



REPORT ON THE IMPLEMENTATION OF THE *HERITAGE LIGHTHOUSE PROTECTION ACT*

Report of the Standing Senate
Committee on Fisheries and Oceans

The Honourable Bill Rompkey, P.C., Chair
The Honourable Dennis Glen Patterson, Deputy Chair

March 2011

MEMBERSHIP

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ORDER OF REFERENCE

Extract from the *Journals of the Senate*, Thursday, March 25, 2010

The Honourable Senator Rompkey, P.C. moved, seconded by the Honourable Senator Fraser:

That the Standing Senate Committee on Fisheries and Oceans be authorized to examine and to report on issues relating to the federal government's current and evolving policy framework for managing Canada's fisheries and oceans;

That the papers and evidence received and taken and work accomplished by the committee on this subject since the beginning of the First Session of the Thirty-ninth Parliament be referred to the committee; and

That the committee report from time to time to the Senate but no later than June 30, 2011, and that the Committee retain all powers necessary to publicize its findings until December 31, 2011.

The question being put on the motion, it was adopted.

Gary W. O'Brien

Clerk of the Senate

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PREFACE

In 2009, the Canadian Coast Guard, a special operating agency of the Department of Fisheries and Oceans (DFO), advanced a plan to gradually remove Canada's remaining lightkeepers at 50 lightstations in DFO's Newfoundland and Labrador Region and Pacific Region. Reaction to the plan was extremely negative. No formal review or consultation had taken place with user groups or stakeholders.

On 30 September 2009, Minister of Fisheries and Oceans Gail Shea put the plan on hold, pending a review by the Coast Guard of the services provided by lightkeepers. In a letter to the Chair of the Standing Senate Committee on Fisheries and Oceans, dated 23 March 2010, Minister Shea asked that the Committee undertake the Coast Guard review announced in September. The Committee agreed to study the matter, but also broadened the scope of its study to include the implementation of the *Heritage Lighthouse Protection Act* (HLP), which was due to enter into force on 29 May 2010.

On 27 May 2010, pursuant to the HLP, DFO published a list of 487 active and 488 inactive lighthouses (fixed navigation aids) surplus to program requirements. Not declared surplus, pending the outcome of the Committee's review on staffing, were 51 staffed lightstations. (DFO subsequently revised its list of surplus lighthouses on 1 March 2011, reducing the number of active and inactive surplus lighthouses to 473 and to 68, respectively.)

On 20 December 2010, the Committee tabled *Seeing the Light: Report on Staffed Lighthouses*, a report based on public hearings in Ottawa and three regional fact-finding visits. The Committee travelled first to Nova Scotia in June 2010, where lighthouses had been destaffed in earlier years, in an effort to learn from that experience and to gauge people's views on matters related to the HLP. The Committee undertook similar fact-finding work in Newfoundland and Labrador and in British Columbia in November 2010. Fact-finding in British Columbia focused on the staffing issue because of time and budgetary constraints.

The Committee had originally planned to hold formal recorded public hearings in the latter two provinces, with simultaneous interpretation and full transcription. However, the Senate Committee on Internal Economy, Budgets and Administration approved a small budget that permitted only fact-finding trips.

LIST OF RECOMMENDATIONS

1. **The Committee recommends that, given their economic, heritage, cultural and historical value, the Government of Canada adopt as a general national policy goal the preservation of a reasonable proportion of Canada’s lighthouses for future generations of Canadians.**
2. **The Committee recommends that all lighthouses passed on to community groups be maintained in a good state of repair and in a condition that will allow economical ongoing maintenance. All environmental issues should be addressed prior to the transfer of any such lighthouses.**
3. **The Committee recommends that the Government of Canada provide the Heritage Canada Foundation (HCF) with seed funding to help launch a comprehensive campaign dedicated to raising funds for the restoration and preservation of Canada’s remaining historic lighthouses.**
4. **The Committee recommends the establishment of an independent Lighthouse Advisory Panel comprising representatives of key lighthouse organizations, Parks Canada, and knowledgeable people from the provinces where there are lighthouses:**
 - a) **to identify, consistent with the objectives of the *Heritage Lighthouse Protection Act* (HLP), from among the federally owned lighthouses, a “heritage pool” of lights that will most likely generate interest for restoration and preservation; and**
 - b) **to prioritize and evaluate the lighthouses in the heritage pool in order to determine, from among the qualified recipients, those groups who should receive funding from the monies generated by the HCF fundraising campaign.**
5. **The Committee recommends that, for lighthouses for which no petitions have been submitted before the 29 May 2012 deadline, but which have been identified for the “heritage pool” and for which there is reasonable potential for interest from communities, groups, or other interested parties, DFO remove such lights from its surplus list.**
6. **The Committee recommends that all surplus lightstations that leave the federal inventory, either through the HLP process or through the process governing the disposal of surplus real property, be afforded protection by a heritage easement or covenant in the sale agreement.**

- 7. The Committee recommends that DFO carefully assess the security implications of transferring surplus lightstations. Any lightstation that fails to meet public safety concerns set out in the Treasury Board of Canada Secretariat's *Guide to the Management of Real Property* should be immediately removed from the Department's list of surplus lighthouses.**
- 8. The Committee recommends that DFO and Parks Canada make available on their respective websites a list of all "non-surplus" lighthouses, including DFO's 51 staffed lightstations, given that the public may petition such lights for heritage designation under the HLP.**
- 9. The Committee recommends that Parks Canada and DFO work together in the creation of a document that sets out and identifies for the public:**
 - a) innovative ideas regarding the re-use of lighthouses, including references to successful examples in Canada and elsewhere, and any information that already exists on the subject;**
 - b) financial support that may be available to community lighthouse groups at the federal and provincial level; and**
 - c) key contacts.**
- 10. The Committee recommends that Parks Canada and DFO work together in the creation of a guidebook on the care and maintenance of lighthouse buildings and equipment, and on archiving and the preservation of historical artifacts, to assist prospective new owners before they acquire a lighthouse.**

FOREWORD

The lighthouses that have averted so many Canadian shipwrecks now face one of their own. Most of these sentinel towers are slipping towards decay and destruction.

Yet, Canadians want to preserve lighthouses for future generations. We know this from many public expressions of interest and support, and from our Committee's own consultations.

Lighthouse preservation won't just happen by itself. And the *Heritage Lighthouse Protection Act*, welcome though it was, appears unable to meet the complex challenges posed by years of neglect and an unexpected move by the Department of Fisheries and Oceans to declare most of the traditional and striking towers "surplus" to operational needs.

We need something more.

This report recommends measures that can supplement the *Heritage Lighthouse Protection Act* and help preserve our coastal guardians for the future.

Carol Livingstone of the Prince Edward Island Lighthouse Society told our Committee: "For more than a century, the lighthouses have looked after us as a country. It is now time for us, as the people of this country, to look after our lighthouses."

Our Committee agrees, and we believe our recommendations can help that cause.

Bill Rompkey, P.C., Chair

BILL S-215: THE *HERITAGE LIGHTHOUSE PROTECTION ACT* (HLPa)

Beyond their traditional role as navigation aids, lighthouses are monuments to Canada's proud maritime heritage. Like railway stations, lighthouses have played an integral role in Canada's history. Because Canada risked losing hundreds of these historically significant structures, Parliament unanimously passed the *Heritage Lighthouse Protection Act* (HLPa) – a Senate Private Member's bill – on 29 May 2008. That Canadians have a special attachment to these landmarks is evident in their widespread support for the HLPa.

Almost ten years in the making, the legislation was first introduced in April 2000 as Bill S-21, and subsequently as Bill S-43 (in May 2002), Bill S-7 (in October 2002), Bill S-5 (in February 2004), Bill S-14 (in October 2004), Bill S-220 (in October 2006), and finally Bill S-215 (in October 2007). Former Senator Pat Carney of British Columbia worked with Senator Michael Forrestall of Nova Scotia as co-sponsor of the legislation until Senator Forrestall's passing in June 2006. Senator Lowell Murray inherited and presented the final version of Bill S-215 on Senator Carney's retirement in January 2008.

A precedent for the HLPa had been set in 1988 when Parliament passed the *Heritage Railway Stations Protection Act* – also a Private Member's Bill. This legislation had proven to be a highly effective means for preserving heritage railway stations.¹

The HLPa, in force since 29 May 2010, recognizes that lighthouses form “an integral part of Canada's identity, culture and history,” and that measures are needed to protect them for posterity.² The objective of the Act was to protect federally owned lighthouses with significant heritage value by providing a means for their designation as “heritage lighthouses.”

A. Why an Act to Preserve Canada's Lighthouse?

1. Years of Neglect

The first lighthouse in Canada was established at Louisbourg on Cape Breton Island, Nova Scotia, in 1734. Thereafter, lighthouses were commissioned and decommissioned

¹ Implementation of the *Heritage Railway Stations Protection Act* resulted in the examination of nearly 300 railway stations by a special committee of the Historic Sites and Monuments Board of Canada; more than half of these stations have since been designated heritage railway stations. See Parks Canada, http://www.pc.gc.ca/clmhc-hsmbc/gfp-hrs/gfp-hrs1a_e.asp.

² The *Heritage Lighthouse Protection Act* can be accessed at <http://laws.justice.gc.ca/en/H-3.4>.

as navigation aids and marine traffic evolved. Following Confederation in 1867, Canada built a large network of lighthouses. These sentinels, which marked the sea roads that were so essential to trade and economic development, are an integral part of Canada's identity, culture and maritime heritage. They bring our past alive.

Sadly, over the years, many of Canada's historic lighthouses and lightstations³ received minimal, if any, maintenance, leaving most in various states of disrepair and allowing some to literally fall apart. In August 2010, the Heritage Canada Foundation (HCF) – Canada's national voice for heritage conservation – included "Canada's lighthouses" in its Top Ten Endangered Places and Worst Losses Lists.⁴ If these beacons were to disappear, key aspects of Canada's history would be lost to future generations.

The Committee was often reminded that the decline of Canada's lighthouses can be traced back to automation and the use of on-board electronic navigation equipment, a world-wide phenomenon.

In 1970, the Coast Guard began the process of systematically automating lightstations and removing lightkeepers because of technological developments in equipment that made it possible to operate the lights and to activate foghorns without immediate human attention.⁵ Back then, there were 264 staffed lightstations in Canada. Today, only 51 remain, of which 23 are in Newfoundland and Labrador, 27 in British Columbia and one in New Brunswick on Machias Seal Island. In the latter case, lightkeepers are retained to this day for sovereignty reasons.

Elsewhere on coastal headlands and islands, however, traditional towers stand unoccupied. Lighttowers and associated buildings – lightkeeper dwellings, storage sheds, boat houses, and foghorn buildings – were allowed to deteriorate, in some cases beyond restoration.

³ A "lighthouse" is a general term that usually refers to a structure (a tower) that supports or encloses a light for navigational purposes, and includes many types of structures, including landfall lights, coastal lights, harbour lights, range lights, leading lights, and sector lights. A "lightstation" refers to a lighthouse, but also to its light, the property on which the lighttower is situated, and any other buildings or equipment on the property. In this report, both words are used interchangeably.

⁴ The list was compiled from nominations and news items the HCF had been reporting on throughout the year. HCF, "HCF's 2010 Top Ten Most Endangered Places List," <http://www.heritagecanada.org/eng/featured/HCFEPL2010.pdf>.

⁵ Standing Senate Committee on Fisheries and Oceans, *Seeing the Light: Report on Staffed Lighthouses*, December 2010, <http://www.parl.gc.ca/40/3/parlbus/commbus/senate/com-e/fish-e/rep-e/rep06dec10-e.pdf>.

In Nova Scotia, in June 2010, Committee members saw first hand what years of neglect can do to lighthouse sites. On Scatarie Island, off Cape Breton Island, the last reminder that lightkeepers and their families once inhabited the island are two dilapidated lightkeeper's houses with shattered windows and moss-covered walls. Inside the lighthouse – the province's tallest pepper shaker-shaped lighthouse – red paint shards line the damp and warped floor boards.

Over time, many communities lost these valued symbols of their heritage. Lighthouses were vandalized, sold to private interests, closed up, abandoned and left to the elements, demolished or burned, and the sturdy nature of many lights made them easy to transport and relocate. Visitors at the National Museum of Science and Technology in Ottawa can visit the Cape North light, for instance, a Nova Scotia lighthouse that had first been used at Cape Race, Newfoundland, in 1856.

Rare equipment, such as foghorns and beautiful Fresnel lenses made of glass prisms, was lost or removed. At Louisbourg, Cape Breton Island, for instance, the Coast Guard replaced the lighttower's magnificent flashing light with a less costly solar-powered bulb in 1998, instead of rebuilding a power line that had fallen during a storm. There, local residents complain that the automated light is too dim and want the original light reinstated.

The savings realized from automation after the keepers left were not re-invested in maintenance. Even lighthouses with a very high public profile, such as Peggy's Cove lighthouse, were neglected.

At Peggy's Cove, a brief controversy arose in 2009 when DFO said that it did not have funds to repaint the structure – one of the world's most photographed lighthouses and an icon as Canadian as the maple leaf. The tower was eventually repainted, but only after a public outcry. For many years, the ground floor housed a small post office in summer, where visitors could mail their postcards – the only post office lighthouse in North America. Canada Post has since pulled out, however, because of mould inside the building.

In many cases, the establishment of coastal communities was linked to their lighthouses. Not surprisingly, lighthouses evoke strong feelings. In many regions, local societies were formed to save nearby lights. Beginning in the early 1990s, dedicated volunteers have worked tirelessly to preserve them and to ensure that future generations are able to appreciate the important role they once played.

In Nova Scotia, the province with the largest number of lighthouses in Canada – including no fewer than 160 historic lighthouses – the Nova Scotia Lighthouse Preservation Society (NSLPS) has acted as an umbrella organization for a number of local provincial lighthouse groups since 1994.⁶ Among other things, the NSLPS, a non-profit society, publishes a Doomsday List to draw attention to lighthouses and related buildings in need of special attention.

Formed in 1996, the Prince Edward Island Lighthouse Society, a not-for-profit corporation, works to promote and preserve the lighthouses in that province; the Society's efforts are focussed not only on the buildings, but also on the artifacts, the stories, the pictures and the records of the Island's lighthouses. In Quebec, la Corporation des gestionnaires de phares de l'estuaire et du golfe Saint-Laurent, a not-for-profit organization, has sought to preserve the region's lighthouses since January 2001.⁷

Unlike the United States, Canada has no national association or foundation specifically dedicated to the preservation or the promotion of lighthouses.

2. Inadequate Federal Protection

The HLPAs were passed because there were no legal requirements for federally owned lighthouses to be maintained; there was only policy, and policy was weak. Although the provinces and territories – and, by delegated authority, municipal governments – have binding heritage statutes and related legal measures to protect and guide the management of heritage property (e.g., such as covenants and easements),⁸ federally owned buildings such as lighthouses are exempt from provincial heritage laws and municipal by-laws.

⁶ See Nova Scotia Lighthouse Preservation Society (NSLPS), <http://www.nslps.com/AboutNSLPS/mission-objectives.aspx>.

⁷ Corporation des gestionnaires de phares de l'estuaire et du golfe Saint-Laurent, <http://www.routedesphares.qc.ca/fr/lacorp.html>.

⁸ In British Columbia, for example, the Committee learned that provincial legislation and activities in support of heritage conservation take place mainly at the regional or local level. Pam Copley, Community Heritage Planner, British Columbia Heritage Branch, B.C. Ministry of Tourism, Trade and Investment, *Proceedings of the Standing Senate Committee on Fisheries and Oceans* (hereafter, *Committee Proceedings*), 15 February 2011.

a) The Federal Heritage Buildings Review Office

In Canada, the Federal Heritage Buildings Review Office (FHBRO) assists federal custodians in managing the heritage values of their built assets. FHBRO does not afford the same binding protection as legislation, however. Advice is given, but not financial support.

FHBRO administers the requirements of federal heritage buildings policy, which are incorporated in Treasury Board's *Policy on Management of Real Property*.⁹ One of the objectives of the *Policy* is to ensure that the heritage character of federal buildings, such as lighthouses, is respected and conserved throughout their life cycles. This includes ensuring the prevention of rust-out that would lead to more expensive repairs in the future.

Under the *Policy on Management of Real Property*, individual departments:

- are responsible for all decisions affecting the heritage character of the federal heritage buildings they administer;
- are required to undertake the repairs and maintenance of their properties in order to be able to respond to the program needs of the department and to preserve the value of the property;
- determine program requirements, set priorities, and decide where to invest money in their portfolio; and
- are responsible for working with FHBRO to ensure that all the buildings they administer, or intend to acquire, that are 40 years of age or older, are evaluated to determine their level of designation (i.e., classified, recognized or not designated) and heritage character.¹⁰

Some federal buildings have heritage value, while others do not. In the case of “classified” federal heritage buildings – buildings for which the Minister has assigned the highest level of protection – departments are required to consult with FHBRO before undertaking any action that could affect their heritage character. For “recognized” federal heritage buildings – the

⁹ The *Policy on Management of Real Property* is available at <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=12042§ion=text>.

¹⁰ Larry Ostola, Director General, National Historic Sites, Parks Canada, *Committee Proceedings*, 27 April 2010; Marc O’Sullivan, Assistant Comptroller General, Acquired Services and Assets Sector, Treasury Board of Canada Secretariat, *Committee Proceedings*, 17 February 2011.

second-highest heritage designation – departments are required to seek appropriate conservation advice before undertaking any action that could affect their heritage character.¹¹

The FHBRO process does not provide for public input and consultation, however.¹² An advisory committee, including representatives from the owner department, evaluates the buildings against established criteria based on international conservation principles and makes recommendations to the Minister of Environment, who is responsible for the designation of all Government of Canada heritage buildings.¹³

If a building is recommended for designation, a heritage character statement is prepared explaining why the building was designated and which of its physical features must be preserved in order to protect its heritage character. The statement is intended to guide departments as they contemplate changes or interventions (i.e., any action affecting the heritage character of a federal heritage building).¹⁴

For both “classified” or “recognized” federal heritage buildings, interventions are to be guided by the heritage character statement and the *Standards and Guidelines for the Conservation of Historic Places in Canada*, which are based on internationally recognized conservation charters, principles and practices and which were developed to apply to all types of cultural resources.¹⁵ For instance, under the *Standards and Guidelines*, the use of substitute materials (i.e., products used to imitate historic materials) should be used only after all other options for repair and replacement in kind have been ruled out.

FHBRO also concerns itself only with federal buildings with heritage importance that remain operational. The *Policy on Management of Real Property* requires that departments consult with FHBRO on heritage conservation measures before their demolition, dismantling or sale. “Best efforts” must be made to arrange for appropriate alternative uses for designated buildings; however, the Policy does not make a covenant or other form or statutory protection a

¹¹ Parks Canada, FHBRO, “Frequently Asked Questions,” http://www.pc.gc.ca/progs/beefp-fhbro/question_e.asp.

¹² Chris Wiebe, Officer, Heritage Policy and Government Relations, Heritage Canada Foundation, *Committee Proceedings*, 19 October 2010.

¹³ See the Policy on Management of Real Property.

¹⁴ Parks Canada, FHBRO, “Frequently Asked Questions.”

¹⁵ The Standards and Guidelines for the Conservation of Historic Places in Canada are available at: <http://www.historicplaces.ca/en/pages/standards-normes.aspx>.

condition of sale.¹⁶ Once a heritage building leaves the federal inventory, FHBRO's minimal protection ends.¹⁷

The Committee learned that, over time, FHBRO has reviewed 450 or so lighthouses for their heritage character. But only 20 are listed as "classified" and 128 as "recognized."¹⁸ In contrast, almost 70% of lighthouses older than 50 years in the United States have protection under the (US) National Register of Historic Places.¹⁹

Examples given by witnesses of FHBRO-designated lighthouses that are in deplorable condition include: Cape Jourimain (designated as "recognized"), Seal Island ("recognized"), Cape Sable ("classified"), Nottawasaga Island ("classified"), Estevan Point ("classified"), and the iconic Peggy's Cove ("classified"), which the Committee visited in June 2010 and for which a recent DFO assessment of the structure's condition is attached (Appendix 1).

b) National Historic Sites

National Historic Sites (NHS) of Canada are places designated by the Minister of the Environment, on the advice of the Historic Sites and Monuments Board of Canada (HSMBC), as having national interest or historic significance.

There are over 950 National Historic Sites, 167 of which are administered by Parks Canada,²⁰ the Agency that manages the NHS program. The remainder are administered by provincial, territorial or local governments, Aboriginal groups, local heritage groups, the private sector and individual Canadians.

Very few lighthouses are commemorated as National Historic Sites.

DFO is the custodian of seven such lighthouses: Cape Race Lighthouse (NL), Cape Pine Lighthouse (NL), Miscou Island Lighthouse (NB), Cap-des-Rosiers Lighthouse (QC), Île-Verte Lighthouse (QC), Point Atkinson Lighthouse (BC), and Triple Island Lighthouse (BC).

¹⁶ Parks Canada, FHBRO, "Federal Heritage Buildings Under the New Policy on Management of Real Property," http://www.pc.gc.ca/progs/beefp-fhbro/neuf-newb_e.asp.

¹⁷ Carolyn Quinn, Director of Communications, Heritage Canada Foundation, *Committee Proceedings*, 19 October 2010.

¹⁸ Larry Ostola, *Committee Proceedings*, 27 April 2010.

¹⁹ Heritage Canada Foundation, "Background to Bill S-215, An Act to Protect Heritage Lighthouses," <http://www.heritagecanada.org/eng/featured/saved.html>.

²⁰ Parks Canada, "National Historic Sites of Canada – Administered by Parks Canada," http://www.pc.gc.ca/progs/lhn-nhs/recherche-search_e.asp?search=&s=1&province=&sort=.

Five of the 12 lighthouses owned by Parks Canada that are used for various program requirements, such as interpretation and visitor facilities, are National Historic Sites: Cape Spear Lighthouse, Point-au-Père Lighthouse, Bois Blanc Island Lighthouse, Point Clark Lighthouse, and Fisgard Lighthouse.²¹ The Town of Fort Erie is also the owner of one lighthouse with the NSH designation, Point Abino Lighthouse.

Although a National Historic Sites designation helps to focus public attention on a particular site, it provides no legal protection for buildings; these can be demolished or disposed of by the owner.

On the possibility of Parks Canada assuming the ownership of additional lighthouses, officials advised the Committee that the Agency is currently focused on managing its current portfolio of resources and places, and that there are no program requirements for the acquisition of additional lights.²²

c) Lighthouse Divestiture

The Committee heard evidence that, prior to 1995, surplus lighthouse properties were divested according to Treasury Board policy as follows: surplus lighthouse properties were first offered to other federal government departments, provinces, and municipalities, in that order. If no level of government was interested in acquiring a lighthouse property, it was put up for sale by public tender, like any other land sale. No mechanism existed to transfer federal property to a not-for-profit group for a nominal fee.²³

²¹ Parks Canada administers seven other lighthouses that are conventional buildings: Prince Edward Point Lighthouse (ON), Portlock Point Lighthouse (BC), Active Pass Lighthouse (BC), Cape Beale Lighthouse (BC), Pachena Point Lighthouse (BC), and Carmanah Point Lighthouse (BC). There are also two metal towers: the former East Point Lightstation (BC), and the former Flower Pot Island Lightstation (ON). The Agency administers the Battle of the Windmill National Historic Site of Canada (ON), where a windmill has been converted to a lighthouse, and the Mississauga Point Lighthouse (a National Historic Site), which was demolished prior to the War of 1812. Parks Canada, 2 March 2011 response to request for information.

²² Larry Ostola, Director General, National Historic Sites, Parks Canada, *Committee Proceedings*, 27 April 2010.

²³ Barry MacDonald, President, Nova Scotia Lighthouse Preservation Society, *Committee Proceedings*, 11 May 2010.

While the practice of transferring lighthouse properties to community-based interests has since been in effect, until the HLPAs, there was no requirement to provide a list of lighthouse properties for potential alternate ownership.²⁴

d) The Coast Guard's Mandate

Many participants in the Committee's study said that the Department of Fisheries and Oceans, which manages real property for the Canadian Coast Guard (CCG), has no explicit mandate to preserve and manage heritage properties, and that the Coast Guard – a special operating agency of DFO – does not have the resources needed to care for Canada's traditional lighthouses.²⁵

Appearing before the Committee on 13 and 20 April 2010, a few weeks before the HLPAs came into force, George Da Pont, then CCG Commissioner, indicated to the Committee that the Coast Guard views its mandate as providing Search and Rescue (SAR), navigation, icebreaking and other related activities, not heritage protection. From “a purely operational and cost perspective,” the Coast Guard could build more cost-effective metal towers, he said, and “have exactly the same service in terms of the light.” Although not as physically attractive as traditional lighthouses, modern towers would be “the most efficient way to maintain the required service without investing in the rest of the lighthouse infrastructure.”²⁶

The CCG Commissioner further advised the Committee that, in almost all cases, the Coast Guard would just as soon not own or maintain current traditional structures that support active navigation aids.

B. Outline of the HLPAs

1. The Purposes of the Act

All federal lighthouses are subject to the *Heritage Lighthouse Protection Act*, including those that are staffed by lightkeepers. The HLPAs broadly define a “lighthouse” as “a tower or other structure, including its fixtures, that was built to contain, contains, or once

²⁴ Michaela Huard, Assistant Deputy Minister, Human Resources and Corporate Services, DFO, *Committee Proceedings*, 3 March 2011.

²⁵ In Canadian waters, the CCG provides services and navigation aids, including fixed aids such as lighthouses, to support the safe, economical, and efficient movement of ships.

²⁶ George Da Pont, CCG Commissioner, *Committee Proceedings*, 13 April 2010 and 20 April 2010.

contained a beacon light or other signal to warn or guide marine vessels, whether or not it is now in use as an aid to navigation” (section 2).

The Act:

- Applies only to lighthouses in federal ownership (section 4). Lighthouses owned by provinces, municipalities or individuals are not affected.
- Has four main stated purposes (section 3):
 - providing a means for the selection and designation of heritage lighthouses.
 - preventing the unauthorized alteration or disposition of heritage lighthouses.
 - requiring that designated federal heritage lighthouses be reasonably maintained.
 - facilitating the sale or transfer of heritage lighthouses to ensure their public purpose.
- Recognizes that the public has an important role to play in conserving and protecting heritage lighthouses. New mechanisms for public involvement include:
 - a public list of lighthouses that the federal government considers surplus to operational requirements (subsection 8(1)).
 - public nominations (through a petitioning process) of lighthouses to be considered for heritage designation (subsection 7(1)).
 - public notices of transfers or sales of heritage lighthouses (subsection 13(1)).
 - public meetings if heritage lighthouses are considered for sale to private owners (subsection 13(2)).
 - public notices and public meetings if heritage lighthouses are to be demolished (subsections 14(1) and (2)).

2. Administration of the Act

Parks Canada was assigned the responsibility for the implementation of the *Heritage Lighthouse Protection Act* because of its significant expertise in heritage conservation.²⁷

The HLP Act requires that an Advisory Committee be established to advise and assist the Minister responsible for Parks Canada (the Minister of the Environment) on matters relating to heritage lighthouses, including the designation and protection of heritage lighthouses and the establishment of criteria for their designation, alteration and maintenance (section 10). In April 2009, the Minister appointed the Historic Sites and Monuments Board of Canada (HSMBC) as the Advisory Committee.²⁸

The Minister also appointed a Consultative Group to the Historic Sites and Monuments Board of Canada and Environment Minister to represent the grassroots and to advise regarding designations.²⁹ The Consultative Group is chaired by former Senator Pat Carney (retired). The other members include Robert Square (Chair of the Cove Island Lightstation Heritage Association), Barry MacDonald (President of the Nova Scotia Lighthouse Preservation Society), and Peter Noreau (President of the Corporation des gestionnaires de phares de l'estuaire et du golfe du Saint-Laurent).

The role of the HSMBC is to evaluate nominated lighthouses against designation criteria and to consider the advice given by the Consultative Group. The final decision on whether to designate a lighthouse as a “heritage lighthouse” belongs to the Minister.

²⁷ Among the heritage places Parks Canada owns and administers on behalf of Canadians are 167 national historic sites in every province and territory, 42 national parks and four national marine conservation areas. In addition, the Agency administers FHBRO and provides secretariat support for the Historic Sites and Monuments Board of Canada.

²⁸ The HSMBC is composed of representatives from each of the provinces and territories appointed by the Governor in Council, as well as one representative each from Library and Archives Canada and the Museum of Civilization.

²⁹ Larry Ostola, *Committee Proceedings*, 27 April 2010. Under section 11 of the HLP Act, the Minister may consult with any other persons or bodies that the Minister considers appropriate before determining whether a lighthouse should be designated as a heritage lighthouse and whether any related building should be included in the designation.

3. Criteria for the Designation and Conservation of Heritage Lighthouses

The Minister responsible for Parks Canada must establish criteria to take into account in considering whether a lighthouse should be designated as a heritage lighthouse and whether any related building should be included in the designation (paragraph 16(a)). In January 2010, the Minister approved six designation criteria grouped into three themes – historical values, architectural values, and community values.

The HLPAs require that designated heritage lighthouses be maintained and altered in a manner consistent with established conservation standards. In this regard, the Minister must establish criteria and procedures respecting the alteration of heritage lighthouses (paragraph 16(b)), and criteria for their maintenance (paragraph 16(c)), both in keeping with national and international standards for the conservation of heritage properties. The owner of a heritage lighthouse must maintain it in accordance with the criteria (section 15).

In May 2010, the *Standards and Guidelines for the Conservation of Historic Places in Canada* were approved by the Minister as the required criteria and procedures.

4. The Petition Process

The HLPAs provide for a petition process, the mechanism by which the public signals their interest in having particular lighthouses considered for heritage designation.

Petitions must be submitted to Parks Canada and specify the lighthouse and be signed by at least 25 residents of Canada who are 18 years of age or older. The names and addresses of the petitioners must appear on the petition and be received by the Minister responsible for Parks Canada within a two-year petitioning period, from 29 May 2010 to 29 May 2012.

Any 25 interested Canadian residents aged 18 and over can nominate a lighthouse for protection. Petitioners do not have to belong to any particular group (e.g., a lighthouse society), nor do they have to reside in the province in which the lighthouse is located (e.g., someone in British Columbia can sign a petition for a lighthouse in Nova Scotia). There is no obligation on the part of petitioners to acquire a lighthouse. In the case of surplus lighthouses, other persons or bodies may assume ownership of a surplus lighthouse that has been recommended for heritage designation.

In the case of a lighthouse for which no petition is submitted by 29 May 2012 (i.e., within the two-year window), the federal custodian of a lighthouse can dispose of the property after that date. Under the Act, all federally owned lighthouses are eligible for heritage designation, including lighthouses not declared surplus (e.g., staffed lighthouses), those that are National Historic Sites of Canada, and those that belong to Parks Canada.

5. Surplus Lighthouses

The HLPAs contain special provisions concerning the designation of lighthouses deemed to be surplus to federal operational requirements.

Federal ministers who administer lighthouses are required to maintain and make accessible to the public during the two-year petitioning period (from 29 May 2010 to 29 May 2012) a list of all such lighthouses (subsection 8(1)). If a lighthouse being petitioned is identified as surplus to program needs, it will be considered for designation only if a group or person submits a written commitment to acquire ownership of the structure and to protect its heritage character (subsection 8(2)).

A written commitment to acquire ownership of a surplus lighthouse can be made at any time until 2015.³⁰

6. Key Dates

The two-year petitioning period began on 29 May 2010, when the HLPAs came into force. The petitioning period ends on 29 May 2012 (see Table 1). Within five years, or by 29 May 2015, the Minister responsible for Parks Canada must consider all petitions received and determine, taking into account the designation criteria and consultations with the HSMBC, which lighthouses are to be designated (section 7).

By 27 August 2015 (i.e., within 90 days after the expiration of the five-year period), the Minister must publish in the *Canada Gazette* a list of all lighthouses that were considered for designation as heritage lighthouses. For each, the Minister must also indicate whether the lighthouse has been designated (section 9).

³⁰ The written commitment does not have to be made by 29 May 2012, as Parks Canada had previously indicated on its website prior to 14 February 2011.

Table 1 – Timeline

<p>Heritage Lighthouses of Canada Timeline Key Dates</p> <p>May 29, 2008: The Act receives Royal Assent</p> <p>May 29, 2010: The Act comes into force</p> <p>May 29, 2012: Deadline for petition submissions</p> <p>May 29, 2015: Deadline for Minister to consider petitions</p> <p>May 29, 2008 to May 29, 2010 – Development of criteria for the designation of heritage lighthouses; – Establishment of an Advisory Board to assess applications</p> <p>May 29, 2010 to May 29, 2012 – Submission of petitions; – List of surplus lighthouses made available by Government of Canada/federal custodians</p> <p>May 29, 2010 to May 29, 2015 – Consideration of petitions and determination by Minister of which lighthouses are to be designated</p>

Source: Parks Canada, “Timeline” (date modified: 14 February 2011),
<http://www.pc.gc.ca/eng/progs/lhn-nhs/pp-hl/page01.aspx>.

C. The Tourism Potential of Lighthouses

Lighthouses are monuments to Canada’s proud maritime heritage. Many are essential features of the landscape, are integral to the local community’s identity, have significant architectural features, are sources of tourism revenue, and are used in marketing Canadian places as tourist destinations.

Worldwide, increasing attention is being paid to lighthouses as historic buildings, icons of maritime heritage, and tourism attractions. Advances in technology may have lessened their traditional role as navigation aids in some regions, but their potential for tourism development is growing.

According to the Tourism Industry Association of Nova Scotia (TIANS), cultural and historical sites in Canada will become increasingly desirable destinations as historical landscapes and heritage structures continue their rapid disappearance throughout the world.³¹ TIANS impressed on Committee members the fact that lighthouses are a crucial aspect of provincial tourism, worth approximately \$1.82 billion in 2009 mainly because of the province's proximity and relationship to the sea.

The Canadian Tourism Commission (CTC) – Canada's national tourism marketing organization – reports that heritage tourism enthusiasts represent a potential market of 34.5 million Americans and 2.6 million Canadians.³² The Committee also heard people say there is a growing trend toward “experiential travel”: consumers are increasingly seeking travel opportunities that deliver new experiences and satisfy curiosity.

Lighthouses are tourism magnets, and some provincial governments prominently feature them on their travel-related websites. Lighthouses are a Canadian experience featured by the CTC in international tourism campaigns.³³ In many cases, lighthouses represent important economic opportunities for nearby communities. Each is unique, however; no two have exactly the same physical characteristics and condition, ownership, or setting. A number of them are Canadian icons.

One such icon is the staffed DFO lighthouse at Cape Race, which the Committee visited in November 2010. Located on a remote headland on the southern tip of the Avalon Peninsula, the site was designated a National Historic Site of Canada in 1974 in view of its important role in international navigation and wireless communication.³⁴ A museum and interpretation centre was opened there in 2001, and during the summer a local not-for-profit organization, Cape Race–Portugal Cove South Heritage Inc., provides guided tours. Close to 7,000 tourists visit Cape Race each year from June to mid-October.

³¹ TIANS, Brief submitted to the Committee, 3 June 2010.

³² CTC, *Discovering Heritage: Practical Ideas for the Tourism Industry*, March 2004, http://www.corporate.canada.travel/docs/research_and_statistics/product_knowledge/DiscoveringHeritageTourismENG.pdf.

³³ CTC, Brief submitted to the Committee, 3 February 2011.

³⁴ Cape Race was the first landfall for ships sailing from Europe to North America, and was home of the Marconi Wireless Station, a centre for reporting news and where wireless operators heard and relayed *RMS Titanic*'s distress signals as it went down in 1912. Built in 1856, the light tower contains a rare lens that can be seen for 24 nautical miles, making the Cape Race light one of the most powerful in the world.

The Committee also visited Cape Spear lighthouse – the oldest surviving lighthouse in Newfoundland and Labrador – an unstaffed light, operated by Parks Canada, at the most easterly point of land in North America. Designated a National Historic Site of Canada in 1962, Cape Spear was officially opened to the public in 1983. Next to a visitor interpretation centre is an art gallery (a former lightkeeper’s house) owned and operated by the Canadian Coast Guard Newfoundland Region Alumni Association, where over 60 paintings by Leslie Noseworthy of the province’s lighthouses are permanently on display. Up to 5,000 tourists visit the gallery each year and many more at the light itself.³⁵

When in Nova Scotia, the Committee visited the Louisbourg lighttower – the site of Canada’s first lighthouse and of the second-oldest lighthouse in North America – situated on the north side of the entrance to Louisbourg harbour directly across from the fortress.³⁶ The Louisbourg Lighthouse Society would very much like to see Parks Canada take over the tower and promote it as part of the experience of visiting the Fortress of Louisbourg National Historic Site of Canada – the largest reconstructed 18th century French fortified town in North America. (However, as earlier noted, Parks Canada officials advised the Committee that there are no plans for the Agency to acquire additional lighthouses.)

The Committee was made aware in the course of its study that, in some instances, local community interests have breathed new life into their lighthouses by turning them into museums, restaurants, bed-and-breakfast establishments, or other tourist attractions. As early as 1984, the potential for re-use was recognized by communities eager to see their lighthouses preserved.³⁷

This was the case for the community of West Point, Prince Edward Island, a small community of about 100 people on the southwest corner of the Island. The West Point Development Corporation submitted a proposal to DFO that included construction of a 12-room

³⁵ The Alumni are also involved in other ongoing efforts to promote and protect the region’s marine heritage, including the publication of two popular books in partnership with Mr. Noseworthy, *Let There Be Light* and *Sentinels of the Strait*. The Alumni also visit schools in the region to teach children about the evolution of Coast Guard activities throughout history.

³⁶ The Boston Light (1713) is reportedly the oldest. The original Louisbourg lighthouse, a round stone tower, was built by France and first lit in 1734. The structure was destroyed in 1736 when the wooden lantern caught fire. A new stone tower was built in 1738, but was later damaged during the second British siege of Louisbourg in 1758. A third lighthouse built by the British in 1842 burned in 1922. The current lighthouse was constructed in 1923.

³⁷ Barry MacDonald, *Committee Proceedings*, 11 May 2010.

inn, a full-service restaurant and a craft shop. People lent furniture, made quilts, and pitched in with restoration work. Artifacts on loan from the Coast Guard were put on display in the lighthouse, along with interpretive panels explaining the early history of the lighthouse. The Committee also learned that these facilities were recently expanded and renovated, and that a restaurant previously housed in the lighthouse was relocated to a newly created facility on the West Point harbour.³⁸ The venture was said to have contributed greatly to the vitality of the local economy of the community, which views the lighthouse as very much as its own.³⁹

At Cape Forchu, near the Town of Yarmouth, Nova Scotia, the Committee heard that the Municipality of the District of Yarmouth, seeing the tourism potential of the lighthouse site, became involved in an initiative launched by the Friends of the Yarmouth Light to acquire the tower and keeper's dwelling. A business plan and proposal were put together, and after many hurdles and countless hours of volunteer time, the Municipality acquired the lightstation in 2001, entrusting its care to the Friends through a property lease. Today, Cape Forchu is a major tourism draw, attracting thousands of visitors each year.⁴⁰ Memberships, donations, a gift shop, a tea room, and a museum inside the innkeeper's house keep the site going.

Green's Point Lightstation in Passamaquoddy Bay, New Brunswick, was described to us as perhaps the most successful project in that province, an excellent example of what a small community group can accomplish in preserving their lighthouse heritage. In July 2008, the lightstation was turned over to the Green's Point Light Association. The keeper's house is now an interpretive centre/museum. The group also converted a Coast Guard equipment building into a rental cottage, which generates the funds needed to maintain the station.⁴¹

When in Newfoundland and Labrador, the Committee visited Long Point Lightstation in Crow Head, a small outpost town of some 220 residents on Twillingate Island.

³⁸ Ibid. See West Point Lighthouse, <http://www.westpointlighthouse.com/about>.

³⁹ Carol Livingstone, President, Prince Edward Island Lighthouse Society, *Committee Proceedings*, 1 March 2011.

⁴⁰ Friends of the Yarmouth Light Society, <http://www.capeforchulight.com/FriendsoftheYarmouthLightSociety.htm>.

⁴¹ For a more detailed account of the lighthouses in New Brunswick, see Kelly Anne Loughery, Founder, New Brunswick Lighthouse Society (inactive), *Committee Proceedings*, 1 March 2011.

DFO transferred the station to the town in 2005.⁴² With some 40,000 tourists visiting the site each year, the lighthouse was said to be a major tourist attraction in the area, which has a well-developed tourism industry with numerous boat tours, local museums and tourist infrastructure projects. An enclosed passageway connects the lightkeeper's house, foghorn building and lighttower. One of the original dwellings was converted into a craft store, coffee shop and interpretation centre. Interpretive signage, boardwalks, and viewing platforms overlook cliffs, making it an ideal location for viewing icebergs and whales.⁴³

In testimony, Pointe-au-Père lighthouse in Quebec was described to us as a tremendous facility and a great success. Owned by Parks Canada, the site is open for visitors as part of the Site historique maritime de la Pointe-au-Père. Guided tours take visitors to the top of the lighthouse. Across the road, the *RMS Empress of Ireland* shipwreck is documented in the Empress of Ireland Pavilion, and visitors can tour the only submarine open to the public in Canada, the *HMCS Onondaga*.⁴⁴ Parks Canada has a partnership with museum staff to maintain the lighthouse.⁴⁵

In Ontario, the Southampton Marine Heritage Society, a not-for-profit group of volunteers, began, in 1997, a complete restoration of the lightkeeper's cottage at Chantry Island lightstation, an Imperial Lighthouse located on Lake Huron near the community of Southampton, Ontario.⁴⁶ Since 2001, the Society has taken some 12,000 people on boat tours to the Island, which was voted in 2010 as Canada's best hidden gem to visit in the Canadian Tourism Commission's "Locals Know" contest. The Society, which has about 250 volunteers, was able to raise \$770,000 over the years through donations from individuals, fundraisers and activities such as the boat tours.⁴⁷ Besides the lighthouse on Chantry Island, the Society cares for other

⁴² In November 2010, the Committee learned that funding had been received from the Atlantic Canada Opportunities Agency to renovate the lighthouse residence, and that the Twillingate Islands Tourism Association (TITA) had been tasked with identifying a practical and profitable use for the residence that would appeal to even more tourists who visit the site.

⁴³ Long Point Lighthouse, <http://www.twillingate.com/toseedo/museums/>.

⁴⁴ Pointe-au-Père: Site Historique Maritime, <http://www.shmp.qc.ca/index.php?lang=en>.

⁴⁵ Barry MacDonald, *Committee Proceedings*, 11 May 2010.

⁴⁶ In 1855, government commissioned the building of a series of six lighthouses known as Imperial Towers along the coast of Lake Huron and into Georgian Bay.

⁴⁷ For a more detailed account of the group's restoration projects and activities, see Vicki Tomori, Board Member, Southampton Marine Heritage Society, and Mike Sterling, Former Chairman, Southampton Marine Heritage Society, *Committee Proceedings*, 15 February 2011.

structures, including the Saugeen front and rear range lights and McNab Range Lighthouse, which the Society restored in 2008.⁴⁸

The Committee also heard from the Bruce Coast Lighthouse Partners (BCLP), a good example of joint marketing and collaboration that could be replicated in other regions of Canada.⁴⁹

The BCLP meets on a monthly basis to discuss and collaborate on joint marketing initiatives, and to exchange ideas and discuss problems and solutions regarding operations and capital projects. The objectives are to promote the lighthouses on the Bruce Coast as the lighthouse destination of the Great Lakes, to encourage the preservation of lighthouses and associated marine heritage along the Bruce Coast, to encourage the public use of lighthouses and marine heritage facilities and the associated economic benefits, and to encourage information-sharing, networking and professional development within the partnership. Combined, the number of visitors represented by the partnership exceeds 100,000 annually.⁵⁰

In British Columbia, on Saturna Island in the southern Gulf Islands region of the province, an historic fog alarm building at Saturna Island's East Point, was converted to a very successful heritage centre.⁵¹ We were advised that preserving the building had been made possible because the community undertook rehabilitation and maintenance responsibilities, but also because Parks Canada undertook a \$1-a-year, renewable 30-year lease allowing for the volunteer rehabilitation and re-use of the building. The Agency also took responsibility for important environmental cleanup, and was willing to allow a community operation within the Gulf Islands National Parks Reserve. A key to the project's success was said to be the formulation of a concept that resonated with the local population and the government authorities

⁴⁸ [Lighthousefriends.com](http://www.lighthousefriends.com), "Chantry Island, ON," <http://www.lighthousefriends.com/light.asp?ID=1048>. Other projects included a 12-foot range light information kiosk on the main street in Southampton, and a 14-foot lighthouse that travels to promotional events. In 2006, the Society hosted the International Lighthouse Conference at the Bruce County Museum and Cultural Centre.

⁴⁹ The partnership includes representatives from the Southampton Marine Heritage Society, the Kincardine Lighthouse, the Bruce County Museum and Cultural Centre in Southampton, Bruce County Tourism in Wiarton, Cabot Head Lightstation, Cove Island, Flower Pot Island, Lion's Head Light, and Point Clark Lighthouse National Historic Site. For more information see www.brucecoastlighthouses.com.

⁵⁰ See Mike Fair, Treasurer, Bruce Coast Lighthouse Partners, *Committee Proceedings*, 15 February 2011.

⁵¹ "Saturna Heritage Centre, <http://www.saturnaheritage.ca/>.

in the early stages.⁵² This project has enhanced island life, promoted interest in local history, provided opportunities for local talent, and attracted visitors, and it has the potential to be a significant tourism incentive.

Fisgard Lightstation in Colwood, Race Rocks Lightstation near Victoria, and Active Pass (Georgina Point) Lightstation on Mayne Island are other examples in British Columbia, where groups or organizations are currently utilizing station buildings and lands.

The preceding suggests that efforts to promote, preserve and develop local lighthouses are strong in many communities.

A number of sites undoubtedly offer possibilities for development. One example given in testimony is Partridge Island Lighthouse, situated near Saint John, New Brunswick – the site of the first lighthouse in New Brunswick, the first quarantine station in North America (where thousands of immigrants to Canada perished),⁵³ and the first steam fog alarm in the world. Designated as both a national and a provincial heritage site, the Island was described to us as a wasteland where nothing remains but the lighthouse. Today, only vandals and hooligans visit the island.⁵⁴

But, as noted earlier, DFO lighthouses in Canada have received minimal, if any, maintenance, in recent decades, leaving most in various states of disrepair. As a result, local interests may be reluctant to take them over.

⁵² For a more detailed account of the Saturna Island project, see Richard Blagborne, President, Saturna Island Heritage Committee, *Committee Proceedings*, 23 November 2010.

⁵³ The quarantine station on Partridge Island pre-dates that on Ellis Island in the United States.

⁵⁴ Kelly Anne Loughery, *Committee Proceedings*, 1 March 2011.

MAIN IMPLEMENTATION ISSUES SO FAR

A. Surplus Lighthouses

1. Operating “Active” Lights

Under the HLP, federal ministers who administer lighthouses are required to maintain and make accessible to the public during the two-year petitioning period a list of all lighthouses they consider surplus to operational requirements (subsection 8(1)).

Pursuant to the Act, DFO published, on 27 May 2010,⁵⁵ a list of 975 surplus “lighthouses” – structures that the Coast Guard wishes to eventually replace with easier-to-maintain metal towers.⁵⁶ Most of the lighthouses under DFO’s custodianship were declared surplus, including 487 active operating lights. This action by the Department had not been contemplated by the original sponsors of the legislation, and came as a shock to coastal stakeholders.

As for Parks Canada, none of the lighthouses it owns was deemed to be surplus to program needs.

DFO has since revised its list of active and inactive surplus lights (on 1 March 2011) in view of inaccuracies⁵⁷ and because the lighthouses contained in the list were not representative of the types of buildings and structures that communities have expressed interest in protecting. Some lighthouses had been wrongly identified with respect to their location in a particular province, skeleton towers and lighthouses that had already been transferred to community groups were included, and some lights were listed in places where there is no lighthouse building.⁵⁸

There are currently 541 lighthouses on DFO’s surplus list: 68 are inactive and 473 are active, operating lights.⁵⁹ Among the active lighthouses not on the list are Canada’s 51 remaining staffed lighthouses.⁶⁰

⁵⁵ Michaela Huard, 3 March 2011.

⁵⁶ DFO, “*Heritage Lighthouse Protection Act* Implementation: Frequently Asked Questions,” May 2010, <http://www.dfo-mpo.gc.ca/media/infocus-alaune/2010/02/lighthouse-phare-faq-eng.htm>.

⁵⁷ DFO’s revised list of active and inactive lighthouses can be viewed at: <http://www.dfo-mpo.gc.ca/media/infocus-alaune/2010/02/index-eng.htm>.

⁵⁸ Nova Scotia Lighthouse Preservation Society, “Preservation: The Passage of the Act,” <http://www.nslps.com/ResearchPres/lighthouse-protection-act.aspx>.

⁵⁹ Under the HLP, there is no requirement that custodial departments make accessible to the public lists of non-surplus lights. Non-surplus lighthouses are not listed on the websites of DFO or Parks Canada.

Under the HLPAs, the alteration and maintenance criteria and procedures approved by the Minister responsible for Parks Canada in May 2010 (i.e., the *Standards and Guidelines for the Conservation of Historic Places in Canada*) are binding on federal custodians of heritage lighthouses.⁶¹ Subsection 8(2) of the Act allows surplus lighthouses to be designated as heritage lighthouses only if a person or body submits a written commitment to acquire them and protect their heritage character in the event that they are designated.

The Committee heard evidence from the sponsors of Bill S-215 – former Senator Pat Carney, Chair of the Consultative Group on the Heritage Lighthouse Protection Act,⁶² and Senator Lowell Murray – and from the Heritage Canada Foundation, which strongly supported the Bill,⁶³ that DFO had completely distorted the heritage purposes of the HLPAs and undermined its intent. For these reasons, they wished to see active lighthouses removed from DFO’s surplus list. We were advised that:

- The HLPAs had been designed to protect *federally owned* lighthouses and to replace DFO’s practice of demolishing surplus lighthouses with more constructive uses by communities.
- Subsection 8(2) in the Act acknowledged the fact that DFO had no interest in continuing to invest in lighthouses that were no longer serving as navigation aids.
- The expectation was that DFO would put out a short list of surplus lighthouses for consideration by community groups, who would then decide whether to pursue the matter of having them designated for heritage purposes.
- Although a component of the HLPAs, lighthouse divestiture was never the principal intent. Federal policy had already provided for local or community-based interests to take control of lighthouses.

⁶⁰ The 51 staffed lightstations were not put on DFO’s surplus list, pending the outcome of the Committee’s review on staffing. The Committee tabled its report, *Seeing the Light: Report on Staffed Lighthouses*, on 20 December 2010.

⁶¹ Parks Canada, “Heritage Lighthouses of Canada: Conservation of Heritage Lighthouses,” <http://www.pc.gc.ca/eng/progs/lhn-nhs/pp-hl/page07.aspx>.

⁶² The Honourable Pat Carney, Former Senator, Chair of the Consultative Group on the Heritage Lighthouse Protection Act, *Committee Proceedings*, 23 November 2010.

⁶³ Carolyn Quinn, Director of Communications, and Chris Wiebe, Officer, Heritage Policy and Government Relations Committee, Heritage Canada Foundation (HCF), *Committee Proceedings*, 19 October 2010. See also Natalie Bull, Executive Director, HCF, Letter to the Chair of the Standing Senate Committee on Fisheries and Oceans, 5 July 2010, <http://www.heritagecanada.org/eng/featured/LettertoSenatorRompkeyJuly52010.pdf>.

- “Active” operating lighthouses should not have been designated “surplus” because, by definition, they are currently fulfilling operational requirements.

By declaring active and operating lighthouses surplus, DFO has in effect shifted the responsibility and financial burden of preserving and maintaining most of Canada’s lighthouses from the Department to their potential new owners.

DFO’s rationale for declaring active lighthouse properties surplus to operational needs is attached (Appendix 2). The Department makes a distinction between the real estate of a lighthouse (i.e., the land, the tower and associated infrastructure) and the lights that operate inside the lantern, and has extended the department’s practice of transferring lighthouses to other parties while allowing the Coast Guard continued access to the lights in order to ensure their continued operation.

For each lighthouse declared surplus, a heritage designation under the HLP Act is contingent on groups and individuals acquiring ownership. For surplus lighthouses with active navigation aids that must remain operational, the following stipulations (that do not appear in the Act) apply:

- The potential owner must submit a business plan showing that the proposed use of the property will be economically viable over the long term, and that the potential owner has the capacity to manage the property.⁶⁴
- Five-year financial estimates must be submitted, detailing revenue and expense projections and demonstrating the proposal’s viability.
- Complementary uses such as a restaurant or a museum may be permitted at the sites in order to generate revenue to cover maintenance costs.
- An agreement must be entered into with DFO allowing the Department access to the site for the maintenance and operation of the navigation aids.⁶⁵

As for Parks Canada, its primary responsibilities under the HLP Act involve enabling and receiving public petitions, and preparing heritage research in support of the Historic Sites and Monuments Board of Canada so that the latter can advise the Minister responsible for

⁶⁴ The business plan is different from the written commitment to buy or otherwise acquire a lighthouse (section 8(2) of the HLP Act).

⁶⁵ See DFO, “*Heritage Lighthouse Protection Act Implementation: Heritage Lighthouses of Canada*,” May 2010, <http://www.dfo-mpo.gc.ca/media/infocus-alaune/2010/02/index-eng.htm>. DFO has developed a guide for developing a business plan, which can be accessed at: <http://www.dfo-mpo.gc.ca/media/statement-declarations/2010/20100611-eng.htm>.

Parks Canada with respect to heritage designations. The Committee recently learned that this research, which is contracted out, is conducted only after Parks Canada has received an indication from DFO that a viable business plan has been received.⁶⁶

By placing active lighthouses on the surplus list, DFO has made the heritage designation for most lighthouses contingent on an offer to acquire ownership. But once ownership is transferred, non-federal owners of heritage lighthouses will not be legally bound by the Act to follow the conservation criteria set out in the *Standards and Guidelines*.⁶⁷

The HLPAs, however, requires that any sale or transfer of a heritage lighthouse provide for the protection of its heritage character. This can be achieved, we were advised, through a clause in the sale agreement (e.g., heritage easement or covenant) or by some other mechanism. Protection can also be made under provincial heritage laws.⁶⁸ Some participants in our discussions suggested that all lighthouses leaving the federal inventory (for whatever reason) should have their heritage character federally protected, as is the case in the United States.⁶⁹

2. Treasury Board Policy

The Committee heard evidence that DFO's inclusion of active lighthouses on its surplus list could bog down the HLPAs to the point of being unworkable. It is also unclear as to what will happen to surplus lighthouses not taken over by groups or individuals under the Act.

Treasury Board policy requires that custodial departments divest themselves of surplus properties. Under the *Directive on the Sale or Transfer of Surplus Real Property*, federal

⁶⁶ Parks Canada had previously indicated to the Committee on 27 April 2010 that the Agency would inform DFO if any petitions had met the heritage criteria and had been recommended for designation. DFO would then inform Parks Canada when a satisfactory written commitment to acquire and protect the lighthouse in question was obtained. Larry Ostola, *Committee Proceedings*, 27 April 2010 and 17 February 2011.

⁶⁷ Parks Canada, "Heritage Lighthouses of Canada: Conservation of Heritage Lighthouses."

⁶⁸ Larry Ostola, *Committee Proceedings*, 17 February 2011.

⁶⁹ The (US) National Historic Lighthouse Preservation Act of 2000 requires that sales or transfers include designation of the heritage structure, maintenance according to heritage standards, and provisions for public access to the site, and there is a stipulation that property reverts to federal ownership if these requirements are not met. Carolyn Quinn, *Committee Proceedings*, 19 October 2010.

custodians of surplus real property “shall conclude the sale or transfer of properties within three years of formal notification of the property being surplus to program requirements.”⁷⁰

In the case of a lighthouse for which no petition is submitted before 29 May 2012, DFO officials advised the Committee that the Department can dispose of the structure after that date, and that the aim is to dispose of such properties within three years.⁷¹ That said, they also indicated to us that many of the active lighthouses on DFO’s surplus list have been managed as active disposal projects for many years, such as the lighthouse at Peggy’s Cove, which was declared surplus in 2000 further to an expression of interest from the province of Nova Scotia.⁷²

A concern frequently expressed to the Committee is that Canadians stand to lose public access to large portions of the coastline if developers or private interests (as opposed to community groups) are eventually allowed to take over lighthouse properties.

For surplus lighthouses with active lights (most of DFO’s surplus lights), DFO advised the Committee that:

- The Department has the authority to transfer them to designated priority interest groups, such as municipalities or not-for-profit heritage conservation groups, for a nominal value of \$1.
- The fair-market-value principle will apply in the case of private organizations (e.g., private, for-profit businesses) or individuals.⁷³
- While the two-year HLPAs petitioning period is in effect, the Department is not considering applications for private use.⁷⁴

For surplus lighthouses outside of the HLPAs, the regular lighthouse divestiture program remains an option.⁷⁵ The Committee heard that the DFO was very much focused on

⁷⁰ Government of Canada, *Directive on the Sale or Transfer of Surplus Real Property*, para. 6.1, <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?evttoo=X&id=12043§ion=text>. The Treasury Board, a Cabinet committee, is responsible for accountability and ethics, financial, personnel and administrative management, comptrollership, approving regulations and most Orders-in-Council. The Treasury Board is supported by the Treasury Board Secretariat.

⁷¹ Michaela Huard, *Committee Proceedings*, 3 March 2011.

⁷² Ibid.

⁷³ Andrew Anderson, Senior Divestiture Analyst, Real Property, Long Term Capital Management, DFO, *Committee Proceedings*, 3 March 2011. In instances where lighthouse properties are fully transferred to a group for \$1, there will be a clause in the transfer agreement establishing the market value of the property at the time of the transfer. If the property were to be re-sold within a specified time frame for a profit, the Department would then be able to claw back that amount (the original market value of the property).

⁷⁴ Ibid.

nominal value transfers for heritage conservation purposes, and that the Department had not transferred or sold any lighthouses on the open market to private individuals in many years. But there is no formal assurance that transfers will continue to be made to community-based interests, as has been the practice in the past.

Operating agreements through leases could be offered to groups wishing to establish complementary uses (e.g., restaurants, bed-and-breakfast establishments, and interpretation centres), but DFO's priority, we were told, "is to divest the property in accordance with Treasury Board policy."⁷⁶ An agreement (e.g., a lease) allowing the alternative use of a lighthouse site could be terminated by an eventual transfer of ownership.⁷⁷

The Committee also heard that there are tenure conflicts in British Columbia. Some lighthouses are not on federal land, or they are deemed to be on federal land only if they are used as lighthouses. Some sites may infringe on Aboriginal claims.

The 2006 *Directive on the Sale or Transfer of Surplus Real Property* stipulates that:

Prior to seeking an indication of interest in the surplus property, custodians shall ensure they can provide interested parties with sufficient information, in the following minimum areas, to allow them to make an informed decision within the timeframes allowed: a) legal risk analysis on title, including whether a duty to consult with Aboriginal groups exists; b) the property's environmental and physical condition; c) archaeological and heritage findings; d) risk to wildlife habitat; and e) market value of the property.⁷⁸

DFO advised the Committee that, "for a substantial portion" of the lighthouses on the surplus list, "a lot of the environmental work and survey and title work has already been completed" because many of them have been managed as active disposal projects for many years."⁷⁹

Given their strategic location along Canada's main waterways, one witness, the Honourable Pat Carney – a former president of the Treasury Board – wished to see any lightstation that could be used in criminal or terrorist activities and thus presents national security

⁷⁵ Marc O'Sullivan, *Committee Proceedings*, 17 February 2011; Michaela Huard, *Committee Proceedings*, 3 March 2011.

⁷⁶ Andrew Anderson, *Committee Proceedings*, 3 March 2011.

⁷⁷ DFO, "Heritage Lighthouse Protection Act Implementation: Frequently Asked Questions," May 2010.

⁷⁸ Government of Canada, *Directive on the Sale or Transfer of Surplus Real Property*, para. 6.4, <http://www.tbs-sct.gc.ca/pol/doc-eng.aspx?evttoo=X&id=12043§ion=text>.

⁷⁹ Andrew Anderson, *Committee Proceedings*, 3 March 2011.

concerns removed from DFO's surplus list.⁸⁰ She pointed out in her presentation to the Committee that there are specific Treasury Board provisions in the *Guide to the Management of Real Property* on the consideration of possible danger to the public that could result from the sale of federal real properties, such as special-purpose reinforced structures.⁸¹

DFO officials advised the Committee that security assessments are a part of pre-disposal due diligence, and thus assessments had not yet been done for most lighthouses declared surplus. Security concerns had not been an issue in previous lighthouse disposals, they said, and Treasury Board policy on security is typically oriented toward properties of a bunker-type or reinforced nature, such as a penitentiary or a military installation, and not lighthouses.⁸²

B. Uncertainty

For each of the 473 active lighthouses on DFO's surplus list, a heritage designation under the HLPAs is contingent on groups and individuals acquiring ownership. Potential new owners must submit to the Department a business plan showing that their proposed use of the properties will be economically viable over the long term. In the case of a lighthouse for which no petition is submitted before the 29 May 2012 deadline, DFO may proceed with disposal.⁸³

Of the 473 active lighthouses on DFO's active surplus list, a number are iconic landmarks designated by the Federal Heritage Building Review Office (FHBRO) as heritage buildings. These include Race Rocks lighthouse (BC, designated by FHBRO as recognized), Cape Sable lighthouse (NS, classified), Louisbourg lighthouse (NS, recognized), Low Point lighthouse (NS, recognized), Peggy's Cove lighthouse (NS, classified), Point Amour lighthouse (NL, classified), Point Prim lighthouse (PEI, classified), and Chantry Island lighthouse (ON, classified), to name only a few.

Some operating lights on DFO's surplus list are not only designated federal heritage buildings, but are also National Historic Sites of Canada:

⁸⁰ The Honourable Pat Carney, *Committee Proceedings*, 23 November 2010.

⁸¹ Treasury Board of Canada Secretariat, *Guide to the Management of Real Property*, pp. 63–64, <http://www.tbs-sct.gc.ca/rpm-gbi/doc/gmrp-ggbi/gmrp-ggbi-eng.pdf>.

⁸² Andrew Anderson, *Committee Proceedings*, 3 March 2011.

⁸³ Treasury Board policy requires that custodial departments divest themselves of surplus properties within three years of declaring real property as being surplus to program requirements.

- Cap-des-Rosiers lighthouse (QC, classified), Canada’s tallest lighthouse, built in 1858.
- Île-Verte lighthouse (QC, classified), the first navigation aid on the St. Lawrence River and third oldest lighthouse in Canada, built in 1809.
- Sambro Island lighthouse (NS, classified), the oldest continuously operating lighthouse in North America, built from 1758 to 1760 at the far outer reaches of Halifax Harbour. A government lottery raised the necessary money for its construction.
- Cape Pine lighthouse (NL, recognized), the first in a series of special structures associated with the development of safe trans-Atlantic navigation, built in 1851.
- Miscou Island lighthouse (NB, recognized), a rare octagonal, tapered, wooden lighthouse, built in 1856.
- Point Atkinson lighthouse (BC, recognized), a hexagonal reinforced concrete tower and the first of three lighthouses to serve the Port of Vancouver, built in 1912.⁸⁴

Basically, DFO would like to remove these historic buildings from its inventory. What will happen to these lights if no one steps forward to take them over? Will they eventually fall victim to “demolition by neglect”?⁸⁵ Will they be sold on the open market?

As at 17 February 2011, Parks Canada had received 40 petitions, which were mostly for lighthouses in Ontario and which represented a fraction of the 541 lights on DFO’s surplus list.⁸⁶ Judging from what we heard at our meetings, there is a very strong sentiment across the country for their preservation. Lighthouses are very important to Canadians. The question naturally arises: Why have so few nominations come forward?

One possible reason is that some lights may lack visual appeal: not all fit the evocative “postcard” image of a lighthouse. Of the rest, some might not be important enough in local tradition to arouse interest, or the public might not be fully aware of or understand the process for nominating and designating lighthouses under the HLPAs, or realize the potential long-term implications of inaction. Some may be too remote, and thus lack a surrounding community to take an active interest. Island sites present special challenges in terms of accessibility.

⁸⁴ Parks Canada, “Canada’s Historic Places,” <http://www.historicplaces.ca/en/home-accueil.aspx>. Cape Race lighthouse (recognized, built from 1906 to 1907) and Triple Island lighthouse (recognized, built from 1919 to 1920) are two staffed facilities that are also National Historic Sites of Canada.

⁸⁵ The Honourable Pat Carney, *Committee Proceedings*, 23 November 2010.

⁸⁶ Larry Ostola, *Committee Proceedings*, 17 February 2011.

Of the 40 petitions submitted, only three were from British Columbia, where lighthouses tend to be located in isolated areas along the coast. Along the East Coast, by contrast, lighthouses are generally accessible by road and are a more visible part of the landscape. In Prince Edward Island, for instance, there is one lighthouse for every 34 square miles, and all but four are accessible by car.⁸⁷ The Committee learned that the B.C. government wished to see more lighthouses nominated, and was in the process of identifying the reasons why so few petitions had been submitted to Parks Canada.⁸⁸

Parks Canada informed that Committee that it had developed a number of tools to help the public nominate the lighthouses they feel are worthy of designation, including program brochures, a website launched in the fall of 2009, a nomination package containing essential information, instructions on how to submit a petition and a petition template.⁸⁹ The Committee learned that officials had also attended community meetings in Nova Scotia to inform interested citizens about the HLP, that meetings were about to take place in Prince Edward Island,⁹⁰ and that similar meetings were being planned elsewhere in the country in concert with the Consultative Group to the Historic Sites and Monuments Board of Canada and Environment Minister, representing the grassroots.⁹¹

A Heritage Lighthouse Working Group comprising of provincial directors or other representatives of heritage programs with participation by Parks Canada staff has also been created to provide a format for collaboration and the sharing of information pertaining to the Act on a national basis.⁹²

DFO officials, for their part, advised the Committee that the Department's regional real property officials were provided with tools, guidance and information to assist

⁸⁷ Carol Livingstone, *Committee Proceedings*, 1 March 2011.

⁸⁸ Among other things, the provincial government decided to undertake research in collaboration with the Land Conservancy of BC. A questionnaire was distributed to local or regional governments with lighthouses within their jurisdictions to determine the level of community interest in having lighthouses designated under the Act, and in taking control of them.

⁸⁹ The nomination package is available at <http://www.pc.gc.ca/eng/progs/lhn-nhs/pp-hl/page03.aspx>.

⁹⁰ Larry Ostola, *Committee Proceedings*, 27 April 2010 and 17 February 2011.

⁹¹ Norman Shields, Manager, Heritage Lighthouse Program, Parks Canada, *Committee Proceedings*, 3 March 2011.

⁹² Pam Copley, *Committee Proceedings*, 15 February 2011.

groups making petitions; these resources include a website, a business case template,⁹³ and a regional contact list.

The Heritage Canada Foundation, we also learned, was in the process of developing new sections of its website on the subject of lighthouse preservation, including case studies of successful renovations, restorations or alterations, showing the process that took place, the fundraising opportunities, how campaigns were prepared, what proved successful and what did not work, and the elements that can link communities together on projects.⁹⁴

The re-use of heritage lighthouses and related buildings is in its infancy. The people we spoke to said that local communities were struggling to understand the challenges and opportunities afforded by the HLPAs. In this regard, there was a great deal of support at our meetings for the development of a generic template to assist communities in assessing the value and costs of re-using lighthouse sites. A guidebook on the care and maintenance of lighthouse buildings and equipment to assist prospective new owners before they acquire a lighthouse was also suggested.⁹⁵

Lastly, potential owners of surplus lighthouses may have decided not to proceed with organizing a petition because of the restoration costs. As earlier mentioned, many lighthouses in Canada are in poor condition, or in a state of serious decay.

C. Funding

Matters respecting funding were foremost on people's minds at our meetings.

The Committee heard testimony that DFO's inclusion of so many lighthouses on the surplus list, including 473 active lights, had not been contemplated by the sponsors of the HLPAs, and that this action by DFO had created a big funding problem for local groups and communities, who are now expected to assume the ownership, financial burden and responsibility for preserving and maintaining Canada's traditional lighthouses, many if not most of which are in a poor state of repair.

⁹³ Michaela Huard, *Committee Proceedings*, 3 March 2011. See DFO, "Heritage Lighthouse Protection Act Implementation: Heritage Lighthouses of Canada," May 2010. DFO's guide for developing a business plan can be accessed at: <http://www.dfo-mpo.gc.ca/media/statement-declarations/2010/20100611-eng.htm>.

⁹⁴ Carolyn Quinn, *Committee Proceedings*, 19 October 2010.

⁹⁵ Carol Livingstone, *Committee Proceedings*, 1 March 2011.

The HLPAs, since it was a Senate Private Member's bill, provides no funding for the restoration of lighthouses, the maintenance of their heritage character, or their ongoing operations. Although government does fund non-profit organizations for community-based projects,⁹⁶ assistance, whether federal or provincial, would depend on the specifics of the proposed activity for each lighthouse project, on a case-by-case basis.

The evidence heard by the Committee suggests that local governments do not have the capacity or financial resources to support the long-term operation of lighthouses on their own. Provincial governments, for their part, are worried they may end up having to bear the costs associated with lighthouse properties within their jurisdictions.

Officials from the provinces of British Columbia and Newfoundland and Labrador told us they favoured the re-use of lighthouses that serve as business ventures (restaurants, bed-and-breakfast establishments), rather than as museums or other non-profit uses that might create a need for ongoing provincial or local government support for operations. The province of British Columbia, the Committee learned, planned to work with community groups in developing project proposals, and preferred that the re-use of lighthouse buildings would focus on projects that align with priorities related to tourism development.⁹⁷

Small structures may be within the capacity of local community groups to operate. But a major worry expressed to the Committee is that, for many of the larger lighthouse sites, what is required in terms of their restoration and upkeep is beyond their ability or means.

One example given in testimony is Cove Island lightstation, a FHBRO "classified" federal heritage building, located in Fathom Five National Marine Park, on the Bruce Peninsula, between Lake Huron and Georgian Bay. Designating the lighthouse as a heritage lighthouse under the HLPAs would involve acquiring and maintaining almost 30 acres of land and ten buildings by the local volunteer group, the Cove Island Lightstation Heritage Association.⁹⁸

Although the lighthouses on DFO's surplus list may represent attractive economic opportunities for the communities in which they are located, local interests are reluctant to take

⁹⁶ A list of national, provincial, community and regional funding sources available in Canada compiled by the Heritage Canada Foundation can be found at: <http://heritagecanada.org/eng/links/fund.html>.

⁹⁷ Pam Copley, *Committee Proceedings*, 15 February 2011.

⁹⁸ The Honourable Pat Carney, *Committee Proceedings*, 23 November 2010; Mike Fair, *Committee Proceedings*, 15 February 2011.

them over because of the costs involved (Table 2) and because no help in the form of assistance specifically targeted toward heritage lighthouses has been offered by the federal government.⁹⁹ Fundraising to cover the costs associated with the ongoing maintenance of lighthouses was said to have already proven to be a difficult and arduous task.

Table 2 – Potential Expenses and Sources of Revenue

Potential Sources of Revenue	Potential Expenses
<ul style="list-style-type: none"> • Site admissions • Charitable donations • Government funding • Funding from non-governmental organizations • Leases to third party service providers • Site rental for private functions 	<ul style="list-style-type: none"> • Taxes • Heating/cooling • Electricity • Water/sewer • Cleaning • Landscaping/site maintenance • Insurance • Security • Maintenance and repairs • Capital Improvement Sinking Fund • Marketing/advertising • Accounting/professional services • Management/salaries

Source: DFO, “*Heritage Lighthouse Protection Act Implementation: Guide to Preparing a Business Plan Acquiring a Surplus Lighthouse*,” May 2010.

In May 2010, DFO made it known that it would not be funding any repairs prior to any transfer, other than for minor site and building improvements during the transfer process for surplus lighthouses, on a case-by-case basis.¹⁰⁰ DFO officials indicated to the Committee that the Department is able to commit only limited funding to improve the condition of lighthouse properties; the Department has a very small program of approximately \$1 million called “Invest to Divest.”¹⁰¹

⁹⁹ Larry Ostola, *Committee Proceedings*, 27 April 2010.

¹⁰⁰ DFO, “*Heritage Lighthouse Protection Act Implementation: Frequently Asked Questions*,” May 2010.

¹⁰¹ Michaela Huard, *Committee Proceedings*, 3 March 2011.

Restoring run-down structures can be a costly proposition, however. In this regard, the Committee was made aware that lighthouse preservation will require more than the restoration of buildings; some towers are very close to eroding shorelines.

One example is Low Point lighthouse, on the east side of the entrance to Sydney Harbour, Cape Breton, which the Committee visited in June 2010. The Sydney Harbour Fortification Society, which operates a nearby museum,¹⁰² plans to eventually turn the lighthouse and keeper's dwelling into a tourist attraction. The tower – a FHBRO “recognized” federal heritage building – stands prominently near the water's edge, however, and erosion of the bank is visibly threatening its foundation. Unless a new breakwater is installed, we were advised, it is only a matter of time before this large, historic, octagonal concrete tower will topple over.

Another example where restoration will require more than a simple restoration is the lighthouse in the town of Grand Bank, a small rural town on the southern tip of the Burin Peninsula in Newfoundland and Labrador. Built in 1922, the light, an active navigation aid and a symbol of the community's rich maritime heritage, stands on a pier that is crumbling.

The Committee also heard that some lighthouse sites may be contaminated with lead from paint, the mercury once used to help rotate lights, and the diesel fuel that ran generators, and people wanted assurances that the properties are environmentally clean and safe before being taken over by community groups.

The establishment of a special trust fund for the restoration of Canada's lighthouses was brought up time and again at our meetings. The views we heard were overwhelmingly in favour of a funding strategy to provide for a portion of the financial support required, and to assist local groups and communities.

Although volunteers can do an enormous amount of work, it was impressed on us repeatedly that there is a great need to create a source of funding in support of their efforts.

1. A “Save Canada's Lighthouses Fund”

Appearing before the Committee on 19 October 2010, representatives of the Heritage Canada Foundation informed the Committee that the Foundation's board of directors

¹⁰² The Society was formed in 1990 to protect and preserve the heritage related to the coastal defences at nearby Fort Petrie. The first lighthouse was established at Low Point in 1832. The current tower was built in 1938.

had discussed the creation of a special fund that would be directed to a specific type of building, such as lighthouses.¹⁰³

Established by the federal government in 1973 as “National Trust,”¹⁰⁴ the Foundation is very familiar with lighthouse preservation issues,¹⁰⁵ has been a strong supporter of the HLPFA and worked to see the legislation passed into law in 2008.¹⁰⁶

More recently, the Foundation proposed to the Committee that a “Save Canada’s Lighthouses Fund” be established to raise awareness, attract private donations, and solicit corporate support. The HCF suggests that funds raised from private donations and corporate sponsors be matched by a federal contribution (see Appendix 3). The key characteristics of the HCF’s proposal include:

- A national focal point for raising awareness, attracting private donations and soliciting corporate support.
- The ability for donors to direct their gift to specific lighthouse(s).
- Leadership and profile via a Campaign Committee composed of high-profile supporters from Canada’s corporate and cultural sectors.
- The support of HCF’s Patron the Governor General of Canada, and HCF’s Board of Governors.
- An integrated web, social media, magazine and television presence.
- Expert screening of proposed projects by a Lighthouse Advisory Panel created to include representation from key lighthouse organizations, Parks Canada and specialists in all provinces where there are lighthouses.
- Federal seed funding to help launch the Fund.
- Federal matching funds to leverage private and corporate support.

¹⁰³ Carolyn Quinn, *Committee Proceedings*, 19 October 2010.

¹⁰⁴ At that time, the words “National Trust” were controlled by a financial institution, so that the HCF could not legally take the mark “National Trust.”

¹⁰⁵ The HCF is a non-profit organization to “preserve and demonstrate and to encourage the preservation and demonstration of the nationally significant historic, architectural, natural and scenic heritage of Canada with a view to stimulating and promoting the interest of the people of Canada in that heritage.” HCF, “Who We Are,” <http://www.heritagecanada.org/eng/about/who.html>.

¹⁰⁶ Carolyn Quinn, *Committee Proceedings*, 19 October 2010.

CONCLUSION AND RECOMMENDATIONS

The Committee heard compelling evidence that, by including active, operating lighthouses on its surplus list, DFO had distorted the heritage purposes of the *Heritage Lighthouse Protection Act*, had undermined its intent, and had created a great deal of uncertainty in the HLP process. As a result, local groups and communities are now expected to assume the ownership, financial burden and responsibility for preserving and maintaining most of Canada's traditional lighthouses. Many if not most of these groups do not have the resources to pay for the restoration and upkeep of lighthouses that have fallen into a state of neglect.

Canada's historic lighthouses therefore remain at risk.

DFO, the custodian of these heritage structures, does not view heritage as part of its mandate, and the Coast Guard would prefer not to own traditional lighthouses that support active navigation aids, but rather, to replace them with more cost-effective beacons on modern towers – “lights on a stick.”

In the case of a lighthouse for which no petition is submitted before 29 May 2012, DFO officials advised the Committee that the Department can dispose of the structure after that date, the aim being to dispose of such properties within three years, and that there is no formal assurance that transfers will continue to be made to community-based interests, as has been the practice in the past.

However, the evidence suggests that community groups partnering with DFO can carry out maintenance and other activities around lighthouses in an economical way, for much less than the amount the federal government would pay for the same job.

Small structures may be within the capacity of local community groups to operate. But a major worry expressed to the Committee is that larger lighthouse sites with historical significance (and worthy of designation under the Act) may be beyond their ability or means to restore and/or maintain, thus placing the future of these lights in jeopardy.

There are currently 541 lighthouses on DFO's surplus list. For each, a heritage designation under the HLP is contingent on groups and individuals acquiring ownership. That these federally owned structures have heritage value is undeniable. Of the 473 active lights declared surplus, several are landmarks designated by the Federal Heritage Building Review Office as federal heritage buildings. Some are even National Historic Sites of Canada.

What will happen to these iconic lighthouses if no one steps forward to take them over?

People are very passionate about preserving their local lighthouses. Dedicated volunteers across the country have worked tirelessly over the years to preserve them.

But, as at 17 February 2011, Parks Canada had received petitions for a heritage designation under the Act for only 40 lighthouses, representing only a fraction of DFO's "surplus." There are a number of potential reasons why so few nominations have come forward, but the evidence suggests that the main one is related to costs. Many lighthouses in Canada are in poor condition, or in a state of serious decay, and no help in the form of assistance specifically targeted toward heritage lighthouses has been offered by the federal government.

DFO, for its part, will not be funding any repairs prior to any transfer, other than for minor site and building improvements during the transfer process, on a case-by-case basis. The Department has committed only very limited funding to improve the condition of such properties (\$1 million). Meanwhile, Canada's lighthouses continue to deteriorate. In the Committee's view, turning over to a community a property in a desperate state of disrepair is simply not reasonable or fair.

The establishment of a special trust fund for the restoration of Canada's lighthouses was frequently brought up in our deliberations. The views we heard were overwhelmingly in favour of a funding strategy that would assist local groups and communities in their efforts by providing a portion of the financial support required.

The Heritage Canada Foundation very recently proposed to the Committee that a "Save Canada's Lighthouses Fund" be established to raise awareness, attract private donations, and solicit corporate support. The HCF suggests that funds raised from private donations and corporate sponsors be matched by a federal contribution, which the Committee sees as a first step in the right direction, an initiative that could play an important role in protecting Canada's historic lighthouses for future generations.

The Foundation appears to us as the ideal vehicle to spearhead a national fundraising campaign. The HCF is the only national organization working to protect Canada's

historic places.¹⁰⁷ The HCF is very familiar with lighthouse preservation issues, and has (among other things) charitable status, a high-profile patron in the Governor General of Canada and a national communications network.

Canada does not have a national lighthouse association or foundation. In the United States, the American Lighthouse Foundation (ALF)¹⁰⁸ works to save and preserve that country's historic lighthouses and their rich heritage. The United States Lighthouse Society (USLS), a non-profit historical and educational organization, also educates and informs those who are interested in lighthouses, past and present.¹⁰⁹ Maybe the time is right for lighthouse preservation groups in Canada to consider establishing their own national lighthouse organization.

This report on the implementation of the HLPAs is very much a snapshot in time. Many questions surround the HLPAs process and the specifics of the individual lighthouses in various parts of country, and the Minister responsible for Parks Canada has until 29 May 2015 to announce which lighthouses have been designated heritage lighthouses.

Efforts to preserve and develop local lighthouses are strong in many communities, but there are many lighthouses in Canada. At the end of the day, not all of Canada's lighthouses will be protected. But we can certainly try to preserve as many as we can for future generations.

Recommendations

- 1. The Committee recommends that, given their economic, heritage, cultural and historical value, the Government of Canada adopt as a general national policy goal the preservation of a reasonable proportion of Canada's lighthouses for future generations of Canadians.**
- 2. The Committee recommends that all lighthouses passed on to community groups be maintained in a good state of repair and in a condition that will allow economical ongoing maintenance. All environmental issues should be addressed prior to the transfer of any such lighthouses.**

¹⁰⁷ The HCF was created as Canada's "National Trust" in 1973. At that time, the words "National Trust" were controlled by a financial institution, so that the HCF could not legally take the mark "National Trust."

¹⁰⁸ ALF, http://www.lighthousefoundation.org/about_us/about_us_landingpage.htm.

¹⁰⁹ USLS, <http://www.uslhs.org/>.

3. **The Committee recommends that the Government of Canada provide the Heritage Canada Foundation (HCF) with seed funding to help launch a comprehensive campaign dedicated to raising funds for the restoration and preservation of Canada’s remaining historic lighthouses.**
4. **The Committee recommends the establishment of an independent Lighthouse Advisory Panel comprising representatives of key lighthouse organizations, Parks Canada, and knowledgeable people from the provinces where there are lighthouses:**
 - a) **to identify, consistent with the objectives of the *Heritage Lighthouse Protection Act* (HLP), from among the federally owned lighthouses, a “heritage pool” of lights that will most likely generate interest for restoration and preservation; and**
 - b) **to prioritize and evaluate the lighthouses in the heritage pool in order to determine, from among the qualified recipients, those groups who should receive funding from the monies generated by the HCF fundraising campaign.**
5. **The Committee recommends that, for lighthouses for which no petitions have been submitted before the 29 May 2012 deadline, but which have been identified for the “heritage pool” and for which there is reasonable potential for interest from communities, groups, or other interested parties, DFO remove such lights from its surplus list.**
6. **The Committee recommends that all surplus lightstations that leave the federal inventory, either through the HLP process or through the process governing the disposal of surplus real property, be afforded protection by a heritage easement or covenant in the sale agreement.**
7. **The Committee recommends that DFO carefully assess the security implications of transferring surplus lightstations. Any lightstation that fails to meet public safety concerns set out in the Treasury Board of Canada Secretariat’s *Guide to the Management of Real Property* should be immediately removed from the Department’s list of surplus lighthouses.**
8. **The Committee recommends that DFO and Parks Canada make available on their respective websites a list of all “non-surplus” lighthouses, including DFO’s 51 staffed lightstations, given that the public may petition such lights for heritage designation under the HLP.**
9. **The Committee recommends that Parks Canada and DFO work together in the creation of a document that sets out and identifies for the public:**
 - a) **innovative ideas regarding the re-use of lighthouses, including references to successful examples in Canada and elsewhere, and any information that already exists on the subject;**

b) financial support that may be available to community lighthouse groups at the federal and provincial level; and

c) key contacts.

10. The Committee recommends that Parks Canada and DFO work together in the creation of a guidebook on the care and maintenance of lighthouse buildings and equipment, and on archiving and the preservation of historical artifacts, to assist prospective new owners before they acquire a lighthouse.

APPENDIX 1

CONDITION OF PEGGY'S COVE LIGHTHOUSE, 28 FEBRUARY 2011

Building Structure: Overall, the reinforced concrete structure (foundation slab, walls, floor slabs and gallery deck) appears sound, with no apparent indications of major distress or structural instability. The original concrete exhibits good material integrity considering the age of the structure and the severe exposure conditions. There are areas of significant material deterioration of the original concrete and previous repair patches on the exterior face of the walls. This deterioration coincides with areas of more severe exposure: the plinth which is subjected to water run-off; at horizontal construction joints vulnerable to water entry; oceanfacing walls; and projecting window pediments. There are localized areas of corrosion staining, associated with spalling around much of the perimeter of the soffit. The reinforcing steel is more vulnerable to corrosion here as the concrete cover reduces with slab thickness toward the outer edge. Previous repair patches have affected the appearance as they have blurred the original horizontal form board lines as well as the plinth profile. Excessive paint build-up is affecting permeability of the concrete and its ability to dry out from the exterior. Exterior paint (applied in 2009) is in fair to good condition, but interior paint is cracked throughout and peeling.

Lantern and Gallery: The cast-iron lantern is fair to poor condition and requires full conservation. The guardrail is in good to fair condition, but it is designed and installed in such a way that will result in premature failure of the posts and ongoing corrosion will likely damage the concrete gallery.

Building Envelope: The main concern for the building is moisture infiltration and elevated humidity levels affecting the windows, interior finishes, and promoting metal corrosion. The windows are in poor condition and will require replacement in the short-term. The exterior door, consisting of a painted sheet of plywood, provides little resistance to vandals and is stylistically inappropriate for the building. Existing ventilation is essentially non-existent.

Other Building Elements: Other related elements include repairs to the iron ship's ladder at the third floor level leading up to the lantern. The foot on one stringer has corroded completely through and presents a risk for staff accessing the ladder for maintenance of the light.

Source: DFO, 2 March 2011.

APPENDIX 2

DFO:
RATIONALE FOR INCLUDING ACTIVE LIGHTHOUSES ON THE HERITAGE
LIGHTHOUSE PROTECTION ACT SURPLUS LIST

Treasury Board policy outlines that federal departments should hold only the minimum required interests in real estate to support active program delivery. In many instances, the simple ownership of land and buildings often exceeds the real property interests needed for the provision of a reliable network of public aids to navigation. In this regard, in 1995, Fisheries and Oceans Canada obtained special authorities to transfer operational properties for nominal value (\$1) to designated priority interest groups.

Under this authority, active lighthouse properties have been transferred to outside interests and negotiations are ongoing for many others. Local interests in communities such as Wood Islands, Prince Edward Island and Rose Blanche, Newfoundland and Labrador now own their local active lighthouses and have developed these sites as popular regional tourist attractions. All of these lighthouses contain active aids to navigation that form part of the Canadian Aids to Navigation System. Annex A provides some examples of active lighthouses that have been successfully transferred to community-based interests over the past several years.

In all these instances, operational program requirements are met through retention of a simple right of access to service the equipment inside the lantern, thereby separating the function of the light from the rest of the property.

While the practice of transferring active lighthouse properties to community-based interests has been in effect since 1995, it was not widely publicized because disposal projects were triggered by an expression of interest from community-based interests. To provide the necessary guidance to departmental employees for identifying which lighthouses could be considered for transfers, a framework was developed. Under the framework, the parameters within which lighthouses would be made available to outside interests were identified in addition to guiding principles for investment in capital expenditures in lighthouse structures with the objectives of ensuring a safe and cost efficient aid to navigation system.

The framework created two main categories:

- **Complex structures:** are typically square, hexagonal or large cylindrical towers. Complex structures generally contain an enclosure and are typically expensive to construct and maintain.
- **Simple structures:** are typically skeleton towers, dolphins or masts. Simple structures generally do not contain an enclosure and are typically simple to construct and maintain.

Under the framework, complex structures which may have a purpose other than supporting an aid to navigation can be transferred to other interests under a standard transfer protocol. The

protocol includes provisions to guarantee access to the navigation equipment for maintenance purposes and safeguards the Department against potential risks such as those related to the loss of visual properties. Simple structures which represent low cost solutions and typically do not have a purpose other than supporting an aid to navigation would not normally be transferred to other interests.

It is important to note that mariner safety is not compromised through the application of this framework. While active lighthouse structures can and have been transferred to outside interests, the actual navigation light remains the property of the Department with the Canadian Coast Guard ensuring its continued operation.

Furthermore, under the framework, the departmental process requires that a business case be developed to justify future expenditures on complex structures. The analysis requires the assessment of the benefits to Canadians of replacing a complex structure that requires capital investment with a simple structure which would deliver the same level of service at potentially lesser costs.

The application of this framework provides Canadians with a safe and efficient marine transportation sector by ensuring that the funding provided to Fisheries and Oceans Canada is directed to the safety of mariners rather than for non-mandated activities, and that only minimum interests are kept in real properties.

In light of the provisions of the *Heritage Lighthouse Protection Act*, which called for a pro-active approach to communicate surplus lighthouses to Canadians, the Department decided to include its complex lighthouses, as identified through its framework, as “surplus to operational requirements” in the context of the *Heritage Lighthouse Protection Act*. Simple structures have not been declared surplus and would be retained by the Department in the event they are petitioned and designated under the Act.

This notion of declaring active lighthouse properties surplus to operational requirements is therefore an extension of an existing departmental practice that has been in effect for over 15 years. It is also important to note that many of the active lighthouses that were published on the *Heritage Lighthouse Protection Act* surplus list were in fact already considered surplus and as such have been managed as active disposal projects for many years.

A concrete example is the case of the Peggy’s Cove, Nova Scotia lighthouse, which is often cited as an iconic example of a Canadian lighthouse. Given it is well known and the fact it still contains an active aid to navigation, some criticisms were voiced concerning its surplus status under the *Heritage Lighthouse Protection Act*. In reality, the Peggy’s Cove lighthouse has been considered surplus and managed as an active disposal project for over 10 years.

The Department fully supports the principles of the Act and is of the view that historic lighthouses should be preserved for the benefits of future generations and that there are many prospective ownership groups capable of achieving this goal. Fisheries and Oceans Canada is custodian to over 4,000 active lighted fixed aids to navigation that are compliant with the definition of “lighthouse” under the *Heritage Lighthouse Protection Act*. By including active

lighthouses on the list of surplus lighthouses, the Department is maintaining consistency with well established practices, supporting one of the main purposes of the Act and providing community-based interests with important opportunities to exercise direct control over the future of their local heritage. By having community-based interests assume responsibility for the ongoing maintenance of traditional lighthouses, more historic properties can be preserved by reducing the need to replace traditional lighthouses with simple structures.

In light of the above, the Department is of the view that it is not in the best interest of Canadians to remove active lighthouses from the *Heritage Lighthouse Protection Act* surplus list.

Source: DFO, 2 March 2011.

APPENDIX 3

THE HERITAGE CANADA FOUNDATION'S PROPOSED
"SAVE CANADA'S LIGHTHOUSES FUND."



**Heritage Canada Foundation (HCF) is seeking seed funding to launch the
'Save Canada's Lighthouses Fund'**

The Concept:

A national fundraising campaign to generate funds for local groups and communities working to preserve historic lighthouses, thereby enabling the transfer of many of these cherished icons out of government ownership and into the hands of Canadian communities. The ability to launch a comprehensive campaign that will deliver significant funds will depend upon federal support.

Key characteristics:

- A national focal point for raising awareness, attracting private donations and soliciting corporate support.
- The ability for donors to direct their gift to a specific lighthouse(s).
- Leadership and profile via a Campaign Committee composed of high-profile supporters from Canada's corporate and cultural sectors.
- The support of HCF's Patron the Governor General of Canada, and HCF's Board of Governors.
- An integrated web, social media, magazine and television presence.
- Expert screening of proposed projects by a Lighthouse Advisory Panel created to include representation from key lighthouse organizations, Parks Canada and specialists in all provinces where there are lighthouses.
- Federal seed funding to help launch the Fund.
- Federal matching funds to leverage private and corporate support.

Comparable Programs:

Over the last 10 years, the US National Trust for Historic Preservation (HCF's US equivalent) has raised \$57 million in private support for *Save America's Treasures*, a matching grant program with seed funding provided annually by Congress. The US National Trust's role is to publicize and promote the program, and act as the private sector fundraising partner, matching corporate and individual donors to projects. To cover their costs, the US National Trust receives a \$200,000 grant annually from the National Park Service and retains a 10% administrative fee deducted from contributions raised for projects from individuals, corporations and foundations.

About the Heritage Canada Foundation:

HCF is a national membership-based non-profit organization and registered charity established in 1973 as the National Trust for Canada, and the only national organization working to protect Canada's historic places for future generations. HCF has operated since 1973 on the income from an endowment provided at its creation, supplemented with bequests, member dues, earned revenue, grants and corporate sponsorships, with full fiscal transparency and annual audits. HCF has a strong history of successful public-private partnerships, including \$116 million in private investment leveraged through the Main Street Canada Program. Since 2000, HCF has successfully administered the Young Canada Works (YCW) program, disbursing federal financial contributions to 70-100 organizations annually with quality control and fiscal transparency. Visit our website:

www.heritagecanada.org.

Contact: Natalie Bull, Executive Director, tel. 613-237-1066 ext. 222 or nbull@heritagecanada.org

WITNESS LIST*

Tuesday, April 13, 2010	
<i>Fisheries and Oceans Canada</i>	Hon. Gail Shea, P.C., M.P., Minister of Fisheries and Oceans; George Da Pont, Commissioner, Canadian Coast Guard; Krishna Sahay, Director General, Real Property, Safety and Security.
Tuesday, April 20, 2010	
<i>Fisheries and Oceans Canada</i>	Ray Browne, Regional Director, Maritime Services, Newfoundland and Labrador Region, Canadian Coast Guard; George Da Pont, Commissioner, Canadian Coast Guard; Krishna Sahay, Director General, Real Property, Safety and Security; Susan Steele, Regional Director, Maritime Services, Pacific Region, Canadian Coast Guard.
Tuesday, April 27, 2010	
<i>Parks Canada</i>	Larry Ostola, Director General, National Historic Sites; Darlene Pearson, Director, Policy Branch, National Historic Sites; Norman Shields, Manager, Heritage Lighthouse Program, Policy Branch, National Historic Sites.
Tuesday, May 4, 2010	
<i>BC Lightkeepers</i>	The late Steve Bergh, President.
<i>Union of Canadian Transportation Employees</i>	Christine Collins, National President.
Tuesday, May 11, 2010	
<i>Nova Scotia Lighthouse Preservation Society</i>	Barry MacDonald, President.
Tuesday, June 8, 2010	
<i>As an individual</i>	John Duncan, M.P.
Tuesday, October 19, 2010	
<i>Heritage Canada Foundation</i>	Carolyn Quinn, Director of Communications; Chris Wiebe, Officer, Heritage Policy and Government Relations.

*Includes both the implementation of the Heritage Lighthouse Protection Act and destaffing-related matters.

Tuesday, October 26, 2010	
<i>Environment Canada</i>	Michael Crowe, Director, Strategic Integration Division, Meteorological Service of Canada; Dave Wartman, Director, Atmospheric Monitoring, Meteorological Service of Canada.
Tuesday, November 23, 2010	
<i>Saturna Island Heritage Committee</i>	Richard Blagborne, President.
<i>Parks Canada</i>	Hon. Pat Carney (Former Senator) Chair, Consultative Group on Heritage Lighthouse Protection Act (HLP).
<i>Cove Island Lightstation Heritage Association</i>	Robert Square, Chair.
<i>NAV Canada</i>	Rudy Kellar, Vice President Operations; Jeff MacDonald, Director, Operations Planning and Programs.
Thursday, November 25, 2010	
<i>Transportation Safety Board of Canada</i>	Jean L. Laporte, Chief Operating Officer; Brian Lewis, Senior Marine Investigator.
<i>Transport Canada</i>	Donald Roussel, Director General, Marine Safety.
Tuesday, November 30, 2010	
<i>Strathcona Regional District</i>	Jim Abram, Director, Discovery Islands-Mainland Inlets.
<i>International Ship-Owners Alliance of Canada Inc.</i>	Kaity Arsoniadis-Stein, President and Secretary-General.
Tuesday, February 15, 2011	
<i>Corporation des gestionnaires de phares de l'estuaire et du golfe du Saint-Laurent</i>	Peter Noreau, President.
<i>Southampton Marine Heritage Society</i>	Mike Sterling, Former Chairman; Vicki Tomori, Board Member.
<i>Bruce Coast Lighthouse Partners</i>	Mike Fair, Treasurer.
<i>B.C. Ministry of Tourism, Trade and Investment</i>	Pam Copley, Community Heritage Planner, British Columbia Heritage Branch.

Thursday, February 17, 2011	
<i>Treasury Board of Canada Secretariat</i>	Marc O'Sullivan, Assistant comptroller General, Acquired Services and Assets Sector; Shirley Jen, Senior Director, Real Property and Materiel Policy Division, Acquired Services and Assets Sector.
<i>Parks Canada</i>	Larry Ostola, Director General, National Historic Sites; Patricia E. Kell, Director, National Historic Sites Policy Branch.
Tuesday, March 1, 2011	
<i>Prince Edward Island Lighthouse Society</i>	Carol Livingstone, President.
<i>As an individual</i>	Kelly Anne Loughery.
Thursday, March 3, 2011	
<i>Treasury Board of Canada Secretariat</i>	Marc O'Sullivan, Assistant comptroller General, Acquired Services and Assets Sector; Shirley Jen, Senior Director, Real Property and Materiel Policy Division, Acquired Services and Assets Sector.
<i>Fisheries and Oceans Canada</i>	Michaela Huard, Assistant Deputy Minister, Human Resources and Corporate Services; Andrew Anderson, Senior Divestiture Analyst, Real Property, Long Term Capital Management; Jacqueline Gonçaves, Director General, Maritime Services, Canadian Coast Guard.
<i>Parks Canada</i>	Larry Ostola, Director General, National Historic Sites; Norman Shields, Manager, Heritage Lighthouse Program.

FACT-FINDING*

Nova Scotia

Monday, May 31, 2010 (Sydney)

Lise Marchand, Executive Director, Canadian Coast Guard;
Louis Guimond, Director of Studies, Canadian Coast Guard;
Richard Slusarek, Nautical Sciences Instructor, Canadian Coast Guard;
Normand Lavigne, Nautical Sciences Instructor, Canadian Coast Guard;
Robert Perchard, Superintendent of Training, Marine Communications and Traffic Systems, Canadian Coast Guard;
Susan Steele, Regional Director, Maritime Services, Pacific Region, Canadian Coast Guard;
Matthew Elliot, Parliamentary Affairs Advisor, Fisheries and Oceans Canada.

Heather Ozon, Officer in Charge, Marine Communications and Traffic Systems, Canadian Coast Guard;
Donald MacKinnon, Officer, Marine Communications and Traffic Systems, Canadian Coast Guard;
Shawn Hudson, Officer, Marine Communications and Traffic Systems, Canadian Coast Guard.

Hamilton Carter, Retired fisherman;
Malcolm MacDonald, Fisherman;
Gordon MacDonald, Fisherman.

Monday, May 31, 2010 (Louisbourg)

Gerry Gartland, President, Louisbourg Lighthouse Heritage Society;
Jean Bagnell, Secretary-Treasurer, Louisbourg Lighthouse Heritage Society;
Carter Stevens, Member of the Executive, Louisbourg Lighthouse Heritage Society;
Allister MacDonald, Member of the Executive, Louisbourg Lighthouse Heritage Society.

Chip Bird, Cape Breton Field Unit Superintendent, Field Unit Office, Parks Canada.

Linda Kennedy, as an individual.

Tuesday, June 1, 2010 (Louisbourg)

Dave Smith, Superintendent, Marine Civil Infrastructure, Canadian Coast Guard;
Perry Rideout, Manager, Planning and Real Estate, Real Property, Safety and Security, Department of Fisheries and Oceans.

Tuesday, June 1, 2010 (New Victoria)

Jolene Mackenzie, Site Supervisor, Sydney Harbour Fortification Society;
Residents of the Low Point lightkeeper's house.

*Includes both the implementation of the Heritage Lighthouse Protection Act and destaffing-related matters.

Wednesday, June 2, 2010 (Halifax)

Mark Rogers, Regional Representative, Public Service Alliance of Canada;
Cameron Mackenzie, Retired fisherman;
Robert Comeau, Services Canada;
Ashton Spinney, Fisherman.

Thursday, June 3, 2010 (Dartmouth)

Bill Belding, Client Service Officer, Aid to Navigation, Maritime Services, Canadian Coast Guard.

Norma Richardson, Eastern Fishermen's Federation;
Melanie Sonnenberg, Eastern Fishermen's Federation.

Darlene Grant Fiander, President, Tourism Industry Association of Nova Scotia;
Danny Morton, Chair, Tourism Industry Association of Nova Scotia.

Newfoundland and Labrador

Monday, November 1, 2010 (Gander and Twillingate Region)

Susan Steele, Regional Director, Maritime Services, Pacific Region, Canadian Coast Guard;
Ray Browne, Regional Director, Maritime Services, Newfoundland and Labrador Region, Canadian Coast Guard;
Paul Bowering, Superintendent, Aids to Navigation, Fisheries and Oceans Canada;
Suzanne Lalonde, Parliamentary Affairs Advisor, Fisheries and Oceans Canada.

Craig Burry, Lightkeeper, Puffin Island, Canadian Coast Guard;
Richard Miller, Lightkeeper, Puffin Island, Canadian Coast Guard.

Hayward Canning, Lightkeeper, Long Point Lighthouse, Canadian Coast Guard.

Fred Bridger, President, Twillingate Islands Tourism Association;
Michael Geiger, Vice-President, Twillingate Islands Tourism Association;
Pearl Geiger, Treasurer, Twillingate Islands Tourism Association.

John Hamlyn, Mayor, Town of Crow Head;
Ken Howell, Councillor, Town of Crow Head;
Allan Roberts, Former lightkeeper.

Gordon Noseworthy, Mayor, Town of Twillingate;
Jack Troake, Fisherman and sealer;
Cyril Dalley, Fisherman.

Tuesday, November 2, 2010 (Marystown Region)

Berkley Pierce, Lightkeeper, Green Island Lighthouse, Canadian Coast Guard;
Carl Crewes, Lightkeeper, Green Island Lighthouse, Canadian Coast Guard.

Corin Durnford, Lightkeeper, Tides Cove Point, Canadian Coast Guard;
Ralph Durnford, Lightkeeper, Tides Cove Point, Canadian Coast Guard.

Darrell Lafosse, Mayor, Town of Grand Bank;
Elaine Strowbridge, Councilor, Town of Grand Bank;
Stan Burt, Councilor, Town of Grand Bank;
Wayne Bolt, Manager, Town of Grand Bank;
Cathy Follett, Clerk, Town of Grand Bank;
Robert Parsons, Chairperson, Grand Bank Development Corporation;
Heather Burlingham, Grand Bank Development Corporation;
Arch Evans, President, Grand Bank Harbour Authority;
Frank Crewes, Chairperson, Grand Bank Heritage Society;
Joyce Rogers, Treasurer, Grand Bank Heritage Society;
Carol Anne Haley, Assistant, Office of Judy Foote, MP for Random-Burin-St. George's;
Corey Parsons, Assistant, Office of the Hon. Darin King, MLA for Grand Bank.

Charles Dominaux, Captain, MV Arethusia;
Gordon Price, Lightkeeper;
Aubrey Wells, Fisherman;
Paul Harris, Fisherman;
Earl Mitchell, Boater;
Jake Weymouth, Recreational boater;
Michel Mahe, Recreational boater.

Wednesday, November 3, 2010 (Avalon Peninsula)

Ricky Myrick, Site owner, Cape Pine.

Clifford Durnford, Lightkeeper, Cape Race, Canadian Coast Guard;
Francis Coombs, Lightkeeper, Cape Race, Canadian Coast Guard.

Charlene Power, Cape Race-PCS Heritage Inc. and Member of the Portugal Cove South Harbor Authority;
Aiden McCarthy, Cape Race-PCS Heritage Inc.;
Katherine Ward, Cape Race-PCS Heritage Inc.;
Cynthia Power, Cape Race-PCS Heritage Inc.;
Ida Perry, Cape Race-PCS Heritage Inc.;
Guy Barnable, Cape Race-PCS Heritage Inc. and Irish Loop Group.

Thursday, November 4, 2010 (St. John's Area)

Brian Stone, Superintendent, Maritime Search and Rescue, Fisheries and Oceans Canada;
Kevin Burns, Regional Supervisor, Marine Safety, Canadian Coast Guard.

Peter and Nicole Gill, Leaseholders of the property which surrounds the Fort Amherst Lighthouse.

Glenn Keough, Manager, Visitor Experience and National Historic Sites, Parks Canada;
Jennifer Duff, Public Relations and Communication Officer, Parks Canada;
Paula Morgan, Acting Visitor Experience Team Leader, Parks Canada.

Gerry Cantwell, Canadian Coast Guard Newfoundland Region Alumni Association Inc.;
Jerry Duggan, Canadian Coast Guard Newfoundland Region Alumni Association Inc.;
Leslie H. Noseworthy, Artist.

John Boland, Staff Representative, Fish, Food and Allied Workers;
Dave Shaw, Organizer – Atlantic Region, Public Service Alliance of Canada.

Jim Miller, Marine Broker, TRINAV Marine Brokerage Inc.

Jim Wellman, Managing Editor, Navigator Magazine.

Jerry Dick, Director of Heritage, Department of Tourism, Culture & Recreation, Government of Newfoundland and Labrador;
Ella Heneghan, Cultural Tourism Development Officer, Department of Tourism, Culture & Recreation, Government of Newfoundland and Labrador;
David Bradley, Chair, Association of Heritage Industries Newfoundland and Labrador;
Kim Shipp, Executive Director, Association of Heritage Industries Newfoundland and Labrador.

British Columbia

Tuesday, November 16, 2010 (Victoria)

Vija Poruks, Assistant Commissioner, Canadian Coast Guard;
Kevin Carrigan, Superintendent, Marine Navigation Services, Canadian Coast Guard;
John Palliser, Superintendent, Marine SAR, Canadian Coast Guard;
Susan Steele, Regional Director, Maritime Services, Pacific Region, Canadian Coast Guard;
Jaspreet Rehal, Director, Integrated Business Management Services, Canadian Coast Guard;
Suzanne Lalande, Parliamentary Affairs Advisor, Fisheries and Oceans Canada.

Bob Wilson, Lightkeeper, Carmanah Lightstation, Canadian Coast Guard;
Jeff Cole, Lightkeeper, Carmanah Lightstation, Canadian Coast Guard.

Scott Fraser, MLA for Alberni-Pacific Rim;
 Dave Thompson, Communications Officer for Scott Fraser, MLA;
 Vicky Husband, as an individual;
 Heather Fox, as an individual;
 Michael Jackson, Director, South Island Sea Kayak Association;
 Tim Parker, Pat Bay Air Services, Board Member, Floatplane Operators Association;
 Len Shorkey, Pilot, Canadian Coast Guard;
 Patrick Marshall, Volunteer, Ocean Industries BC;
 Marie Vautier, Doctor, as an individual;
 Matthew Fairbarns, as an individual;
 Len Shorkey, Jr., as an individual;
 Ana Simeon, Local Groups Coordinator, Sierra Club BC;
 Caspar Davis, Director, Sierra Club Victoria Groups;
 Robert Shaw, Member, Kludahk Outdoors Club;
 Paul Whalen, Assistant Lightkeeper, Addenbroke Lightstation, Canadian Coast Guard;
 Ernest Hooker, Electrical Foreman, Canadian Coast Guard;
 Patrick Kelly, as an individual;
 Angus Matthews, Executive Director, Shaw Ocean Discovery Centre;
 Alexander Murdoch, Marine Consultant (retired), Local Marine Advisory Committee for South Vancouver Island;
 Michael Fischer, as an individual;
 Al Lubkowski, Owner, Blackfish Wilderness Expeditions;
 Marion Cumming, Member, Heritage Oak Bay;
 Chris Blondeau, Director of Operations, Pearson College;
 Garry Fletcher, BC Parks Ecological Reserve Warden;
 Ryan Murphy, Eco-Guardian and Resident Marine Scientist, Pearson College.

Wednesday, November 17, 2010 (Nanaimo)

Meridith Dickman, Principal Lightkeeper, Trial Island, Canadian Coast Guard.

Tony Greenall, Acting Principal Lightkeeper, Entrance Island, Canadian Coast Guard.

Kathy Doyle, as an individual;
 Iain Colquhoun, as an individual;
 Rirchard Goode, President, BC Ferry Marine Workers Union;
 David Kattler, Deck Officers Representative, BC Ferry Marine Workers Union;
 Joanne Tiglmann, Assistant Lightkeeper, Canadian Coast Guard;
 Jean Floyd Buck, as an individual;
 Trina Tiglmann, as an individual;

Blair Hedley, Navigator;
 Jerry Etzkorn, Lightkeeper, Carmanah Point Lightstation, Canadian Coast Guard;
 Janet Etzkorn, Lightkeeper, Carmanah Point Lightstation, Canadian Coast Guard;
 Sheila Malcolmson, Chair, Islands Trust Council;
 David Andrews, Director, Gabriola Museum;
 Don Roberts, Fisherman (retired);
 Bill Barsby, as an individual;
 Toryn Barsby, as an individual;
 William R. Mounce, Captain;
 Steve Kinaman, Lightkeeper, Canadian Coast Guard;
 David McCallum, Principal Race Officer, Van Isle 360° International Yacht Race;
 Jane Saxton, as an individual;
 Frances Cartwright, as an individual;
 Michel Perreault, as an individual;
 Nelson W. Eddy, President, Lighthouse Country Marine Rescue Society and member of the CCGA (Station 59, Deep Bay);
 Jamie Molloy, Vice-President, Safety, Harbour Air, Representatives of the Floatplane Operators Association;
 Ivan Bulic, Board Member, Canadian Lightkeepers Association;
 David Boehm, Board Member, Canadian Lightkeepers Association;
 Kevin Vautier, President, Nootka Sound Shellfish Ltd.;
 Laura Hardacker, Nootka Sound Shellfish Ltd.;
 Janice Richards, Sailor and Relief Lightkeeper, Canadian Coast Guard;
 Ron Corbeil, Health, Safety and Environmental Coordinator, United Steelworkers - District 3.

Thursday, November 18, 2010 (Campbell River)

Claire Trevena, MLA for North Island;
 Jim Abram, Director, Discovery Islands-Mainland Inlets, Strathcona Regional District;
 Peter Booth, Sunkissed Lodge, Nootka Sound BC;
 Donald Assu, Fisherman, Cape Mudge;
 Patrick Assu, Fisherman, Cape Mudge
 Dennis Johnson, Lightkeeper, Cape Mudge, Canadian Coast Guard.

George Nagel, Marine Electrician Specialist;
 Joel Eilertsen, Owner, Air Cab, 703 West Coast Float Plane Association;
 Rick Snowdon, President, Sea Kayak Guides Alliance of BC;
 Miray Campbell, as an individual;
 A. Carol Anderson, as an individual;
 Jack East, Canadian Rail Workers Union;

Harry MacDonald, Chair, C. R. Guides Association;
 Charlie Cornfield, Mayor, Campbell River;
 Alice Woods, Lightkeeper, Canadian Coast Guard and Acting President, BC Lightkeepers Local 20232;
 Robert Somerville, SARTeck;
 Craig Anderson, Chair, Strathcona RD;
 Rick Hackiner, as an individual;
 Ross Campbell, Captain Mothership Adventures Inc.;
 Brent Swain, as an individual;
 Manfred Binger, Captain, Sailboat;
 Brenda E. Leigh, Director, Oyster Bay-Buttle Lake Regional District;
 Ken Collins, Manager, Rock Bay Camp Ground;
 Patti Greenham, Mariner;
 She Fabrizio, as an individual;
 Anne Wilson, as an individual;
 Farlyn Campbell, Skipper;
 Jody Eriksson, as an individual;
 Jake Etzkorn, Marine Planner, Living Oceans Society;
 Yvonne Etzkorn, as an individual;
 Jim Abram, Director, Discovery Islands-Mainland Inlets, Strathcona Regional District;
 Brian Falconer, Marine Operations Coordinator, Raincoast Conservation Society;
 Phil Wainwright, Director, Mount Waddington Regional District;
 Fern Kornelsen, as an individual;
 Claudia Lake, as an individual;
 Anita Brochocka, as an individual;
 Joanne Banks, Council of Canadian;
 Richard Hugensen, as an individual;
 Ann Hauer, Lightkeeper, Canadian Coast Guard;
 Quentin Dodd, as an individual.

Friday, November 19, 2010 (Prince Rupert)

Harvey Bergen, Principal Lightkeeper, Bonilla Island, Canadian Coast Guard.

Richard Rose, Principal Lightkeeper, Triple Island, Canadian Coast Guard;
 Robert Vedder, Assistant Lightkeeper, Triple Island, Canadian Coast Guard.

Serge Paré, Principal Lightkeeper, Green Island, Canadian Coast Guard;
 Gary Guyet, Assistant Lightkeeper, Green Island, Canadian Coast Guard.

Saturday, November 20, 2010 (Prince Rupert)

James Bryant, Cultural Advisor, Lax Kw'alaams Band;
 Eugene Bryant, Councilor, Lax Kw'alaams Band;
 Gina Garon, Acting Mayor, City of Prince Rupert;
 Sheila Gordon-Payne, Councilor, City of Prince Rupert;
 Ken Cote, North Coast Pilot;
 Kendall Smith, Commercial fisherman;
 Peter Haugan, Commercial fisherman;
 Renata Neftin, Relief Keeper, Canadian Coast Guard;
 Dave Anderson, Commodore, North Coast Sailing Association;
 Jim West, Coast Guard "Santa";
 David Cook, former member of the city council;
 Kathleen Larkin, as an individual;
 Bruce MacDonald, President, Inland Air Charters, Representative of the Floatplane Operators Association;
 Joy Thorkelson, Northern Representative for the United Fishermen and Allied Workers' Union (UFAWU-CAW);
 Howard Gray, Mariner;
 Cynthia Spilsted, Overwaitea Foods;
 Carol Kulesha, Mayor, Village of Queen Charlotte;
 Evan Putterill, Director, Skeena Queen Charlotte Regional District;
 Karl Bergman, Skeena Queen Charlotte Regional District;
 Bart Proctor, Boater and charter operator.

Saturday, November 20, 2010 (Richmond)

Pamela Goldsmith-Jones, Mayor, District of West Vancouver;
 Norm Dyck, Past President, Council of BC Yacht Clubs;
 Paul Stanley, President, Council of BC Yacht Clubs;
 Lucinda Tooker, as an individual;
 Anna Smith, Officer, Royal City Squadron;
 Erik Skovgaard, Captain, Westcoast Work Boat Association;
 Leona Skovgaard, as an individual;
 John Naunt, as an individual;
 Hans Elfert, as an individual;
 Caitlin Birdsall, Program Coordinator, BC Cetacean Sightings Network, Vancouver Aquarium;
 Roy Mulder, President, Marine Life Sanctuary Society;
 Chris Harvey-Clarke, Professor, Zoology Department, University of British Columbia;
 Lance Barrett-Lennard, Head, Cetacean Research Program, Vancouver Aquarium Marine

Science Centre and adj Professor, Zoology Department, University of British Columbia;
Derek Trethewey, Okanagan Land Development Corporation;
Courtney Anderson, Sutton Group - Seafair Realty;
Stephen Brown, President, Chamber of Shipping of British Columbia;
Norbert Brand, as an individual;
Kathi Brand, as an individual;
Kay Sinclair, Regional Executive Vice-President, BC, Public Service Alliance of Canada;
Stephen Dunsmore, Regional Vice-President, BC, Union of Canadian Transportation Employees;
Roger Boshier, Professor Emeritus, UBC, Marine Safety Researcher, and Chair of the Canadian Coast Guard Lower Mainland Advisory Council.