

August 12, 2016.

Julie Stewart  
Director, Species at Risk Directorate  
Department of Fisheries and Oceans  
200 Kent St.  
Ottawa, ON K1A 0E6

**SUBJECT: Action Plan for the Northern and Southern Resident Killer Whale in Canada**

Dear Ms. Stewart,

Thank you for the opportunity to comment on the Action Plan for the Northern and Southern Resident Killer Whale in Canada. The Chamber of Shipping represents the majority of vessel owners, operators, agents, terminals, and shippers involved in marine transportation in British Columbia. We also work collaboratively with the port communities to develop solutions that promote efficient and sustainable marine transportation in support of international and domestic trade.

The marine industry has been an active participant and contributor to research and development. This includes participation in the [Enhancing Cetacean Habitat and Observation](#) (ECHO) program and also [Green Marine](#). Through these initiatives, the marine industry and other stakeholders have gained significant knowledge regarding the sources and level of ship-generated noise and also examined potential approaches to mitigate the effects of acoustic disturbance.

Overall, we view this Action Plan as positive and timely in view of the state of the resident Killer Whale population and the clear need to proactively support the recovery of the species. The marine industry wants to be part of the solution. This is deemed essential in supporting the recovery of the species and also ensuring the competitiveness of marine transportation in Canada, which must compete on a global scale. It is hoped that the following comments will assist in the finalization of the Action Plan and its timely implementation.

**1. Support the Development of Appropriate and Timely Mitigation Measures**

Several of the measures identified in the Action Plan consider anthropogenic threats associated with both physical and acoustic disturbance. In this respect, there may be an opportunity for mitigation measures that can be implemented in the short-term and others that will take much longer due to their highly technical nature. The Action Plan refers to the potential for operational measures such as speed reductions and vessel rerouting. While this seems logical, it is also

understood that in certain situations, measures such as these can have unintended and negative consequences to the species, such as increasing the time exposure to acoustic disturbance. Furthermore, these measures could have unintended operational impacts that will need evaluation by regulators, industry, and scientific experts. Likewise, there may be a range of technical considerations worthy of evaluation that will require the appropriate technical and scientific evaluation to support the development of measures. While the marine industry is already discussing possible mitigation strategies, we highly recommend that the Government establish a working group with appropriate representative from the public and private sector to develop mitigation measures that will be effective to the species recovery and also avoid unintended consequences. While the Action Plan establishes this measure (measure 44) as a medium priority, we suggest that it should be a high priority and addressed within the next two to three years.

## **2. Planning Should Include “All of Government” Approach**

The complexity of properly implementing the Action Plan should not be done in isolation and should include expert advice/input from additional federal departments that have direct regulatory oversight over marine planning and transportation, including those with an interest in supporting the success of sustainable Canadian trade and economic development. This might also include provincial and Indigenous representation and, in view of the transboundary nature of Killer Whale movements, we also encourage the involvement of appropriate U.S. counterparts in the planning for, and implementation of Action Plan measures, such that the competitiveness of marine transportation within, and between, Canada and the US, is ensured.

## **3. Action Plan Should be Integrated with Other Efforts**


This Action Plan should not be developed and implemented in isolation from other ongoing initiatives. This is especially important in areas of marine spatial planning such as the Pacific North Coast Integrated Management Area, Marine Protected Areas, and National Marine Conservation Areas. Ideally, the Federal Government would formalize marine spatial planning in legislation such that various initiatives would have a coherent strategy, and a similar and predictable approach. The number of initiatives, differences in approach, and degree of complexity is rapidly approaching a threshold that risks becoming detrimental to the success of conservation, specific species recovery efforts, and economic activity that fuels the Canadian economy.

## **4. Continue Development of Socio-Economic Costs and Benefits**

As mentioned in Section Three of the Plan, many of the measures in the Action Plan have yet to be fully costed and we certainly encourage the Government to continue this effort and, as an industry, are willing to support assessing the direct and indirect cost to marine transportation from the measures in the Action Plan, some of which will be developed and implemented over the next five years.

In closing, the Chamber of Shipping views the development of this Action Plan as an important next step and is encouraged by the Government's progressive and pragmatic approach. It will be important for Government and stakeholders to work collaboratively to develop achievable and meaningful measures.

Respectfully yours,



Robert Lewis-Manning, OMM, CD, MBA  
President  
Chamber of Shipping

- c.c. The Honourable Dominic LeBlanc, P.C., M.P, Minister of Fisheries, Oceans, and the Coast Guard  
The Honourable Catherine McKenna, P.C., M.P., Minister of Environment & Climate Change  
The Honourable Marc Garneau, P.C., M.P., Minister of Transport  
The Honourable Chrystia Freeland, P.C., M.P., Minister of International Trade