MINUTES

of the seventh annual meeting of the Standing Committee on Fishing Vessel Safety Quebec Region

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

DATE: February 16th, 2012

LOCATION: Hôtel Rimouski, Convention Centre, 225, boul. René-Lepage East, Rimouski (Québec)

PARTICIPANTS:

Anglehart, Roland	Côté, Réjean	Fraser, Jean-François	Nadeau, Paul
Pêcheries Junior inc.	Pêcheurs de crevettes de Matane	Navigation Maluje inc.	
Arsenault, Lisa	Cotton, Allen	Gagnon, Pierre	Nicolas, Marylène
Transport Canada			ÉPAQ
Arsenault, Serge	Coulombe, Francis	Gascon, Julie	O'Connor, Bertrand
Pêcheries Serge-Luc	Merinov	Transport Canada	Pêcheurs de crevettes de Gaspé
Baumelle, Cédric	D'Amours, Éric	Grenier, Jessica	Parent, Carl
Transport Canada	Transport Canada	Transport Canada	Pêcheurs de crevettes de Gaspé
Beaudoin, Robert	D'Amours, Marie-France	Grenier, Marc	Parent, Robert
Transport Canada	IRSST	CSST	Gestion GR Bic inc.
Bélanger, Denis	Deraspe, Mario	Hubert, Gilles	Pelchat, Francine
Transport Canada	APPIM	Transport Canada	Transport Canada
Bernatchez, Claudio	Desbois, Nicol	Jalbert, Isabelle	Pelletier, Simon
Comm. scolaire des Chic-Chocs	Pêcheries Nicol Desbois	ÉPAQ	Transport Canada
Bernier, Laurent	Desbois, Daniel	Jalbert, Jocelyn	Plourde, Yoland
Transport Canada	Crabiers gaspésiens	Navigation Jalbert et fils	ÉPAQ
Berthelot, Joël	Desgagnés, Éric	Jalbert, Pierre-André	Poirier, Alain
R.P.P.S.G.	Transport Canada	Navigation Jalbert et fils	Canadian Coast Guard
Boulay, Alcide	Dorais, Robert	Joncas, Jeannot	Poisson, Marc-André
Morutiers de la Gaspésie	Fisheries and Oceans Canada	Pêcheurs de crevettes de Gaspé	BST
Bourgeois, Roberto	Dorion, Émilien	Landry, René	Polychuck, Éric
Commission scolaire des Îles	R.P.P.S.G.	Crabiers zone 17	Conseil de bande de Gesgapegiag
Bourgeois, Yves	Doucet, René	Langford, Michelle	Richard, Jean-Guy
M.A.P.A.Q.	Doucet et fils inc.	Merinov	Université Laval
Breton, Bernard	Doucet, Olivier	Langlois, Rodrigue	Ross, Denis
BST	Doucet et fils inc.	Capitaines propriétaires de la	Pêcheurs de crevettes de Matane
		Gaspésie	
Burke, David	Doucet, Richard	Lavoie, Mario	Roussy, Marcel
	Doucet et fils inc.	Transport Canada	Morutiers de Gaspé
Campeau, Carole	Dubé, Simon-Pierre	Leblanc, Camil	Servant, Denis
Groupe Océan	BAPAP	Entreprises Léo Leblanc	Service d'évaluation maritime
Cantin, Pierre	Dufour, Stacy	Leblanc, Steeve	Servant, Josyanne
Pêcheurs de crevettes de Matane	Canadian Coast Guard	Services maritimes	Nicomer
Castonguay, Michel	Duguay, Denis	Leclerc, Pierre-Paul	Stevens, Annick
CSST	Pêcheries J.R. Duguay	Conseil de bande de Betsiamites	Morutiers de Gaspé
Charbonneau, Marc	Duguay, Gilles	Lecours, Deny	Sylvestre, Renaud
Transports Canada	R.P.P.S.G.	Transport Canada	Comm. scolaire des Chic-Chocs
Chouinard, Raoul	Dupuis, Vincent	Lefebvre, Daniel	Syvrais, Mario
Pêcheurs du havre polyvalent de	Capitaines propriétaires de la	Canadian Coast Guard	Crabiers gaspésiens
Ste-Anne-des-Monts	Gaspésie		5 /
Chouinard, Nicolas	Dupuis, Mario	Mailloux, Marcel	Thibault, Geneviève
Pêcheurs du havre polyvalent de		Industrie Océan	Transport Canada
Ste-Anne-des-Monts	France Daland	Matallia Objecta da	,
Cormier, Marcel	Fecteau, Robert	Metallic, Christopher	Tremblay, Michel
R.P.P.I.M.	Transport Canada	Listuguj Commercial Fisheries	Merinov
Côté, Yannick	Fortin, Lydia	Monger, Ken	Turcotte, Marie-Pier
Pêcheries Floran Côté Côté. Floran	Morutiers de la Gaspésie Fortin, Christian	Transports Canada	Merinov
		Montreuil, Sylvie	Vigneault, Guy
Pêcheries Floran Côté	CSST	Université Laval	Pêcheries Shipek
Côté, Yves <i>Pêcheurs de crevettes de Matane</i>			Vigneault, Serge M.A.P.A.Q.

Opening of the meeting: 8:30 a.m.

1. Word of Welcome

By Daniel Lefebvre, Superintendent, Canadian Coast Guard, and Robert Fecteau, Manager with Transport Canada, Marine Safety (TCSM)

In the absence of the Co-President of the Standing Committee on Fishing Safety, André Audet, Daniel Lefebvre welcomed the many participants to the seventh annual meeting of the Standing Committee on Fishing Vessel Safety for the Quebec Region and thanked them for their participation. He reminded everyone that the meeting was a forum that allows those in attendance to express themselves about different real-life situations and the services offered to them. He deferred to Robert Fecteau, President of the Standing Committee and the head of the fishing vessel safety program.

Mr. Fecteau introduced Simon Pelletier, Inspector of Marine Safety at the Gaspe service centre. He mentioned that the latter is very involved in the fisheries area as head inspector for issues related to fishing vessel safety; he represents the Quebec region as a member of the work group for the Canadian Marine Advisory Council (CMAC).

Robert Fecteau explained the terms of use and the schedule of the day. He presented the agenda previously approved by the Board of Managers. He took the opportunity to tell the Fishermen's associations to spread the word to their members: if they wish to get information relative to the meetings of the Standing Committee, they must send their email address to Transport Canada. In the event of the absence of an email address, the interested person must surely know someone in their entourage with internet access. Otherwise, TCMS will be able to send them the information by mail upon request only. This procedure aims at eliminating mass mailing, which is very expensive and not very energy-efficient.

M. Fecteau informed the participants that there is a Transport Canada mobile centre in the hotel, Examiner Mario Lavoie was at the disposal of participants to answer their questions. Licenses could even be delivered or renewed. He noted the presence of Mr. Marc-André Poisson, Director of marine investigations at the Transportation Safety Board (TSB), as well as Ms. Julie Gascon, Director of domestic vessel regulatory oversight. He apologized on behalf of Donald Roussel and Michel Boulianne, who could not be in attendance due to schedule modifications.

That being said, Mr. Fecteau mentioned the presence of a new partner in the field of fisheries, namely Groupe Océan, who requested to participate in the meeting. In addition, he shared minor changes to the agenda with the participants. He said he had not been informed about the point to be presented in late afternoon by the Canadian Council of Professional Fish Harvesters. Also, for environmental purposes, no paper copies of PowerPoint presentations were prepared. Those interested in getting them will nonetheless be able to request them.

2. Standing Committee on Fishing Vessel Safety – Monitoring of the 2011 meeting By Robert Fecteau, Manager, TCMS

Robert Fecteau mentioned that the meeting minutes from February 16th, 2011, which were in the folder given to the participants, had been approved by the Board of Managers. As it pertains to the follow-up of the previous meeting, he noted that two resolutions had been adopted: the first was related to the elimination of requirements for the medical examination for a Class 4 Fishing Master certificate to be granted or renewed; the second suggested that the validity of Class 4 permits be increased up to 150 gross tons. These two resolutions were presented in Ottawa at the National Council. To this effect, two very good announcements were set to be made, which would be made by Denis Bélanger later during the day.

The previous meeting's minutes were presented by Simon Pelletier at the last CMAC in Ottawa in November 2011. Moreover, the comments obtained during the workshop on February 12th, 2011 were filed with the work group in charge of elaborating the new *Fishing Vessel Safety Regulations*.

The Standing Committee's Future

Robert Fecteau then addressed a sensitive topic: the future of the Standing Committee on Fishing Vessel Safety of the Quebec region. He specified right away that the committee is now recognized as a national model by all authorities, to such a point that other provinces are invited to do the same. He explained that since 2006, initiatives have continuously grown, progressively becoming the official standard as it pertains to safety in the fishery industry. "When your requests are taken to Ottawa, they are given a lot of attention which can often produce results." He explained that the committee has permitted a lot of networking and it has been observed that Quebec fish harvesters are better informed and their compliance levels are higher than anywhere else in the country.

"The only negative aspect," continued Mr. Fecteau, "if the trend is maintained, this committee is likely to disappear in the following years. Three main factors lead me to believe this: 1) the accessibility of information; 2) funding; 3) the structure of the committee."

Accessibility of information

Mr. Fecteau informed the participants that since the access to information rules changed, 90% of the information found on the committee's page created in 2007 on Transport Canada's website has disappeared. "It's a major problem if the information cannot be made available to the members of the industry. The nature of the committee must remain public. We are seeking solutions, summarized Mr. Fecteau. I'm looking for a group which would be willing to host all the information coming from the Standard Committee, since it has to be made available somehow." He invited those interested to contact him. "The committee doesn't belong to the Government of Canada, but to the members of the industry; the information is theirs. We'll find a solution!"

Funding of the Committee

The other major problem, continued Mr. Fecteau, is the funding of the committee, which requires relatively significant costs. "People from remote regions are notably helped with plane tickets, etc. Until now, funding has been ensured by the federal government, at 70% of the local budget in Rimouski, as well as by the CCG (30%), who I wish to thank for having increased its contribution. However, since the government has recently been rationalizing its expenses, I am a little concerned about the future of the committee in spite of its notoriety and the support of our leaders in Ottawa. We came really close to not being able to hold the present meeting. I presume that this won't improve in the following years and that we will have to find other funding sources and other partners. We'll have to think differently. It would be a shame for the committee to disappear."

Structure of the Committee

For the third problem, the structure of the committee is concentrated in Rimouski. "We are the ones carrying the committee forward single-handedly," he said. "If we're no longer there, who will do it? I think the structure of the committee has to be reviewed, and I'm dreaming of an increased involvement from the industry. In order to maintain the committee, the structure, and the funding and information transmission modes will have to be reviewed. Do you wish to keep the Standing Committee alive? Are you willing to give the Board of Managers the mandate of exploring various solutions?"

Jocelyn Jalbert: Are the other committees confronted with the same funding problems? Mr. Fecteau answered that those other committees are supported by the industry and that Quebec's is almost one of a kind. He repeated that the structure works, but that it can fall if one of its three fundamental elements is lacking.

Mr. Jalbert shared the remarks that he has often heard from fishermen who regret that the Standing Committee meeting dates be in conflict with the holding of other committees. "Can we hope, he concluded, for a better synchronization in the following years?"

Mr. Fecteau requested that the week of February 16th always be reserved, every year, for the Standing Committee. "Most partners understand it, except maybe Fisheries and Oceans Canada." He invited Daniel Lefebvre to put pressure on Fisheries and Oceans to settle schedule conflicts and remind the Department of the importance for its representatives' attendance. "We probably would have had about twenty more fishermen had they not been required to attend another meeting on the same day."

Isabelle Jalbert, ÉPAQ: The stakeholder claimed to support the proposal aiming at pursuing the Standing Committee's operations, particularly as her organization is willing to host the information relative to the Committee's work, even for persons without direct internet access (in the Pêche Impact publication). She suggested that the videoconferencing technology be used in order to save expenses for participants from remote regions. With regards to the fragility of the structure, she added that the ÉPAQ is willing to get involved in various services. Mr. Fecteau answered that this support was much appreciated. "That's what I want to hear, partners wishing to get involved and contribute to the Committee's good functioning in order for it to be even more efficient. I will not give up on this issue. Express your ideas, whatever they might be."

Paul Nadeau: The stakeholder also believed that sounder planning of the various department meetings would help in reducing the costs. He also regretted the absence of Fisheries and Oceans Canada. Mister Fecteau answered that he would write to all partners in order to better coordinate the various scheduled meetings. He reminded that Mr. Nadeau knew what he was talking about, since he comes from the lower North Shore.

Mr. Fecteau informed the participants that during its December meeting, the Board of Managers decided to establish an annual prize recognizing the industry's exemplary practices with regards to occupational safety, as well as the protection of the environment.

A seminar every four years

Another of Mr. Fecteau's great dreams, a unifying project for the fisheries community: holding, every three or four years, the Standing Committee meeting under the form of a two-day seminar for the fisheries industry, including an exhibition area and workshops pertaining to work, training and information. The members would be consulted with a survey. "Each profession has its seminars, why not Quebec fish harvesters?"

An unidentified stakeholder suggested that the role played by each partner of the world of fisheries be better defined.

3. Search and rescue

By Stacy Dufour, Regional Manager of Marine Rescue, Canadian Coast Guard and Daniel Lefebvre, Superintendent, Canadian Coast Guard

Mr. Dufour proceeded with his presentation. He then let his colleague, Daniel Lefebvre, speak, Mr. Joël Berthelot wanted to know where the PowerPoint figures were available. Mr. Fecteau answered that they could simply be requested by email. The stakeholder also suggested that the presentations be sent by email when possible. Mr. Fecteau prefers sending them upon request only, since the management of such mailings to a large number of people is complex. Mr. Lefebvre answered that the Coast Guard has a website (www.marinfo.gc.ca) on which a lot of information is made available to web browsers, including Stacy Dufour's presentation.

Mr. Lefebvre presented the challenges and issues of the Coast Guard for 2012-2013 in the organization's 50th anniversary.

Mr. Mario Deraspe, fisherman from the Magdalen Islands, wanted to know whether or not it was true that closing the Quebec Search and Rescue Centre would be postponed. Mr. Lefebvre answered this is information that is currently circulating. On his part, Stacy Dufour explained that two weeks prior to the meeting, it had been announced that the Centre's western coverage would be transferred to Trenton in the Spring of 2013 and that such a transfer would be done for the Eastern territory in the Fall of 2012. The project has allegedly encountered infrastructure and recruiting problems, hence the delay ranging from six months to a year.

4. Analysis of parts 3 and 4 of the new *Fishing Vessel Safety Regulations*

By Simon Pelletier, Inspector, TCMS

Robert Fecteau reminded everyone of the importance of consulting the members of the industry to this effect, since he believes that the proposed regulations involve some exaggerations which could lead to excessive construction costs for new ships.

Before proceeding with his presentation, Mr. Pelletier wanted to thank Michel Noël and the participants of the February 2011 workshop for the comments expressed, which have been filed with the National Committee and will be, according to Ottawa, taken into consideration. He specified that those who are not on the mailing list can contact Kevin Monahan to request it.

A stakeholder asked if plastic piping would be accepted. Mr. Pelletier answered that it would be permitted for vessels which are no more than 50 feet long.

Allen Cotton asked if plastic is accepted for less than 50 feet, is it refused for more than 65 feet in other provinces? Simon Pelletier answered that he had already seen plastic piping, but that in the current regulation, it's totally excluded; on fishing vessels, it must be steel or its equivalent. The stakeholder asked if someday everything would be standardized everywhere in Canada, to which Robert Fecteau replied that he has always been committed for the inspectors not to be more demanding than in the Maritimes in order not to penalize Quebec fish harvesters compared to those of other provinces. Mr. Pelletier added that since Canada is a large country, there will always be regional differences. "I don't think that in Quebec, the red hose will be accepted as a fire circuit in the engine room." Robert Fecteau said that it would be an interesting point to mention during Julie Gascon's presentation.

Émilien Dorion asked for precisions on section 3207 (seacocks and non-return valves controlled above deck). Mr. Pelletier specified that it concerns 40 to 50 foot vessels and that in the new proposed regulations all discharges must be fitted with non-return valves below the deck in the event of water infiltration in the engine room. As it pertains to vessels longer than 50 feet, they are addressed in section 4216.

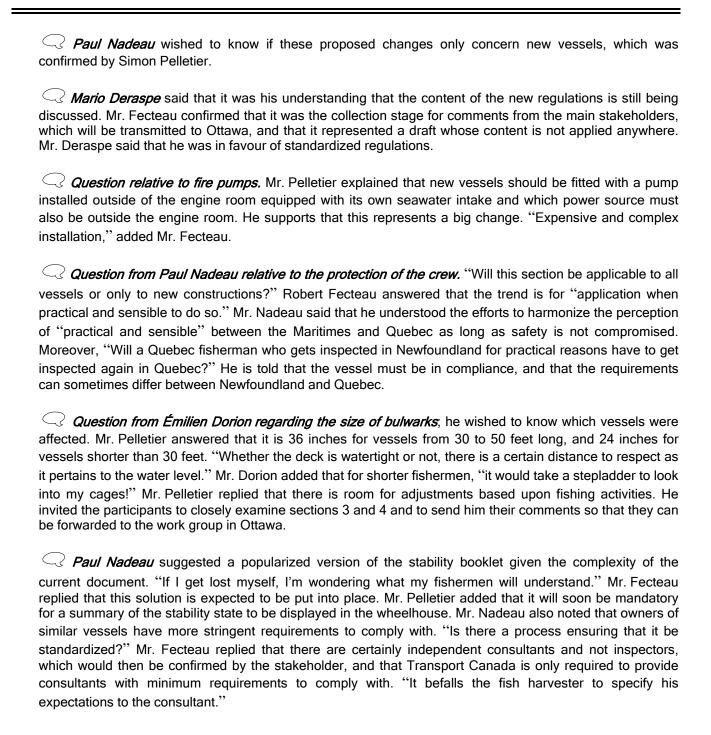
René Landry said that in 1980, he wasn't allowed to use plastic when he had his ship built and he wondered how come it's still talked about in 2012. He added that if fire is declared on any ship, plastic will melt ... With regards to the valves above deck, he expressed reservations, since he believes that it's always good to go open and close the valves in the engine room, it permits to check if everything is alright. He favours an alarm system.

About the proposed increase of coamings to 24 inches, *Pierre Cantin* believed that it wouldn't be easy to pass over it with a *rubber suit* for anyone shorter than 6 feet tall... He also wished to get explanations with regards to the freeing ports. Mr. Fecteau answered that a decrease of portholes was proposed in the new regulations.

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5. Word from the TSB director of (marine) investigations
By Marc-André Poisson, director of Marine investigations, and Bernard Breton, Manager, Regional Operations

The presentation is an update of the investigation report on fishing (a press conference will be held before summer). Mr. Poisson reminded everyone that it often occurs for TBS recommendations to lead to regulatory modifications even though the organization has the mandate of investigating instead of regulating, recommending what can be done to improve safety.

Mr. Poisson concluded by saying that in a continuous safety-improvement perspective, a meeting such as that of the Standing Committee on fishing vessel safety is very important to enable the research and collection of solutions.

Mario Deraspe wished to know if the report on the incident of L'Écho des mers I was available. Mr. Poisson replied that the topic was on the agenda for the afternoon in a CSST presentation. "We don't investigate on the roughly 400 incidents that occur on average per year. We investigate if a request has been issued or if we believe that we can improve general safety."

René Landry did not appreciate the situation illustrated by one of the photos of the presentation showing a vessel with cages. "In such a case, if an accident occurs, I hope the TBS won't investigate too long to find the causes! It doesn't make any sense..."

Mr. Jalbert said that he appreciated the conclusion of the speaker and his allusion to the importance of Standing Committee annual meetings.

Émilien Dorion believed that this photo seems to have been taken in British Columbia. "I think that we are better trained than that in Québec." Simon Pelletier added that in 20 years in British Columbia, there had been 87 capsizing occurrences.

Laurent Bernier's Comment (one of the two safety inspectors in the Magdalen Islands): "If investigations have been held by the TBS on the Lady Jacqueline and L'Écho des Mers I, no one interrogated us to that effect." Marc-André Poisson replied by offering apologies from the TBS. He explained that when he got the call on the incidents, two investigators dispatched on location were newcomers. "It's an exception, you're absolutely right. I will see to it."

Mario Deraspe estimated for his part that "it's extremely disappointing; it has now been nearly 30 years without an accident in the Islands, and you send two rookies... when there are inspectors on location." Mr. Poisson explained that his investigators are very experienced, but new to the investigation procedure as such and how it unfolds. "Rest assured that we put all our resources into it and that we do not take any accidents lightly."

David Burke's Comment (in English): The stakeholder also did not appreciate the incredible loading displayed on the photo and said that everyone in the fleet pays for the neglect of a few. Measures should be taken to prevent this type of situation. Mr. Poisson replied that the TBS is not a reactive or police organization, he said he used that photo as an example to demonstrate how the investigators must go beyond appearances to discover all the elements which could have led to incidents.

6. Update on training and permit issuing

By Denis Bélanger, Inspector, TCMS, replacing Diane Couture

Mr. Bélanger mentioned that the STCW-F Convention has been sanctioned. He notably explained that the new training requirements will affect fishing vessels of a registered length no shorter than 24 metres and specified the validity of the new STCW certificates. He also specified the validity of fishing certificates for inland navigation, that is, non STCW. He announced that a medical certificate will not be required anymore for some inland navigation fishing certificates. He finished by explaining the modifications made to the requirements for wheelhouse shifts. Jocelyn Jalbert wanted to know the difference between classes 3 and 4, the former being limited in length and the latter in tonnage... Mr. Bélanger replied that the Class 4 certificate remains unchanged and that explanations will be provided later in the presentation. Pierre Cantin wanted to have precisions on the service certificate, which would be associated to a length rather than a tonnage? Mr. Bélanger explained that for the past few years, there had been a certain harmonization to that effect. It now represents less than 24 metres regardless of tonnage. An unidentified stakeholder inquired about the SEN. Mr. Bélanger replied that for the moment, the existing SEN is still recognized in order to get a Class 3 navigation certificate. "When the new regulations come into effect, Class 3 certificates will no longer be issued, but STCW certificates and the courses will be adjusted accordingly." A few interventions addressed the question of the medical examination, notably the clause concerning evesight. Mr. Bélanger replied that people who had colour-perception problems will no longer be subjected to the medical examination in order to get a Class 4 fishing master certificate. Carl Parent wanted to know why the medical certificate is not required anymore for the Class 4 permit. Mr. Bélanger explained that the industry's demands reflected the fact that Class 4 certificates are much more abundant than those of Class 3. "But the main reason is that these certificates will be replaced with STCW certificates and must comply with that convention, notably pertaining to medical certification. The medical aspect will thus be removed from anything that is domestic." Nicol Desbois inquired if it was possible to ask for the cancellation of the medical examination for the Class 3 certificate as well. Mr. Bélanger said that he was involved in the committees in charge of writing and revising regulations affecting maritime personnel, and believes that for the moment, "we don't seem to be going in that direction, I'm not sure that such a request could give positive results." Mr. Desbois suggested that the medical examination be no longer conditional on renewing a Class 3 Fishing Master certificate. An unidentified stakeholder explained that when crew members want to work on larger vessels and reach Class 3, they are disadvantaged since time at sea is not accounted for because they worked on vessels shorter than 12 metres. Mr. Bélanger replied that time at sea accounts for certificate renewal except for getting a new one. The stakeholder recognized a problem there for fisherman's helpers to have their time at sea validated. Mr. Fecteau said that he would be surprised if the requirement were lowered below 12 metres. Another stakeholder added that a proposal relative to tonnage could be made in order to lower the requirement below 15 gross tons, thus allowing more people, young people especially, to ensure a much desired continuity. Robert Fecteau estimated that with the Class 4 certificate, which would become valid up to 24 metres, the Class 3 permit would be less required for the sailors who will wish to progress. The stakeholder supported that they would be penalized in terms of time at sea required in order to qualify. Mr. Fecteau added that time at sea which counts to get the 4th class also counts to revalidate the 3rd class

even if the time was done on a vessel of less than 12 metres. Therefore, there isn't really any problem in the event of permit renewal. The stakeholder reminded that if time at sea is done on a vessel of less than 12 metres, it doesn't count if the sailor wishes to go from Class 4 to 3, which Mr. Fecteau admits. The latter

replied that the question will be submitted to the concerned authorities in order to try to find a solution. "But I don't expect a very responsive audience." Mario Dupuis dealt with technical questions affecting a master's certificate, admitting having gotten a little lost in the discussion. Mr. Bélanger replied that the regulations will provide all Class 4 fishing certificates and beyond with validity on other ships other than fishing vessels. Mr. Parent wondered about the 24-metre standard. "For one metre, I cannot enter Class 4 permit standards." Mr. Fecteau replied that it must represent an overall length and that the standard of 24 m comes from the STCW Convention which cannot be modified. "You are right, Mr. Parent, because the registered length of your vessel is less than 24 metres." Renaud Sylvestre wanted to know if the time at sea accumulated to get a Class 4 permit is really 12 months instead of 24 months, which would be for a permit exchange. Denis Bélanger confirmed that the oneyear surplus concerns the STCW convention, which stipulates that in order to be a captain, 24 months of time at sea instead of 12 are required. Other details were then addressed, notably the training question relative to the radar simulator (NES). Unidentified stakeholder: "For a 110 tons vessel shorter than 24 m, is it correct to have only the presence of a captain and of a person that the latter deems apt for watch duty?" Mr. Bélanger explained that for a vessel of less than 24 m, the captain can be the only certified person if he keeps watch at all times, otherwise, he will have to rely upon a certified first officer on board. The others will not need a permit, but will be able to keep watch and call upon whichever of the two is available in the event of a problem. Renaud Sylvestre: "We don't talk about minimum work force anymore?" "The only change to be noted, replied Mr. Bélanger, is that the officer or the captain keeping watch will no longer be required to be physically present in the wheelhouse, but as long as he is available if so required by the fisherman's helper. The latter will no longer be required to hold a certificate to hold the rudder." Réjean Côté wanted to know if fishing vessels of less than 24 metres must have at least two officers on board in the event of a fishing trip longer than 24 hours. "Yes." Mr. Côté gave the example of a 60-foot shrimper leaving for four days and requiring two officers. "A captain and an officer at least, replied Mr. Bélanger. For daily fishing, the minimum requirement does not include an officer on board in addition to the captain, which is the case when the fishing is steadier. That clause has been in effect since 2008." Yoland Plourde: "What is meant by available officer?" Denis Bélanger replied that there must always be a person in charge of keeping watch and that, when available, the latter must be able to intervene immediately. "What is coming in the regulations is that the fisherman's helper first calls the first officer available, before the latter can evaluate the situation and might call upon the sleeping captain. It's the process that pleases the rest of Canada, notably in the West." "So, be responsible!" summarized Robert Fecteau. Unidentified stakeholder summarized by saying that all these questions aim at knowing who will be responsible in case of an accident. Mr. Bélanger explained that previously, several certified officers were required on board because they shared watchkeeping while it was no longer required as long as there is at least a captain and officer holding a certificate.

Roberto Bourgeois wanted to know, about the SEN, if a two-week training (of limited SEN) can replace a fishing SEN. Denis Bélanger replied that it was primarily a question of content rather than duration. "The course given at the school of fisheries covers all aspects that the limited SEN does not necessarily cover. The fishing NES course does not exist yet, it is certified as limited SEN."

LUNCH

7. Safe vessel exploitation

By Denis Bélanger, Inspector, TCMS

Mr. Bélanger reminded everyone that his presentation comes from the fact that inspectors have noticed that on board some ships, concrete actions favouring the implementation of safety management systems (SMS) had been taken. The example of a fisherman, Marc Doucet, was provided. Mr. Bélanger recalled that the SMS requirements come from Clause 106 of the *Canada Shipping Act (2001)* and Clause 206 of the *Marine Personnel Regulations*. He explained the points that must be contained in a SMS. He presented the model elaborated by Mr. Doucet. After the presentation, Mr. Fecteau said he hoped that everyone understands that it does not represent upcoming requirements, since they have been applicable since 2007. The inspectors will soon begin to verify compliance even though there will not be any sanctions if someone derogates, only an obligation to comply. He encouraged fishermen to immediately take measures to that effect.

Émilien Dorion asked if it was possible to get a list of measures to help fish harvesters. Mr. Fecteau replied that there are tools that would be implemented to this effect. "You will hear a lot about them in the following months; we will have the required information and tools sent to you." The stakeholder also asked if the BAPAP booklet can be used as a presentation tool. Mr. Fecteau specified that Transport Canada recognizes this booklet.

Jocelyn Jalbert specified that these booklets do not display all of the training and that in the past, forestry courses have even been seen in them. "The way in which courses are added to them should be reviewed."

Simon-Pierre Dubé (BAPAP) denied this assertion by saying that the courses recorded are those addressing professionalization regulations for fish harvesters. Mr. Jalbert replied that he will forward the said booklets to Mr. Dubé.

8. New compliance program for small vessels

By Julie Gascon, Director regulatory monitoring, TCMS

Ms. Gascon proceeded with her presentation. She reminded everyone that the basis for this program was somewhat like the equivalent of the ISO standard; that it was some kind of safety management system. She summarized the whole new compliance program, which was detailed in a very complete and very well explained *checklist* allowing fishing vessel owners to demonstrate the compliance of their vessel. The document will only be available when the regulations come into effect, at the earliest in 2013 and the latest in 2014.

An unidentified stakeholder wanted to know if the program would be on a voluntary basis as is the case for commercial small vessels. Ms. Gascon replied that it was currently the case, but that if it becomes mandatory, it will be after intensive consultations.

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Mario Deraspe wanted to know if it resembled the Quebec self-inspection program. Mr. Fecteau replied that it was the same approach, but with a different tool. "Does Transport Canada want to implement it throughout the country?" added Mr. Deraspe. "Yes, replied Ms. Gascon, but that self-inspection will require the intervention of a lot of our resources; it will then rather be a partnership among inspectors and fish harvesters." Mr. Deraspe said that to him, self-inspection rhymes with accountability.

9. Agreement protocol between Transport Canada and the CSST concerning commercial fishing activities in Quebec

By Robert Fecteau, Manager, TCMS, and Michel Castonguay, Inspector, CSST

Mr. Fecteau and Mr. Castonguay explained the reasons for this partnership signed in December 2011. They summarized by saving that navigation activities fall under federal jurisdiction whereas labour activities are regulated provincially. Mr. Castonguay explained that since the two structures follow the same direction, fish harvesters will benefit from it since, added Mr. Fecteau, they will avoid regulatory overlapping.

René Landry said that he believed it to be a forced marriage since it was a Supreme Court ruling. He said that he hoped there would be good collaboration and wondered what the CSST expertise is with regards to vessel safety. "Is this your first year in the field?" Mr. Castonguay replied that the CSST has been working in this field of competence for a decade and that a health and safety guide aboard fishing vessels was elaborated four years ago. "We are specialized as it pertains to risk in occupational activities." The stakeholder wanted to know what type of intervention the CSST would conduct. Mr. Fecteau explained that jurisdictions often overlap, such as when a fish harvester falls in the water while dropping the anchor: Is it a labour or navigation accident? "In that case, he said, both would probably get involved."

Mario Deraspe thought that it would likely be rather confusing for fish harvesters. The stakeholder provided the example that was mentioned in the morning about inspectors from the Magdalen Islands who had not been contacted. Mr. Castonguay rectified by saying that it was rather the TBS and not the CSST. Mr. Deraspe made it a recommendation: he invited the representatives for both organizations to hold a meeting for the sake of fish harvesters from the Magdalen Islands; one in French and another in English. Mr. Fecteau said that he took good note of it, but added that there would be no change compared to what was already done; each organization would continue to take its responsibilities. "We have just controlled our collaboration more officially to avoid overlapping, but it won't change anything to your reality, the latter will even be simplified."

An unidentified stakeholder wanted these jurisdictions to be very clearly defined. "Who would be the first to intervene?" Mr. Fecteau replied that it depends on each case. Transport Canada is in charge of compliance inspections and to verify the competence of the crew, whereas the CSST is primarily responsible for prevention and occupational accidents.

Émilien Dorion wanted to know if the CSST can make recommendations as it pertains to equipment aboard vessels. Mr. Fecteau replied that if this equipment is related to vessel construction, it befalls Transport Canada, but that the CSST has jurisdiction to intervene as it pertains to equipment under certain aspects.

Paul Nadeau also suggested that communication protocol be established between the industry and fish harvesters in order to clearly determine who does what exactly. Mr. Fecteau reminded everyone that the agreement protocol does not reach that far, it only specifies that the two structures must respect their

respective areas of jurisdiction and communicate among themselves. "If you have any questions, you can contact us, we'll answer them."

Pierre Cantin wanted to know if the CSST would have an inspection program like Transport Canada's with regular visits or if the commission would not be limited to investigations on accidents. Mr. Castonguay replied that until then, the interventions had been limited to serious accidents, and that is what continues to be expected. The CSST does not function based upon regular inspections. However, it could happen that inspections be conducted relative to a particular problem.

Émilien Dorion said he was concerned about the communication between fish harvesters and the CSST. "Will we take the time to understand each other before things are required?" "We're not interested at all in you being required to have a step stool to empty lobster cages," replied Mr. Castonguay. He added that if a problem affecting worker safety is observed, the CSST must intervene to raise the awareness of fish harvesters. Let us not forget that the ultimate goal is to facilitate the safe work of crews.

10. Investigation on the accident of L'Écho des mers I (falling overboard)

By Michel Castonguay, Inspector, CSST

Mister Castonguay reminded everyone that on May 21st, 2011, a fish harvester drowned in the Magdalen Islands after having fallen overboard; an event which reminded him of another death by drowning that he had mentioned exactly a year earlier, during the previous Standing Committee meeting, and which had occurred roughly under the same circumstances, since there had been no direct witness. The investigation had thus been based on hypotheses. He presented a slideshow linked to this case. The chosen cause of drowning was the configuration of the ship, equipped with a guard rail of insufficient height to prevent from falling overboard, since the weather was rather unfavorable.

Roberto Bourgeois wanted to know if there had been an investigation to determine whether it was a case of falling overboard or cardiac arrest, and if there had been an autopsy. He added that the two scenarios should not be compared, since, according to him, they were different. Mr. Castonguay said that answers to these questions are in his statement. He added that the coroner had decided that there would be no autopsy, "in spite of my insistence."

Operations resumed the following day because of measures taken by the captain. However, regardless of the reasons for the accident, summarized Mr. Castonguay, the problem is that the fisherman's helper fell overboard. "The objective is not to have the worker float, but to keep him aboard the ship." He added that the report had been distributed to the largest number of stakeholders as possible and that an awareness campaign had already been in progress even before the first accident occurred.

Mario Deraspe said he was very disappointed with this report, only based on hypotheses, "that anyone could have brought up." According to him, in a serious investigation, the CSST should have the power to request an autopsy in order to avoid imposing consequences - which might be ill-omened - to the entire fleet. He deemed that this investigation had not been serious. "The fleet in the Magdalen Islands is far safer than you think, fatal accidents are very rare. Have you ever gone fishing on Magdalen Islands lobster boats?"

Mr. Castonguay insisted on the fact that this report was not intended as a reprimand towards the entire fleet. "If you've taken it as such, it wasn't the objective, it didn't even cross our minds, he insisted. Left without witnesses, it was obvious that our investigators were restricted to hypotheses. The evidence is that the configuration of the ship favoured falling overboard." Mr. Deraspe repeated that the only certainty would have been the autopsy. "It's the exclusive power of a coroner in Quebec, unfortunately, concluded Library: RDIMS

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Mr. Castonguay; and even in the event of cardiac discomfort, if he had not fallen overboard, the accident could have been avoided." Mr. Deraspe came back to say that a healthy fisherman's helper would probably not have fallen overboard. Robert Parent wondered how many pilotage positions there were. "Only one" replied Mr. Castonguay. "Why don't you make two pilotage positions mandatory in order for the captain to be able to supervise his entire crew? Or provide for a floating rope to throw to a sailor fallen overboard?" Mr. Castonguay said he thought the idea of a second pilotage position was interesting; a solution that would not be too expensive which would have to be examined with Transport Canada. An unidentified stakeholder thought that the idea of increasing the height of the bulwark was ridiculous. Mr. Castonguay agreed and Mr. Fecteau added that it could be a guard rail installed above the bulwark without it being closed. "The best, the stakeholder said, would be for CSST inspector to come at sea with fish harvesters to see what's what. Fish harvesters have a hard time accepting that an inspector without experience at sea would tell them what to do." Mr. Castonguay concluded by saying that the following presentation would answer other questions. 11. Research project on falls overboard (Quebec lobster boats) By Marie-France D'Amours, Institut de recherche en santé et sécurité au travail (IRSST) and Francis Coulombe, Mérinov Ms. D'Amours began by giving a global idea of the project and specified that the result of the research, which involves a certain amount of partners including fish harvester associations, will eventually be able to serve other fishing sectors in Québec. She then yielded the floor to Francis Coulombe, who presented the project in a more detailed manner. The former provided interesting data: falls overboard represent up to a third of all deaths. The purpose of the project is really to help fish harvesters better manage their risks of falling overboard and to identify the best potential solutions. A meeting was incidentally held on the eve of the Standing Committee meeting. Jocelyn Jalbert estimated that a lot of money and resources seem to have been invested only based on two accidents in three decades. He would rather have seen the work based on fishing in general instead of only on lobster harvesting. As a matter of fact, Mr. Coulombe reminded everyone that the conclusions of the

12. 2012 intervention plan for lobster boats

implemented team will do.

project would be able to serve general fishing activities.

By Marc Grenier, Prevention and inspection coordinator and Michel Castonguay, Inspector, CSST

Mr. Grenier introduced the intervention plan intended for lobster harvesters, and he yielded the floor to Michel Castonguay.

Mario Deraspe estimated for his part that it will be essential to understand the lobster harvesting context well in order to explore potential solutions. Mr. Coulombe replied that it is exactly what the

Mr. Castonguay talked of temporary measures aiming at preventing risks of falling overboard. In the longest scenario, the study that was mentioned in the previous presentation could be spread over four years including solution testing, but temporary measures will be implemented as of spring 2012 including three elements: 1) wearing a flotation device on deck, "a lesser evil"; 2) equipment to pull fisherman's helpers back on the boat; 3) a method aiming at isolating ropes from the worker's feet. On that last point, he insisted: there are probably as many ways of doing (relatively inexpensive) than there are fish harvesters.

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Roberto Bourgeois suggested a special work boot from which the foot could get out even if ropes get rolled around it. Mr. Castonguay thought the idea was so interesting that he said he could get the stakeholder in touch with the IRSST. Mario Deraspe said that his fear is confirmed by the identification of solutions that may not have anything to do with the true cause of these cases of drowning. "You're putting the cart before the horse. You've never gone on the ships, but you have already found the solution! Have you at least verified it?" Mr. Castonguay replied that they are temporary measures and that nothing indicates they will be maintained. On the other hand, the risk and danger are well identified. "We've got two deaths and I have visited the two widows to let them know what happened. Does the CSST have the best solution? I can't guarantee it, but at least measures will have been taken." Mr. Deraspe repeated that this third measure (ropes) has not been validated at sea and once again brought up his proposal of a CSST and Transport Canada meeting with fish harvesters from the Magdalen Islands in both official languages. Emilien Dorion added by saying that on the photo, the boat pulls the traps from behind. "If I install that system on mine, not only will my helper end up in the water, but I will also follow him since I am up front at the wheel! It's illogical to impose that system to all, since it will impair a lot of them. Why don't we wait for the results of the study instead of having inappropriate solutions that will cost money in a tough financial context on top of it all? If you want maximum safety, why don't you take the time to do it boat by boat, or depending on each fishing method?" Mr. Castonguay specified that it was only an example which would surely not apply to the entire fleet. "I said that there were as many solutions as there are ships and captains. The only goal is to remove ropes from fisherman's helpers' feet. On the other hand, can we afford to wait another four years when we've already suffered two cases of drowning in two years? No." Joël Berthelot wanted to know who would decide what will be required in each case, while hundreds of fish harvesters work on very different ships. "Potential solutions can be provided, it's expected, captains will obviously be consulted," replied Mr. Castonguay. Pierre Cantin said that he did not appreciate that the CSST designed regulations including penalties and instead, suggested that the CSST issue recommendations to captains until the results of the study. which are likely to overtake the temporary measures. According to him, a fisherman's helper who falls overboard in May with his costume will never be able to climb back aboard in the ladder because of hypothermia. "You will require fish harvesters to have that ladder aboard, is that a joke?" Mr. Fecteau specified that it is in the regulations proposed by Transport Canada to have a boarding ladder on board. "I understand, replied Mr. Cantin, but not necessarily for that purpose." Mr. Castonguay repeated that the main idea is not to fall in the water. An unidentified stakeholder wondered who would be able to prevent a fisherman from falling to sea if the latter doesn't comply with temporary measures. Mr. Castonguay replied that the CSST has the authority. "It'll take a lot of people to apply that!" replied the stakeholder. "That's why, continued the CSST spokesperson, a sample of fish harvesters will be randomly chosen." Rodrigue Langlois thought for his part that a lot is generalized based upon two cases of drowning in 30 years of lobster harvesting. "For ground fish, because of the Marsouin's accident, we've all paid for a specific case. Now, you generalize because of only one lobster boat, which creates tensions and misunderstandings." Mr. Fecteau thought the comment was pertinent. Nonetheless, he said that each

individual has his own opinion when an accident occurs, "but it's essential to rely on the authorities to analyze that." Mario Deraspe thought that the CSST might be compromising the IRSST's research with the complicity of fish harvesters. He repeated that solutions have been brought up before the study has been completed. Guv Vianeault believed that these temporary measures will rather become permanent besides the ones that will arise from the study. He also agreed with suggested rather than imposed measures. Mr. Castonguay concluded by saying that all comments had been noted and would be analyzed. "But for the moment, these temporary measures have been decided upon by the Commission to prevent the risks of falling overboard; which doesn't mean that we won't take your comments into account." Émilien Dorion notified that "there has never been any problem in 23 years of fishing with my method and I'll be obligated to install these things? Who's going to decide if I disagree? That's what I need to know." Mr. Grenier replied that in the event of a conflict, a challenge procedure is available. He added that Mr. Dorion's ship ropes might not represent any danger for fisherman's helpers, which would exempt him from installing corrective measures. "What we've presented here is simply an example." "We've got a problem, us fishermen, because you obligate us to do things before we've agreed with the authorities to know what we're willing to do." Gilles Duguay asked Mr. Castonguay if he would be available to give his presentation during the following week's meeting (February 23rd, 2012) of the Gaspé Lobster Advisory Board. Mr. Castonguay said he agreed. Mr. Grenier added that the letter intended for associations and employers should be sent before the end of March. According to him, verifications will be conducted with "targeted" employers by mid-April in order to make sure that inspectors will not turn up just before the fishing season. A letter to everyone would be more efficient than a meeting during which all will not necessarily be in attendance. "We won't be able to see everyone, that's why our visits will be limited to a determined number." 13. Canadian Hydrographic Service By Robert Dorais, Department of Fisheries and Oceans Canada Mr. Dorais presented the CHS's new services and products. An unidentified stakeholder considered that Maxi is very expensive as it pertains to updates. Mr. Dorais replied that when the chart is bought from the CHS, the updates are free for a year, including a new chart if the latter was published within the year. Mr. Dorais insisted on the importance of having up-to-date nautical charts or the latest edition. Indeed, there have been lawsuits, he referred to the example of a navigator who had to pay up to 1,2 million dollars because he had relied on a chart that had not been updated. An unidentified stakeholder wanted to know if, since the construction of the new jetty near Grosse-Île, the CHS had conducted surveys in the sector. Mr. Dorais took good note of it and promised to verify.

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He finished by presenting a brief video document recounting the history of the CHS, which will celebrate the 50th anniversary of its foundation this year, while the Institut Maurice-Lamontagne turns 25 years old in 2012.

14. Wastewater disposal (regulations)

By Robert Fecteau, Manager, TCMS

Mr. Fecteau presented the latest information concerning this issue. The new regulations will come into effect on May 3rd, 2012 for existing buildings. Transport Canada is aware that everyone will not have their wastewater holding system installed by that date.

Mr. Jalbert asked if there are standards on the size of tanks. "I imagine that it must be sufficient to hold while the ship is berthed?" Mr. Fecteau replied that it must permit to hold wastewater as long as it is forbidden to discharge them. He specified that the nature of holding tanks is very well defined in the regulations. He added that in the event of non-compliance, no sanction will be imposed since, for example, other regions in the country have not yet reached the application stage for new vessels. "Know that the requirement is applicable, but that only compliance requests will be formulated for the moment."

Marcel Cormier wondered how these regulations will be applied. Mr. Fecteau replied that he does not quite know how delinquents could be caught in the act of discharging wastewater. "Transport Canada is modifying the Administrative Monetary Penalties Regulations, but it won't be applied anytime soon; progressive compliance is rather favoured. That being said, will a small fishing vessel with two persons aboard be penalized when entire municipalities still discharge in the water?"

Mario Deraspe wanted to know whether it will be clear that it will not be mandatory, when fish harvesters are notified, because it's not done elsewhere. Mr. Fecteau replied that any non-compliance will be reported, but that no monetary sanction will be enforced. "Will it be written anywhere?" added the stakeholder. Mr. Fecteau promised that details would be mentioned in the minutes.

Mr. Doucet said that he had received a notice to this effect, but that no municipality along the path is yet able to receive wastewater. "It's good to start thinking about it, explained Mr. Fecteau, but as I said, there won't be any sanctions. It's an awareness process."

Robert Parent wondered, moving to another line of thought, whether new developments are to be reported in the case of the anti-rolling systems. Simon Pelletier explained, as it pertains to anti-rolling stabilizers with a retractable flap, that a ship safety newsletter describes Transport Canada's recommendations to this effect. "We request drawings, plans and sketches for the weak links according to the evaluation of our service. We consider that this represents a sufficient modification for the certificate not to be valid anymore, that a new inspection be conducted and that tests be performed at sea."

With regards to wastewater, Mr. Fecteau concluded by saying that comments or suggestions must be sent to Paul Topping.

Roberto Bourgeois drew the attention of participants on the lack of safety of fishing harbour entrances. "On a single day, we nearly lost six lives for this reason." He requested the support of the authorities with a view of the construction of a jetty in his sector. Mr. Fecteau replied that indeed, pressure can be applied on the owners of fishing harbours, which is the Department of Fisheries and Oceans as it turns out. "Contact one of our local inspectors."

An unidentified stakeholder asked a question relative to first-aid courses. He asked if it's possible to harmonize first-aid at sea courses and those provided for land interventions. Denis Bélanger replied that the advanced first-aid at sea course is only required to get a new permit whereas no first-aid course is required

Document Number: 7486116 File No.: 8000-02/20 for renewing. Aboard a ship, any two-day first-aid course recognized by a province is accepted, and the same person must possess all the competences.

15. Conclusion

By Daniel Lefebvre, Superintendent, Canadian Coast Guard, and Robert Fecteau, Manager, TCMS

Mr. Fecteau thanked the participants for their comments and assured them that they would be studied. He left the closing remarks to Daniel Lefebvre. The latter came back on the future of the Standing Committee. "The Canadian Coast Guard is interested in continuing to participate in it and we will stay in touch with Mr. Fecteau."

The latter wished everyone well.

The meeting was adjourned.