



Capital Regional District Abandoned Boats Program

Coast Waste Management Association
Solutions for Recycling and Reducing Plastics and
Marine Debris – Plenary Session
Oct 25, 2019

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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



Marine Debris Program



- CRD established a fund (\$100K) to assist local governments with disposal fees of marine debris not covered under federal ABP funding



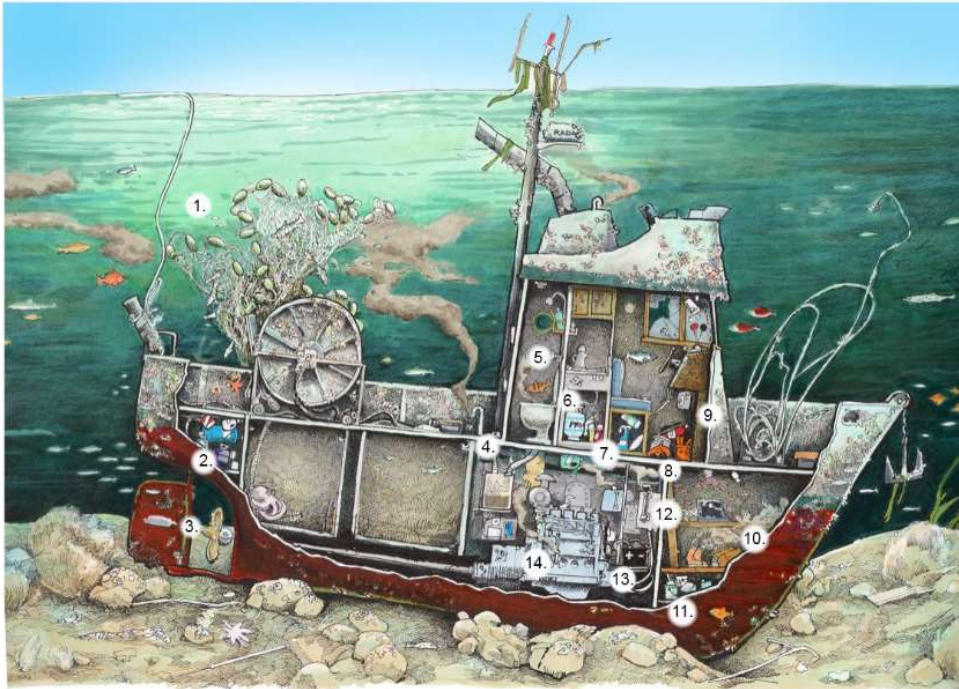
CRD Abandoned Boat Program



- CRD received funding from TC ABP:
 - Education & Awareness
 - Assessment (Tsehum/Sooke Hhrs) 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

Anatomy of Abandoned and Derelict Vessels Can you spot the hazardous materials?

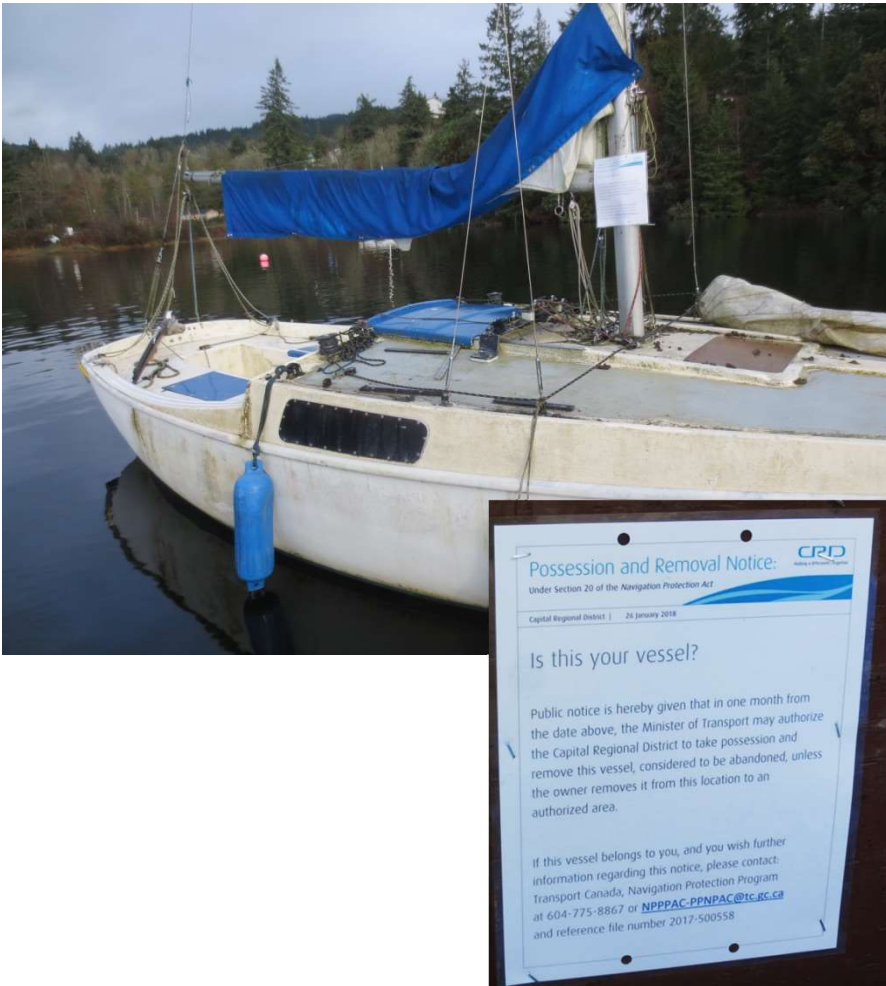


- | | | | |
|-----------------------|----------------------|-------------------------|----------------|
| 1. Ghost nets | 5. Sewage | 9. Fire extinguisher | 13. Batteries |
| 2. Paint locker | 6. Propane | 10. Tools | 14. Engine oil |
| 3. Zincs | 7. Cleaning products | 11. Paints and solvents | |
| 4. Fuel tank and vent | 8. Flares | 12. Hydraulic oil | |

How to safely dispose of your boat

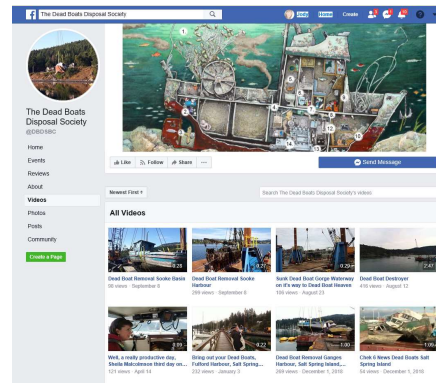
- **Learn how to dispose of your boat waste.** **Asbestos-containing materials (ACM)** are accepted at Hartland Landfill by appointment only. ACM must be double-bagged in approved UN-rated 6 mil poly asbestos bags (available at safety supply stores).
- **Determine if your boat's paint contains heavy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

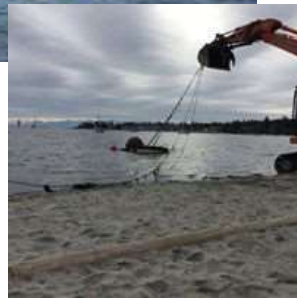


Like them on Facebook!



- 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



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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:

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- 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.**



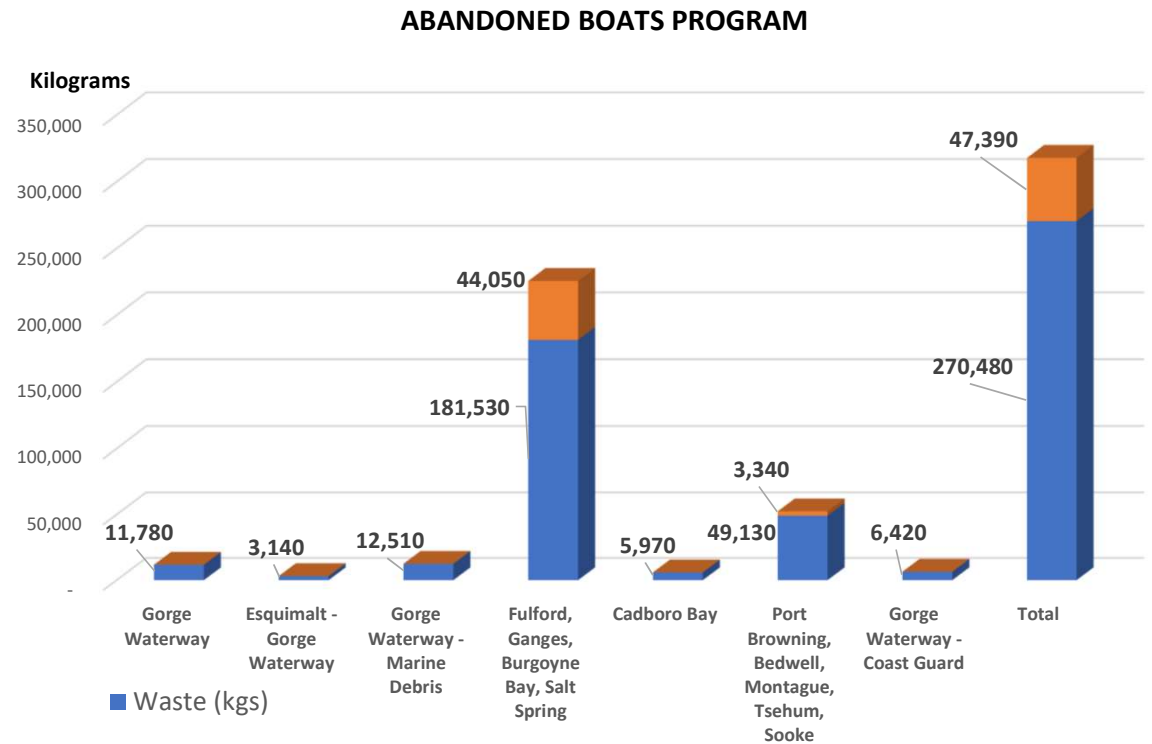
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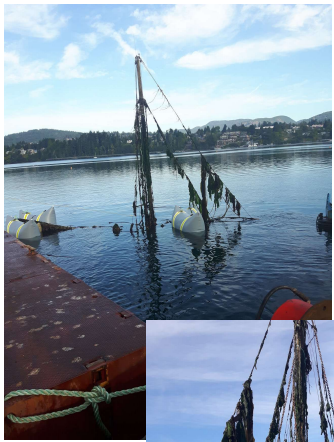
Results

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



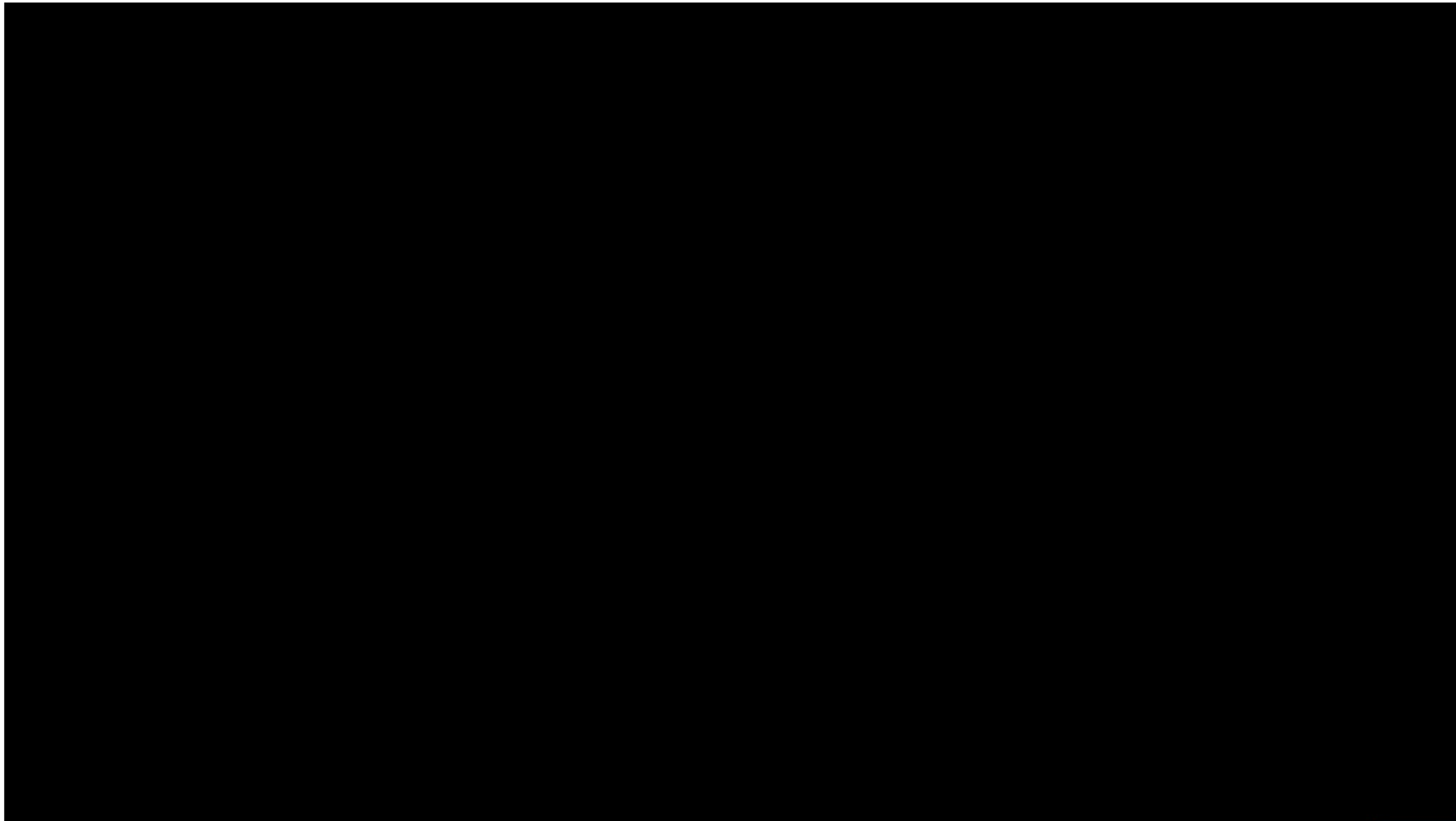
Waste includes hazardous and non-hazardous waste. All waste materials disposed of at Hartland Landfill

Sunken Vessels – DBDS Next Venture



- 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



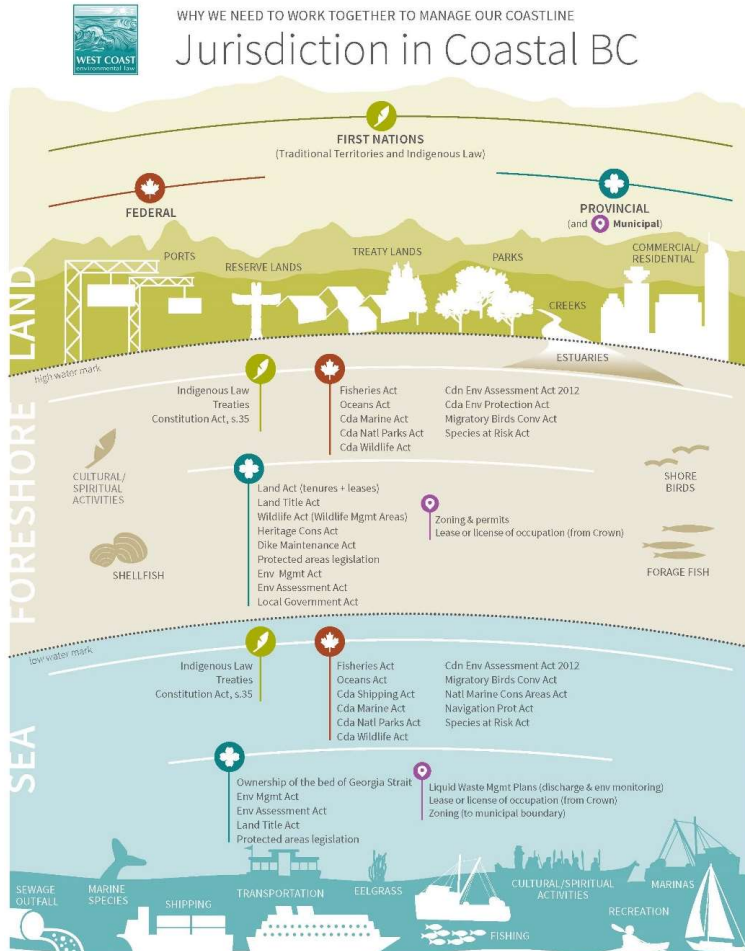
Questions?

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What jurisdiction does a municipality have?



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- 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??

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

