

**House of Commons Standing Committee on Fisheries and Oceans (FOPO)**  
**April 1, 2008**

**Hon. Patricia Carney (P.C., Senator (retired), As an Individual)**

First of all, it's a pleasure to be back here in the House of Commons, where I served two terms as the MP for Vancouver Centre from 1980 to 1988 before being called to the Senate in 1990.

It's also an honour to appear before you to present my private member's bill, Bill S-215, an act to protect heritage lighthouses. This is, as has been noted, the seventh time this bill or its antecedents have made it this far. We hope seven is our lucky number. I'm glad the bill has so many advocates.

We have distributed to you Canada Post's folio of five heritage lights, which shows you some of the differences in the light stations. I will be speaking for about 10 minutes; then I'll be presenting a hard-copy presentation of some of the different lights. Then I'll be available to answer your questions.

The specifics of this proposed legislation have undergone a sea change since I and the late Senator Mike Forrestall of Nova Scotia first co-wrote it in 2000. Lately the assistance of Senator Lowell Murray has brought it to its present form, but the purpose has always been on a consistent course.

I want to point out that because the coasts are so different and the light stations are so different, it has always had to have east coast and west coast input.

The purpose has been to conserve and protect federally owned heritage lights across Canada by four means. Bill S-215 will provide a means for their selection and designation as heritage lighthouses; prevent the unauthorized alteration or disposition of heritage lighthouses; require public notice and public consultation before the transfer, alteration, sale, or demolition of a designated heritage lighthouse; and require that designated heritage lighthouses be reasonably maintained in a manner consistent with accepted conservation standards.

Lighthouses play a vital role in our marine communities. I certainly don't have to tell members of the committee that. The DFO has told the Senate committee that there are 256 light stations as defined in this bill; the other 504 are other kinds of navigation aids, light buoys, range markers, and other things that other experts can tell you about.

The 256 light stations are in eight provinces. People don't realize that only two provinces, Alberta and Saskatchewan, don't have federal lighthouses. Most of them are fully operational and an important part of our maritime safety net. There's been a lot of talk about the divestiture of surplus lighthouses, but one of the most important points about this bill is that most of these light stations are operating light stations serving the maritime community now.

Canada's light stations also attract thousands of visitors every year, contributing to the economic and cultural benefits to coastal communities, particularly in Atlantic Canada, where DFO has a program of divesting non-operational lighthouses that are surplus to its requirements to local communities.

But Canada's heritage light stations are at risk. Fisheries and Oceans Canada, the department responsible for most federally owned lighthouses, has no mandate and, as you've heard, no budget for heritage protection. Parks Canada is required by statute to protect heritage sites under its jurisdiction, but often lacks the resources to carry out its mandate. As a result, many of Canada's light stations, even operating ones, are vulnerable to decay and destruction. They've been blown up, they've been burned down, and they've been dismantled, as they were on my home island of Saturna. Bill S-215 is designed to address these issues.

Many members of this committee have lighthouses in their ridings and are aware of their historic significance and present value. The first Canadian lighthouse, and the second-oldest lighthouse on the continent, was constructed at Louisburg on Cape Breton Island in 1734. Another historic Nova Scotia lighthouse, the Sambro lighthouse, which Mr. Keddy has referred to, was established by the very first act passed by Nova Scotia's House of Assembly in 1758. The act placed a tax on incoming vessels and alcohol imports to pay for the lighthouse. We could do that again.

It is the oldest operating lighthouse in North America and a Canadian national historic site celebrating its 250th anniversary this year, an event that makes the passage of this bill so important.

In his speech at second reading, MP Larry Miller noted that the history of lighthouses on the Great Lakes dates to 1803, when a lighthouse was constructed at Mississauga Point on Lake Ontario. Several other lighthouses were built in the next two decades.

I thought it was interesting that other lighthouses were established during the 1850s in response to the first Canada-U.S. free trade agreement in 1854, which considerably increased shipping. As the minister responsible for the last free trade agreement, lighthouses seem to be part of my own particular mandate.

Light stations were later established on Canada's rugged west coast, some before the two British colonies of Vancouver Island and British Columbia united in 1866. The first permanent light station was Fisgard lighthouse, constructed in 1859 near Victoria. In 1860 the British Royal Navy built the magnificent Race Rocks lighthouse on a rocky islet in Juan de Fuca Strait at the entrance to Victoria. It's still a major operating light station, but the concrete tower of this historic light is crumbling.

In comparison with Atlantic Canada, relatively few light stations were built on the Pacific Coast—it was too far from Ottawa, and they were usually built only after many ships were wrecked and people drowned. On my home island of Saturna, the famous East

Point lighthouse, which serves marine traffic utilizing the international boundary waters between Canada and the U.S., was built in 1888 when the barque, *John Rosenfeld*, carrying the largest shipment of coal to that date, ran aground on Boiling Reef. Saturna residents heated their homes for many years with the salvaged coal. The original tower was demolished, but an automated light still operates. Our community is converting the original fog horn building as an interpretive centre on the Spanish and British explorers who first charted these historic waters. I can talk to you about it, if you want to know how we're doing that with Parks Canada, because it would answer some of the questions you have raised.

We understand that DFO will be proposing two changes to the existing bill, which, if adopted, will require that the bill be returned to the Senate for approval, hopefully before a general election. As Mr. Keddy said, I retired as of January 31, 2008, and my office closes today, so I certainly won't be here to propose it again.

The amendments represent an agreement between the Minister of Fisheries and Oceans and of course the Minister of the Environment and me and supporters of Bill S-215 on the impact of the bill. One involves adding a clause to the preamble, to the “whereas” part, to mention access. That's an interpretive clause. The second deals with changing the wording of the bill to related structures. I can answer questions on those.

My concern in these amendments is to conserve access to some sites, including wharves or helipads, so that heritage light stations can be maintained and utilized by communities. It's interesting to know that of the 256 lights, I am told that 125, or roughly half, can only be accessed by water or helicopter. Therefore, the point has been made by many of you that they wouldn't qualify for heritage sites if you couldn't get to them.

In correspondence that is filed with the clerk, Mr. Hearn has made it clear that since many of these light stations are operating light stations—which addresses some of your points, Mr. Manning—DFO has to maintain them and to maintain access to them now. Every light station in British Columbia is an operating light; there are no surplus lights, as there are in Mr. Miller's riding, or on the east coast. So DFO is committed to maintaining that access. The access, as I say, would be dealt with in the preamble, according to the proposed amendment.

As for access in British Columbia, only one of the 52 light stations in British Columbia is on the mainland. Think of that whole coast. Only one is on the mainland. That's Point Atkinson in west Vancouver, and it's already a national historic site. All of the rest of them are on islands; that's why they're there. So access is important.

Minister Hearn successfully argues that since DFO must provide access to operational light sites for operational security and maintenance purposes—and all B.C. light stations and many others are operational—conserving them as heritage resources is unnecessary.

In recognition of our concern about access, he suggests the committee should be encouraged to adopt language in the preamble that acknowledges the importance of providing access to heritage lighthouses in order to recognize and promote their contribution to Canada's maritime heritage. As I said, I believe that will be presented.

Minister Hearn's concern, as you heard earlier, was that the existing wording of the bill implies that the means of access—i.e., wharves and helipads—would require being maintained to heritage standards, which of course is not our intention. I prefer Saturna's new contemporary government dock to the old dock, with its creosoted pilings, that burned down.

Therefore, the minister suggests that the government's proposed related buildings amendment, which would replace the clause now existing in Bill S-215, would be the greatest public benefit in terms of cost-effective heritage conservation.

On the assumption that these proposals are made in good faith, we agree with the proposed changes and seek the committee's support for them.

The heritage lighthouse bills, all of them, were designed to involve the public in the designation, conservation, and maintenance of these important assets. If Bill S-215 is passed, the fate of these marine assets will require the public to take the initiative. We can pass the legislation, but somebody out there has to take the initiative to form the petitions, so it will be in the hands of Canadians.