

COMMENTARY: SHIPPING

Canadian Arctic response needs reform

PETER ZIOBROWSKI

The Russian icebreaker Akademik Ioffe ran aground Aug. 24 in the Gulf of Boothia, west of the northernmost portion of Baffin Island. It was on a cruise operated by B.C.-based One Ocean Expeditions, having departed from Kugaaruk, Nunavut the day before.

Donglai Gong, an American researcher aboard the ship, tweeted that "suddenly we heard this loud grinding sound, and the ship shook. The ship came to a complete stop, and it fell silent, listing to one side."

One Ocean Expeditions told the CBC that damage was limited to closed, empty tanks and that the situation was being managed. Once the passengers were evacuated and safely in Edmonton, the company referred all media inquiries to the ship's owner, without stating who that was.

Joseph Spears, principal of the Horseshoe Bay Marine Group and an expert in salvage and maritime law, said "managing the situation is a good euphemism for pumping water."

He figured One Ocean Expeditions is trying to distance itself.

"Showing passengers polar bears is good for business," Spears said.

"This could have been much worse. What would happen if the ship sank, with help hours away, and those same polar bears inhabiting the closest dry land?"

With One Ocean Expeditions and the ship's owners remaining silent, the Canadian Coast Guard and Transport Canada took control of the vessel Aug. 28.

The first and biggest consideration is the severity of the damage to the ship. The Akademik Ioffe spent 12 hours grinding on a rock before coming free, and photos posted by Gong on Twitter clearly show the vessel noticeably lower in the water while stuck on the rock. Once freed, the ship anchored in deeper water.

This has the makings of a good yarn in and of itself, but the bigger concern is what it says about how Canada handles shipping in Arctic waters. Despite claiming to have control, the federal government doesn't require the use of pilots in the Arctic.

Spears suggests government could require ships transiting Canadian Arctic waters to post a security to cover salvage should they run into trouble, or require all vessels, even state-owned ones, to carry hull insurance. Traditionally, the Canadian government has taken on the role of monitor — approver and regulator of salvage plans put forth by a ship's owner and contractors.

This summer is proving to be difficult for everyone operating in the Arctic because there is more ice than usual. The summer shipping season typically runs from May to October. Fednav and other Arctic operators have had to bring in additional ships, and the Baffinland iron mine has chartered an Estonian icebreaker to ensure all scheduled shipments are completed before winter.

One Ocean Expeditions was forced to change the embarkation point for the trip to Kugaaruk from Resolute. The coast guard's fleet of icebreakers is working flat out but is short because of refits and repairs to its fleet, the newest of which was built in 1987.

The Louis S. St-Laurent, one of two heavy icebreakers in the fleet, is more than 50 years old. Terry Fox, the other, is returning from Ontario. Both ships operate out of St. John's, with several medium-sized icebreakers working out of Quebec.

Three light icebreakers are based in Halifax. The Sir William Alexander is operating in the Arctic. The Edward Cornwallis is in Saint John's and appears to be heading north, and the Earl Grey is tending to the recovery of oil from the Manolis L, a paper carrier that sank off Notre Dame Bay in Newfoundland in 1985 and that recently started leaking oil from its tanks.

Any tugs required would likely



Russian icebreaker Akademik Ioffe, which ran aground in the Arctic, sits in port in Halifax Harbour in 2016. The case of the Akademik Ioffe provides a good case study for the problems with Canada's response capabilities in the region. **PETER ZIOBROWSKI**

come from regional ports. Atlantic Towing, McKeil Marine, Secunda Canada and Quebec's Groupe Ocean all have capable tugs. Several local diving firms have experience doing salvage work for the coast guard, and have worked with these tug companies.

It's not yet known whether repairs to the Akademik Ioffe can be made in the Arctic or if the coast guard and Transport Canada even have the tools and expertise on hand to complete such an assessment. Eight days after the incident, there had been no public announcement of salvage vessels heading north or an assessment of the damage.

An inquiry to the coast guard was referred to Transport Canada, which has yet to respond.

Getting the ship out of the Arctic is a problem regardless. If it can be repaired on scene, people and equipment will have to be flown or shipped there. If it can't, the Akademik Ioffe needs to get to a shipyard, likely in Europe,

under its own power or accompanied by a tug and icebreaker.

That option has risks should flooding increase. Other options include towing the stranded ship or loading it on a semi-submersible vessel.

Another unanswered question is who will pay for all of this. The ship looks to be owned by the Russian state, so it likely doesn't have hull insurance. This could leave the Canadian government on the hook for salvage costs.

The 2010 grounding of the Clipper Adventurer on an uncharted but documented rock is similar. In the end, that ship was towed to Poland for repairs, and the salvage, towing and repair bill came to US\$13.5 million, not including \$445,000 in pollution control costs and the cost of having Canadian Coast Guard vessels monitor the situation.

Though it may sound very hazy for Red October, one has to consider what the Russians know. Published charts of the Arctic are

old, and rocks and shoals can be uncharted simply because they haven't been found and reported yet. Russian research vessels have been cruising in Canadian waters for several years and may have better charts than we do.

The Clipper Adventurer was removed from the Arctic three weeks after it grounded. That salvage operation went smoothly, and pollution was minimal. Eight years later, a second ship has had a very similar incident, though higher than normal ice levels are

complicating the situation.

Canada has been lucky in these cases. Damage has been light, pollution limited and there were no injuries. These cases should serve as wakeup calls for Canada to develop its Arctic response capability. We won't be this lucky every time, and aircraft and ship response times measured in half-days are inviting tragedy. Peter Ziobrowski has been observing and writing about the happenings of Halifax Harbour for 10 years.

2018
IN THE SUPREME COURT OF NOVA SCOTIA
S.H. No. 476023
BIM Mortgage Financing Limited, PLAINTIFF
-and-
A.M. Hebert Construction Limited, a body corporate DEFENDANT
Notice of Public Auction
To be sold at Public Auction under an Order for Foreclosure, Sale and Possession, unless before the time of sale the amount due to the Plaintiff on the mortgage under foreclosure plus costs to be taxed, are paid.
Property: 2461 Mariner 1500 Parkway Road, Upper Westmount, Quebec, H3T 2K1
Mortgage No. 95477992
SUBJECT TO restrictive Covenants as described in a Deed recorded in Book 6887, at Page 1010 under Document Number 44. The parcel has been registered pursuant to the Land Registration Act. Information regarding the mortgage being foreclosed which is registered at Doc. 10222211 Halifax Regional Municipality, Halifax Province of Nova Scotia.
A copy of the description of the property, as contained in the mortgage under foreclosure, is on file at the sheriff's office and may be inspected during business hours.
Date Details: Tuesday, September 11, 2018, at 11:00

2017
Hf. No. 499709
NOTICE OF PUBLIC AUCTION
To be sold at Public Auction under an Order for Foreclosure, Sale and Possession, unless before the time of sale the amount due to the Bank of Nova Scotia on the mortgage under foreclosure, plus costs to be taxed, are paid.
House, land and premises known as civic number 1174 Belmont Road (and adjacent lot, Belmont, Colchester County, Nova Scotia. The property is identified as PID numbers 20101184 and 20101185. The lands are more fully described in a mortgage dated June 29, 2007 as recorded in the Land Registration Office for Colchester County on July 4, 2007 as document number 82527160. The priority is registered pursuant to the Land Registration Act.
A copy of the description of the property, as contained in the mortgage under foreclosure, is on file at the Prothonotary's Office at 11 Church Street, Tuxton, Nova Scotia B2N 5E8 and may be inspected during business hours.
Date Details: Tuesday, September 11, 2018, at 11:00

2018
Hf. No. 476630
SUPREME COURT OF NOVA SCOTIA
BETWEEN:
THE TORONTO-DOMINION BANK PLAINTIFF
-and-
DANIEL RAYMOND DUBEAU AND JOAN ELIZABETH DUBEAU DEFENDANTS
NOTICE OF PUBLIC AUCTION
TO BE SOLD AT PUBLIC AUCTION pursuant to an Order for Foreclosure, Sale and Possession granted by the Court, unless before the time of sale the amount due to the Plaintiff on the mortgage foreclosed, plus costs to be taxed, are paid.
PROPERTY:
ALL that certain lot, piece or parcel of land situated, lying and being in Halifax County, Nova Scotia, and known as Lot B, Civic No. 13 Half Harris Road, Dartmouth, Nova Scotia, property identification number 00205533 and described in a Mortgage dated August 3, 2010 and registered at the Halifax County Land Registration Office as Document No. 96506408.
This property has been migrated pursuant to the Land Registration Act.
A copy of the description of the property, as contained in the mortgage foreclosed, is on file at the Prothonotary's office and may be inspected during business hours.
DATE OF SALE: Tuesday, September 11, 2018
TIME OF SALE: 10:00 a.m.
PLACE OF SALE: The Law Courts, 1615 Upper Water Street, Halifax, Nova Scotia
TERMS:
10% deposit (payable by cash, certified cheque or Solicitor's trust cheque) at the time of sale, remainder within 14 days of sale

2018
Hf. No. 475265
Supreme Court of Nova Scotia
BETWEEN:
The Bank of Nova Scotia Plaintiff
and
Brianna Maureen Lynch Defendant
NOTICE OF PUBLIC AUCTION
TO BE SOLD AT PUBLIC AUCTION pursuant to an Order for Foreclosure, Sale and Possession granted by the Court, unless before the time of sale the amount due to the Plaintiff on the Mortgage foreclosed, plus costs to be taxed, are paid.
PROPERTY:
All those lands and premises known as Lot 314, Harbourview Drive, Sydney, Cape Breton County, Nova Scotia, PID No. 15081831, as more particularly described in the Mortgage recorded at the Cape Breton County Land Registration Office as Document No. 95477992. The lands have been registered pursuant to the Land Registration Act.
AND ALSO:
All those lands and premises known as Lot 311, Remondar, Civic No. 80 Harbourview Drive, Sydney, Cape Breton County, Nova Scotia, PID No. 15081831, as more particularly described in the Mortgage recorded at the Cape Breton County Land Registration Office as Document No. 95477992. The lands have been registered pursuant to the Land Registration Act.
A copy of the description of the property, as contained in the Mortgage foreclosed, is on file at the Prothonotary's office and may be inspected during business hours.
DATE OF SALE: Friday, September 28, 2018
TIME OF SALE: 11:00 a.m. local time
PLACE OF SALE: Sydney Justice Centre, 136 Charlotte Street, Sydney, Nova Scotia B1P 1C3
TERMS: 10% deposit (payable by cash, certified cheque or solicitor's trust cheque made payable to The Bank of Nova Scotia) at the time of sale