

*Gunderson Slough Harbour Act*

The Bill at hand pertains to certain property now under the administration of the Commission. Therefore, it would be useful at this juncture to delve briefly into the matter of port jurisdiction and administration. The provision of port facilities and services in Canada involves a number of Federal and provincial Government agencies and Crown corporations. The present obligations and responsibilities of these agencies are a product of the evolution and changing functions of port administration since pre-Confederation times. To understand the nature of these obligations and responsibilities requires an understanding of port legislation and administration.

● (1620)

Since their earliest days, Canadian ports have been administered under a wide variety of structures. The earliest port areas were owned and operated by private concerns or municipalities. In 1867 the British North America Act placed navigation and shipping under the exclusive jurisdiction of the federal authority.

It was not until 1936 that the first important step in the vital port policy was made. The foundation of that policy was the Gibb Report which investigated three important areas of port development: the efficiency of existing facilities; requirements for new facilities for the next three decades; and the best method of port administration.

When Sir Alexander Gibb began his study, the Port of New Westminster was administered by a municipal commission, operating under the control of municipal representatives.

Several of the recommendations made by Gibb in his report were incorporated into the National Harbours Board Act passed in 1936. The basic purpose of that Act was to bring the existing federal commission ports under the administration of the National Harbours Board.

Although the federal harbour Commissions were disbanded after 1936, the municipal Commissions continued to operate, each one under its own special Act of Parliament. Due largely to the confusing nature of commission structures, which varied from one location to the next, the Harbour Commissions Act was passed in 1964. The Act allowed for the establishment of commission harbours by order in council, and gave commissions equal autonomy with respect to jurisdiction, powers, and authorities. The New Westminster Municipal Commission was reconstituted as the Fraser River Harbour Commission in 1965.

Although Harbour Commissions may not be strictly defined as federal agencies, they play a vital role in the administration of major Canadian ports. Today there are nine Harbour Commissions in Canada, including four on the west coast: the Fraser River, the North Fraser, Port Alberni and Nanaimo.

Under the 1964 Harbour Commissions Act, a majority of the Commissioners are appointed at the federal level, the rest being nominated first at the municipal level. Each commission has the power to pass bylaws dealing with such matters as harbour rates and charges, the movement of traffic, and the security of the harbour. By laws are thus developed on a local

level instead of in Ottawa. In order to finance capital expenditures for transportation, infrastructure and other port development, the Commission has the power to ensure its own debentures or borrow funds from commercial sources. Financial assistance by the federal Government is limited to certain capital expenditures decided on a case by case basis.

Harbour Commissions are established where local municipalities bordering on the harbour wish to share in its administration and development. Prior to establishment of this type of harbour there must be evidence of good growth potential for commercial shipping, municipal willingness to contribute its own waterfront property, and sufficient revenue to support the operation without federal subsidy.

Harbour Commissions historically have represented an autonomous form of administration. Representation from local community members and the power of developing bylaws in accordance with regional needs are examples of this autonomy.

This bill proposes that property be transferred to the Department of Fisheries and Oceans to be managed under the Fishing and Recreational Harbours Act. This act was passed in 1978, at which time many harbours in British Columbia which were previously under the control of the Ministry of Transport, were transferred to the Small Craft Harbours Branch. This agency is responsible for the collection of wharfage and berthage from vessels making use of the facilities. Facilities administered by the Small Craft Harbours Branch are used primarily for commercial and fishing recreational boat purposes. The commercial fish boat harbour at Steveston in Richmond, which falls within the boundaries of the Fraser River Harbour Commission, is a Small Craft Harbours Branch facility.

I think you will agree that the foregoing very usefully sets the stage for a discussion of the specifics of this particular Bill. You will note that included as a schedule to this bill is a legal description, normally referred to, I believe, as meets and bounds of the area currently under the administration of the Fraser River Harbour Commission, and which is proposed to be transferred to the Small Craft Harbours Branch. You will recall from the foregoing that the Small Craft Harbours Branch administers facilities which are essentially of a commercial fishing or recreational nature. Hon. Members will therefore be very interested to know that the area as described in the schedule to this Bill encompasses approximately the following properties. I think it is a little more extensive than the property defined by the Hon. Member. For example, five acres of a large area leased to Gregory Manufacturing; a ramp and facilities for the Delta and Alaska Trainship valued at more than half a million dollars; the Fraser Surrey docks; ten acres of cargo handling area; five acres occupied by Titan Steel; and certain private lands not under Harbour Commission control, including the Burlington Northern Railroad right-of-way.

I should also add that within the boundaries of the property scheduled to this bill, there is an area used by fishermen comprising approximately 14 leases and 37 permits. I am further pleased to report that according to my information the fishermen are quite happy with the manner in which the