

MINUTES

of the Fourth Annual Meeting Standing Committee on Fishing Vessel Safety Quebec Region

Transport Canada / Marine Safety
Fisheries and Oceans Canada / Canadian Coast Guard

DATE: February 25, 2009

LOCATION: CANAP (Carrefour national de l'aquaculture et des pêches), Grande-Rivière

PRESENT:

Albert, Gilles <i>Association des pêcheurs de la MRC de Pabos</i>	Chapados, Gilles	Fortin, Mathieu Anthony <i>EPAQ</i>	Lelièvre, Jean-Elie <i>Pêcheries J-E Lelièvre inc.</i>
Anderson, Guy <i>Transport Canada</i>	Clayburn, Laura <i>CCG</i>	Gagnon, Jean <i>BST</i>	McInnis, Keven <i>EPAQ</i>
Arsenault, Sylvain <i>L'Omirlou</i>	Cotton, Allen <i>Pêcherie Allen Cotton</i>	Gamache, Nicholas <i>Transport Canada</i>	Mercier, Daniel <i>RPPSG</i>
Arseneau, Alain <i>Centre de formation professionnel - CS des Iles</i>	Cotton, Dan <i>Pêcheries Reginald Cotton</i>	Gosselin, Raynald <i>Fisheries and Oceans</i>	Meunier, Gilles
Barriault, Pierre <i>Regroupement des pêcheurs de la Haute et Moyenne Côte-Nord</i>	Cyr, Michel <i>R.P.P.S.G.</i>	Grenier, Michelle <i>Fisheries and Oceans</i>	Michel, Dany <i>EPAQ</i>
Beauchamps, Jocelyn	Cyr, Pierre-Marcel	Hébert, Vincent D. <i>EPAQ</i>	Moreau, Mario <i>EPAQ</i>
Beaudin, Noël	Deraspe, Mario <i>Association des pêcheurs des Iles</i>	Huard, Davis <i>EPAQ</i>	Moreau, Sylvio
Beaudoin, Robert <i>Transport Canada</i>	Desbois, Jean-Simon <i>EPAQ</i>	Huard, Jean-Pierre	Morissette, Stéphane <i>Les Moules Forillon et les Moules Cascapédia</i>
Bélanger, Denis <i>Transport Canada</i>	Desbois, Lino	Huard, Stéphane <i>EPAQ</i>	Nardini, Michel <i>CCG</i>
Bernatchez, Liette <i>Fisheries and Oceans Canada</i>	Desbois, Nicol <i>Pêcheries Nicol Desbois inc.</i>	Hubert, Gilles <i>Transport Canada</i>	Paré, Marc <i>A.C.P.G.</i>
Bond, Marc-Olivier <i>EPAQ</i>	Desjardins, Normand <i>EPAQ</i>	Jacques, Yves <i>CCG</i>	Paré, Sébastien <i>EPAQ</i>
Bond, Oneil	Devost, Ken <i>EPAQ</i>	Jalbert, Jocelyn <i>ACPG</i>	Pelchat, Francine <i>Transport Canada</i>
Bond, Réal <i>Pêcherie Réal Bond</i>	Dionne, Harold <i>Pêcherie H. Dionne</i>	Joncas, Eddy	Pelletier, Simon <i>Transport Canada</i>
Boucher, André <i>Office des pêcheurs de Flétan du Groenland du Québec</i>	Dorion, Émilien	Jones, Michel	Poirier, Alain <i>CCG</i>
Boudreau, Alexis <i>EPAQ</i>	Doucet, Marc <i>Lucien Doucet et fils</i>	Langelier, Serge <i>A.M.I.K.</i>	Ross, Sylvain
Boulet Bond, Marc-David <i>EPAQ</i>	Dubé, Simon-Pierre <i>BAPAP</i>	Langlois, Denis	Roy, Sylvain Jr <i>EPAQ</i>
Boulet, Marcel-Aimé <i>CSST</i>	Dufour, Stacy <i>CCG</i>	Langlois, Gilles <i>Pêcheurs homards</i>	Savage, Yvon <i>Pêcherie Yvon Savage</i>
Boulianne, Michel <i>Transport Canada</i>	Dufresne, Pierre-Marc <i>Pêcheries Anthony Hugues inc.</i>	Langlois, Rodrigue <i>Pêcheries Rodrigue Langlois</i>	Sylvestre, Renaud
Bourdages, Yan	Dupuis, Mario <i>RPPNG</i>	Larocque, Jacques <i>Association des pêcheurs de St-Godefroi</i>	Syvrais, Michel <i>Les Morutiers traditionnels de la Gaspésie</i>
Bourgeois, Yves <i>MAPAQ</i>	Élément, Jean-Pierre	Larrivée, Michel <i>EPAQ</i>	Thibault, Geneviève <i>Transport Canada</i>
Castilloux, François <i>EPAQ</i>	English, Maxime <i>EPAQ</i>	Leblanc, Jean-Félix <i>Les Entreprises Léo Leblanc et fils inc.</i>	Turbide, Luc <i>L.D.J. Turbide</i>
Castonguay, Michel <i>CSST</i>	Fecteau, Robert <i>Transport Canada</i>	Lediscorde, Gérard <i>EPAQ</i>	Two Axe, Tara <i>Galguasiet Natural Resources</i>

Opening of the meeting: 8: 55 a.m.

1. Word of Welcome

By Robert Fecteau, manager with Transport Canada in Rimouski

Robert Fecteau welcomed the participants to the fourth annual meeting of the Committee on Fishing Vessel Safety, Quebec Region. Mr. Fecteau mentioned that he is a manager with Transport Canada, Marine Safety (TCMS), responsible for the Rimouski, Gaspé and Magdalen Islands Service Centres.

He introduced Stacy Dufour, Regional Supervisor of the Canadian Coast Guard Maritime Rescue Sub-Centre in Quebec City, who will act as co-chair. He also introduced Simon Pelletier, Inspector, Marine Safety at the Gaspé Services Centre, mentioning that Mr. Pelletier will be replacing Guy Anderson as Senior Inspector for issues relating to fishing vessel safety and will therefore represent the Quebec Region on the National Working Group.

Mr. Fecteau thanked Mr. Anderson for all the work he has done on the National Working Group since 2002 and for his involvement on the regional Standing Committee.

Mr. Fecteau noted that Michel Boulianne, Regional Director, Marine Safety, was also present.

Robert Fecteau explained the rules of procedure and the schedule for the day. He presented the Agenda, previously approved by the Executive Committee.

2. Follow up on the February 28, 2008 meeting of the Standing Committee on Fishing Vessel Safety

By Robert Fecteau, Transport Canada Manager in Rimouski

Robert Fecteau reported that the Minutes of the February 28, 2008 meeting, approved by the Executive Committee, were presented to the Canadian Marine Advisory Council (CMAC) in Ottawa. They were forwarded to the National Standing Committee on Fishing Vessel Safety.

During the 2008 meeting, five proposals were adopted. They were represented in Ottawa by Denis Bélanger and Guy Anderson of TCMS. Mr. Fecteau stated, however, that while the proposals were well received, they did not have the desired impact because no one from the Quebec fishing industry was there to support them. We must find a way to encourage the Quebec representatives to attend the CMAC in November and May each year in Ottawa. Robert Fecteau suggested that the Executive Committee meet over the next weeks to develop a strategy.

Mr. Fecteau reported on the five proposals presented in February 2008.

1. Maintain the change cut-off for the new regulatory requirements for fishing vessel requirements at 15 metres (49.21') instead of 12 metres (39.37') currently being proposed by some instances.

The proposal was well received. In the last draft of the regulations, the change cut-off specified is 15 metres, with the exception of rescue vessels where cut-off of 12, 15 and 16 metres are suggested. As a cut-off of 12 metres would heavily penalize the fleet of coastal fishing vessels in Quebec, Mr. Fecteau will ensure that pressure will continue to be put on the national working group to maintain the cut-off at 15 metres.

2. Modify the Regulation concerning the prevention of pollution by vessels and hazardous chemical products so that the requirement for a holding tank or marine sanitation device is applicable to new fishing vessels only.

The proposal was rejected. It appears that this is not a concern for fishers in other provinces. In addition, if TCMS does not put measures to limit the discharge of wastewater in place in its regulation, it is very possible that Environment Canada will step in by virtue of the Fisheries Act.

Robert Fecteau reminded the meeting that all existing fishing vessels equipped with a toilet must also be equipped with a holding tank of marine sanitation device (250 fecal coliforms) by 2012 and that new vessels must comply immediately.

Mr. Émilien Dorion asked whether TCMS and the Department of Fisheries and Oceans would be equipping their ports with installations and facilities to accept the wastewater.

- *Robert Fecteau stated that this needed to be checked with the authorities concerned; however, he believes that everything will fall into place over the next few years.*
- *Simon Pelletier added that the discharge of wastewater into the waters to the east of Pointe-au-Père is permitted at a distance of more than three miles from the shore.*

Mr. Pierre-Marc Dufresne remarked that any recovered wastewater is very likely to be discharged into the sea by the municipalities because most of them discharge their wastewater directly into the Gulf.

- *Robert Fecteau replied that the marine community has decided to take measures to control wastewater discharge and that it was highly likely that the municipalities would do the same in the coming years.*

Mr. Marc Paré questioned why fishers from the other provinces had not reacted to this new requirement.

- *Robert Fecteau replied that perhaps the other provinces had not realized the implications of this new requirement. They will most likely react later as the deadline approaches in 2012. He mentioned again how important it is to appear in person at the CMAC to make one's requests.*

Mr. Jocelyn Jalbert confirmed that he had already attended the CMAC in Ottawa. He added that the meetings are conducted in English and that what Francophones have to say is often misunderstood or ignored.

- *Robert Fecteau is aware that linguistic barriers prevent the Quebecers from going to Ottawa. He added, however, that there is simultaneous translation and that the Quebec representatives of TCMS can assist Francophone participants from Quebec in making sure that they are fully understood.*

3. Authorization for TCMS inspectors to conduct stability evaluation tests using the simplified method.

This request remains unanswered for the moment. Robert Fecteau reported that it goes a little against TCMS's new direction of delegating certain of its responsibilities and powers. In addition, TCMS wants to avoid competing with private enterprise. Mr. Fecteau added that, according to the last draft of the Regulation on Fishing Vessel Safety, the evaluation must be done by a competent person or recognized organization so, for the moment, TCMS inspectors would be authorized

Guy Anderson stated that, considering that there are fewer fishing vessels in Quebec than in the other provinces, it would be easier for our TCMS inspectors to manage the extra workload created by stability evaluations.

4. Maintain the current requirements of the Marine Personnel Regulations (MPR) that only the minimum crewing levels on fishing vessels must have received training in Marine Emergency Duties (MED).

Robert Fecteau reported that Newfoundland and the Atlantic Provinces are putting heavy pressure on TCMS to modify the regulation so that all crew members aboard fishing vessels are to have received

MED training. All the provinces except Quebec appear to have rallied behind Newfoundland's position. Mr. Fecteau stated that, as Quebec's position blocks the national consensus required to modify the regulation, it remains unchanged.

5. Allow transit trips by fishing vessels up to a maximum gross tonnage of 15 to be made with only one person on board.

Robert Fecteau confirmed that this request had been accepted and that Denis Bélanger would be providing more details during his presentation.

Robert Fecteau reported on the action items listed on the last page of the Minutes of the 2008 meeting:

1. Mr. Fecteau announced that Jean-Marc Nadeau of Fisheries and Aquaculture Management in the Department of Fisheries and Oceans (DFO-FAM) has been named as representative on the Executive Committee and Raynald Gosselin as alternate.
2. Mr. Fecteau presented the conclusions of the TCMS analysis of the problem concerning the herring fishery in the Bay of Chaleur raised at the 2006 meeting, specifically the overloading of vessels caused by a competitive fishery.

TCMS inspectors visited vessels numerous times during the last two herring fishery seasons and did not find any cases of overloading. Numerous discussions with the DFO-FAM made us realize that it would be difficult, if not impossible, to set individual quotas because the DFO has absolutely no data on the historic captures. Furthermore, the imposition of individual quotas would oblige the DFO to monitor the quantities caught and that would entail expenses for the fishers.

Robert Fecteau stated that the load limits recommended by the new Regulation on Fishing Vessel Safety should help raise fisher awareness of the danger of overloading. TCMS and DFO-FAM will continue to work together on this file in order to harmonize their requirements.

Mr. Émilien Dorion asked if TCMS would require stability tests to set the load permitted in the herring fishery.

- *Robert Fecteau replied that the new stability requirements would be set in accordance with certain risk factors and that fishing herring is not considered a risk factor if the herring is not kept in bulk on board. The load limit will be determined by a simplified calculation and will not entail a stability calculation.*

3. During the 2008 meeting, it was requested that a presentation be made to explain the various lengths used for fishing vessels in the regulations. Guy Anderson will make that presentation this afternoon.
4. Robert Fecteau was proud to announce that the Standing Committee on Fishing Vessel Safety, Quebec Region, now has its own web page: <http://www.tc.gc.ca/quebec/eng/marinesafety/committee/menu.htm>

This page includes all the presentations and meeting minutes since 2005, the coordinates of the Executive Committee and various useful links.

5. The frame of reference has been changed to allow the Executive Committee to approve the Standing Committee minutes.
6. A presentation explaining the regulation development process had been prepared but could not be made due to lack of time.

3. Training and certification - New requirements and policies

By Denis Bélanger, Marine Safety Inspector, Transport Canada, Rimouski

Denis Bélanger is the Quebec Region's Senior Inspector responsible for training and certifications. He participated in the development of the new Marine Personnel Regulations (MPR).

Mr. Bélanger reminded the meeting of how important it is that people from Quebec's fishing industry attend the CMAC and added the heads of the various committees are mostly Francophones from Quebec and understand very well what is being said in French. He stated that it is very difficult for TCMS representatives to make a case for the positions adopted by the Quebec Standing Committee if there is no one there from the industry to support them.

Denis Bélanger explained that all fishing vessels, depending on the tonnage and the type of voyage, must have on board a certified captain for vessels with gross tonnages over 15 or a overall length (OL) greater than 12 metres), a person with a small vessel operator certificate or a person with a pleasure craft operator card for vessels with maximum gross tonnages of 15 or maximum bow to stern lengths of 12 meters that travels in sheltered waters 2 miles or less from the coast. These regulations will come into force progressively from 2008 to 2016, in accordance with the length of the vessel. He reminded the meeting that, since November 7, 2008, vessels with an overall length of over 15 metres have had to have a certified captain on board.

Mr. Émilien Dorion asked if the 12-metre length specified in the regulation will also be changed to 15, seeing that it would be good if the cut-off were the same from one regulation to the other.

- *Denis Bélanger replied that owners have the choice of using 15 tonnes or 12 metres, whichever is the most advantageous for them. He does not believe that the 12-metre cut-off in the MPR would be changed to 15 metres as in the Regulation on Fishing Vessel Safety.*

Mr. Bélanger explained that captains of fishing vessels with a gross tonnage between 15 (or 12 metres) and 60 can obtain certification as a fishing captain based on qualifying service if they have 12 months of service as captain of a fishing vessel with a gross tonnage of over 15 (or longer than 12 metres) prior to July 1, 2007. Candidates must submit their requests prior to July 1, 2017, have passed an A1 basic safety MED and hold a Restricted Operator's Certificate - Maritime Commercial (ROC-MC). Captains with fewer than seven fishing seasons must take certain additional courses to obtain certification based on qualifying service.

Denis Bélanger mentioned that the small vessel pilot certificate that will be required beginning November 7, 2015 for fishing vessels with a gross tonnage of 15 (or more than 12 metres long) will not be required if the captain has a total of at least 7 fishing seasons as a captain prior to July 1, 2007. He/she must have proof of his/her service on board. Denis Bélanger showed the draft of a document that could be used to that effect.

Mr. Daniel Mercier asked if the small vessel pilot course is the 40-hour one.

- *Denis Bélanger replied that it is indeed the 40-hour course.*

Mr. Émilien Dorion asked if the BAPAP logbook would be recognized as proof of service as a captain.

- *Denis Bélanger replied that the position of the individual is not always written down in the BAPAP logbook and so it would be difficult to use this document as proof of experience as a captain. He added that the final form the statement will take has not yet been decided upon. A number of fishers have asked the CMAC to make it a plasticized card.*

Mr. François Castilloux asked if the statement of having at least seven fishing seasons' experience as a captain would replace the required certificate.

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- *Denis Bélanger replied that the statement in no way replaces the certificate but confirms that the holder is exempted from having to hold a certificate.*

Mr. Alain Arseneau had difficulty understanding how the TCMS can recognize the pleasure craft pilot card on vessels with a gross tonnage of over 15 (bow to stern length over 12 metres) operating less than 2 miles from the shore or in sheltered waters.

- *Denis Bélanger agreed that this card is proof of minimal competence but that was what the industry requested from the CMAC.*

Mr. Bélanger reminded the meeting that there should be a watch on the bridge of a fishing vessel at all times to ensure a satisfactory visual and auditory surveillance. It is the captain's responsibility to determine the people who should be part of the watch in accordance with the circumstances and the standards (see Article 214 of the MPR). He stated that the captain him/herself could not be on watch all of the time and that another certified person should replace him/her. This is not a new requirement but, for various reasons, has never been applied in the past. The Newfoundland fishing industry recently expressed its vehement opposition to this regulation, stating that there are not enough fishers who hold the required certificates to cover the watches on all the fishing vessels. TCMS is proposing a qualifying service certificate for Watch Officers for fishing vessels with a gross tonnage over 100. In addition, from now until November 7, 2010, TCMS will not institute procedures in the case where the person responsible for a watch on a fishing vessel with a gross tonnage over 100 does not yet have the required certificate. The captain, however, must be duly certified.

Denis Bélanger explained that the proposed qualifications for obtaining this qualifying service certification as a Watch Officer on a fishing vessel are: 12 months of service prior to July 1, 2007 as a person in charge of a watch on a vessel with a gross tonnage of over 15 (BSL over 12 metres), an A1 MED certificate and a ROC-MC certificate. Applications must be submitted before July 1, 2017.

Renaud Sylvestre requests that the new qualifying service certificate for Watch Officers on fishing vessels and the new fishing vessel officer certificate be valid for vessels up to 150 tonnes and not 100 tonnes as suggested. He requested that the Committee adopt a proposal to that effect.

- *Robert Fecteau asked if all members present supported the proposal and it was unanimously adopted. Robert Fecteau said that it would be presented to the working groups concerned at the next CMAC.*

Mr. Oneil Bond stated that the requirement to have a Class 3 Fishing Captain on a vessel with a gross tonnage of over 100 heavily penalizes this class of vessel. He suggested that, as these vessels have the same equipment and operate in the same places as vessels with a gross tonnage under 100, the requirements should be the same.

Mr. Pierre-Marc Dufresne supported this recommendation and added that it is getting more and more difficult to recruit people who have Class 3 and Class 4 Captain's certificates.

Mr. Jean-Pierre Élément asked that the Class 4 Fishing Captain's certificate be extended to 150 tonnes.

- *Denis Bélanger said that, for the time being, the terms of the Class 4 Fishing Captain's certificate would not be changed.*
- *Robert Fecteau stated that there is a procedure in place to request an exemption when it is impossible to recruit qualified personnel. He mentioned that the suggestions about the Class 4 Captain's certificate would appear in the Minutes.*

Mr. Bélanger reminded the meeting that fishing vessels that are required to have an inspection certificate (gross tonnage over 15) are now required to have a document specifying the minimum crewing level for

safety. This document states the minimum number of crew members that must be on board a vessel. He explained that vessels with a gross tonnage of no more than 15 are not obliged to have this document.

Denis Bélanger stated that the minimum crewing level for a vessel with a gross tonnage of over 15 is a captain and, if the captain cannot keep watch on the bridge at all times, an additional officer. Therefore the minimum crewing level will be one or two people.

For vessels with a gross tonnage of over 15, the minimum crewing level will be a captain, an additional person and an additional officer if the captain cannot keep watch on the bridge at all times. Therefore, the minimum crewing level will be two or three people.

For vessels with a gross tonnage of over 15 that operate with a set two-watch system, the minimum crewing level will be a captain, two additional people and an additional officer. The minimum crewing level will therefore be four people.

It was noted that these crewing levels could be increased depending on vessel characteristics and equipment.

Mr. Renaud Sylvestre stated that, in the document he had received on the minimum crewing level for his vessel with a gross tonnage of over 100, the minimum number of people required on board was five.

- *Robert Fecteau replied that all the documents that have already been delivered on the minimum crewing level for fishing vessels will be reviewed and corrected to bring them in line with the new requirements specified by Denis Bélanger and new documents would be issued. He added that the new minimum crewing level for Mr. Sylvestre's vessel would now be three people.*

Denis Bélanger explained that there would be some changes in the first-aid training requirements. At present, a fisher must hold a valid certificate in Advanced Marine First Aid to obtain a Class 1, 2, 3 and 4 Captain's certificate. A valid certificate of first-aid training is not, however, required when a certificate is renewed.

According to current requirements, the minimum crewing level of a fishing vessel must include a person designated to administer first aid. On Class 1 fishing vessels on a voyage near the coast or an unlimited voyage, this person must have Advanced Marine First Aid training. In the other cases, this person must have Basic Marine First Aid training. According to the modifications that will be made, the Basic Marine First Aid training (16 hours) or any other standard first aid course recognized by a province, will be accepted on Class 1 or 2 fishing vessels that voyage in sheltered waters or near the coast. The Advanced Marine First Aid training (31 hours) will be required only for fishing vessels that make unlimited voyages or to obtain a new competency certificate.

Mr. Bélanger stated that the Basic and Advanced Marine First Aid courses would be valid for 5 years, while the first aid courses recognized by a province would be valid for 3 years.

4. Proposed changes to navigational aid programs

By Yves Jacques, Navigational Aids Technician, Canadian Coast Guard, in Quebec

Yves Jacques explained that the Canadian Coast Guard (CCG) Navigational Aids Service is proposing to formalize practices that have already been in use for many years and to introduce others that appear to be logical and safe. These modifications to the aid systems will lead to modification of the Coast Guard's standards and these will then be reflected in the publication, *Canadian Aids to Navigation Program*. The CCG is looking to develop new tools by integrating the new technologies that are available. Among others, they support the use of daytime identification buoys instead of the current daytime identification on secondary lighted aids that do not need to be seen at a distance of more than 1.5 nautical miles during the

day. The replacement of the oversized daytime identification by standardized daytime buoys will result in reduced building costs and reconditioning of new structures without affecting the service.

Mr. Jacques also informed us that new fixed cardinal and isolated danger aids will be introduced. In addition, the CCG intends to make greater use of daytime lights as a complement to or replacement for certain daytime markings in special cases. He described the factors that will be taken into consideration to determine the use of daytime lights and the needs in terms of daytime markings (lighted background, availability of a source of electricity, visibility, navigational distance, etc.).

Yves Jacques stated that the CCG believes it is important to inform clients about the proposed changes and listen to their concerns. In order to properly identify the impacts of the proposed changes, he invited all participants to e-mail their comments to aidenavquebec@dfo-mpo.gc.ca. He reminded the meeting that the service levels of the CCG could be consulted at www.ccg-gcc.gc.ca

Mr. Pierre-Marc Dufresne mentioned that the CCG had removed all the navigational aids (buoys, lines) in the harbour at Rivière-au-Renard. He emphasized that while local fishers might be able to get by without aids, it could be risky, even hazardous, for mariners who are not from the area and have to enter the harbour.

- *Yves Jacques told Mr. Dufresne that he could forward his message to the person responsible in the CCG (Mr. Vincent Ouellet) and that the latter will contact him to get his comments on this situation. He also said that it might be an opportunity to review the aid program and supply appropriate aids if the level of risk warrants them.*

5. The Transportation Safety Board - A culture of safety

By Jean Gagnon, manager with the Transportation Safety Board in Quebec

Jean Gagnon explained that the Transportation Safety Board (TSB) is one of the numerous Departments involved with transportation in Canada and that all these departments have very distinct mandates. He mentioned that the TSB is an independent agency that reports to the Queen's Privy Council in Canada. The TSB has 235 employees throughout Canada and regional offices in Vancouver, Toronto, Gatineau, Quebec City and Dartmouth.

- Jean Gagnon went on to say that the TSB's mission is to conduct independent investigations into safety and to assess the risks linked to the transportation network. The TSB publishes marine reports and issues recommendations, concerns, safety warnings and information letters on safety. He stated that the TSB works in a blame-free culture, in other words it does not assign or determine civil or criminal liability

Mr. Gagnon emphasized the importance of reporting marine occurrences (accidents and incidents). He gave examples to make a clear distinction between an accident and an incident and explained how to report a marine occurrence by calling it into a radio-ship communication reporting station (MTS Centre) and by completing the mandatory captain's report.

Jean Gagnon stated that the TSB thinks it would be possible to reduce the risks to which fishers are exposed and reduce the number of accidents to an acceptable level if a true culture of safety were to be established in the fishing industry. He explained that a culture of safety comprises ensuring excellent safety management by following proper procedures and established best practices. Fishers must understand that accidents can be prevented and must learn to properly manage risk and think safety at all times. Jean Gagnon reminded the meeting that accidents generally occur when we tend to take shortcuts. He listed the criteria we can use to establish if a risk is acceptable and then determine the steps that should be taken.

Jean Gagnon invited participants to consult the TSB's website at www.bst-tsb.gc.ca for more information

Mr. Pierre-Marc Dufresne asked if a report is produced for every marine incident.

- *Jean Gagnon replied in the negative, adding that there are between 200 and 250 incidents a year and only twenty investigators for all of Canada. He added that, in 2008, there were six deployments and one investigation completed. Before, there used to be set criteria to determine if an investigation was necessary but now the TSB looks to see if the problem is systemic, could affect public opinion or have an impact on the industry.*

Mr. Mario Deraspe asked how the five members of the Board were appointed

- *Jean Gagnon replied that these are political appointments.*

Mr. Mario Moreau asked if the TBS intervenes when safety equipment is found to be lacking, such as, for example, the problem of the gloves on "Ocean Commander" wetsuits.

- *Jean Gagnon said that it is not within the TSB's mandate to decide to take action to correct certain pieces of equipment. The TSB would only issue recommendations.*
- *Simon Pelletier recalled that a Vessel Safety Bulletin had been issued on the problem with the "Ocean Commander" wetsuits, stating that, if it is returned to the supplier, this latter will make the necessary modifications.*

6. Canadian Hydrographic Service - Products and services

By Michelle Grenier of the Hydrographic Service of Fisheries and Oceans in Mont-Joli

Michelle Grenier presented the Canadian Hydrographic Service's products. She also presented the 2008-2009 Production Plan by stating that there are new publications available of certain charts used by the fishers - the Bic Channel and approaches, the Port of Natasquan and the ports and moorings of the North Shore. During her presentation on the 2009-2010 Production Plan, Ms. Grenier said that the CHS is currently working on producing a new edition of the chart of the Port of Gaspé and Anticosti Island. She also presented the 2009-2010 graphic appendices production plan.

Ms Grenier reminded users of the importance of checking that they have the most recent charts. This can be done through the internet at www.cartes.gc.ca. It is also possible to register for free on www.notmar.gc.ca to receive updated charts electronically.

Michelle Grenier listed the places where new bathymetric data will be gathered in 2009. She also stated that the nautical instructions would be validated in the field over the next season.

Ms. Grenier explained that the electronic marine charts produced by the CHS are available in two formats, matrix and vector. She gave the specifications of each of these formats. The charts that are found on matrix CDs are reproductions of paper charts while the charts on the vector CDs contain more data and can be updated via internet.

Michelle Grenier stated that the CHS would have a new Website this spring at www.cartes.gc.ca. It will be much easier to navigate on this site and there will be new tools to find charts. She added that the new catalogue of charts, which has also been produced in a paper edition, is available on line at that same address.

In concluding, Ms Grenier emphasized that the computer bathymetric data taken at 500 metres is now available at no charge at <http://public.geoportal.gc.ca/bathyDataBrowser> and that these bathymetric data taken at 50 metres will soon be available.

7. Presentations by the Canadian Coast Guard

By Stacy Dufour, Supervisor of the Canadian Coast Guard Maritime Rescue Sub-Centre in Quebec City

Distress Beacon

Stacy Dufour reminded the meeting that, since February 1, 2009 signals emitted by distress beacons (DB) at frequencies of 121.5/243.0 MHz are no longer received on the international Cospas-Sarsat and that now only the signals emitted by DBs on the 406 MHz frequencies will be received. Mr. Dufour stated that that does not create any problems in the marine environment given that all the DBs found on ships use the 406 MHz frequencies.

Mr. Dufour emphasized the importance that DBs be registered in the system to allow precise and rapid identification of the ship in distress. In addition, it is absolutely essential that the DB data be up to date. Data can be validated at www.sns.gc.ca.

Search and Rescue statistics

Stacy Dufour presented a summary of marine occurrences that took place in the Quebec from 2006 to 2008. In 2006, there were 86 incidents involving fishing vessels that endangered 29 lives. In 2007, there were 65 incidents involving fishing vessels that endangered 16 lives. In 2008, there were 76 incidents involving fishing vessels that endangered 28 lives and took one life.

2007 public consultations on service levels

Stacy Dufour told us that an analysis of search and rescue (SAR) needs was carried out in 2007. Following this analysis, more than 55 recommendations on improving SAR services were formulated. These recommendations are grouped into six categories: the Canadian North, changes to the level of service, uniform SAR service delivery, SAR service capacity, SAR operations and SAR partnerships. Thirty of the national recommendations are applicable to Quebec and seven are specific to the Quebec region. The CCG's next step is to evaluate the costs of these recommendations and prioritize them. Certain of these recommendations should be implemented in the short term. Mr. Dufour stated that one of the principal recommendations concerns the capacity to ensure satisfactory SAR interventions on the Lower North Shore of Quebec from May 1 to November 30. Further to this recommendation, the CCG decided to activate a SAR station in Kégaska where there will be a 47-foot rescue vessel.

Mr. Pierre-Marc Dufresne emphasized that the 47-foot rescue boat located at the SAR station in Rivière-au-Renard is not enough for the fishing vessels in this areas because they have large tonnage and operate everywhere in the Gulf of Saint Lawrence.

- *Mr. Dufour stated that the CCG is aware of this problem and there is a program to introduce mid-shore patrol vessels to better serve fishing vessels engaged in mid-shore fishing.*

Mr. Gilles Hubert reminded the meeting of the importance of making the changes concerning the radiotelephone or the distress beacon when a vessel is sold or there is a change in ownership.

Mr. Jocelyn Jalbert stated that it was shocking to discover that CCG services are not always offered in both official languages in the Atlantic Provinces.

8. The regulations - The length of fishing vessels

By Guy Anderson, Marine Safety Inspector with Transport Canada in Rimouski

Guy Anderson made a presentation on the various vessel lengths used in the regulations applicable to fishing vessels that ensue from the Canada Shipping Act (CSA) as well as from the DFO's Policy on the

issuing of commercial fishing licences in Eastern Canada. The Collision Regulations refer to the overall length (OL) of a vessel. In the Regulation on the inspection of small fishing vessels the length used is the length stated on the registration certificate and is the distance from the top part of the bow to the rudder headstock. In the new proposed Regulation on Fishing Vessel Safety, the length used will be the OL. This length includes the significant permanent structures such as the breasthooks and structures that can exert additional pressure on vessels, such as bulbous bows as well as any structure that contributes to increasing the capacity to transport the load of a vessel. The policy on the issuing of commercial licenses in eastern Quebec also uses the OL. Platforms like breasthooks that extend backwards are also included but fore structures such as bulbous bows are not included.

Mr. Émilien Dorion recalled that he had asked Transport Canada and the DFO to harmonize their definitions of overall length in order not to create any ambiguity.

- Guy Anderson stated that, unfortunately, the definitions of length vary from one regulation to another and that it would be very difficult to harmonize all these definitions. He reminded the meeting that, before undertaking any modification, it is important to check the definition of length in the applicable regulations.*
- Robert Fecteau stated that it would be quite complicated to agree upon a single definition of length. He said, however, that he would remind the national working group on fishing vessel safety that the definition of OL used by DFO-FAM is different from that of TC and does not include bulbous bows.*
- Jean Gagnon reminded the meeting that one of the objectives of the regulatory reform was to simplify the requirements. The fact that the two departments use the same length with different definitions goes against this principle.*
- Raynald Gosselin of DFO-FAM stated that the regulations of TC and the DFO do not have the same objectives. For the DFO, the bulbous bow is not included in the OL because it in no way increases the vessel's fishing capacity.*

Mr. Allen Cotton asked for confirmation that the deck extensions are well and truly included in the OL used by DFO-FAM.

- Raynald Gosselin confirms that the deck extensions are included.*

9. Update - Regulation on Fishing Vessel Safety

By Guy Anderson, Marine Safety Inspector with Transport Canada in Rimouski

Guy Anderson provided an update on the reform of the Regulation on Fishing Vessel Safety. The draft regulation that was given to the participants will be distributed at the spring 2009 national CMAC. The editing instructions have been prepared and the regulation will soon be ready in its final form. The government's advisory services will soon complete the cost-benefit analysis of the regulation project.

Mr. Anderson explained that vessels over 24 metres that are used as factory ships or for aquaculture do not come under this regulation and that they would be considered as cargo ships. He stated that the new regulation is focused on performance and includes the use of guidelines. These guidelines will provide a recommended approach to achieving the targeted performance objective. Other means to achieve the same performance objective may be used if they provide an equal measure of safety. The Regulation covers the requirements for designing, constructing, equipping and operating fishing vessels.

Guy Anderson explained that there are three ways to evaluate the stability of fishing vessels. The first is for traditional vessels at very low risk. Certain groups of fishing vessels that carry out low-risk operations may request Transport Canada to recognize them as such. If they obtain such recognition, these vessels will not

have to present stability data. They will, however, have to carry out the activities and operations that were contained in the request. In addition, they must meet certain basic applicable requirements such as the maximum recommended draught and the minimum flood height.

Mr. Anderson said that the second method would comprise a simplified stability analysis for low-risk vessels. Depending upon their length, these vessels will be able to select certain standards for carrying out their stability evaluation: OL of more than 9 metres -TP1332 or ISO 12217-1, OL of more than 9 metres to a maximum of 15 metres - TC Simplified or ISO or IMO criteria; OL of 15 metres or more - Section 3 of the Regulation on Fishing Vessel Safety or TP7301 or IMO criteria.

The third option applies to vessels with a risk factor that has an impact on their stability. For these vessels, a complete stability analysis must be presented. Guy Anderson reminded the meeting, however, that these new stability requirements would be implanted gradually following a compliance schedule.

Mr. Anderson explained that, in accordance with the new regulation, every fishing vessel would be assigned a maximum load or a minimum freeboard that will be indicated by a mark on the side of the vessel. This mark will serve as an awareness-raising tool and inform captains and crews about the safety limits of their vessel. Using a standard mark will be recommended but not mandatory.

Mr. Alain Arseneau was concerned to learn that, according to the compliance schedule, a vessel identified as being at high risk that operates in sheltered waters could have up to 48 months before undergoing a stability evaluation.

- *Guy Anderson said that the schedule presented is a preliminary one and that the goal is to allow the owner a certain amount of time to comply.*
- *Robert Fecteau stated that, in the cases where a high risk is identified, immediate action could be demanded, even if the schedule allows gives 48 months.*

Mr. Émilien Dorion asked if stability booklets would be required for vessels over 20 years old that have never had any problem related to stability.

- *Guy Anderson said that it would be the evaluation of the risk factors that would determine if a stability booklet would be required and that it is the TC inspector who, along with the other, will evaluate the applicable risk factors.*
- *Robert Fecteau reminded the meeting that, for vessels at very low risk, an evaluation of the fleet could be carried out and presented to TC. He emphasized that the TCMS inspectors will be working jointly with the fishers to help them submit their requests.*

Mr. Pierre-Marc Dufresne asked who would notify the fishing vessel owner of the stability requirements that he/she must meet.

- *Robert Fecteau replied that one of the main mandates of the TCMS is to inform and educate a variety of clients. Accordingly, TCMS inspectors will be ever present to assist and guide owners in interpreting the new requirements that are applicable.*

Mr. Mario Deraspe asked if it would be the TCMS inspectors who would determine the maximum load and the place where the mark should be placed on the hull.

- *Guy Anderson replied that the TCMS inspectors as well as naval consultants and architects are capable of doing this. The owner will have the choice.*

Mr. Mario Deraspe expressed scepticism that these new requirements would also be applied in the Maritime Provinces. He asked that Quebec be treated equally with the other provinces. He reminded

the meeting that there is still a great difference in the application of regulations in Quebec and the Maritimes.

- *Simon Pelletier stated that the new regulation with guidelines is much easier to understand and leaves less room for interpretation, which should greatly encourage harmonization between the regions.*

Mr. Yan Bourdages asked where the mark indicating the load limit for a vessel that has a complete stability booklet would be placed.

- *Guy Anderson replied that this mark would be placed on the draught that corresponds to the worst-case load condition specified in the stability booklet.*

Mr. Nicol Desbois said that the mark is not really useful for a vessel that has a full stability booklet.

- *Guy Anderson responded that TCMS wants all fishing vessels to have a mark.*

Mr. Jean-Félix Leblanc asked if the owners would be given advance notice of the implementation of the new regulation so that they can adjust the design of their vessels accordingly.

- *Guy Anderson said that the regulation should enter into force in 2010.*
- *Robert Fecteau stated that meetings would be organized in Quebec with shipbuilders and consultants before the regulation takes effect to ensure that the new requirements are well understood and integrated.*

10. New training - Wheelhouse management on fishing vessels

By Gérard LeDiscorde, an instructor with the École des pêches et de l'aquaculture du Québec in Grande-Rivière

Michel Larrivée, Assistant Training Director at the L'École des pêches et de l'aquaculture du Québec (ÉPAQ), introduced Gérard LeDiscorde, an instructor at the same school. Mr. Larrivée emphasized that the ÉPAQ is very involved in developing a culture of safety among Quebec fishers and that Mr. LeDiscorde's work is contributing greatly to this effort.

Gérard LeDiscorde introduced a new course that he had developed on Wheelhouse management for fishing vessels. He said that many of the accidents that occur on board fishing vessels happen because the person responsible did not perceive the danger or did not make the right decision to avoid it. This ability to assess and react in the face of danger cannot be taught on a theoretical basis alone. The ÉPAQ's navigation simulator enables the person responsible for the wheelhouse to be placed in a risk situation and evaluate his/her reactions.

Mr. LeDiscorde stated that the course is based upon a questionnaire with sixty scenarios. During the course, students must also analyze two accident reports and respond to the accompanying questionnaires.

After reviewing the basic rules on piloting vessels, students must do three exercises on the Transas navigation simulator. At the end of their training, students must pass an examination on the simulator to demonstrate what they have learned.

Candidates who are successful receive a certificate delivered by the EPAQ. This 15-hour course has been integrated into the DEP in professional fishing but can be given separately to groups.

Gérard LeDiscorde then invited us to watch an audio-visual presentation in which we saw a simulation of a fishing boat collision and the evacuation of the crew. This presentation was prepared with the goal of

supporting the MED courses. The audio-visual material usually used in the MED courses is, unfortunately, out of date and should be updated.

Robert Fecteau congratulated Mr. LeDiscorde on his work and the quality of the audio-visual material. He added that the course in wheelhouse management fits perfectly into the vision of a culture of safety.

Jean Gagnon was happy to learn that the ÉPAQ uses modern tools like the navigation simulator to give fishers a proper grounding in satisfactory risk management.

11. Health and safety aboard fishing vessels

By Marcel-Aimé Boulet and Michel Castonguay of the CSST Gaspésie/Magdalen Islands

Marcel-Aimé Boulet presented the prevention mandate in the fisheries sector of the Quebec workplace health and safety system. He explained that the CSST has a role of public insurer and thus compensates workers who have accidents or work-related illnesses.

Mr. Boulet said that the CSST's mission is to prevent accidents and illnesses in the workplace. To do this, it supports workers and employers in eliminating hazards and conducts workplace inspections to ensure compliance with its laws and regulations. Following these inspections, it can demand that hazardous situations be corrected.

Marcel-Aimé Boulet mentioned that the CSST's involvement in the fisheries sector is relatively recent. This involvement resulted from a transfer of jurisdiction from the federal to the provincial government that took place during the 1990s. As the CSST has no regulations applicable to health and safety aboard fishing vessels, they decided to create a guide.

Michel Castonguay introduced the CSST's guide to health and safety aboard fishing vessels. He explained that this guide had been prepared in concert with a number of interveners in the area and that it will enable employers and workers to have some direction on safety measures.

Mr. Castonguay said that the guide had been distributed to all fishers registered with the CSST and to numerous organisms. He added that it can be downloaded from the CSST's website, www.csst.qc.ca. He presented the contents of the guide and said that it had been very positively received by clients.

In concluding, Michel Castonguay gave an example of an accident that had occurred on board a lobster fishing vessel during the first placing of the traps in the water at the beginning of the season. He explained the findings of the investigation and added that the CSST's report on this accident will be presented to the Committee to get comments from the industry.

Robert Fecteau explained that sometimes the boundary between the jurisdictions of the TCMS and the CSST. He emphasized, however, that the two organisms are working together to properly identify their respective jurisdictions and agree upon the interventions to be made. A protocol of agreement between the TCMS and the CSST is also being prepared.

12. Varia

None.

13. Conclusion

Michel Boulianne, Regional Director, Transport Canada Marine Safety, Robert Fecteau and Stacy Dufour thanked all the partners and participants.

The meeting was adjourned at 4: 30 p.m.

Action items

Convene the Executive Committee within the coming weeks to develop a strategy to encourage Quebec representatives to attend the CMAC that is held in November and May of each year in Ottawa.	Robert Fecteau
Maintain pressure on the national working group on fishing vessel safety to keep the cut-off at 15 metres.	Robert Fecteau and Simon Pelletier
Remind the national working group on fishing vessel safety that the definition of bow to stern length (BSL) used by the DFO-FAM is different than that used by TC and it would be preferable to harmonize the two lengths.	Robert Fecteau and Simon Pelletier
Make the new certificate for Watch Officers on fishing vessels and the new certificate for Fishing Vessel Officers valid for vessels up to 150 tonnes and not 100 tonnes as has been suggested. (proposal by Renaud Sylvestre).	Denis Bélanger
Review and correct, in accordance with the new requirements specified by Denis Bélanger, the documents that have already been delivered on minimum crewing levels for fishing vessels	TCMS
The CCG is to contact Mr. Pierre-Marc Dufresne to get his comments on the subject of navigational aids in the Port of Rivière-au-Renard.	Yves Jacques