

**REPORT OF THE  
STANDING COMMITTEE ON FISHING VESSEL SAFETY**

**Agenda**

1. Opening Remarks/Announcements (Mark Dolomount, Professional Fish Harvesters / Victor Santos-Pedro, TC).
2. Adoption of Agenda.
3. Industry Co-Chair Report (Mark Dolomount, Professional Fish Harvesters).
4. Industry Updates:
  - CCPFH Safety Initiatives (John Sutcliffe, CCPFH).
  - “The Safest Catch” Fishermen Mentoring Fishermen (Gina Johansen, Fish Safe BC).
  - Proposal for Standing Agenda Item – Update of Provincial Initiatives (Mark Dolomount).
5. Regional CMAC Fishing Vessel Safety Working Group Updates:
  - Atlantic (Lionel Comeau, TC).
  - Quebec (Simon Pelletier, TC).
  - Ontario (Michael Dua, TC).
  - Prairie and Northern (Feliciano Luna, TC).
  - Pacific (Zenon Szlachetka, TC).
6. Other CMAC Standing Committee Update - Navigation and Operations (Russ Renaud, TC).
7. Regulatory Update:
  - *Fishing Vessel Safety Regulations* (Kevin Monahan, TC).
  - Fishing Vessel Stability Study - Progress Report (TBD, Ayan Akinturk).
8. National CMAC Working Group Reports:
  - Fishing Vessel Safety Certification and Training (Diane Couture, TC).
  - Fishing Vessel Safety Regulatory Issues (Ian Campbell, TC).
9. Government Updates:
  - TSB investigation into fishing vessel safety in Canada (Brian Lewis, TSB).
  - Update - DFO/TC MOU and Fisheries Management Policy and Safety at Sea (Kristen Bond, CCG/DFO).
  - TC Marine Safety updates (Victor Santos-Pedro/Ian Campbell, TC).
10. Other Business / Tentative Agenda Items for the next CMAC meeting.

The meeting of the Standing Committee was chaired by Victor Santos-Pedro, TC, and held on Wednesday, April 28, 2010.

**1. OPENING REMARKS/ANNOUNCEMENTS**

Victor Santos-Pedro opened the meeting by welcoming all in attendance and by explaining that Mark Dolomount, Industry Co-Chair, had to return home unexpectedly.

**2. ADOPTION OF AGENDA**

The Agenda was adopted with the addition under Other Business of a review of lighthouse stations in British Columbia.

### **3. INDUSTRY CO-CHAIR REPORT**

There was no report due to the Industry Co-Chair's absence.

### **4. INDUSTRY UPDATES**

#### **CCPFH Safety Initiatives**

John Sutcliffe, Canadian Council of Professional Fish Harvesters, and members of the advisory group leading the development of a stability simulator: Roy Gibbons, Marine Institute, Project Lead; Jack Greenham, Script Writer and practicing fish harvester; and Carl Harris, Institute of Ocean Technology, Technical Advisor; provided a progress report on the development of a fishing vessel stability simulator.

John Sutcliffe noted that in addition to the industry knowledge provided by the CCPFH and technical expertise provided by the Marine Institute and project advisory board, the St. John's Transport Canada office had also been very supportive. Jack Greenham added that the goal of the project was to de-mystify stability for fishermen, reducing the math involved, replacing it with an understanding of the principles without formulas. It was noted that the challenge with fishing vessel stability, as compared to cargo vessel stability, is that it is dynamic, with the load changing over the course of the voyage, sometimes with tonnes of fish being loaded per hour.

Roy Gibbons explained that the simulator would be like an electronic game because users would have to accumulate points by demonstrating knowledge of the learning modules in order to be able to progress to the final module. While the simulator will not be a pure game, as it is not able to demonstrate full dynamic stability, the user will have a mission to fulfill with points to win or lose.

The project has involved CCPFH Committees from across the country in order to represent fleets and operations from different regions. In order that fish harvesters can approximate the look and feel of their own vessel, the user can select from among fifty-five vessel models of varying dimensions, and add superstructure, gear and other equipment to approximate the user's own vessel. The user also identifies which region he or she is in, which triggers a selection of video clips showing operations from that region. After the vessel is "built", the user can then see how it reacts to various environmental and loading conditions.

Clips from the prototype, delivered in March 2010, were shown to demonstrate how the knowledge would be delivered and what the user will see as a vessel is "built".

Ron Cormier, Maritime Fishermen's Union, asked whether the user would be able to see the effects on the vessel of using trawling gear and he was told yes. He also asked whether units of measurement would be in imperial or metric and he was advised that units were primarily in imperial units, but that some were metric.

Victor Santos-Pedro asked what it was that would motivate someone to use the simulator and suggested that it be tested on fish harvesters who have not been involved in the project's development so far.

In response to a question by Marilyn French-St. Georges on differences in the fleets across Canada, it was explained that there were differences in hull shapes, with the B.C. fleet tending to be narrower, vessels in Newfoundland and Labrador moving back to being narrower and smaller than they had been, while in Nova Scotia it appears that vessels are getting wider, with one 45 foot long by 28 feet wide vessel having been identified.

Gina Johansen, Fish Safe BC, commented on how the simulator will be an effective tool and will enhance their Stability program. She asked about access and she was advised that it is intended to make it available to all fish harvesters in Canada, at little cost and in both official languages. Fish Safe also offered any assistance in piloting the course with west coast fishermen and providing west coast video clips of fishing and gear.

### **“The Safest Catch” Fishermen Mentoring Fishermen**

Gina Johansen, Fish Safe BC, provided an update on three initiatives the organization has undertaken: the Safest Catch, a Stability refresher workshop, and 10 Questions for Naval Architects.

The Safest Catch is a program of fishermen mentoring fishermen with the objective of developing a vessel specific safety management system. Five fishermen have been trained as safety advisors who will visit a vessel to carry out what is being called a “workshop on a boat” carried out over two days.

Day One starts by following a scripted program with the master and the crew in attendance. Topics include: “What is Safety?”, a review of safety procedures, and the Fish Safe Safety Quik publication, as well as activities, including a life ring toss. The rest of the program is focussed on safety equipment orientation and developing an on board drills program. The fisherman safety advisor will provide guidance and tools to the master to assist him in this.

The program has met with good success with 48 visits done, of which 17 have completed the full safety system development and received the Safest Catch sticker. An overview of participant feedback was shared. Comments are strongly positive, the most encouraging being those indicating that regular drills on safety procedures have been adopted as part of the fishing operation.

The one-day Stability Refresher Human factors workshop was developed at the request of persons who have participated in the full stability education program developed by Fish Safe. As it is recognized that human factors are involved in 75% of stability related incidents, the workshop focuses on risk perception and decision-making. The workshop includes a card game, where each card provides information on the vessel and operating conditions and the participant must decide whether or not to sail, given the cards held.

The last initiative is intended to improve communication between fishers and naval architects. Fish Safe has published a list of 10 questions that the owner should ask before having a stability booklet prepared, as well as 10 questions that the naval architect should pose of the owner. Copies of the list were distributed at the meeting of the Working Group on Fishing Vessel Safety Regulatory Issues.

Brian Lewis, Transportation Safety Board, asked how the CCPFH stability simulator would fit into the Fish Safe stability training. Gina Johansen advised that they were looking forward to incorporating the simulator as a part of their Stability Education Program.

Marilyn French-St. George, Transportation Safety Board, stated that she was impressed with the Safest Catch program and asked how it was promoted and whether it would be made available to other regions. Gina Johansen replied that promotion is by word-of-mouth. Initial targeting for vessel visits in a community is on persons who are likely to spread the word. Material for the program is available on request, including dvds, in French and English, that include templates which can be used to develop a vessel specific safety procedures.

The following temporary links to the files have been provided to copies of presentations and documents that were available:

- Fish Safe BC presentation (available in English only) - [http://de51.zoomshare.com/files/CMAC\\_FV\\_/CMAC\\_Standing\\_Committeeapril.pps](http://de51.zoomshare.com/files/CMAC_FV_/CMAC_Standing_Committeeapril.pps)
- 10 Questions to ask a Naval Architect / Fisherman (available in English only) - [http://de51.zoomshare.com/files/CMAC\\_FV\\_/10\\_Questions\\_a\\_Naval\\_Architect\\_Needs\\_to\\_Ask\\_a\\_Fisherman.pdf](http://de51.zoomshare.com/files/CMAC_FV_/10_Questions_a_Naval_Architect_Needs_to_Ask_a_Fisherman.pdf)

### **Proposal for Standing Agenda Item – Update of Provincial Initiatives**

Discussion on this item was postponed to the next meeting in order to allow the Industry Co-Chair to address it.

## **5. REGIONAL CMAC FISHING VESSEL SAFETY WORKING GROUP UPDATES**

### **Atlantic Region**

Lionel Comeau, Senior Marine Inspector, Atlantic Region, reported on regional activities with respect to fishing vessel safety as follows. As a result of the Memorandum of Understanding (MOU) between the Department of Fisheries and Oceans (DFO) and Transport Canada (TC) with respect to sharing of information on safety related initiatives, Marine Safety has been invited to all fishery advisory meetings chaired by the DFO Gulf region. TC has endeavoured to attend as many of these meetings as possible and the Regional Director is fully supportive of the initiative.

The following Meetings have been attended in the reporting period:

**December 16, 2009** – Gulf-Maritimes Seal Advisory Committee, Stellarton, Nova Scotia  
(Lionel Comeau)

**February 3, 2010** – Scallop Advisory Committee, SFA 22, Moncton, New Brunswick  
(Lionel Comeau)

**March 10, 2010** – Southern Gulf Snow Crab Advisory Meeting, Moncton, New Brunswick  
(John Pilote)

To date there has been no invitations for attendance at similar meetings from the Maritimes Region or the Newfoundland and Labrador Region within DFO, however TC is anticipating progress in this area in the near future and has appointed key personnel as points of contact in all the geographic areas to attend meetings on an as-required basis. Transport Canada is participating with DFO and the Canadian Coast Guard (CCG) personnel in Newfoundland and Labrador to develop a Safety Committee to meet on a regular basis to discuss safety issues in the marine industry with a special focus towards fishing vessel issues. A recent initiative has regular conference calls between the departments to discuss issues associated with the MOU. It is expect that future invitations for Marine Safety to participate in Advisory Committee meetings will increase as all regions realize the value of shared responsibility of the safety initiatives.

In addition to DFO meetings, TC has participated in other initiatives over the reporting period. The meetings include:

**January 26, 2010** – Nova Scotia Fisheries Minister Annual Conference, Dartmouth, Nova Scotia  
(Lionel Comeau).

**April 7, 2010** – Maritimes Working Group, Dartmouth Nova Scotia plus presentation by the Transportation Safety Board of Canada on fishing vessel safety initiatives (Lionel Comeau).

**April 9, 2010** – Eastern Fishermen’s Federation Annual Meeting, Moncton New Brunswick  
(John Pilote).

Issues were raised by the fishing vessel industry at the Maritime Regional CMAC meeting with regards to certification of smaller fishing vessels (less than 12 metres and less than 15 GT) operating beyond Near Coastal 2 waters with respect to certificates of service for masters and officers of the watch. These issues were referred by Victor Santos-Pedro to personnel in Ottawa for response. Correspondence is ongoing on this matter.

**Ship Safety Bulletin #01/2008** – The instances of vessel owners presenting completed Fishing Vessel Modification History Forms issued under Ship Safety Bulletin #01/2008 continues to be non-existent. Marine safety inspectors continue to bring up the subject of ongoing modifications with vessel owners at the time of periodic inspections and leave blank forms with the owners and also mail them out at the time of certificate issues. Instances of modifications having been performed continue to be reported within the TC Ship Inspection Database (SIRS).

**Quebec Region (Simon Pelletier)**

The following report was presented by Simon Pelletier, Senior Marine Inspector, Gaspé, Quebec.

The annual meeting of the Quebec Regional Standing Committee on Fishing Vessel Safety was held in Rimouski, February 25, 2010 with 80 stakeholders participating. The Transportation Safety Board took advantage of the meeting to hold workshops for its investigation on persistent risks to fishermen on small fishing vessels. A similar workshop was held in the Magdalen Islands on the February 23, 2010. On February 24, 2010 the Transportation Safety Board held a workshop with representatives of fishermen associations, institutional and governmental stakeholders. On February 25, 2010 in the afternoon, they held two workshops with fishermen.

Following these workshops, DFO and TC convened to establish a Work Group, which will analyse management practices and licence conditions that influence the safety of the Quebec fishermen. The first meeting of the Work Group should be held shortly.

André Audet, CCG, and Robert Fecteau, TC, co-chair the Committee and opened the meeting and underlined the loss of two fishermen in the capsizing of a small fishing vessel in the spring of 2009.

André Audet made a presentation on search and rescue. In 2009, for commercial fishing vessels there were 84 incidents, 9 distress situations, 26 lives in danger, and 2 loss of lives reported. A new search and rescue station should be in operation in Kegaska on the lower north shore this summer.

Anne Frénette, Canadian Hydrographic Service, presented their new products.

Michel Castonguay, La Commission de la santé et de la sécurité du travail du Québec (CSST), which is Quebec's workers compensation board made a presentation on protection devices on moving parts of winches and other fishing gears. Further information is available on their web site at [www.csst.qc.ca](http://www.csst.qc.ca).

Simon Pelletier made an update on the Regulatory Reform Project and reported on last spring and fall CMAC meetings. He discussed the guidelines, ongoing studies about stability requirements and the lifesaving equipment requirements.

Émilien Dorion a lobster fishermen underlined the fact that lifesaving equipment requirements should only be based upon voyages, distance from shore, and risk rather than by type or length of vessel.

Randy Jones of the lower north shore asked to know when the class 2 lifejackets would be available and what they would look like.

Simon Pelletier made a presentation on the Ship Safety Bulletin #04/2006, which deals with stability, risk factors, and reported on its application in the region. As stated at the last November National CMAC meeting, at that date, 153 questionnaires were filled since 2006 and 58% of the vessels had risk factors. Of the vessels who submitted stability booklets at that date, 88% did not pass stability criteria without limitations, ballast, modifications to vessel, or technical review board decisions.

Alain Blouin, TC, described Marine Safety's new approach with regard to compliance monitoring, a new strategic orientation implying a change of culture, including the Delegated Statutory Inspection Program (DSIP), Canadian Alternate Compliance Program (CACP), Safety Management Systems (SMS) and the *Administrative Monetary Penalties Regulations*. Since April 2008 three administrative monetary penalties, for a total of \$4,500 were issued to fishing vessels or fishermen or are in process.

Nicholas Gamache, TC, made a presentation on his region's program of self-inspection for small fishing vessels of 15 GT or less program. For 2009, 53 % of the 330 vessels, which were sent self-inspection packages participated in the program. An audit was made on 72 vessels, of which 100% of the vessels had the required safety equipment and 87% were in excellent condition. Never the less some non-compliances were found.

Guy Bussi eres, Transportation Safety Board, presented the ongoing investigation on persistent risks to fishermen on small fishing vessels.

The meeting split into two groups, one for workshop of the Transportation Safety Board, the other for a workshop on training and issue of certificates of competency directed by Denis B elanger, TC.

Information on the Committee, previous meetings and overviews are available on the region web page at [www.tc.gc.ca/quebec/marinesafety-committee-menu-1472.htm](http://www.tc.gc.ca/quebec/marinesafety-committee-menu-1472.htm).

On the application in the region of Ship Safety Bulletin #01/2008 on modifications to vessels, since December 2006, from the Ship Inspection Report System (SIRS), of the 543 periodic and intermediate inspections of small fishing vessels, 67 of them had been modified since last inspection.

Marilyn French-St. Georges, Transportation Safety Board, remarked on the participation in the self-inspection program and asked if there were any reason for the high rate. Simon Pelletier attributed the participation rate to good operators in the region.

## **Ontario Region**

The report for the Ontario Region was provided by Mike Dua, Manager, Inspections, Sarnia, Ontario and he advised that the Ontario fishery was small and that it was difficult to get stakeholders involved in CMAC meeting activities. Inspection activity was down significantly, with 20 inspections having taken place, approximately one-half of the number carried out for the previous year.

Reasons for the decline are quota reductions in the order of 50% for some stock and the poor United States economy. No great improvement for the industry is foreseen for the immediate future.

146 fishing vessels are registered in Ontario, of which 28 are less than 15 GT and of these, 71 are laid up.

Concerning Ship Safety Bulletin #01/2008, marine safety inspectors have found that the purpose of the bulletin and how to use the modifications form must be explained, as the representatives' command of English is limited. No modifications have been reported or witnessed during inspections.

## **Prairie and Northern Region**

Allen Williams, Manager, Edmonton office, Prairie and Northern Region, reported as follows.

Most of the fishing vessels in the region are small fishing vessels typically under 15 GT with a fairly large cluster operating in Lake Winnipeg and smaller groups in the Great Slave Lake and several lakes in Saskatchewan, Alberta, and Nunavut. Freshwater's database indicates more than 2000 licenses issued to small fishing vessels of less than 15 GT in the region.

On record about 20 vessels that are over 15 GT but under 20 GT and engaged in regular fishing, some of which have been through the First Inspection while others are pending. The Region has indeed carried out basic stability on some of these vessels.

The Prairie and Northern Region with its wide geographical expanse and remoteness poses major challenges for TC as well as the fishing community. While the Region strives to ensure that the fishers are well served, whether by inspection services or mere engagement in education and awareness forums, the short navigation season, the demand/supply cycles, fuel costs, and the price for their catch present additional operational challenges for the fishers which in turn influences the Regions ability to deliver their services.

The Region recently pioneered a Small Vessel Registry initiative that was established to identify their clients, encourage them to register their vessels and work with them to ultimately conform to required standards of strength, stability, and certification of personnel. The effort while intended to capture commercial and pleasure craft is planned to extend to reach out to the fishing community as well. The program has resulted in tremendous success so far.

Education and Awareness continue to be their areas of strength. Over the past year they have organized several outreach sessions and consultative forums in which they emphasized safety, encouraged the registration process, and informed stakeholders of the requirements under the Canadian legislation, where appropriate. The Region gave presentations to fishing communities in Gimli, Selkirk, Riverton, Matheson Island, and Hay River, to name a few.

The fishers continue to express concerns on the high cost to purchase life saving equipment and their maintenance thereof. They would also like to see some flexibility in the certification and examination for personnel to suit the local environment.

There were no reported serious accidents or fatalities in fishing over the past season.

### **Pacific Region**

Aloak Tewari, Manager of Inspections, Pacific Region, provided the following report.

Hot issues in the west coast are deal with accumulation of sea time for the Officer of the Watch Certificate of Service because of the limited duration of the various fisheries. These have been discussed at the Working Group on Fishing Vessel Certification and Training.

The Fishing Vessel Stability Questionnaire and Record of Vessel Modifications form are being used extensively throughout the region. Wherever required, as a result of the assessment, the vessels are being asked to have their stability re-assessed.

The Pacific Region has developed a brochure for the information of Fishers regarding the inspection process. This has been done in collaboration with Fish Safe and the Communications departments.

The Region has participated in meetings with Worksafe BC, Fish Safe, the DFO, Mutual Marine, etc.

They have a new crop of marine safety inspectors in the division and many of the older ones are no longer with the organisation. Some of the inspectors are experienced but from other regions, have transferred to Vancouver, others are relatively new but are gaining experience.

Discussions took place with respect to the owner response to instructions in the Ship Safety Bulletins to complete forms for stability risk factors and vessel modifications, as the regional representatives had stated there was a generally low percentage of forms completed. Discussion on how to increase understanding by owners of the importance of the issue also took place, as well as the need for a consistent approach and recording by TC. It was noted that the practice of sending Ship Safety Bulletins to fish harvesters when the bulletins are not related to fishing, particularly when several bulletins arrive in the same envelope, may cause some owners not to give the bulletins the importance they merit.

## **6. OTHER CMAC STANDING COMMITTEE UPDATE - NAVIGATION AND OPERATIONS**

Russ Renaud, TC, provided a summary of the items discussed in the Standing Committee on Navigation and Operations. Two items are of potential interest to fish harvesters – mandatory reporting for vessels over 300 GT in Canadian Arctic waters and the discussion at IMO on man overboard and locator devices.

An issue previously raised at the National CMAC meeting, that of having to silence multiple VHF-DSC installations can be a source of distraction to the bridge watchkeeper, particularly while ship manoeuvring and communicating with assisting vessels, was noted at the Pacific Regional CMAC meeting and a question on how TC has dealt with the issue was posed. Russ Renaud advised that Canada had raised the concern at the IMO in January 2009. At that time, IMO had asked its members to provide greater detail on the extent of the problem, however no further information was received from stakeholders in response to TC's request. Further, TC proposed, through Industry Canada, an amendment to the International Telecommunications Union (ITU) to modify ITU Recommendation 493 on Digital Selective Calling Systems to permit disabling of non-distress alarms, which was subsequently adopted by that organization.

## **7. REGULATORY UPDATE**

### ***Fishing Vessel Safety Regulations***

An update on the development of the proposed *Fishing Vessel Safety Regulations* was provided by Kevin Monahan, TC. While carriage requirements for safety equipment would be set out in the proposed *Fishing Vessel Safety Regulations*, the standards for the appliances and maintaining them would be in the *Life Saving Appliances Regulations*.

The legal drafting is anticipated to be completed by the fall of 2011 and it will incorporate material developed for the new *Small Vessel Safety Regulations*. The Cost/Benefit Analysis is under way and the approaches to be used to reduce impact were highlighted.

In response to a question by Marilyn French-St. Georges concerning how human factor elements, such as usability of lifesaving equipment, would be incorporated in the proposed Regulations, Victor Santos-Pedro advised that this type of information would be in guidelines.

Link to presentation:

English -

[http://de51.zoomshare.com/files/CMAC\\_FV\\_/FISHING\\_VESSEL\\_SAFETY\\_REGULATIONS\\_-\\_SLIDE\\_PRESENTATION\\_-\\_NATIONAL\\_CMAC\\_APRIL\\_2010\\_-\\_ENGLISH.ppt](http://de51.zoomshare.com/files/CMAC_FV_/FISHING_VESSEL_SAFETY_REGULATIONS_-_SLIDE_PRESENTATION_-_NATIONAL_CMAC_APRIL_2010_-_ENGLISH.ppt)

French -

[http://de51.zoomshare.com/files/CMAC\\_FV\\_/Reglement\\_sur\\_la\\_securite\\_des\\_bateaux\\_de\\_peche\\_-\\_CCMC\\_avril\\_2010.ppt](http://de51.zoomshare.com/files/CMAC_FV_/Reglement_sur_la_securite_des_bateaux_de_peche_-_CCMC_avril_2010.ppt)

## **Fishing Vessel Stability Study**

Carl Harris who is part of the team from the Institute for Ocean Technology working on a project to develop a risk based evaluation tool for small fishing vessels in support of the proposed Regulations, gave a report on the project's progress. Carl Harris reviewed the project background, noting that it had been commissioned due to concern that the regulations as proposed may be overly stringent for some vessels. As a result, the factors that should trigger a full stability analysis were being evaluated.

In order to identify sources of risk and possible hazards, the project would review accident statistics, fleet histories, and modifications to fishing vessels. Human factors involved in accidents would not be part of the study.

Carl Harris advised that incident data had been globally reviewed and observations with respect to incident rates by size of vessel, region, vessel gear, area of operation, and wave height noted.

The analysis shows that the accident rate is higher on the West Coast, however it was suggested that this should be reviewed using fleet size at time of accident rather than current fleet size. Analysis of accidents by vessel size (length) shows an above average rate for vessels less than 8 metres and 20 to 24 metres long, while vessels from 8 to 12 metres in length have a lower than average accident rate, again based on the current number of registered vessels. Analysis of accidents by gear type and species being fished has been carried out, however, lack of data in the accident reports makes it difficult to draw conclusions. Similarly, there is a lack of data concerning wave heights at time of incident, however, where wave height had been reported, more accidents occur when waves are less than one metre high than any other height by a significant margin.

Mapping of the capsize locations has been carried out, however, more work is required on this as well as further refinement of other analyses and cross-referencing with stability data and fishing seasons.

Link to presentation (available in English only) -  
[http://de51.zoomshare.com/files/CMAC\\_FV\\_/CMAC\\_April2010\\_cjh.pps](http://de51.zoomshare.com/files/CMAC_FV_/CMAC_April2010_cjh.pps).

## **8. NATIONAL CMAC WORKING GROUPS REPORTS**

The report of the Working Group on Fishing Vessel Safety Regulatory Issues was provided by the Ian Campbell and is attached as Annex A.

Diane Couture presented the report of the Working Group on Fishing Vessel Safety Certification and Training which is attached as Annex B.

Stakeholders from the Pacific Coast raised serious concerns with respect to the sea time requirements to obtain a Certificate of Service as Watchkeeping Mate of a Fishing Vessel of less than 100 Gross Tonnage, introduced last year to recognize service and the newly introduced Certificate of Competency Watchkeeping Officer of a Fishing Vessel of not more than 150 Gross Tonnage and Not More Than 24 Metres In Overall Length.

The stakeholders concern is with meeting the sea service requirements when some fisheries are open just a few weeks, days, and in some cases, hours, each year. The topic engendered some lively discussion and it was proposed that possible alternatives to sea time be considered in order to resolve the situation. Aloak Tewari agreed to meet with industry in the Pacific Region to develop a recommended solution.

## **9. GOVERNMENT UPDATES**

### **TSB investigation into fishing vessel safety in Canada**

Marcel Ayeko reported on the Transportation Safety Board's on-going investigation into fishing vessel safety issues. Eight discussion sessions have been held with fish harvesters and stakeholders with one more yet to be held. The Transportation Safety Board recognizes that a lot has been and is being done by industry on training and awareness and that regulations alone are not enough. Industry losses remain unacceptably high, however; and a concerted effort by all – industry, educational institutions, and government – will be required for some time to bring about positive change.

The Transportation Safety Board is nearing the end of the data collection phase of the investigation and will move to analysis then report preparation, with the report expected to be complete in the first quarter of 2011.

Link to presentation (available in English only) -  
[http://de51.zoomshare.com/files/CMAC\\_FV\\_/TSB\\_Update.ppt](http://de51.zoomshare.com/files/CMAC_FV_/TSB_Update.ppt).

### **Update - DFO/TC MOU and Fisheries Management Policy and Safety at Sea**

Kristen Bond, CCG Maritime Services, provided an update on work being done by the CCG, TC and DFO under the Memorandum of Agreement (MOU) on Fishing Vessel Safety, noting that TC, DFO-Fisheries and Aquaculture Management and the CCG agree on the need for regular communication across regions to assess progress and existing practices under the MOU.

Since the Fall CMAC meeting last year, a network of contacts with representatives from each region and headquarters has been established. The network has discussed the effectiveness of existing mechanisms used to table priority safety issues and the efforts to improve collaboration and progress on fishing vessel safety.

Next steps in the process were reported to be to:

- Continue to foster improved communication through the national network of contacts for fishing vessel safety.
- Seek ongoing improvements to collaboration among the three organizations (DFO, TC and CCG) and with industry (fishers, fishing vessel owners/operators, fishing organizations, worker safety organizations).
- Develop a Fishing Vessel Safety Action Plan, including agreed upon safety objectives for 2010-11 and measures to monitor progress in relation to the MOU.

Continued reporting of progress to the Standing Committee with respect to reaching the objectives of the MOU was promised.

Link to presentation (available in English only) -

[http://de51.zoomshare.com/files/CMAC\\_FV\\_FINAL\\_DECK\\_MOU\\_on\\_Fishing\\_Vessel\\_Safety.ppt](http://de51.zoomshare.com/files/CMAC_FV_FINAL_DECK_MOU_on_Fishing_Vessel_Safety.ppt)

### **TC Marine Safety updates**

Ian Campbell, TC, advised the Standing Committee of items of potential interest that were discussed at the Stability, Lifesaving and Stability Sub-Committee at IMO in January. The main item dealt with the Torremolinos Protocol for safety measures on fishing vessels more than 24 metres. Developments at IMO relating to fishing vessel safety will continue to be reported to the Committee.

## **10. OTHER BUSINESS / TENTATIVE AGENDA ITEMS FOR THE NEXT CMAC MEETING**

### **Submission to CMAC regarding the intention to de-staff lightstations**

A letter was read to the Committee addressing the concerns of de-staffing lightstations. All those in attendance who support retaining the services of lightstations were asked to send written submissions to the Senate Standing Committee for Fisheries and Oceans, who are responsible for reviewing this issue.

#### ***Approved by:***

*Mark Dolomount, Professional Fish Harvesters Certification Board of Newfoundland and Labrador,  
Standing Committee Co-Chair*

*Victor Santos-Pedro, Marine Safety, TC, Standing Committee Co-Chair*

**ANNEX A**  
**REPORT OF THE WORKING GROUP ON FISHING VESSEL SAFETY**  
**REGULATORY ISSUES**

The meeting was held on April 27, 2010. The agenda was reviewed and accepted with two items added under Other Business.

Kevin Monahan, TC, provided a regulatory update explaining the progress of the drafting of the proposed new *Fishing Vessel Safety Regulations* and the associated Cost-Benefit Analysis. There was discussion regarding the definition of a fishing vessel, particularly the ones above 24 metres in length that are exclusively transporting fish, and not fishing. It was noted that the definition is harmonized with the *Marine Personnel Regulations* and the IMO Torremolinos Convention. Kevin Monahan will continue to report on the process and copies of the discussion draft are available on request.

Serge Théorêt, TC, provided an overview of the work on the proposed new *Life Saving Appliances Regulations*, and how they may affect fishing vessels. Serge Théorêt explained that fishing vessels would be required to carry safety equipment that is in accordance with the *Life Saving Appliances Regulations* that include new provisions for maintenance and inspection of the equipment. SOLAS equipment will have to be in accordance with the IMO Life Saving Appliances Code, and non-SOLAS equipment in accordance with the Canadian Life Saving Appliances Standard, TP 14475. Copies of the presentation were made available to the participants. There was discussion about the availability of Canadian products that meet the proposed new standards and that are suitable for the fishing industry and questions about the acceptability criteria and process including testing for foreign approved equipment. This was brought up as an issue at the Pacific Regional CMAC meeting as well. Serge Théorêt will report back. It was stressed that PFDs will not be accepted for the purposes of meeting the carriage requirements. However, PFDs or lifejackets may be worn on deck as part of personal protective equipment, but fishers need to be aware of what exactly they are wearing in terms of floatation as PFDs, which come in varying degrees of capability.

Ian Campbell provided an update on the proposed new *Fishing Vessel Safety Regulations*, then provided an update of the details of the proposed new regime for fishing vessel manufacturers' compliance notices and declarations of conformity for new vessels. This is the same essentially as the program for other small commercial vessels, but modified for fishing vessels. There was discussion regarding how the program might work in consideration of manufacturers building a vessel for their own use (i.e., not require a compliance notice/declaration but would still be required to comply with the construction in the regulations). Particularly in the Atlantic Region, some Prince Edward Island vessel manufacturers may fall into this group. It was agreed that TC would listen to the concerns, if any, as they are brought forward. There was a question regarding the requirement for a quick-release mechanism on deck for certain fishing operations such as seining. It was agreed that this is not practical and that adherence to a safe operating procedures is what is needed. The B.C. Seafood Alliance has offered to propose wording that is acceptable to TC and will report back to the Working Group for next session.

Carl Harris, Institute of Ocean Technology, provided an update on the project looking at traditionally very low risk fishing vessels in terms of stability. Part of the work includes a review of the risk looking at available data. Carl Harris will give the presentation again at the next meeting of the Standing Committee, where the focus will be on the methodology and draft tools enabling the various industry groups to self-identify as to risk and for TC to review upon consideration of all the risk factors.

Under Other Business, Gina Johansen, Fish Safe BC, handed out a paper they had developed to help encourage dialogue between fishermen and the people preparing the stability assessments, in a simplified “ten question format”. She also described and passed around for the information of the group, several examples of foreign made personal protective buoyant work clothing that can be used while working on deck.

**ANNEX B**  
**REPORT OF THE WORKING GROUP ON FISHING VESSEL SAFETY**  
**CERTIFICATION AND TRAINING**

The Working Group on Fishing Vessel Safety Certification and Training was held on April 26, 2010.

There were originally four items on the agenda, and four more were added:

- STCW-F Convention.
- New policy - Watchkeeping Officer of a fishing vessel of not more than 150 gross tonnage and less than 24 metres in overall length.
- New form - Declaration of at least seven fishing seasons as master of a fishing vessel of not more than 15 gross tonnage and not more than 12 metres in overall length.
- Update on the procedures for recognizing certificates of competency, training certificates, and other equivalencies as proof of competency under the *Competency of Operators of Pleasure Craft Regulations*.
- Increase the validity of the Certificate of Service as Watchkeeping Officer from 100 to 150 gross tonnage.
- Increase the validity of the Fishing Master 4 from 100 to 150 gross tonnage.
- Policy to allow fishing vessels of up to 15 gross tonnage or 12 metres in overall length to go on voyages beyond Near Coastal 2 with a Small Vessel Operator Proficiency (SVOP).
- Colour blindness.

**STCW-F Convention**

Canada has deposited an instrument of ratification at IMO, to ratify the STCW-F Convention. The STCW-F Convention will enter into force 12 months after the date on which no less than 15 States have either signed it or have deposited the requisite instruments of ratification. There are at present 14 contracting States to the Convention. The Convention is expected to be in force within 18 months. The Convention applies to fishing vessels of 24 metres or more.

Presented to industry was a new system of certification under the STCW-F Convention and it was defined what will be the definition of the limited waters of Canada. There will be four certificates of competency as masters. The differences were outlined and what will be the additional requirements or the adjustments that will be made to the existing system to comply with the Convention. The industry seemed in agreement with this new system, as it does not affect the existing certificates in a major way.

**New policy - Watchkeeping Officer of a fishing vessel of not more than 150 gross tonnage and less than 24 metres in overall length**

A new certificate of competency was introduced that will allow its holder to be in charge of the navigational watch on a fishing vessel of not more than 150 GT and less than 24 metres in overall length.

The policy describes what are the requirements to meet to obtain the certificate and also specifies the validity of the certificate and the renewal requirements. This certificate is now available and a Ship Safety Bulletin will be published shortly after the CMAC meeting.

**New form - Declaration of at least seven fishing seasons as master of a fishing vessel of not more than 15 metres and not more than 12 metres in overall length**

Section 212(8) of the *Marine Personnel Regulations* state that the master of a fishing vessel of up to 15 GT or not more than 12 metres in overall length, who has acquired at least seven fishing seasons, with no two of those seasons occurring in the same year, as master of a fishing vessel before July 1, 2007 can be exempted from holding the SVOP training certificate.

This form is to be used to make the declaration. It is now available in the internal and external catalogue form - Form number 82-0698 and the link to this form is [http://www.tc.gc.ca/wwwdocs/Forms/82-0698\\_1002-01\\_BO.pdf](http://www.tc.gc.ca/wwwdocs/Forms/82-0698_1002-01_BO.pdf).

**Update on the procedures for recognizing certificates of competency, training certificates, and other equivalencies as proof of competency under the *Competency of Operators of Pleasure Craft Regulations***

Last November, there was a new policy decision that TC will issue a Pleasure Craft Operator Card (PCOC) to seafarers holding a specified certificate of competency upon request. The TC PCOC cards have been designed and finalized. In the fall of this year, TC Exam Centers will be able to accept applications from seafarers in the convenience of having a PCOC card. There will be no costs associated.

**Increase the validity of the Certificate of Service as Watchkeeping Officer from 100 to 150 gross tonnage**

There was a request to increase the certificate of service as Watchkeeping Officer from 100 GT to 150 GT. TC explained the reasons of the limits of 100 GT for the certificate of service. TC is to evaluate the situation.

**Increase the validity of the Fishing Master (FM) 4 from 100 to 150 gross tonnage**

There was a request to increase the validity from 100 GT to 150 GT of the FM 4 Certificate of Competency under the new STCW-F Convention.

TC can look into increasing the validity if all the regions are in agreement to do so, as headquarters and most of the regional TCMS offices are reluctant to do so.

If there is a consensus across the country, TC can increase the validity, conditional on the FM 4 holder meeting additional requirements.

**Policy to allow fishing vessels of up to 15 gross tonnage or 12 metres in overall length to go on voyages beyond Near Coastal 2 with a SVOP**

A policy for approval of this proposal has been considered by the Marine Safety Executive but has not been approved. If this policy is re-submitted for approval without any changes to its limitations, we believe strongly it will be denied one more time.

TC suggested that the industry identify the areas of fishing that are beyond Near Coastal (NC) 2, and indicate how many fishermen in these areas are affected by not allowing the proposal. Near Coastal 1 allows vessels to go up to 200 nautical miles. By adding a distance limitation in NC 1 and fishing areas limitations to the policy, there is more chance for this policy to be approved.

For fishing vessels of up to 15 GT or 12 metres in overall length to go beyond this new distance limitation, a Watchkeeping Officer Fishing Vessel 150 or a FM 4 must be held.

**Colour blindness**

This issue was referred to Naim Nazha, Director, Personnel Standards and Pilotage.