



Ship-source Oil Pollution Fund: Everything Coastal communities need to know!

By Cameron Grant, Lead Counsel of the Fund
To the Executive Committee of the Association of Vancouver
Island and Coastal Communities

January 04, 2020

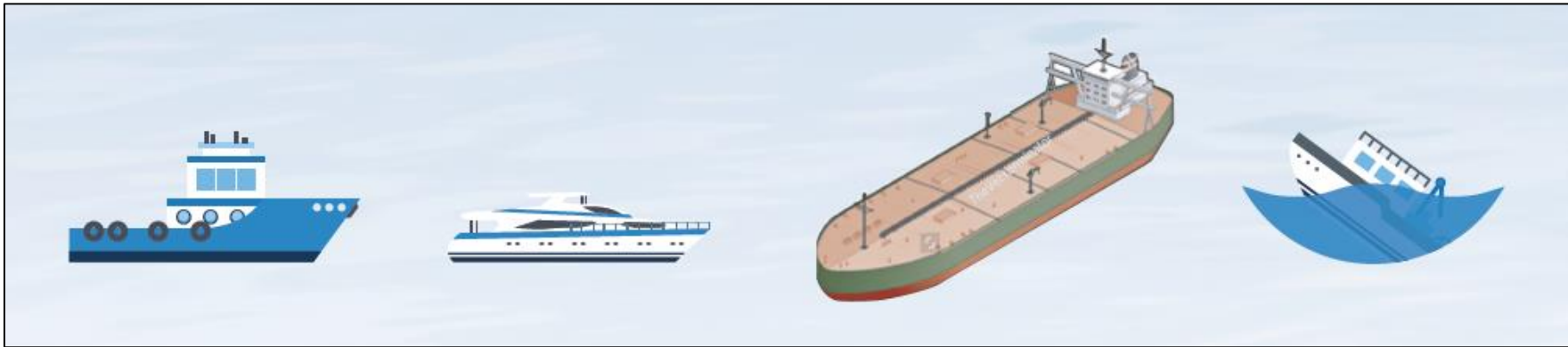


PRESENTATION OVERVIEW



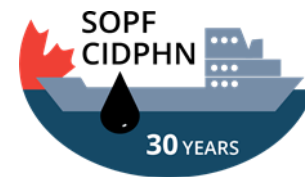
1. What is the Ship-source Oil Pollution Fund?
2. How are we funded?
3. How can local governments access compensation?
4. What is the Fund's current work?

**The Fund compensates victims of oil pollution
by any type of oil from any ship or boat**



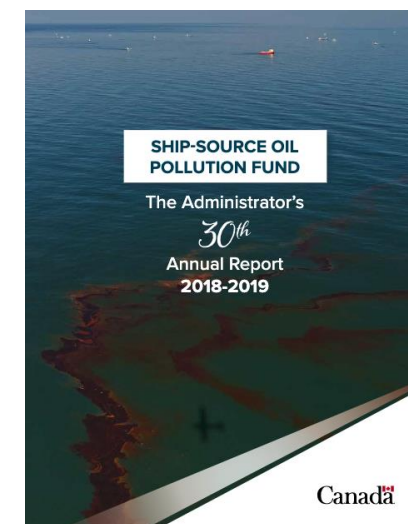
anywhere in Canadian waters.

30 YEARS OF THE FUND



1989

2019



Largest-ever claim: over \$4.5 million.

Historically, a majority of claims are for under \$50,000.



Smallest-ever claim: \$217.86.

THE INDEPENDENT ADMINISTRATORS



**Anne Legars, Administrator
Appointed 2016**

**Mark Gauthier, Deputy
Administrator
Appointed 2018**

HOW ARE WE FUNDED?

COMPENSATION AVAILABLE

The Fund currently holds over 400 million dollars.

This amount comes from money paid by:

- oil receivers and shippers in the 1970s
- interest generated on that money.



In the event of a disaster, the Fund has access to additional money.



There is no limit to how much the Fund can compensate.

- The levy is currently inactive. This is subject to change, however, at the discretion of the Minister of Transport.
- Any questions on policy or regulatory amendments should be directed to Transport Canada: marineliability-responsabilitemaritime@tc.gc.ca.

WHAT TYPES OF DAMAGES DO WE COMPENSATE?



**Preventive
measures**



**Clean-up
costs**



**Costs for
reinstatement of the
environment**



**Property
damage**



**Economic
loss**



**Fisheries
losses**



**Tourism
losses**



**Loss of
subsistence living**

WHO CAN CLAIM?

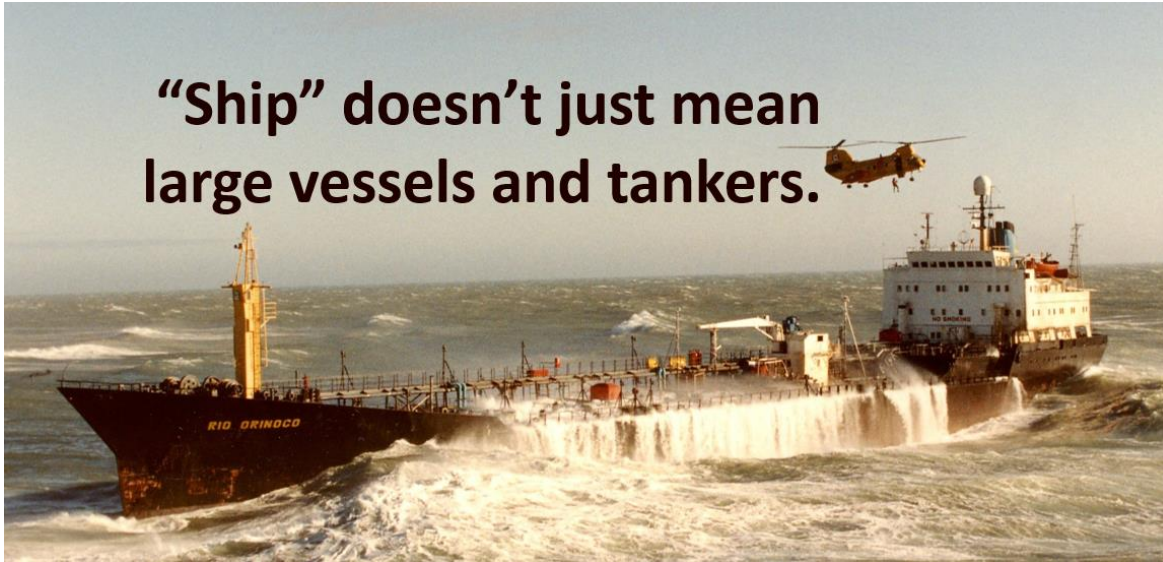
Anyone in Canada, including:

- Canadian Coast Guard
- Ports, harbours, and marinas
- Fishing and tourism industries
- All levels of government
- Corporations
- Indigenous communities
- Individuals
- Coastal landowners and owners of impacted ships or boats

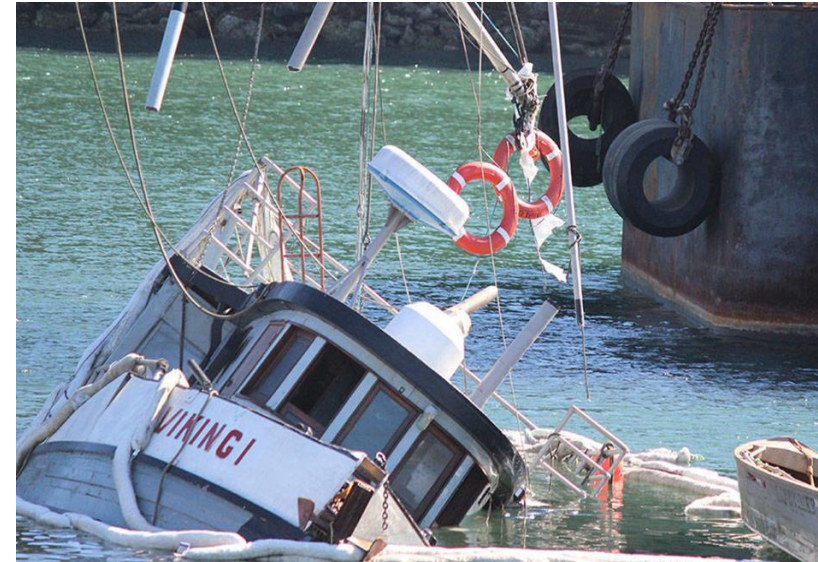


WHAT TYPES OR SHIPS OR BOATS ARE COVERED?

“Ship” doesn’t just mean large vessels and tankers.



All kinds of smaller boat are covered too.



Including fishing vessels.

Baccalieu Endeavour, 2017



And pleasure craft.



1 out of **4**

claims are related to an

abandoned, derelict, or wrecked vessel



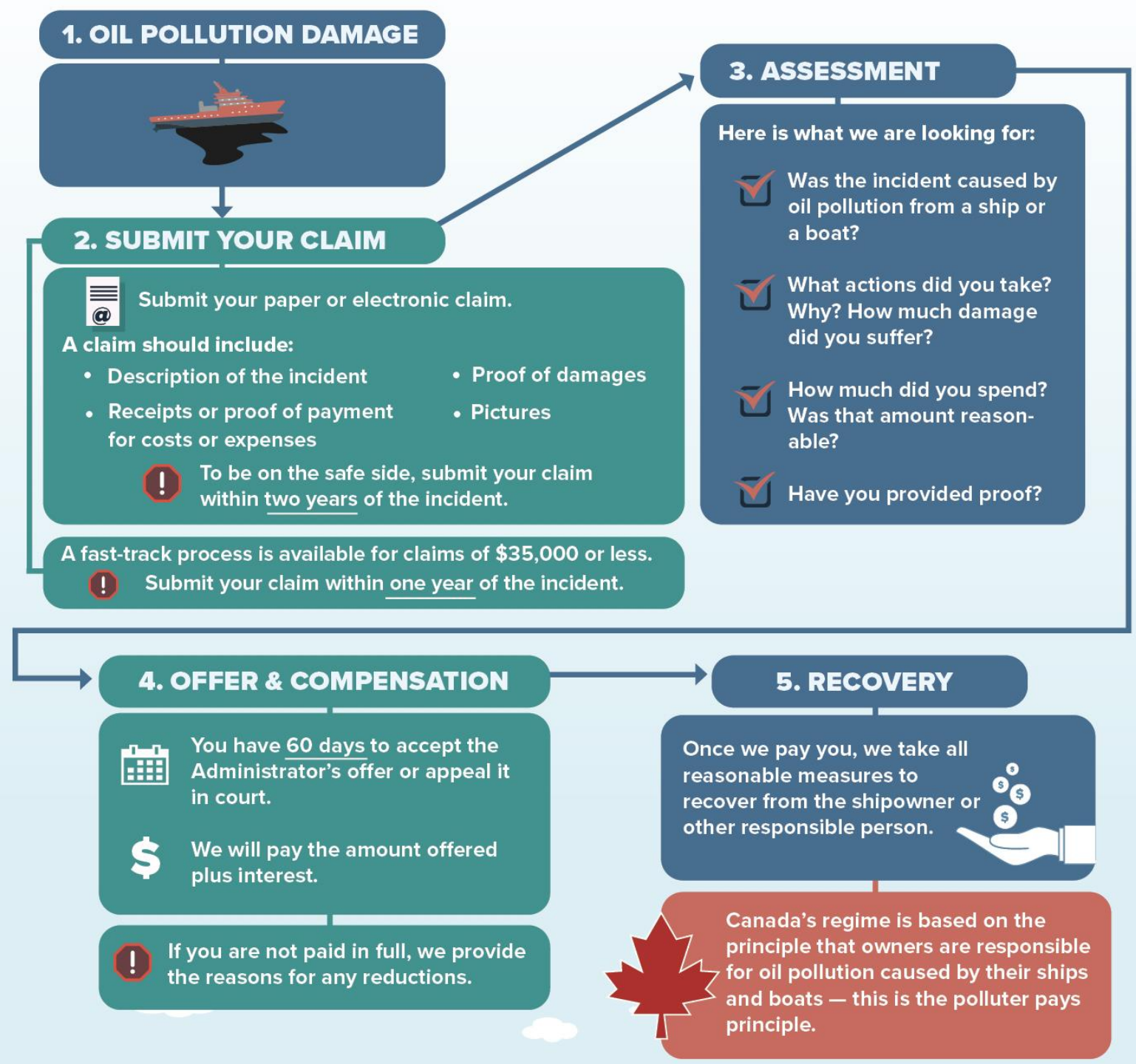
“Mystery” spills are also compensable.



“Oil” includes:

- **Gasoline**
- **Crude**
- **Diesel**
- **Lubricants**
- **Waste oils**

WHAT IS THE FUND'S CURRENT WORK?

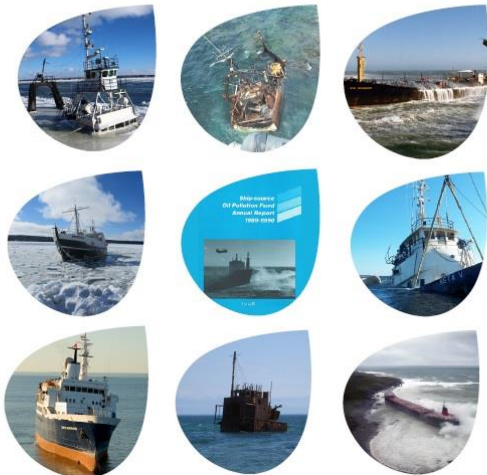


New Claims Resources.

Ship-source Oil Pollution Fund

General Claims Manual

November 2019 Edition

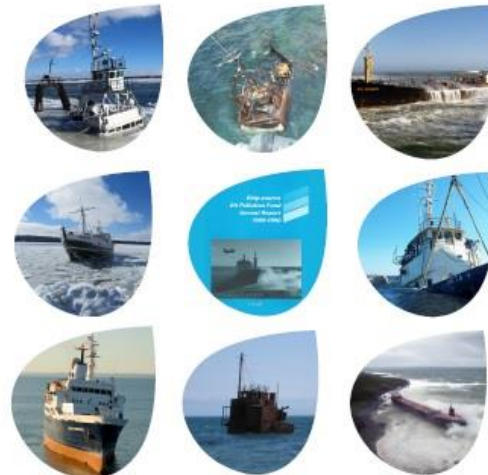


Canada

Ship-source Oil Pollution Fund

Expedited Process for Small Claims Guidelines & Form

November 2019 Edition



Canada

Ship-source Oil Pollution Fund

Coming soon!

Manual for Special Loss of Income Claims

Paper for the Fishing and harvesting community

General Claims Guidelines

Canada

THE FUND AND BRITISH COLUMBIA (1989-2019)



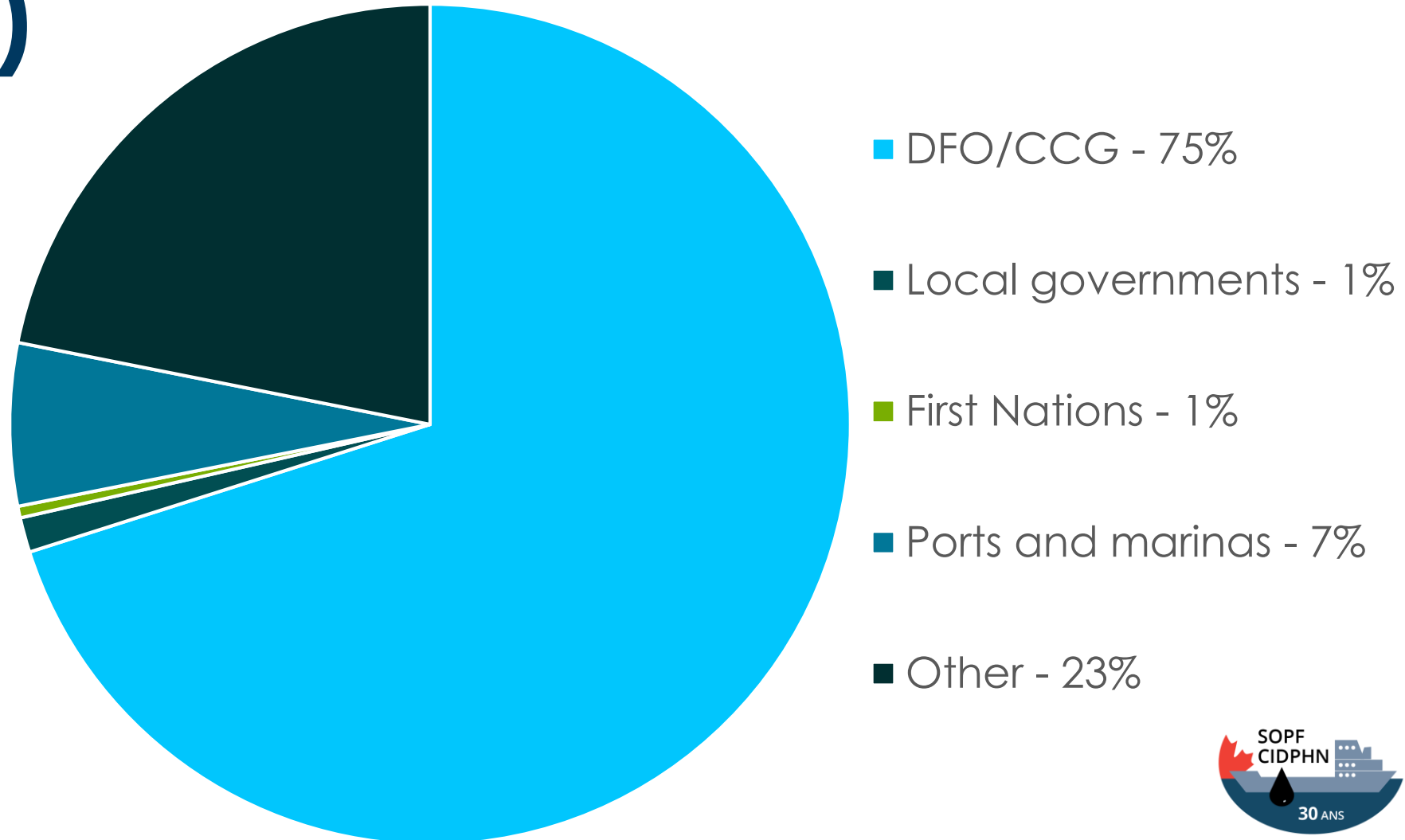
- Number of claims received for incidents that took place in BC:

209

- **Most claims come from BC** in the past decade largely because of the number of abandoned and derelict vessels present in the province.
- Total amount claimed to the Fund for incidents that took place in BC:
over \$21 million

THE FUND AND BRITISH COLUMBIA (1989-2019)

The
claimants:



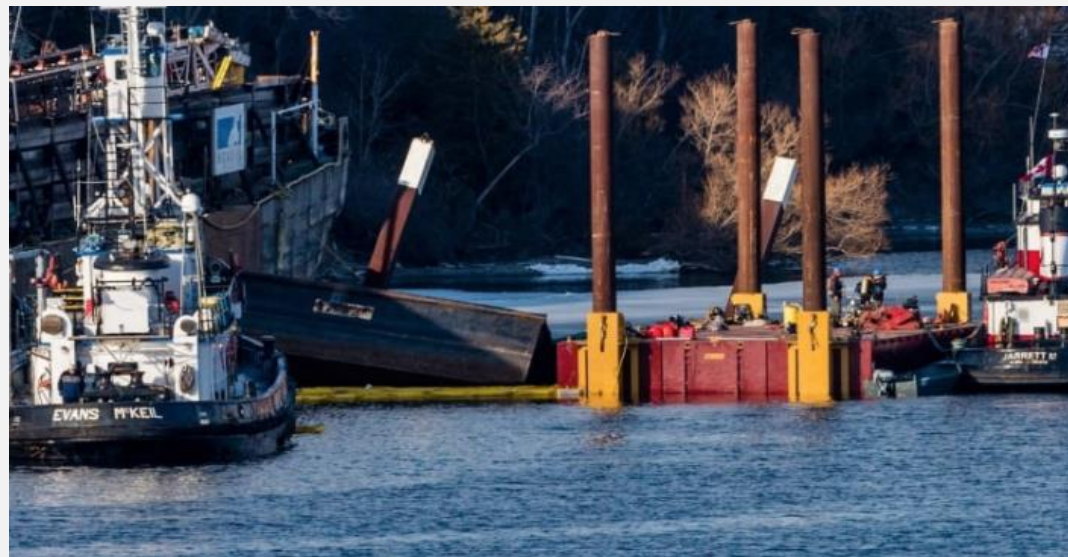
Past Local Governments Claims

- Only ten local governments have claimed
- Largest compensatory payment to a local government:
\$394,110.76 (September 2019)
- City of Vancouver received **\$266,014.86** (May 2019)

THE FUND & LOCAL GOVERNMENTS

Total: **\$1.6M claimed; +/- \$1M paid**

Efforts to raise awareness were started in 2018



Claimed damages:

- costs for environmental response (with or without the Canadian Coast Guard)
- pumping out of vessel
- safety measures
- public information / management of volunteer personnel
- fresh water supply / water treatment plant
- waste management
- loss of revenues
- legal costs

If you are a municipality...



- Municipal assets / municipal resources used in response to spill / to protect from spill (preventive measures) (SCI)*
- Municipal personnel overtime*
- Contractors*
- Security services*
- Resource accommodation*
- Municipal revenue loss
- Extra municipal expenses*
- Disposal of oily wastes*

(* Eligible as "small claim" if less than \$35K)

WATCH THE WEBINAR HERE:

- http://sopf.gc.ca/?page_id=543

Compensation 101: Ship-source oil pollution

Register now for our free webinar:
How to submit a claim

*for damages caused by oil spills
from ships and boats*



Tuesday, November 26, 2019



1:00pm EST

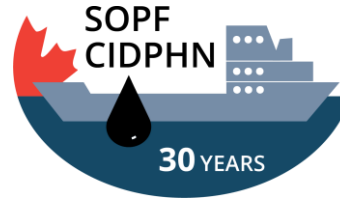
Sign up here:
www.sopf.gc.ca



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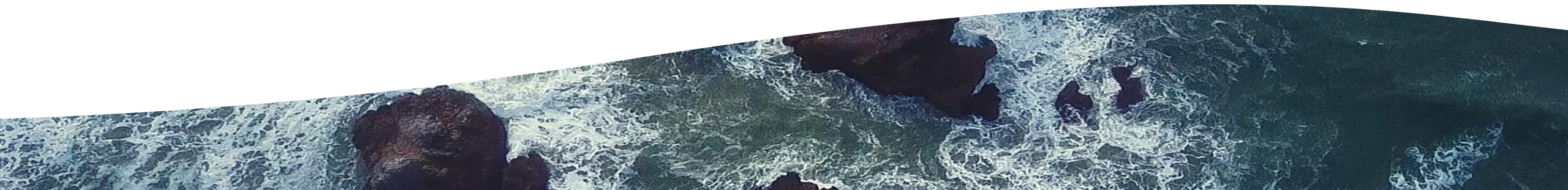


Canada



Questions?

We are actively working on a comprehensive process with our key stakeholders! Join the discussion by subscribing to our newsletters, and by sharing our views on social media!



How to get in touch?



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Thank you!