

Dawn Marie (2016)

Location: Strait of Georgia, B.C.

Case number: 120-730-C1

The Incident

On January 8, 2016, the Canadian Coast Guard (CCG) was notified that the *Dawn Marie*, a 32-foot crab fishing vessel containing approximately 400 litres of diesel fuel, was taking on water in the Strait of Georgia between Mayne Island and Tsawwassen, British Columbia.

In order to minimize further oil pollution damage, the CCG hired salvage contractors to stabilize the water ingress and tow the vessel to a port of refuge.

The Claim

On November 21, 2017, the Administrator received a claim from CCG acting on behalf of the Department of Fisheries and Oceans (DFO/CCG). This claim was in the amount of \$11,372.23 and was made pursuant to section 103 of the *Marine Liability Act*.

The Administrator determined that the claim was admissible under Part 7 of the Act.

Assessment and Offer

On December 7, 2017, after investigation and assessment of the claim, the Administrator made a final offer to DFO/CCG for the established amount of \$11,372.33, plus interest, pursuant to section 105 of the Act.

On December 13, 2017, DFO/CCG accepted the Offer.

On December 20, 2017, the Administrator directed payment of \$12,044.30 (including \$672.07 in accrued interest) to DFO/CCG.

Recovery Action

In March 2018, the Administrator sent a demand letter to the owner, but he did not reply.

Counsel of the Administrator sent a second demand letter to the owner in November 2018. The owner replied and reported ongoing financial difficulties.

In December 2019, the Administrator signed a payment agreement with the shipowner. The agreement provided that the shipowner would make payments to the Administrator totalling \$9,000 on payment terms, which included payment of \$4,500 by December 29, 2018 and the balance paid in four additional installments of \$1,125 over the first four months of 2019.

Status

The file will remain open until the clearance of all the post-dated cheques.