



Great Lakes
Cruising Club®

The Great Lakes Cruising Club
c/o David Spencer, Rear Commodore
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December 4, 2023

To: Transport Canada (via email).

MSSRegulations-ReglementsSSM@tc.gc.ca

Re: The Vessel Operation Restriction Regulations: Providing provinces and municipalities with a greater role in managing their waterways

Dear Sir / Madam,

I am writing on behalf of the Great Lakes Cruising Club (the "GLCC"), an organization founded in 1934 and composed of approximately 2500 Canadian and American boaters (sailors and power boaters). Our members are mature and experienced boaters who are committed to protecting the lawful and peaceful enjoyment of the Great Lakes for the benefit of everyone.

The GLCC has studied the documentation posted on the Transport Canada webpage outlining the proposal to change the process by which a Vessel Operation Restriction Regulation ("VORR") can be modified. We are particularly concerned about how this proposal may adversely affect the ability of boaters to anchor in or transit through Canadian waters; something our membership has enjoyed for almost 90 years on the Great Lakes and connecting waterways. Recreational boaters commonly transit through and anchor in waters adjacent to many different municipalities. For example, boaters traveling on the "[Great Loop](#)" can travel the entirety of the Great Lakes in one summer. A patchwork of different regulations affecting recreational transit and anchoring throughout the Great Lakes would be confusing, unworkable, and is largely unnecessary. It would discourage recreational boating, and also negatively impact the important tourism revenues that accompany it.

We offer the following comments for your consideration.

- These proposals to change the process to modify VORRs appear to be inconsistent with the objectives of the [Canada Shipping Act, 2001, S.C. 2001, c. 26; Assented to 2001-11-01](#), and to which these regulations are attached. In particular, they may result in VORRs that are inconsistent with the legislation's goals of consistency, efficiency, and harmonization, and will discourage rather than "encourage the viable, effective and economical use of Canadian waters by recreational boaters." For ease reference those objectives are set out in section 6 of the [Act](#) as follows:



- (a) protect the health and well-being of individuals, including the crews of vessels, who participate in marine transportation and commerce;
- (b) promote safety in marine transportation and recreational boating;
- (c) protect the marine environment from damage due to navigation and shipping activities;
- (d) develop a regulatory scheme that encourages viable, effective and economical marine transportation and commerce;
- (e) promote an efficient marine transportation system;
- (f) develop a regulatory scheme that encourages the viable, effective and economical use of Canadian waters by recreational boaters;
- (g) ensure that Canada can meet its international obligations under bilateral and multilateral agreements with respect to navigation and shipping;
- (h) encourage the harmonization of marine practices; and
- (i) establish an effective inspection and enforcement program.

- The proposals reflect a misunderstanding of who has an interest in these waterways. They describe providing “provinces and municipalities with a greater role in managing ‘their’ waterways”. These waterways belong to all Canadians and are “our” waterways. The regulation of them should remain the jurisdiction of the federal government for all Canadians.
- The current process for VORR applications already allows Transport Canada to appropriately and fairly balance the concerns expressed by provinces and municipalities and the interests of all Canadians to peacefully and lawfully enjoy our beautiful waterways, while ensuring consistency in approach.
- The proposal to immediately implement for two years without a regulatory review process, Ministerial Orders that introduce new VORRs proposed by municipalities, affords municipalities unreasonable authority over federally regulated recreational boating activities enjoyed by the public. This is a significant overreach of municipal powers that may deny others, especially transitory boaters, reasonable peaceful enjoyment of public waterways.
- Municipalities will respond to the needs of their constituents as is their duty, but notwithstanding the proposed requirement to consult with stakeholders, we cannot

expect municipalities to judiciously balance proposed regulations that favour their constituents against the interests of the greater Canadian recreational boating public. This requires federal oversight to ensure the interests of all Canadians are considered, not just those of the municipality or province.

- We recognize that municipalities may be well positioned to identify pressing issues where quickly introducing new regulations may be necessary to address threats to public safety or the environment. We are confident that provinces, municipalities and Transport Canada can work together to quickly address urgent issues through the current regulatory process. If the process is inadequate, we propose amending the process and maintaining federal oversight, rather than surrendering it to local authorities and running the risk of poorly drafted regulations in a patchwork across our waterways.

We are pleased to provide further commentary or make a presentation to Transport Canada to further articulate our concerns about this proposal.

Respectfully Submitted,

//signed//

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