garbage are leaking into the marine environment.

For more information, visit: www.crd.bc.ca/boat
• CRD established a fund ($100K) to assist local governments with disposal fees of marine debris **not** covered under federal ABP funding.
CRD Abandoned Boat Program

- CRD received funding from TC ABP:
  - Education & Awareness
  - Assessment (Tsehum/Sooke Hbrs) 100% funding from TC
- Worked with municipal partners, First Nations, Islands Trust and Dead Boats Disposal Society (DBDS)
- DBDS received significant funding for removals
Testing Required for Boat Disposal at Hartland Landfill

How to safely dispose of your boat

- **Learn how to dispose of your boat waste.** Asbestos-containing materials (ACM) are accepted at Hartland Landfill by appointment only. ACM must be double-bagged in approved UN-rated 6 mil poly asbestos bags (available at safety supply stores).

- **Determine if your boat’s paint contains heavy metals.** Leachable metal paints are prohibited from Hartland Landfill by provincial regulation, requiring disposal through a hazardous waste contractor. A qualified professional can collect samples to determine if your boat can be accepted at Hartland.

- **Apply for a controlled waste permit.** Once you’ve removed and properly disposed of recyclables and any hazardous materials, the remainder of your boat is eligible for disposal at Hartland Landfill. Email for a disposal permit and/or testing instructions. Once you have obtained a permit, call Hartland Landfill at 250.360.3410 to make an appointment for disposal.
Process to Inventory/Assess/Remove Abandoned Vessels

- Inventory boats
- Submit paperwork to TC
- Attempt to find owner
- If not found, post 30 day notice
- Submit forms to TC
- Obtain Authorization to Salvage
- Apply for Assessment $
- Assess (requires Hazardous Waste testing)
- Apply for Removal $
- Remove approved boats
Dead Boats Disposal Society

• Not-for-Profit Society established in 2016/7
• For the purpose of addressing the issue of abandoned and derelict boats and marine debris on the BC Coast
• Plays a significant advocacy role with federal, provincial and local elected officials
DBDS Partnership for Abandoned Boat Removals

- Grant Funding Agreement
  - Dead Boats Disposal Society
  - Salish Sea Industrial Services Ltd.
- Any group that is interested in boat removal can partner with the CRD
Our Approach

• Removal requires extensive equipment
• Most cost effective to go harbour by harbour and remove all abandoned boats and marine debris
Education and Awareness Funding

- 2019 - launch an extensive multi-media campaign asking public to identify abandoned boats (80 calls)
- 2020 - Provide education around appropriate disposal and end-of-life options
- Increase awareness about changes in legislation requiring boat registration
- Liaise with BC Boating Assoc’n and DBDS
See one? Say Something.

See an abandoned boat? Please say something.

Send a photo and your GPS coordinates to infoline@crd.bc.ca so that we can potentially remove and dispose of it safely.

For more information, visit: www.crd.bc.ca/boats
Results

- 50 abandoned boats removed so far
- 270 tonnes of boat waste at Hartland Landfill
- 47 tonnes of recycled materials

<table>
<thead>
<tr>
<th>Location</th>
<th>Waste (kgs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gorge Waterway</td>
<td>11,780</td>
</tr>
<tr>
<td>Esquimalt - Gorge Waterway</td>
<td>3,140</td>
</tr>
<tr>
<td>Gorge Waterway - Marine Debris</td>
<td>12,510</td>
</tr>
<tr>
<td>Fulford, Ganges, Burgoyne Bay, Salt Spring</td>
<td>44,050</td>
</tr>
<tr>
<td>Cadboro Bay</td>
<td>5,970</td>
</tr>
<tr>
<td>Port Browning, Bedwell, Montague, Tsehum, Sooke</td>
<td>49,130</td>
</tr>
<tr>
<td>Gorge Waterway - Coast Guard</td>
<td>6,420</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>270,480</strong></td>
</tr>
</tbody>
</table>

Waste includes hazardous and non-hazardous waste. All waste materials disposed of at Hartland Landfill.
DBDS and HSC may be working together in future years to inventory, assess and remove sunken vessels.

Possibly > 100 sunken vessels in Capital Region.

Requires dive teams and additional equipment.

Habitat????
Boat Removal Video
Questions?

Jody Watson
Capital Regional District
jwatson@crd.bc.ca
www.crd.bc.ca/boats

John Roe
Dead Boats Disposal Society
roe.johnr@gmail.com
Facebook: Dead Boats Disposal Society
What jurisdiction does a municipality have?

- **Zoning & permits**
- **Lease or license of occupation (from Crown)**
- **Liquid Waste management Plans (discharge & env’l monitoring)**
- **Zoning (to municipal boundary)**
Important Case Law

R vs. Lewis 2009

• “…incidental right to anchor. This is not a right to anchor or moor permanently but it must be exercised reasonably as determined by the circumstances at the time of anchoring such as weather, loading or unloading of vessel or need for repair. The right to anchor therefore contemplates the right to do so for a reasonable time, for a reasonable purpose…and must not be exercised so as to interfere with the equal rights of other.

• Right to anchor has paramountcy and can only be modified or extinguished by an authorizing statute

Right to anchor??
Important Case Law

West Kelowna vs. Newcomb 2016

- Confirmed the municipal authority to regulate the use of land covered by water even if such regulations interfere with the rights of navigation
- Also confirmed that blanket prohibition on all anchoring, including short-term anchoring, would exceed municipal competency by interfering with navigational rights to an impermissible degree
- Municipal bylaws must allow for some short-term anchoring to avoid intruding on federal jurisdiction over navigation
Important Case Law

City of Victoria vs. Zimmerman

- Constitutional challenge to Bylaw which allows limited anchoring and mooring (< 72hrs in 30-d period)
- Upheld municipal authority to regulate the use of land covered by water
- Upheld the municipal bylaw and the limitations it placed on anchorage and mooring
- Victoria moved ahead with injunction - Long-term anchored/moored boats and Live-aboards had to move and derelict boats have been removed