



moved to the front of Government House for the Saturday morning ceremony. Tony had been asked by so many observers if it would be ready on time that he wrote on a sign ‘YES! The Chief.’ It was! And we all had fun making it happen.

His Honour Steven Point is an aboriginal person, an Honourary Captain RCN and former judge. He wore his Honourary Captain’s uniform to underline the naval connection to Hosaqami. At the blessing ceremony, the original escort members presented the Lieutenant-Governor, Admiral Truelove and Tony Hunt with a book of photos and stories of the original Hosaqami. I also gave Admiral Truelove the ‘lance’ I had carved from the mop handle from *St. Croix’s* ship’s stores. The Pole Raising Ceremony was a wonderful event and we all enjoyed it very much indeed.

It is unlikely that Hosaqami II will experience the adventures and voyages of the original. Hosaqami sailed in four different ships of the RCN – HMCS *New Waterford*, Esquimalt to Halifax 1959; HMCS *Kootenay*, Halifax to Portsmouth 1960; HMCS *Algonquin*, Portsmouth to Halifax 1990; and HMCS *Protecteur*, Halifax to Esquimalt 1992. This most traveled totem pole crossed the Atlantic Ocean twice and transited the Panama Canal twice. Hosaqami surveyed the *Stadacona* parade square in Halifax over a winter and stood for over a quarter of century at the entry to Whale Island in Portsmouth.

It was a blessing that Chief Tony Hunt was involved in this project as well as the carving of the original Hosaqami. These are good omens that the spirit of the original Hosaqami will endure. 🍷

Notes

1. Three others were unable to attend. Don Clouston of Sooke was in northern BC visiting family. Russell Bomberry of Six Nations was home with his wife celebrating their 50th Wedding Anniversary also on 8 September. Although I had spoken with Eric Jamieson of Onieda we were unable to contact him to determine if he would be able to join us. Sadly John McHugh, Charlie Rabbitt and Eric’s two brothers Fred and Peter had passed away. We have lost contact with Jacques Fisher, Dennis Timothy, William Kenoshemeg, Gus Bisson and Wilfred Beaver.

Oil and Water: A Whole of Government Response

K. Joseph Spears

The potential increase of marine tankers in Canadian waters has generated a great deal of public interest in Canada’s marine pollution response capability. If two projects are approved – the Enbridge Northern Gateway pipeline and the twinning of the Kinder Morgan Trans-

mountain pipeline which has been in operation since 1953 – we are going to see a large increase in tanker traffic and frequency from both Vancouver and Kitimat.

With the Keystone XL pipeline in the United States (thus far) being denied US State Department approval, and increased American domestic oil production, the impetus is on Canadian producers to find a more diversified market which requires shipping. Given the increasing appetite for energy in Asia, it seems a likely destination for Canadian energy exports – in particular from oils sands production which is to increase to 3.5 million barrels a day in 2025 from the present production of 1.5 million barrels a day. Export to Asia requires marine tankers. And this in turn has important implications for Canada’s ocean management which includes marine oil spill pollution response. The Canadian Forces and, in particular, the Royal Canadian Navy (RCN), may have to play a key role in oil spill response.

The Premier of British Columbia, Christy Clark, has called for a ‘world-leading’ marine pollution response capability as a condition of supporting future oil sands pipeline development in British Columbia. The province of BC recently released a technical analysis setting out in detail what a world-leading response could look like.¹ In Canada, marine pollution response is a federal responsibility under the *Canada Shipping Act, 2001* but it is clear that any major incident would include the government of Canada, provinces, municipalities, First Nations and the private sector. We can see two examples of the response in the Canadian Arctic where there were groundings of a marine tanker and a cruise ship in 2010.



CCG *Martha L. Black* and HMCS *Fredericton* in Frobisher Bay conducting a fueling during *Operation Nanook* 2007.

Credit: MCpl Blake Rodgers, Formation Imaging Services, Halifax

Canada's marine pollution response regime was considered in the fall 2010 Report by the Commissioner of Environment and Sustainable Development to the Auditor General. Chapter One, "Oil Spills from Ships," raised questions about Canada's ability to handle a major marine tanker pollution incident and made a series of detailed recommendations to improve the pollution response by the government of Canada.² When he tabled his report, Commissioner Scott Vaughan stated "[w]e note several areas of concern, from incomplete risk assessments to out-of-date emergency response plans.... These must be addressed to ensure the federal government is ready to respond to any ship-source oil spill occurring in Canadian waters."³ The bottom line was that Canada is not ready for a major oil spill.

To address this, the federal government struck an Interdepartmental Marine Pollution Committee (IMPC) to look at marine oil response and that work has been ongoing since 2010. The Canadian Coast Guard (CCG) is the lead agency on the IMPC. It is also the lead agency for ship-source oil spill response. The IMPC is mandated to address the report recommendations, and promote a whole of government approach to addressing marine pollution events. The last time Canada's maritime oil pollution response capability was examined comprehensively was in the early 1990s – over 20 years ago – by the Public Review Panel on Tanker Safety and Marine Spills Response Capability.⁴ The current Canadian regime outlines the shipowner/operator – i.e., the polluter – responsibility to a pollution incident, and CCG oversight. Canada has been very lucky that there have been no major spills in the recent past and the existing regime, which has been in place since 1995, has never been tested.

Although not designated as the lead agency, the RCN is no stranger to responding to maritime pollution incidents and would have a key role to play in Canada's response to a major incident. The RCN has the command and control capability, vessel capability, logistics and maritime experience to enhance response. We saw this capability displayed vividly in the aftermath of the *Swissair* crash off Peggy's Cove in 1998. The RCN also played a role after the tanker *Arrow* ran aground off Nova Scotia in 1970 and the tanker *Kurdistan* broke up in a storm off Nova Scotia in 1979. But in 2012, as a number of reports to government have indicated, there is a lack of crisis leadership skills with respect to marine response. This was highlighted in the spill from the Deepwater Horizon production platform off the United States.

The lack of crisis leadership skills shouldn't come as a surprise given that there have been so few major pollution

incidents in Canada in recent memory. The doctrine of training harder than you fight is one that needs to be applied to marine pollution response and integrate all levels of government in response training and exercises.

The *National Defence Act* lays out the circumstances and methods of aid to the civilian power that can be taken by the Canadian Forces. Unfortunately, the act is somewhat cumbersome and is not forward-looking to embrace new and emerging issues. These often require specialized training and equipment available well in advance. Under the legislative regime laid out in the *National Defence Act*, the Canadian Forces can become involved when asked by the relevant federal or provincial authority. This needs to change so that there is more input on an ongoing basis on new and emerging issues in a whole of government context. The IMPC is a good start. We need to take the critical skills the RCN has developed for war-fighting – such as, to name a few, command and control, communications, logistics, inter-agency cooperation and planning – and share these with other government departments and levels of government.

The annual *Operation Nanook* exercises in the Arctic are a good beginning in this evolving dialogue and skill set. The time of an incident is not the time to be looking at the inter-agency memorandum of understanding. The RCN can contribute greatly to developing a strengthened and resilient pollution response capability along all of Canada's coasts. This is going to be especially important with increased tanker traffic on the West Coast and in the Arctic. The discussion, dialogue and exercises need to happen now at the strategic, operational and tactical levels.

This whole of government response strategy goes hand-in-hand with Canada developing an energy and ocean policy. Fighting for the environment – in defence of the realm – is just one of the many skill sets of a robust and vigorous navy in the 21st century. Canada will be a better ocean state for it. 🇨🇦

Notes

1. Province of British Columbia, "Requirements for British Columbia to Consider Support for Heavy Oil Pipelines," 2012, available at www.env.gov.bc.ca/main/docs/2012/TechnicalAnalysis-HeavyOilPipeline_120723.pdf.
2. Fall 2010 Report by the Commissioner of Environment and Sustainable Development to the Office of Auditor General of Canada, available at www.oag-bvg.gc.ca/internet/English/parl_cesd_201012_01_e_34424.html.
3. Commissioner Scott Vaughan quoted in "Government Not Ready to Respond to a Major Oil Spill," Press Release, Office of the Attorney General of Canada, 7 December 2010, available at www.oag-bvg.gc.ca/internet/English/mr_20101207_e_34442.html.
4. The report issued in 1990 by this panel was called "Protecting Our Waters," commonly referred to as the Brander-Smith Report for its Chair David Brander-Smith.