

## A2 Marine Mammal Guidelines and Marine Protected Areas

### 5 General Guidelines for Aquatic Species at Risk and Important Marine Mammal Areas

Fisheries and Oceans Canada is responsible for ensuring the protection, conservation and recovery of aquatic species at risk listed under the [Species at Risk Act](#) (SARA), and the protection of a species' designated critical habitat. Critical habitat is defined in SARA section 2(1) as "...the habitat that is necessary for the survival or recovery of a listed wildlife species and that is identified as the species' critical habitat in the recovery strategy or in an action plan for the species." SARA defines habitat for aquatic species at risk as "... spawning grounds and nursery, rearing, food supply, migration and any other areas on which aquatic species depend directly or indirectly in order to carry out their life processes, or areas where aquatic species formerly occurred and have the potential to be reintroduced".

Under SARA, it is an offence to: kill, harm, harass, capture, or take an individual of a wildlife species listed as extirpated, endangered, or threatened; possess, collect, buy, sell or trade an individual (or any part or derivative of such an individual) of a wildlife species listed as extirpated, endangered, or threatened; and, damage or destroy the residence of one or more individuals of a wildlife species listed as extirpated, endangered, or threatened. It is also prohibited to destroy any part of the critical habitat of any listed endangered or threatened species. Individuals who contravene the SARA prohibitions may be found guilty of an offence and liable for a fine or penalty pursuant to section 97 of SARA.

In cases where it is not possible to avoid causing prohibited effects, proponents of works, undertaking, or activities may apply to the Minister of Fisheries and Oceans for a permit under SARA, and/or an authorization under paragraphs 34.4(2)(b) and 35(2)(b) of the [Fisheries Act](#). Under section 73 of SARA, the Minister may enter into an agreement with a person, or issue a permit to a person, authorizing the person to engage in an activity affecting a listed aquatic species, any part of its critical habitat, or the residences of its individuals, provided that the requirements of subsections 73(2) to (6.1) of SARA are met. After it is entered into or issued, the Minister must also comply with the requirements of subsection 73(7).

To view the list of extirpated, endangered, threatened, and special concern species currently listed under Schedule 1 of SARA, please visit the [Species at Risk Public Registry](#).

The [Marine Mammals Regulations](#) (MMR) under the [Fisheries Act](#) (FA) prohibit disturbance to marine mammals (whales, porpoises, dolphins, seals, sea lions and sea otters) except in the following circumstances: when fishing for them under the authority of those Regulations; when carrying out a work, undertaking or activity that is authorized, otherwise permitted or required under the Act; or in a manner authorized under the SARA or set out in a licence issued under the *Fishery (General) Regulations* to fish for marine mammals for experimental, scientific, educational or public display purposes. As per the [MMRs](#), disturbance to marine mammals includes: approaching, attempting to feed, swim or interact with, moving, enticing, or causing movement, separating from groups/mothers from calves, trapping between a vessel and shore or other vessels and tagging or marking. Disturbing marine mammals may cause injury or harm and interfere with natural behaviors, including feeding and socializing. Individuals who contravene the MMRs may be found guilty of an offence and liable for penalty pursuant to s. 78 of the [Fisheries Act](#). Careful adherence to the general guidelines below will reduce the likelihood of disturbance.

#### Did you know?

[WhaleALERT](#) is a free app which displays up to date information and management areas for mariners to access the safest and most current information to reduce the risk of ship and whale collisions on the east coast.

[The WhaleReport Alert System \(WRAS\)](#), available for Pacific Canadian waters, is a mobile and desktop-based program which alerts commercial mariners to the presence of whales so that they may take mitigation measures. Whale sightings are obtained from real-time observations reported to the B.C. Cetacean Sightings Network by trusted observers using the WhaleReport app. WRAS will only transmit sightings to certain vessel classes (e.g. large, commercial transport), and is not available to the general public in order to reduce vessel disturbance to at-risk whale populations.

Transport Canada is responsible for promoting safe, secure, efficient, and environmentally responsible transportation. The [Canada Shipping Act, 2001](#) (CSA 2001) gives the Minister of Transport the authority to make regulations respecting the protection of the marine environment from the impacts of navigation and shipping activities (s. 35.1(1)), as well as the authority to make an Interim Order if immediate action is required to deal with a direct or indirect risk to the marine environment (s.10.1(1)), including on a precautionary basis.

### **Laws, Regulations and General Guidelines when in the Vicinity of Marine Mammals**

The following guidance, adapted from [Be Whale Wise Guidelines](#), provides an overview of ways in which you can prevent disturbance to marine mammals as well as stay up to date on current legislation and regulations. In addition to these general guidelines, the [MMR](#), and the [Species at Risk Act](#) (SARA) have legal requirements for listed species and have additional requirements to help provide greater protection for at-risk whales and other marine mammals. Be sure to stay informed about new regulations or forms of protection by carefully reviewing any important information in this Notice to Mariners which applies to your location and activities, and by abiding by posted restrictions or contacting a local authority for further information.

1. BE AWARE of critical habitat areas. To view the most current information on aquatic species at risk and their critical habitat, visit the [Species at Risk Public Registry](#) and the [Aquatic species at risk map](#). For marine protected areas, visit: the [Open Maps Data Viewer](#).
2. SLOW DOWN: Reduce speed to less than 7.0 knots when within 1000 metres (0.540 nautical miles) (unless otherwise specified) of the nearest marine mammal to reduce engine noise and vessel wake. Avoid abrupt course changes. Please note: different minimum approach distances and speeds may be required for some species - please refer to individual species' needs in this Notice to Mariners and the [MMR](#).
3. DO NOT APPROACH or position your vessel closer than **100** metres (0.054 nautical miles) to any marine mammal, and stay at least **200** metres (0.108 nautical miles) away from any whale, dolphin or porpoise in resting position or with its calf as per the [MMR](#). Please note: some species and areas require greater minimum approach distances - please refer to individual species' needs in this Notice to Mariners and in other online sources referenced, including: [MMR's approach distances to marine mammals](#) and the Department of Fisheries and Oceans' [watching marine wildlife](#).

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**Protecting the Southern Resident Killer Whales:  
Approach Distances, Interim Sanctuary Zones and  
Seasonal Slowdown Areas in Southern British Columbia**

The Minister of Transport has issued the *Interim Order for the Protection of the Killer Whale (Orcinus orca) in the Waters of Southern British Columbia, 2023*, in effect from June 1, 2023, until May 31, 2024, to support recovery of Southern Resident Killer Whales recognizing the imminent threats to their survival and recovery. The Interim Order sets out three mandatory measures for vessels operating within certain areas of the waters of southern British Columbia to reduce underwater noise and physical disturbance to Southern Resident Killer Whales.

First, the Interim Order prohibits vessels and persons operating and navigating a vessel, subject to exceptions, from approaching any killer whale at less than **400 metres**, and prohibits positioning a vessel in the path of a killer whale within Southern Resident Killer Whale critical habitat and British Columbia coastal waters between Campbell River (Cape Mudge) and Malaspina Peninsula (Sarah Point) including Howe Sound, to just north of Ucluelet, including Barkley Sound from June 1, 2023, until May 31, 2024.

Second, the Interim Order creates two Interim Sanctuary Zones where vessel traffic is prohibited, including fishing, whale watching and recreational boating, subject to exceptions, June 1, 2023, until November 30, 2023. These zones are located off the south-west coast of Pender Island and south-east end of Saturna Island.

Third, the Interim Order creates two new Seasonal Slowdown Areas, located near Swiftsure Bank, in which all vessels, subject to exceptions, are restricted to a maximum speed of 10 knots over ground when safe to do so, in effect from June 1, 2023, until November 30, 2023.

The enforcement regime under the [CSA, 2001](#) applies to violations of the Interim Order. Every person or vessel subject to an Interim Order shall comply with it. Any person or vessel that does not comply with the Interim Order may be subject to:

- an administrative monetary penalty of up to \$250,000, and/or
- is liable on summary conviction to a fine of not more than \$1,000,000 or to imprisonment for a term of not more than 18 months, or to both.

Visit the [Interim Order for the Protection of the Killer Whale \(Orcinus orca\) in the Waters of Southern British Columbia, 2023](#), for more information:

Visit the [2023 suite of management measures to support the recovery of Southern Resident Killer Whales, including fishing management measures](#), for more information.

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**Protecting the North Atlantic right whale:  
Speed restriction measures in the Gulf of St. Lawrence**

Due to changing migration of North Atlantic right whales and their increased presence in the Gulf of St. Lawrence, the Government of Canada has established seasonal vessel traffic management measures including speed restrictions of not more than 8.0 knots or 10.0 knots in specific zones for all vessels above 13 metres in length. Please refer to the [Notice to Mariners monthly editions](#) for additional details and consult Whale Insight for the latest right whale observations: [Whale Insight - An interactive map of North Atlantic right whale detections in Canada \(dfo-mpo.gc.ca\)](#).

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4. BE CAUTIOUS, COURTEOUS and QUIET around areas of known or suspected marine wildlife activity, in the water or at haul-outs and bird colonies. When safe to do so, turn off fish finders and echo sounders. LOOK in all directions before planning your approach or departure from viewing wildlife.
5. ALWAYS approach and depart from the side, moving parallel to the marine mammal's direction of travel while maintaining a distance of at least **100** metres (0.054 nautical miles) to any marine mammal, and a distance of at least **200** metres (0.108 nautical miles) away from any whale, dolphin or porpoise in resting position or with its calf as per the MMR (Note: greater minimum approach distances are required for some species - please refer to individual species' needs in this Notice to Mariners and in other [online sources referenced](#)). DO NOT APPROACH from the front or from behind.
6. PLACE ENGINE IN NEUTRAL OR SHUTDOWN and allow animals to pass if your vessel is not in compliance with regulations. \*Please note: greater minimum approach distances are required for some species - please refer to individual species' needs in this Notice to Mariners and in other [online sources referenced](#).
7. PAY ATTENTION and move away, slowly, and cautiously, at the first sign of disturbance or agitation.
8. STAY on the OFFSHORE side of marine mammals when they are traveling close to shore.
9. ALWAYS AVOID going through groups of porpoises or dolphins. Hold course and reduce speed gradually to discourage bow or stern-riding.
10. LIMIT your on-water viewing time to 30 minutes or less. This will minimize the cumulative impact of many vessels and to consider to other viewers.
11. DO NOT feed, swim with, or interact with, tag or mark, move or entice, or cause to move, from the immediate vicinity in which you find marine wildlife.
12. DO NOT separate a marine mammal from members of its group or go between a mother and a calf.
13. DO NOT trap a marine mammal or its group between a vessel and the shore or between a vessel and one or more other vessels.
14. NEVER approach using aircraft or drones.
15. REPORT any collisions with marine mammals, or sightings of entangled, injured, or dead marine mammals to Fisheries and Oceans Canada as well as to the appropriate marine animal response organization.
  - To report to Fisheries and Oceans Canada (DFO), please use the following link: [Report a marine mammal or sea turtle incident or sighting \(dfo-mpo.gc.ca\)](#).
  - In accordance with the Fishery Regulations under the [Fisheries Act](#), a reporting form must be completed immediately following any incidental contact between a marine mammal and a vessel or fishing gear. Once completed, the form should be sent to [DFO](#).

**Whale Warning Flag  
(only used in some regions)**



If a vessel is flying a Whale Warning flag (see above), the vessel is in the presence of whales. Please slow down and proceed with caution. Respect the general guidelines when in the vicinity of marine mammals.

If you see an injured, stranded, entangled or dead marine mammal, immediately contact the following emails or 24-hours/day toll-free numbers. You can also help track marine mammals to ensure their safety by [reporting a sighting](#).

Region	Contact Information for Marine Mammal Incident Response
Newfoundland & Labrador	<ul style="list-style-type: none"> <li>• <b>Whale Release and Strandings Newfoundland and Labrador (Tangly Whales Inc.):</b> 1-888-895-3003 or 1-709-895-3003</li> </ul>
New Brunswick, Nova Scotia & Prince Edward Island	<ul style="list-style-type: none"> <li>• <b>Marine Animal Response Society:</b> 1-866-567-6277 <a href="mailto:mars@marineanimals.ca">mars@marineanimals.ca</a></li> <li>• VHF Channel 16</li> <li>• Canadian Sea Turtle Network 1-888-729-4667 (toll-free) <a href="mailto:info@seaturtle.ca">info@seaturtle.ca</a></li> </ul>
Quebec	<ul style="list-style-type: none"> <li>• <b>Quebec Marine Mammal Emergency Network (QMMEN):</b> 1-877-722-5346</li> </ul>
Arctic	<b>DFO:</b> <ul style="list-style-type: none"> <li>• <b>Northwest Territories - Inuvik:</b> 1-867-777-7500</li> <li>• <b>Northwest Territories - Yellowknife:</b> 1-867-669-4900</li> <li>• <b>Nunavut - Iqaluit:</b> 1-867-979-8000</li> </ul>
Pacific	<ul style="list-style-type: none"> <li>• <b>DFO's BC Marine Mammal Response Network (Observe, Record, Report):</b> 1-800-465-4336 <a href="mailto:DFO.ORR-MPO.ONS@dfo-mpo.gc.ca">DFO.ORR-MPO.ONS@dfo-mpo.gc.ca</a></li> <li>• VHF Channel 16</li> </ul>

## ATLANTIC REGION

### North Atlantic Right Whale

Species Status: Endangered

Threats: Vessel strikes, entanglement in fishing gear, disturbance and habitat reduction or degradation (e.g., contaminants, acoustic disturbance, vessel presence disturbance) and changes in food supply.

Characteristics of the North Atlantic Right Whale: V-shaped blow, no dorsal fin, deeply notched flukes, callosities (white patches on the head and sometimes other parts of the body).

Minimum Approach Distance: **100** metres from a single free-swimming whale; 200 metres from resting whales or a mother with a calf in all Canadian fisheries waters, as per the [Marine Mammal Regulations](#).

Immediately report any collisions with whales, entangled whales or dead whales to DFO ([Report a marine mammal or sea turtle incident or sighting \(dfo-mpo.gc.ca\)](#)) and the Marine Animal Response Society hotline (1-866-567-6277), VHF channel 16, or Fundy Traffic VHF channel 14.

Report any sightings of North Atlantic right whales, including location, date, and photos to [XMARwhalesightings@dfo-mpo.gc.ca](mailto:XMARwhalesightings@dfo-mpo.gc.ca).

### North Atlantic Right Whale Critical Habitat

#### Grand Manan Basin Critical Habitat

See also the mandatory Bay of Fundy Traffic Separation Scheme (TSS), which largely avoids the Grand Manan Basin Critical Habitat. This can be found in Section A5 - Navigation Safety.

Guidelines (June - December):

- Vessels should avoid passage through this area if possible. Avoidance is the most effective means to eliminate or reduce acoustic disturbances and vessel collisions.
- If passage through this area is required, decrease vessel speed to 10.0 knots or less and post a look-out to increase the likelihood of sighting and avoiding marine mammals. Increased caution must be exercised in conditions of reduced visibility, such as rain, fog, rough sea state, or at night. Be aware that marine mammals often travel in small groups dispersed over an area of several miles. Maneuver around marine mammals with caution (see general guidelines). Do not assume the marine mammals will move out of the way.

### Roseway Basin Critical Habitat and International Maritime Organization-Adopted Area to Be Avoided

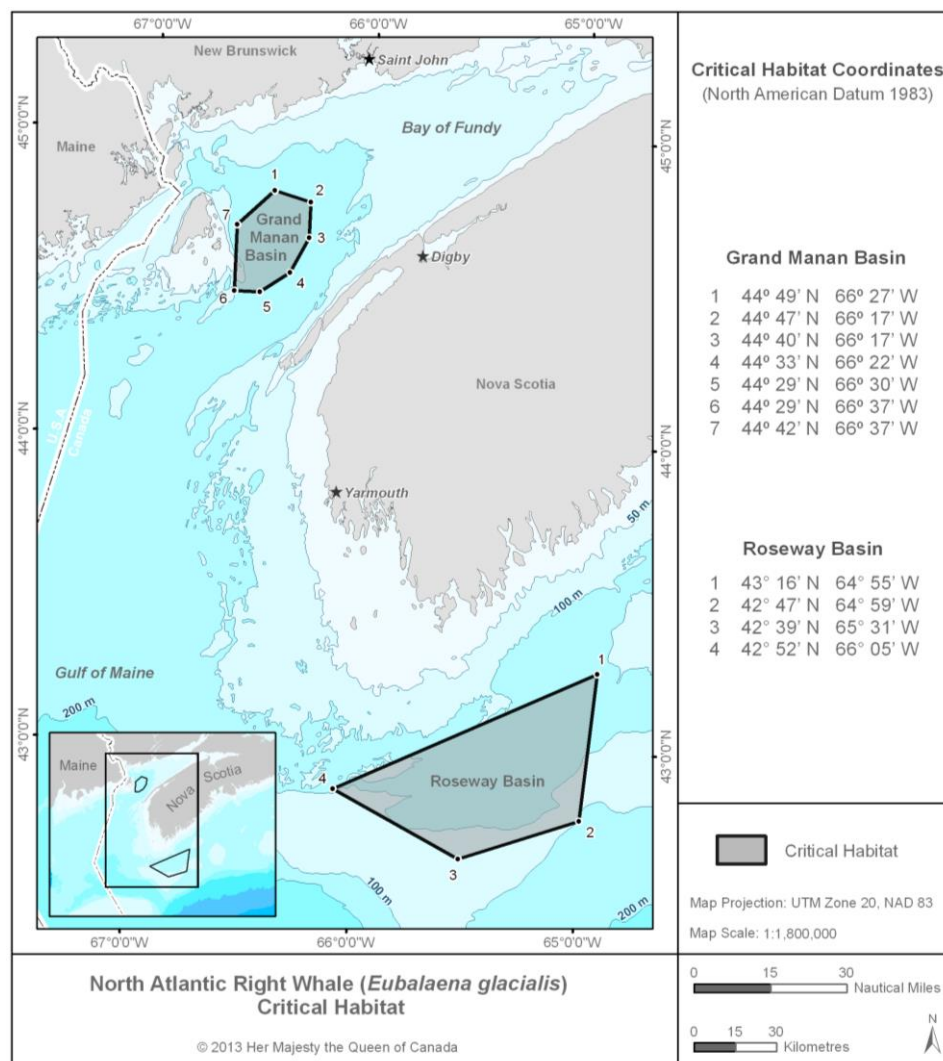
Guidelines (June - December):

- To significantly reduce the risk of vessel strikes on North Atlantic right whales, it is recommended that ships of 300 gross tonnages and greater, solely in transit during the period of June 1<sup>st</sup> through December 31<sup>st</sup>, avoid the area. This routing measure has been adopted by the International Maritime Organization (IMO) as a seasonal Area to be Avoided described in IMO. SN.1/Circ.263. October 2007.
- Smaller vessels are also asked to avoid passage through the area.
- If passage through this area is required, decrease vessel speed to 10.0 knots or less and post a look-out to increase the likelihood of sighting and avoiding marine mammals. Increased caution must be exercised in conditions of reduced visibility, such as rain, fog, rough sea state, or at night. Be aware that marine mammals often travel in small groups dispersed over an area of several miles. Maneuver around marine mammals with caution (see general guidelines). Do not assume the marine mammals will move out of the way.

Learn more about the recovery process for the North Atlantic Right Whale at the [Species at Risk Public Registry](#)



Critical Habitat for the North Atlantic Right Whale is shown in the map below:



### Northern Bottlenose Whale (Scotian Shelf population)

**Species Status:** Endangered

**Threats:** Acoustic disturbance, fisheries interactions, vessel strikes, pollution and chemical contaminants, and climate change.

**Characteristics of the Northern Bottlenose Whale:** Low bushy blow, bulbous forehead, prominent mouth or beak, sickle-shaped dorsal fin located approximately two-thirds of the way down the body, light grey to brown in colour, maximum length approximately 9 metres.

**Minimum Approach Distance:** **100** metres from a single free-swimming whale; **200** metres from resting whales or a mother with a calf in all Canadian fisheries waters, as per the [Marine Mammal Regulations](#).

Immediately report any collisions with whales, entangled whales, or dead whales to DFO ([Report a marine mammal or sea turtle incident or sighting \(dfo-mpo.gc.ca\)](#)) and to the Marine Animal Response Society hotline at 1-866-567-6277, or via VHF channel 16.

Report any sightings of Northern Bottlenose Whales, including location, date, and photos to [XMARwhalesightings@dfo-mpo.gc.ca](mailto:XMARwhalesightings@dfo-mpo.gc.ca).

## Northern Bottlenose Whale (Scotian Shelf population) Critical Habitat

### Zone 1 of the Gully Marine Protected Area

#### Guidelines (year-round):

- The Gully is a designated Marine Protected Area under the Oceans Act (see Notice 5A). Zone 1 of the Gully Marine Protected Area (i.e., the innermost of the three management zones) is also critical habitat for Northern Bottlenose Whales (critical habitat coordinates are provided in the map below).
- Vessels should avoid passage through this area if possible. Avoidance is the most effective means to eliminate or reduce acoustic disturbances and vessel collisions.
- If passage through this area is required, decrease vessel speed to 10.0 knots or less and post a look-out to increase the likelihood of sighting and avoiding marine mammals. Increased caution must be exercised in conditions of reduced visibility, such as rain, fog, rough sea state, or at night. Be aware that marine mammals often travel in small groups dispersed over an area of several miles. Maneuver around marine mammals with caution (see general guidelines in this notice). Do not assume the marine mammals will move out of the way.

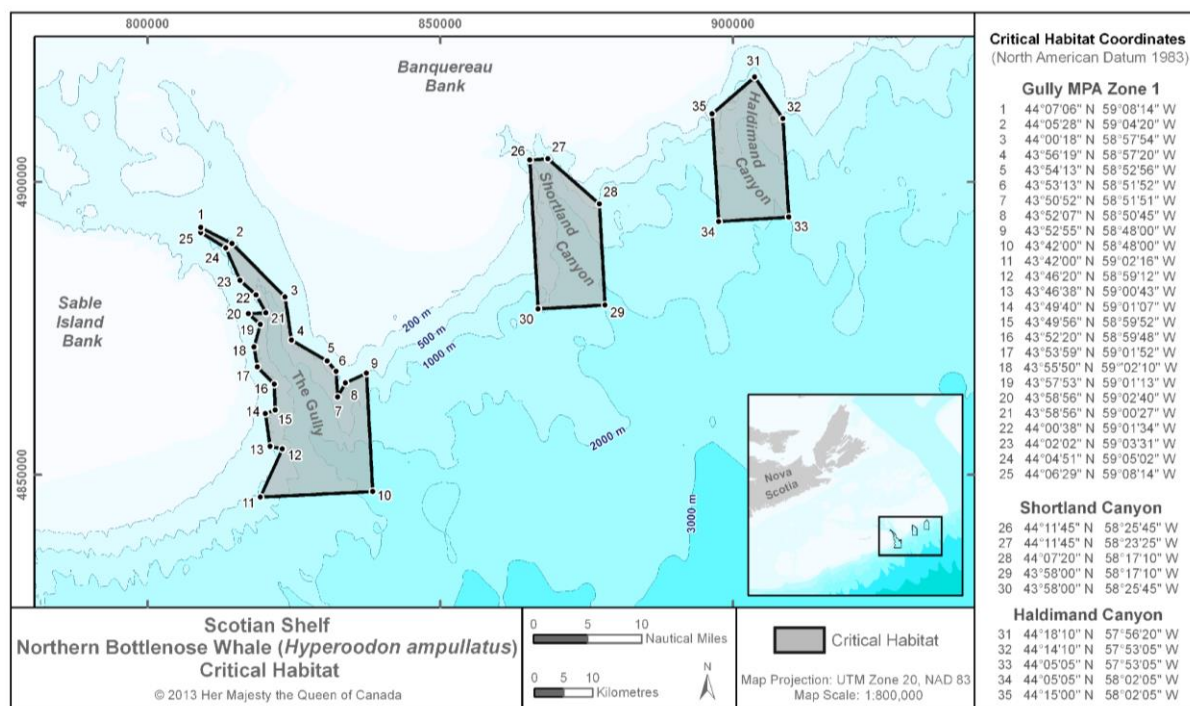
### Shortland and Haldimand Canyons

#### Guidelines (year-round):

- Vessels should avoid passage through these areas if possible. Avoidance is the most effective means to eliminate or reduce acoustic disturbances and vessel collisions.
- If passage through these areas is required, decrease vessel speed to 10.0 knots or less and post a look-out to increase the likelihood of sighting and avoiding marine mammals. Increased caution must be exercised in conditions of reduced visibility, such as rain, fog, rough sea state, or at night. Be aware that marine mammals often travel in small groups dispersed over an area of several miles. Maneuver around marine mammals with caution (see general guidelines in this notice). Do not assume the marine mammals will move out of the way.

Learn more about the recovery process for the Northern Bottlenose Whale at the [Species at Risk Public Registry](#).

Critical Habitat for the Northern Bottlenose Whale (Scotian Shelf population) is shown in the map below:





## QUEBEC REGION

### Beluga (St. Lawrence Estuary population)

Species status: Endangered

Threats: Contaminants, noise, anthropogenic disturbance, reduction in prey abundance, quality and availability, habitat degradation, ship strikes, and entanglement in fishing gear.

Characteristics of the St. Lawrence Beluga: adults are white; young are grey; rounded bump on the head (melon), no dorsal fin, adults between 2.5 and 4.5 metres.

Minimum Approach Distance: **100** metres in all Canadian fisheries waters, **400** metres in the St. Lawrence Estuary (the Beluga critical habitat is within the range for the minimum approach distance of **400** metres), as per the [Marine Mammal Regulations](#).

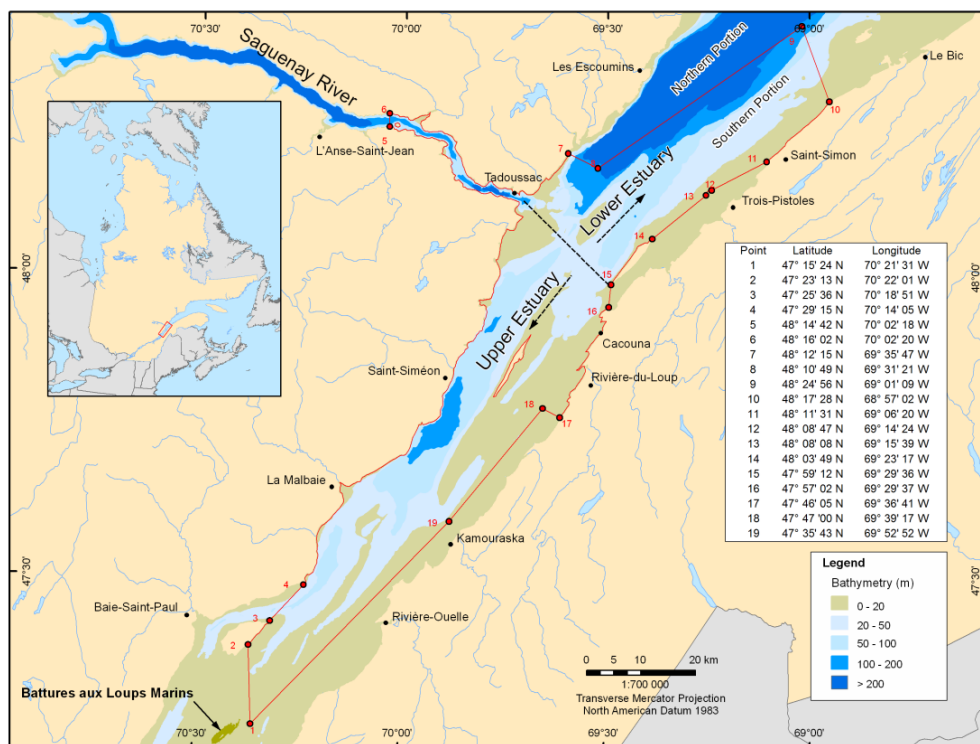
Immediately report any collisions or entanglements with a Beluga Whale, dead or alive, to DFO (Report a marine mammal or sea turtle incident or sighting ([dfo-mpo.gc.ca](http://dfo-mpo.gc.ca))) and by calling Quebec's Emergency Network for Marine Mammals at 1-877-722-5346.

Guidelines: Adhere to the *General Guidelines when in the Vicinity of Marine Mammals* as listed in Notice 5 of this Notice to Mariners and follow the specific protection measures for the Saguenay-St. Lawrence Marine Park and Surrounding waters, below.

Learn more about the Beluga Whale recovery process at the [Species at Risk Public Registry](#).

#### St. Lawrence Beluga Whale Critical Habitat

Critical habitat of the St. Lawrence beluga extends from the Battures aux Loups Marins to the southern portion of the Estuary, off Saint-Simon. It includes the lower reaches of the Saguenay River. It is shown in the map below:



## SAGUENAY–ST. LAWRENCE MARINE PARK AND SURROUNDING WATERS – WHALE PROTECTION

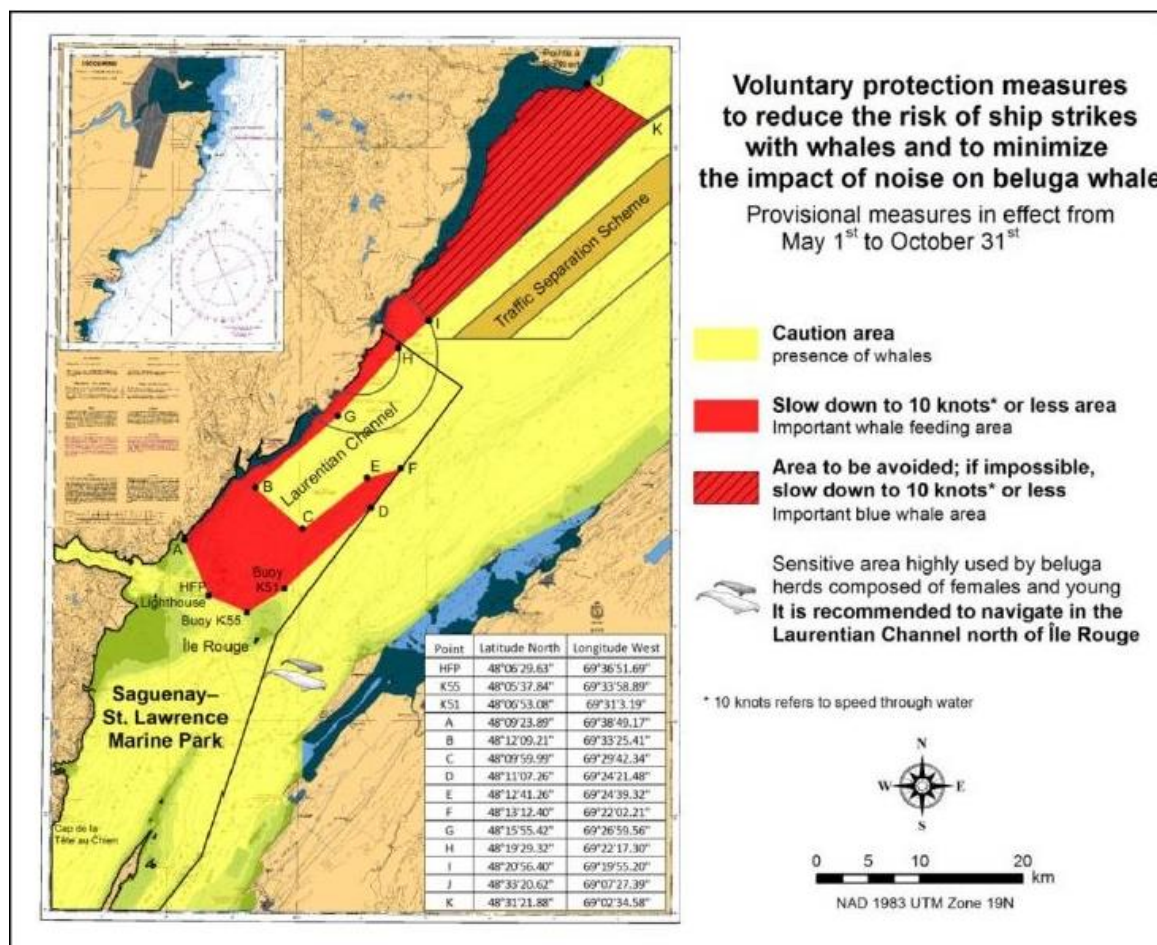
The waters in and around the Saguenay–St. Lawrence Marine Park are well known for the resident endangered beluga population and the wide diversity of whales that migrate there to feed, particularly between April and November.

### Regulatory Protection Measures

All whale species that are found in the St. Lawrence are protected under the [MMR](#), pursuant to the [Fisheries Act](#). Within the boundaries of the Marine Park, specific measures are set out in the Marine Activities in the Saguenay–St. Lawrence Marine Park Regulations, pursuant to the Saguenay–St. Lawrence Marine Park Act. Any collision with a marine mammal within the Marine Park must immediately be reported to a park warden at 1-866-508-9888. For collisions that occur outside the Marine Park or for any situation involving a marine mammal that is dead or in trouble, contact the emergency network at 1-877-722-5346. For more information on the Saguenay–St. Lawrence Marine Park, see notice 5C of this Notice to Mariners.

### Voluntary Protection Measures

Provisional measures in effect from May 1<sup>st</sup> to October 31<sup>st</sup>. See map below. These measures apply to merchant vessels and cruise ships between Pointe à Boisvert and Cap de la Tête au Chien to prevent collisions with whales. These measures should only be taken when they will not jeopardize navigational safety.



**Caution area (yellow area):** To reduce the risk of collisions with whales that can be present anywhere in this area, heightened vigilance of navigators is critical. Posting a lookout is recommended to increase the chances of seeing the whales and thus taking necessary measures to avoid them. If bypassing the whales is not possible, slow down and wait for the animals to move away to a distance greater than **400 metres** (0.215 nautical miles) before resuming original speed. It is more difficult to see the animals at night, therefore increased caution is recommended.

**Slow down to 10.0 knots or less area (red area):** To reduce the risk of collisions with whales in this feeding area, it is recommended that vessels slow down to a maximum speed through the water of 10.0 knots and post a lookout. It is further recommended to remain in the Laurentian Channel to the north of Île Rouge to minimize the impact of noise in a sensitive area south of this island, which is highly frequented by herds of beluga whales composed of females and young.

**Area to be avoided (hatched red area):** To reduce noise and the risk of collisions with whales, vessels should avoid transiting through this area, which is highly frequented by blue whales, an endangered species. If the area cannot be avoided, slow down to a speed through the water of 10.0 knots or less.

## WESTERN REGION

### Southern and Northern Resident Killer Whales

**Species Status:** Endangered and Threatened, respectively, under the [Species at Risk Act](#).

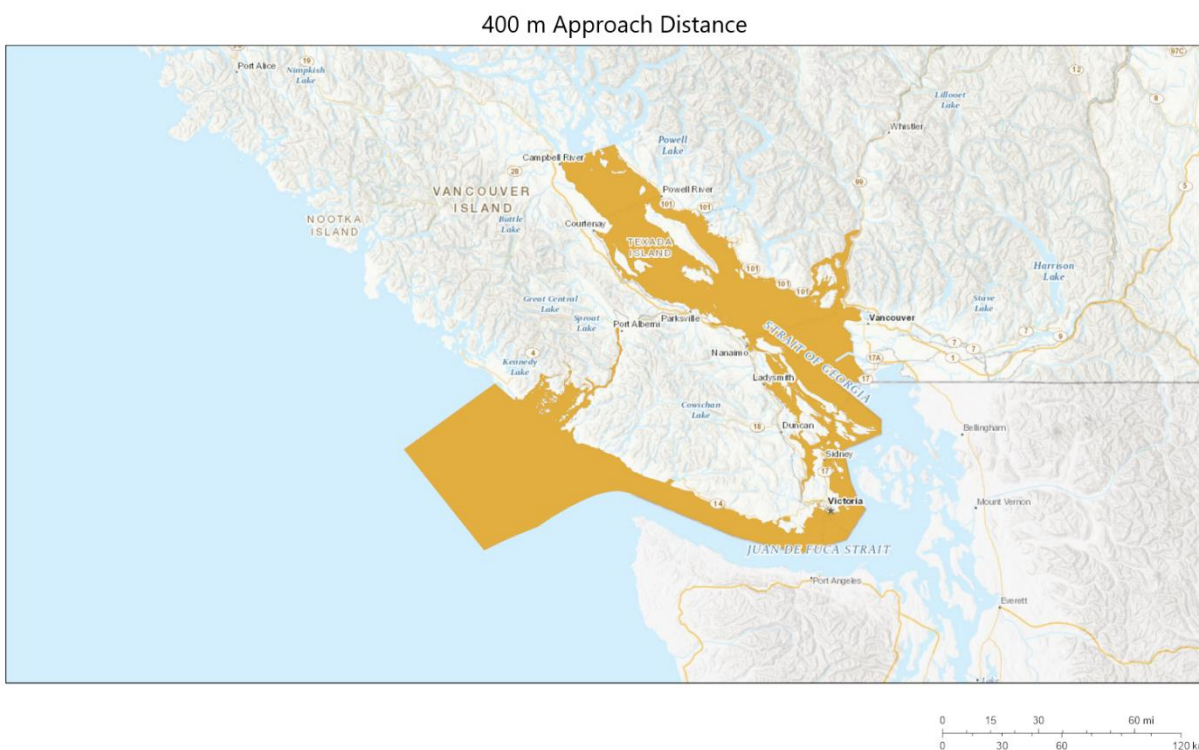
**Threats:** Principal threats are environmental contamination, reductions in the availability or quality of prey, and both physical and acoustic disturbance.

**Characteristics:** The killer whale is the largest member of the dolphin family. Its size, striking black and white colouring and tall dorsal fin are the main identifying characteristics. Killer whales are mainly black above and white below, with a white oval eye patch, and a grey saddle patch below the dorsal fin.

**Minimum Approach Distance:** **400 metres** for all killer whales within Southern Resident Killer Whale critical habitat and BC coastal waters between Campbell River (Cape Mudge) and Malaspina Peninsula (Sarah Point) including Howe Sound, to just north of Ucluelet, including Barkley Sound from June 1, 2023 until May 31, 2024, as per the Interim Order under the [CSA 2001](#). Vessels must remain 200 metres away from all killer whales elsewhere in BC coastal waters as per the [Marine Mammal Regulations](#).

In case of any accidental contact between a vessel or gear and a killer whale (or other marine mammals or sea turtles), or if you observe an entangled, sick, injured, distressed, or dead killer whale (or other marine mammals or sea turtles) in B.C. waters, please contact the Observe, Record, Report line operated by DFO's British Columbia Marine Mammal Response Network (BCMMRN) immediately at (1-800-465-4336 or [DFO.ORR-MPO.ONS@dfo-mpo.gc.ca](mailto:DFO.ORR-MPO.ONS@dfo-mpo.gc.ca)), or to VHF channel 16. Sightings of whales, including location, date and photos, may be reported to BC Cetacean Sightings Network through the WhaleReport App, [sightings@ocean.org](mailto:sightings@ocean.org), the online form at [Sightings Network](#), or by calling 1-866-I SAW ONE.

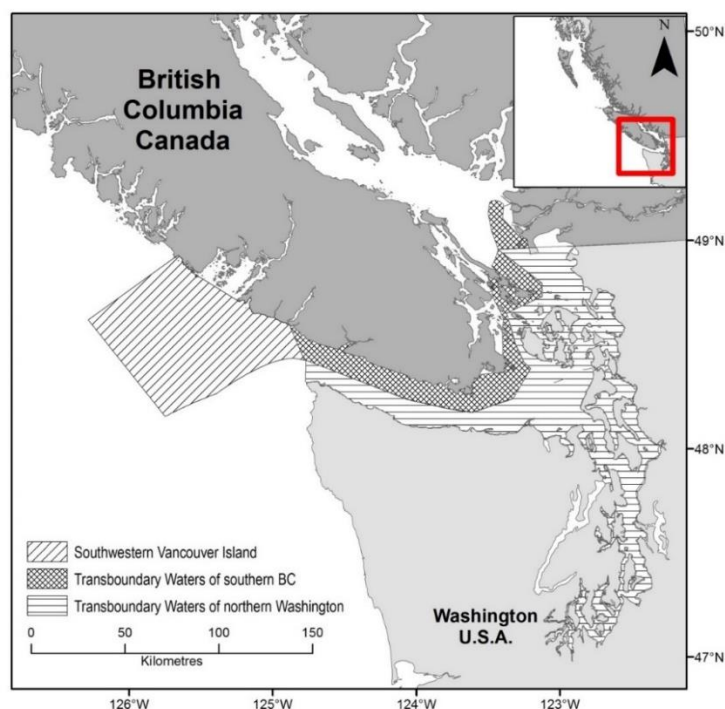
The **400 metre** minimum approach distance zone is shown in the map below:





## Southern Resident Killer Whale Critical Habitat

Critical Habitat for the Southern Resident Killer Whale is shown in the map below:



### Critical habitat areas identified for Southern Resident Killer Whales

Critical habitat is identified as the areas within the identified geographic boundaries, given that they contain the described biophysical attributes and features and the functions they support, as described in Table 4 of the [Recovery Strategy for the Northern and Southern Resident Killer Whales \(\*Orcinus orca\*\) in Canada](#) (2018). The hatched areas in the transboundary waters of southern BC and off southwestern Vancouver Island are the critical habitat areas in Canadian waters for Southern Resident Killer Whales, as designated under SARA. The horizontal hatched area in the transboundary waters of northern Washington State is designated as Southern Resident Killer Whale critical habitat under the U.S. *Endangered Species Act* (ESA).

The movement patterns of Resident Killer Whales are largely influenced by the availability of their preferred prey (Chinook Salmon). The critical habitat for Southern Resident Killer Whales within Canadian Pacific waters has been partially identified, and includes:

- 1) transboundary areas of southern British Columbia, including the Southern Strait of Georgia, Haro Strait, and Juan de Fuca Strait; and
- 2) waters on the continental shelf off southwestern Vancouver Island, including Swiftsure and La Pérouse Banks (critical habitat for both Northern and Southern Resident Killer Whales). Human activities themselves are not automatically prohibited within an area identified as critical habitat; rather, it is the destruction of this critical habitat that is prohibited.

Learn more about the recovery process, including the recovery strategy and action plan for the Northern and Southern Resident Killer Whale, at the [Species at Risk Public Registry](#).

**Guidelines:** Adhere to the *General Guidelines when in the Vicinity of Marine Mammals* as listed on Page 3 in Notice 5 of this Notice to Mariners.



**Northern and Southern Resident Killer Whale critical habitat boundaries off Southwestern Vancouver Island.**

*(Described clockwise from the western boundary - all Latitudes are Degrees-Minutes North; all Longitudes are Degrees-Minutes West.)*

Point Description		Start and End Coordinates			
		Latitude Deg	Latitude Min	Longitude Deg	Longitude Min
1	Northern Boundary (Vancouver Island running southwest offshore)	48	59.7	-125	40.15
2		48	41.72	-126	17.88
3	Offshore Boundary	48	13.95	-125	44.61
4	Waters adjacent the U.S.A. Border	48	29.72	-124	44.32
5	Waters adjacent Southern Resident Killer Whale critical habitat in transboundary waters of southern Georgia, Haro, and Juan de Fuca Straits	48	40.04	-124	50.66
6	And bounded by Vancouver Island to the Northwest boundary				
7	Excluding waters north of the line joining (Nitinat Inlet)	48	40.05	-124	50.99
8		48	40.13	-124	51.3
9	Excluding waters northeast of the line joining Cape Beale and Amphitrite Point (Barkley Sound)	48	55.22	-125	32.391
10		48	47.174	-125	13.039

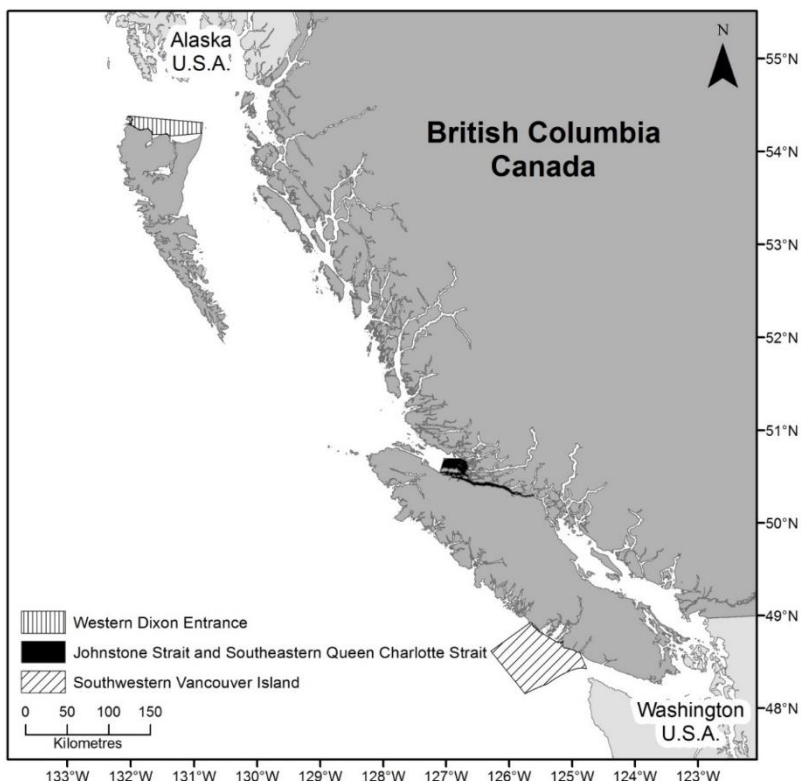
**Southern Resident Killer Whale critical habitat boundaries for transboundary waters of southern Georgia, Haro, and Juan de Fuca Straits.**

*(Described clockwise from the western boundary - all Latitudes are Degrees-Minutes North; all Longitudes are Degrees-Minutes West.)*

Point Description		Start and End Coordinates			
		Latitude Deg	Latitude Min	Longitude Deg	Longitude Min
1	Western boundary	48	29.68	124	44.31
2		48	40.02	124	50.68
3	Excluding waters north of the line joining (Sooke Inlet)	48	21.30	123	44.32
4		48	20.33	123	42.90
5	Excluding waters north of the line joining (Royal Roads, Esquimalt Harbour, Victoria Harbour)	48	24.25	123	28.97
6		48	24.57	123	22.61
7	Excluding waters west of the line joining (Cordova Channel and Sidney Channel)	48	29.69	123	18.61
8		48	36.12	123	18.51
9	Excluding waters west of the line joining (western half of Miners Channel and the waters west of Gooch Island)	48	37.04	123	18.49
10		48	39.70	123	17.72
11	Excluding waters west of the line joining (western half of Prevost Channel and Moresby Passage)	48	39.88	123	17.68
12		48	42.96	123	19.63
13	Excluding waters west of the line joining (western portion of Swanson Channel between Moresby Island and Prevost Island)	48	43.34	123	19.88
14		48	48.86	123	22.70
15	Excluding waters west of the line joining (western portion of Trincomali Channel between Prevost Island and Parker Island)	48	50.66	123	23.33
16		48	52.61	123	23.92
17	Excluding waters west of the line joining (western portion of Trincomali Channel between Parker Island and Galiano Island)	48	52.85	123	23.92
18		48	53.08	123	23.76
19	Excluding waters west of the line joining (western portion of southern Strait of Georgia)	48	54.28	123	20.67
20		48	55.39	123	21.98
21		49	0.00	123	18.88
22		49	10.39	123	22.82
23		49	13.58	123	21.97
24	Excluding waters north of the line joining (portion of southern Strait of Georgia)	49	13.58	123	21.97
25		49	14.00	123	21.09
26		49	14.18	123	19.22
27		49	13.79	123	17.21
28	Excluding waters north and east of the line joining (portion of southern Strait of Georgia)	49	13.79	123	17.21
29		49	12.87	123	15.75
30		49	9.01	123	16.48
31		49	3.39	123	9.24
32		49	3.47	123	8.48
	And bounded on the east and south by Point Roberts and the United States Border				

## Northern Resident Killer Whale Critical Habitat

Critical Habitat for the Northern Resident Killer Whale is shown in the map below:



### Critical habitat areas identified for Northern Resident Killer Whales

Critical habitat is identified as the areas within the identified geographic boundaries, given that they contain the described biophysical attributes and features and the functions they support, as described in Table 4 of the [Recovery Strategy for the Northern and Southern Resident Killer Whales \(\*Orcinus orca\*\) in Canada](#) (2018). The lined areas in western Dixon Entrance, which includes most of the coastal waters off the north side of Graham Island and the hatched area in the waters off southwestern Vancouver Island are the critical habitat areas in Canadian waters for Northern Resident Killer Whales, as designated under [SARA](#).

The movement patterns of Resident Killer Whales are largely influenced by the availability of their preferred prey (Chinook Salmon). The critical habitat for Northern Resident Killer Whales in Canadian Pacific waters as designated under SARA, and includes:

- 1) the waters of Johnstone Strait and southeastern Queen Charlotte Strait, and the channels connecting these straits;
- 2) waters on the continental shelf off southwestern Vancouver Island, including Swiftsure and La Pérouse Banks (critical habitat for both Northern and Southern Resident Killer Whales); and
- 3) waters of western Dixon Entrance, along the north coast of Graham Island from Langara to Rose Spit.

A Critical Habitat Order prohibits the destruction of critical habitat caused by human activities, but does not automatically prohibit the activities themselves.

Learn more about the recovery process, including the recovery strategy and action plan, for the Northern and Southern Resident Killer Whale at the [Species at Risk Public Registry](#).

**Guidelines:** Adhere to the *General Guidelines when in the Vicinity of Marine Mammals* as listed in Notice 5 of this Notice to Mariners.

### Robson Bight (Michael Bigg) Ecological Reserve

Ecological Reserves are areas in British Columbia selected to preserve representative and special natural ecosystems, plant and animal species, features, and phenomena. Ecological Reserves provide the highest level of protection for the maintenance of physical and biological diversity while allowing for research and educational activities. Robson Bight (Michael Bigg) Ecological Reserve was established to provide support for killer whale recovery by reducing physical and acoustic disturbance while they feed, socialize and use rubbing beaches. Beach rubbing appears to be an important activity for Northern Resident Killer Whales and during this time, they are very sensitive to disturbance.

#### **Guidelines**

Contained within the larger critical habitat area found in the waters of Johnstone Strait and southeastern Queen Charlotte Strait, Robson Bight Ecological Reserve provides an additional protected area for Northern Resident Killer Whales to rest, feed, socialize and engage in beach rubbing behaviour.

- Northern Resident Killer Whales are listed as Threatened under the [Species at Risk Act](#), and areas identified as critical habitat are protected from destruction.
- Robson Bight (Michael Bigg) Ecological Reserve is a provincially designated Ecological Reserve that falls within the boundaries of the legally protected critical habitat for Northern Resident Killer Whales.
- All vessels should avoid passage through the Ecological Reserve. Avoidance is the most effective means to eliminate or reduce physical and acoustic disturbance and vessel collisions with whales.
- Fish harvesters are requested not to moor in the Robson Bight area.
- Should boaters accidentally stray into the Reserve, leave immediately while maintaining at least a **300** metres distance from any whale present.
- If passage through this area is required for navigational safety, decrease vessel speed to 7.0 knots or less and post a look-out to increase the likelihood of sighting and avoiding marine mammals by at least **300** metres. Increased caution must be exercised in conditions of reduced visibility, such as rain, fog, rough sea state, or at night. Be aware that marine mammals often travel in small groups dispersed over an area of several kilometres. Maneuver around marine mammals with caution (refer to the Laws, Regulations and General Guidelines when in the Vicinity of Marine Mammals in section 5 above). Do not assume the whales will move out of the way.

#### **Northern Resident Killer Whale Critical Habitat – Boundaries for Johnstone and southeastern Queen Charlotte Straits.**

*(Described clockwise from the western boundary - all Latitudes are Degrees-Minutes North; all Longitudes are Degrees-Minutes West.)*

Point Description		Start and End Coordinates			
		Latitude Deg	Latitude Min	Longitude Deg	Longitude Min
1	Western boundary (Vancouver Island to Numas Island)	50	36.98	127	11.00
2		50	46.24	127	6.76
3	Northern boundary (Numas Island to Broughton Island)	50	46.27	127	5.26
4		50	46.41	126	48.27
5	Northern boundary (Broughton Island to Screen Island / Eden Island)	50	46.13	126	47.30
6		50	44.95	126	43.55
7	boundary line running from Eden Island to Crib Island (including waters of Queen Charlotte Strait and excluding waters of Trainer Passage)	50	44.79	126	43.22
8		50	43.67	126	42.73

Point Description		Start and End Coordinates			
		Latitude Deg	Latitude Min	Longitude Deg	Longitude Min
9	boundary line running from Crib Island to House Ilet (including waters of Queen Charlotte Strait and excluding waters of Arrow and Spring Passages)	50	43.33	126	42.58
10		50	40.16	126	41.21
11	boundary line running from House Ilet to Swanson Island (including waters of Queen Charlotte Strait and excluding waters of Knight Inlet)	50	40.16	126	41.21
12		50	37.75	126	43.86
13	boundary line running from Swanson Island to Compton Island (including waters of Blackfish Sound excluding waters of West Passage)	50	36.06	126	41.77
14		50	35.84	126	41.42
15	boundary line running from Compton Island to Harbledown Island (including waters of Blackfish Sound excluding waters of Whitebeach Passage)	50	35.50	126	40.86
16		50	35.38	126	40.68
17	boundary line running from Harbledown Island to Parson Island (including waters of Blackfish Sound excluding waters of Parson Bay)	50	35.19	126	40.93
18		50	34.43	126	40.73
19	boundary line running from Parson Island to West Cracroft Island (including waters of Blackfish Sound excluding waters of Baronet Passage)	50	33.65	126	39.95
20		50	32.98	126	39.73
	Waters of western Johnstone Strait bounded on the north by West Cracroft Island, the mainland, Hardwicke Island and West Thurlow Island with no exclusions except:				
24	boundary line running from West Cracroft Island to the mainland (including waters of western Johnstone Strait excluding waters of Havannah Channel)	50	31.32	126	20.35
25		50	31.09	126	17.05
26	boundary line running from the mainland to Hardwicke Island (including waters of western Johnstone Strait excluding waters of Sunderland Channel)	50	28.46	126	2.54
27		50	26.57	125	57.94
28	boundary line running from Hardwicke Island to Eden Point on West Thurlow Island (including waters of western Johnstone Strait excluding waters of Chancellor Channel)	50	24.58	125	48.29
29		50	23.91	125	47.38
30	boundary line running from Eden Point to Tyee Point on West Thurlow Island (including waters of western Johnstone Strait excluding waters of Vere Cove)	50	23.91	125	47.38
31		50	23.26	125	47.06
32	Eastern boundary line running from West Thurlow Island (including waters of western Johnstone Strait excluding waters of eastern Johnstone Strait and Mayne Passage)	50	23.42	125	34.39
33		50	21.88	125	34.23
	Waters of western Johnstone Strait bounded on the south by Vancouver Island - no exclusions except:				
35	boundary line running from Graveyard Point to Kelsey Bay Harbour on Vancouver Island (including waters of western Johnstone Strait excluding waters of Salmon Bay)	50	23.45	125	56.71
36		50	23.80	125	57.62



**Northern and Southern Resident Killer Whale critical habitat boundaries off Southwestern Vancouver Island.**

*(Described clockwise from the western boundary - all Latitudes are Degrees-Minutes North; all Longitudes are Degrees-Minutes West.)*

Point Description		Start and End Coordinates			
		Latitude Deg	Latitude Min	Longitude Deg	Longitude Min
1	Northern Boundary (Vancouver Island running southwest offshore)	48	59.7	-125	40.15
2		48	41.72	-126	17.88
3	Offshore Boundary	48	13.95	-125	44.61
4	Waters adjacent the U.S.A. Border	48	29.72	-124	44.32
5	Waters adjacent Southern Resident Killer Whale critical habitat in transboundary waters of southern Georgia, Haro, and Juan de Fuca Straits	48	40.04	-124	50.66
6	And bounded by Vancouver Island to the Northwest boundary				
7	Excluding waters north of the line joining (Nitinat Inlet)	48	40.05	-124	50.99
8		48	40.13	-124	51.3
9	Excluding waters northeast of the line joining Cape Beale and Amphitrite Point (Barkley Sound)	48	55.22	-125	32.391
10		48	47.174	-125	13.039

**Northern Resident Killer Whale critical habitat boundaries in western Dixon Entrance.**

*(Described clockwise from the western boundary - all Latitudes are Degrees-Minutes North; all Longitudes are Degrees-Minutes West.)*

Point Description		Start and End Coordinates			
		Latitude Deg	Latitude Min	Longitude Deg	Longitude Min
1	Western Boundary (Langara Island Northward)	54	15.38	-133	3.5
2		54	15.99	-133	3.5
3	Northern Boundary	54	16.05	-131	40.45
4	Eastern Boundary	54	9.13	-131	40.43
5	Excluding waters south of line (McIntyre Bay)	54	5.491	-132	15.97
6	Bounded by Graham Island on the Southern Boundary	54	11.07	-133	1.55
7	Northward to Langara Island, excluding waters west of the line	54	11.43	-133	0.75
8	Bounded on the western Boundary by the eastern side of Langara Island up to Langara Light				
9	Excluding waters south of line (Virago Sound, Naden Harbour)	54	5.86	-132	26.26
10		54	5.57	-132	34.3

### **Southern Resident Killer Whale Interim Order**

The Southern Resident Killer Whale is listed as Endangered under the [SARA](#). Due to the threat posed from vessel traffic in southern British Columbia, the Minister of Transport has issued an [Interim Order](#) under the [CSA 2001](#), in effect starting June 1, 2023, to support their protection and recovery.

The measures in the Interim Order are in addition to already existing requirements under the [MMR](#). The measures are intended to reduce underwater noise and physical disturbance. These measures are in place on an interim basis pending further feasibility assessment work on longer term measures to reduce physical and acoustic disturbances.

The Interim Order applies to all vessels, which includes vessels that navigate in, on, through or immediately above water, regardless of the method of propulsion. This means large commercial vessels, cruise ships, submarines, sea planes, sailboats, motorboats, and any other mode of transportation for use in a marine environment. This also includes paddling and other non-motorized activities such as paddle boards, kayaks and canoes. Although non-motorized vessels pose little threat from an acoustic perspective, their physical presence can still disturb the foraging habits and movement of killer whales.

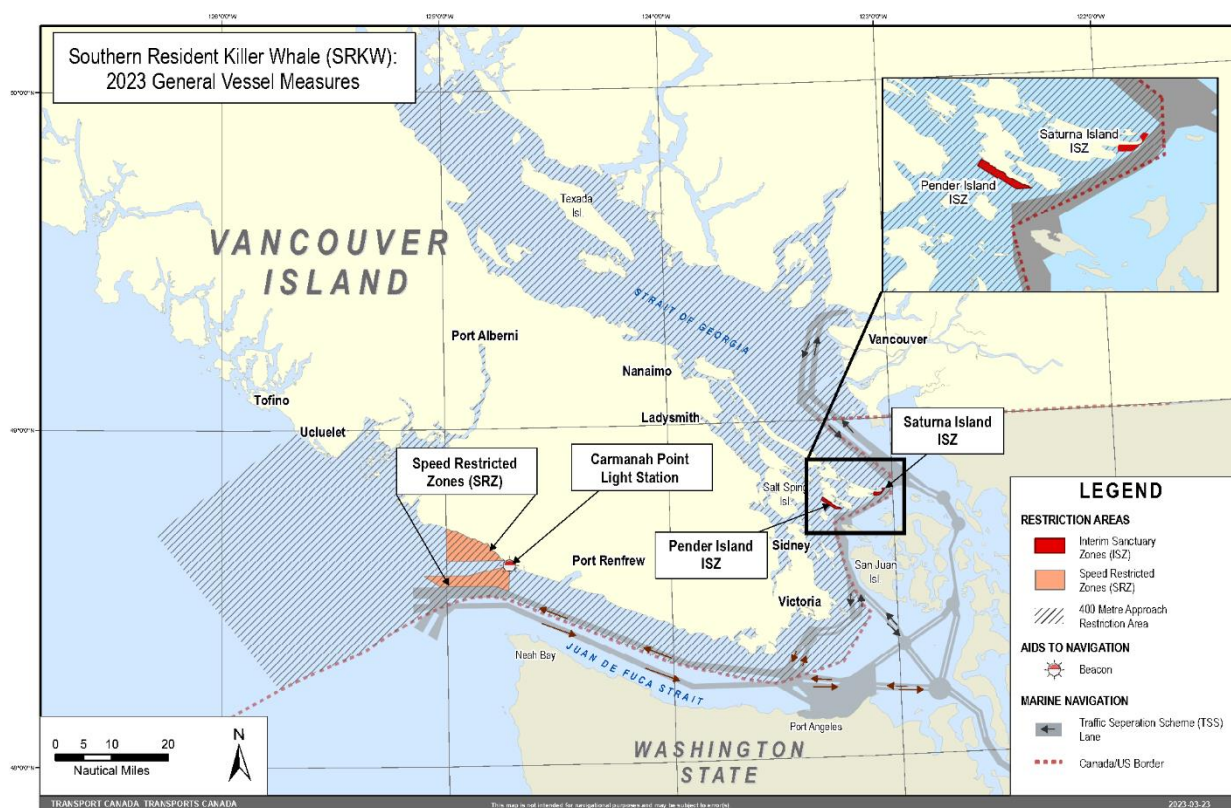
The Interim Order sets out three mandatory measures for vessels operating in certain areas of the waters of southern British Columbia to reduce underwater vessel noise and physical disturbance to killer whales, specifically:

- 1) Minimum approach distance to **400** metres for all killer whales within Southern Resident Killer Whale critical habitat and BC coastal waters between Campbell River (Cape Mudge) and Malaspina Peninsula (Sarah Point), including Howe Sound, to just north of Ucluelet, including Barkley Sound.
- 2) Two Interim Sanctuary Zones where vessel traffic is prohibited, including fishing, whale watching and recreational boating, subject to exceptions. These zones are located off the south-west coast of Pender Island, another at the south-east end of Saturna Island.
- 3) Two new Seasonal Slowdown Areas located near Swiftsure Bank in which all vessels, subject to exceptions, are restricted to a maximum speed of 10 knots speed over ground when safe to do so.

Visit [the Interim Order for the Protection of the Killer Whale \(\*Orcinus orca\*\) in Waters of Southern British Columbia, 2023](#), for more information.

## Southern Resident Killer Whale 2023 General Vessel Measures

The General Vessel Measures (2023) for the Southern Resident Killer Whale is shown in the map below:



### 400 metre Minimum Approach Distance

Under the Interim Order, from June 1, 2023 until May 31, 2024 all vessels, subject to exceptions, must stay a minimum of **400** metres away from all killer whales within Southern Resident Killer Whale critical habitat and BC coastal waters between Campbell River (Cape Mudge) and Malaspina Peninsula (Sarah Point) including Howe Sound, to just North of Ucluelet, including Barkley Sound. (see map illustrating “400 metre Approach Distance” in previous section). This builds on existing prohibitions in place through the [Marine Mammal Regulations](#) under the [Fisheries Act](#), and is being put in place to support the protection and recovery of the species, as acoustic and physical disturbance has been identified as a primary threat.

### Exceptions

The following vessels and persons are excepted from the **400** metre approach distance within the relevant range:

- vessels in transit;
- vessels in distress or providing assistance to a been vessel or person in distress;
- vessels involved in pollution response operations;
- vessels avoiding immediate or unforeseen danger<sup>1 2</sup>;

<sup>1</sup> An immediate or unforeseen danger includes any situation in which weather, mechanical issues or collision risks require the vessel to go through the Interim sanctuary zone because that is the safest route or the quickest path to safety

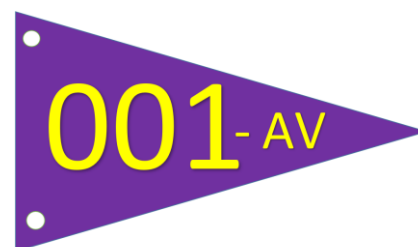
<sup>2</sup> The 400 m approach distance does not apply to vessels carrying any person referred to in (a) to (e) or to persons operating or navigating a vessel referred to in (a) to (e)

- vessel carrying excepted person
- employees of the government of Canada and peace officers who are performing their duties or functions, or persons who are assisting them or who are otherwise present at the request of the government of Canada;
- a person acting in a manner authorized under the [Species at Risk Act](#);
- a person authorized under the [Marine Mammal Regulations](#) to disturb a killer whale;
- persons fishing for marine mammals for experimental, scientific, educational or public display purposes in the manner set out in a licence issued under the Fishery (General) Regulations.
- a person operating an excepted vessel

Commercial whale watching or eco-tourism businesses, including those owned or operated by Indigenous peoples, that offer whale watching tours and travel within Southern Resident Killer Whale relevant range are eligible to apply for an authorization to view non-Southern Resident killer whales at a distance no closer than 200 metres. This authorization includes an agreement on behalf of the operator to take specific actions to reduce the impacts of their operations on Southern Resident Killer Whales.

Operators who wish to obtain such authorization must submit a request to [TC.QuietShips-Naviressilencieux.TC@tc.gc.ca](mailto:TC.QuietShips-Naviressilencieux.TC@tc.gc.ca). Approved applicants will receive an authorization letter that is required to be produced on request for enforcement purposes.

#### Authorized Vessel Flag



If a vessel is flying an authorized vessel flag, the vessel has been authorized to approach non-Southern Resident Killer Whales as close as 200 metres.

Due to their experience and training to distinguish between killer whale ecotypes, commercial whale watchers are permitted to approach non-Southern Resident Killer Whales closer than the general public and should not be used as a marker for approaching killer whales.

#### ***Coordinates for 400 metre Approach Distance:***

Commencing at	50° 3.807 N	124° 50.61 W	[Sarah Point]
Then to	49° 52.486 N	124° 33.903 W	[north Powell River]
Then to	49° 52.426 N	124° 33.912 W	[south Powell River]
Then to	49° 46.436 N	124° 16.815 W	[north Jervis Inlet/Thunder Bay]
Then to	49° 44.262 N	124° 13.26 W	[south Jervis Inlet]
Then to	49° 43.838 N	124° 12.572 W	[north Blind Bay]
Then to	49° 43.018 N	124° 11.228 W	[south Ballet Bay]
Then to	49° 39.45 N	124° 5.148 W	[west Agamemnon Channel]
Then to	49° 39.313 N	124° 4.355 W	[east Agamemnon Channel]
Then to	49° 23.063 N	123° 31.823 W	[Gower Point]
Then to	49° 22.227 N	123° 25.63 W	[King Edward Bay]
Then to	49° 21.475 N	123° 20.083 W	[Apodaca Cove]
Then to	49° 20.933 N	123° 16.172 W	[south Eagle Harbour]
Then to	49° 18.82 N	123° 7.712 W	[north First Narrows]
Then to	49° 18.323 N	123° 7.928 W	[south First Narrows]
Then to	49° 16.93 N	123° 8.525 W	[Sunset Beach]
Then to	49° 16.725 N	123° 8.61 W	[Kitsilano Beach]
Then to	49° 13.86 N	123° 12.583 W	[north North Arm]

Then to	49° 13.526 N	123° 13.303 W	[south North Arm]
Then to	49° 13.44 N	123° 13.468 W	[south Iona Island]
Then to	49° 5.06 N	123° 10.77 W	[west Westham Island]
Then to	49° 4.062 N	123° 9.41 W	[south Canoe Passage]
Then to	49° 3.487 N	123° 8. 493 W	[Roberts Bank]
Then to	49° 0.132 N	123° 5.46 W	[Boundary Bluff]
Then adjacent to the United States border until	48° 14.2 N	125° 44.5 W	[southern boundary of critical habitat]
Then to	48° 41.7 N	126° 17.783 W	[northwest boundary of critical habitat]
Then to	48° 59.685 N	125° 40.152 W	[Quisitis Point]
Then to	48° 55.253 N	125° 32.517 W	[Amphitrite Point]
Then to	48° 46.985 N	125° 12.587 W	[Cape Beale]
Then to	48° 45.433 N	125° 7.733 W	[Mabers Beach]
Then to	48° 40.605 N	124° 52.768 W	
Then to	48° 40.048 N	124° 50.997 W	
Then to	48° 39.645 N	124° 49.205 W	[west Clo-oose Bay]
Then to	48° 39.485 N	124° 48.648 W	[east Clo-oose Bay]
Then to	48° 33.703 N	124° 27.812 W	[west Port San Juan]
Then to	48° 33.11 N	124° 25.742 W	[east Port San Juan]
Then to	49° 59.092 N	125° 13.39 W	[Campbell River]

### Interim Sanctuary Zones

To provide for greater refuge for Southern Resident Killer Whales in key foraging areas within critical habitat, two Interim Sanctuary Zones have been created within which all vessel traffic is prohibited, including fishing, whale watching and recreational boating, from June 1, 2023, until November 30, 2023. These zones are located: off the south-west coast of Pender Island and southeast end of Saturna Island.

### Exceptions

The following vessels and persons are excepted from the prohibition on vessel traffic within the Interim Sanctuary Zones:

- local traffic that needs to access a residence, commercial establishment or any other establishment providing a service on North Pender or southeast Saturna Islands, or a mooring buoy within the sanctuary, if travel by water within an Interim Sanctuary Zone is the only practical means of doing so. For example, if you need to access a residence, business or service that is not accessible by road, you would generally be permitted to travel through the area to reach it;
- vessels in distress or providing assistance to a vessel or person in distress;
- vessels involved in pollution response operations;
- vessels avoiding immediate or unforeseen danger<sup>3</sup>;
- employees of the Government of Canada and peace officers performing their duties or functions, persons assisting them, or persons that are present at the request of the Government of Canada;
- persons undertaking certain activities, including scientific research, as authorized under either the [Species at Risk Act](#), [Marine Mammal Regulations](#), or Fishery (General) Regulations;

<sup>3</sup> An immediate or unforeseen danger includes any situation in which weather, mechanical issues or collision risks require the vessel to go through the Interim sanctuary zone because that is the safest route or the quickest path to safety



- persons fishing for food, social or ceremonial purposes or for domestic purposes pursuant to a treaty within the meaning of section 35 of the Constitution Act, 1982, in accordance with a licence issued under the Aboriginal Communal Fishing Licences Regulations; and
- Indigenous persons exercising an existing right for non-commercial purposes, other than fishing, under section 35 of the Constitution Act, 1982.

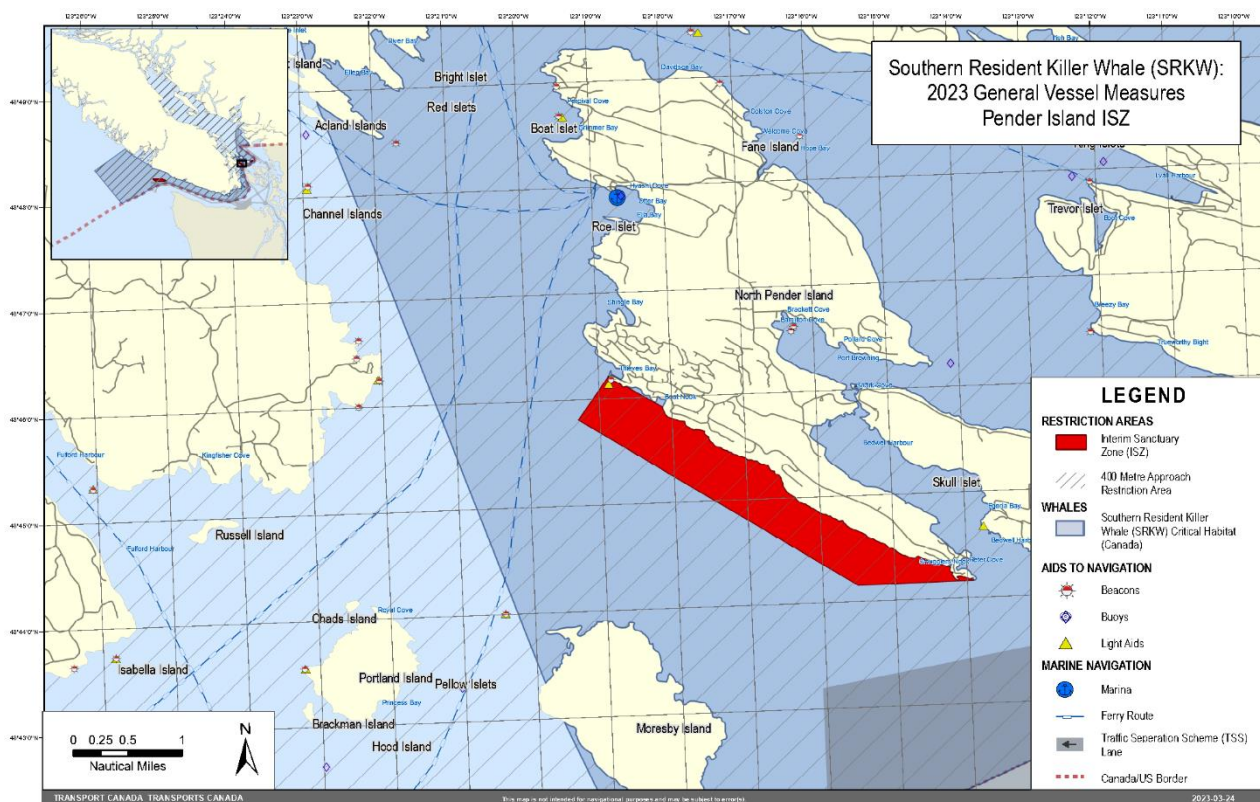
In recognition that the size of the Interim Sanctuary Zones can result in unsafe conditions for human powered vessels, a 20-metre transit corridor along the shores of the Pender and Saturna Island Interim Sanctuary Zones allows paddlers to bypass the prohibited zone. If a killer whale is in a zone while a paddler is transiting through, paddlers are required to remain **400** metres away from the killer whale.

### ***Coordinates for the Pender Island ISZ***

The waters off Pender Island bounded by a line:

commencing at	48°46.217'N	123°18.867'W	[Northeast corner];
then to	48°45.817'N	123°19.3'W	[Northwest corner];
then to	48°44.153'N	123°15.517'W	[Southwest corner];
then to	48°44.167'N	123°13.917'W	[Southeast Corner].

The Pender Island ISZ (2023) for the Southern Resident Killer Whale is shown in the map below:

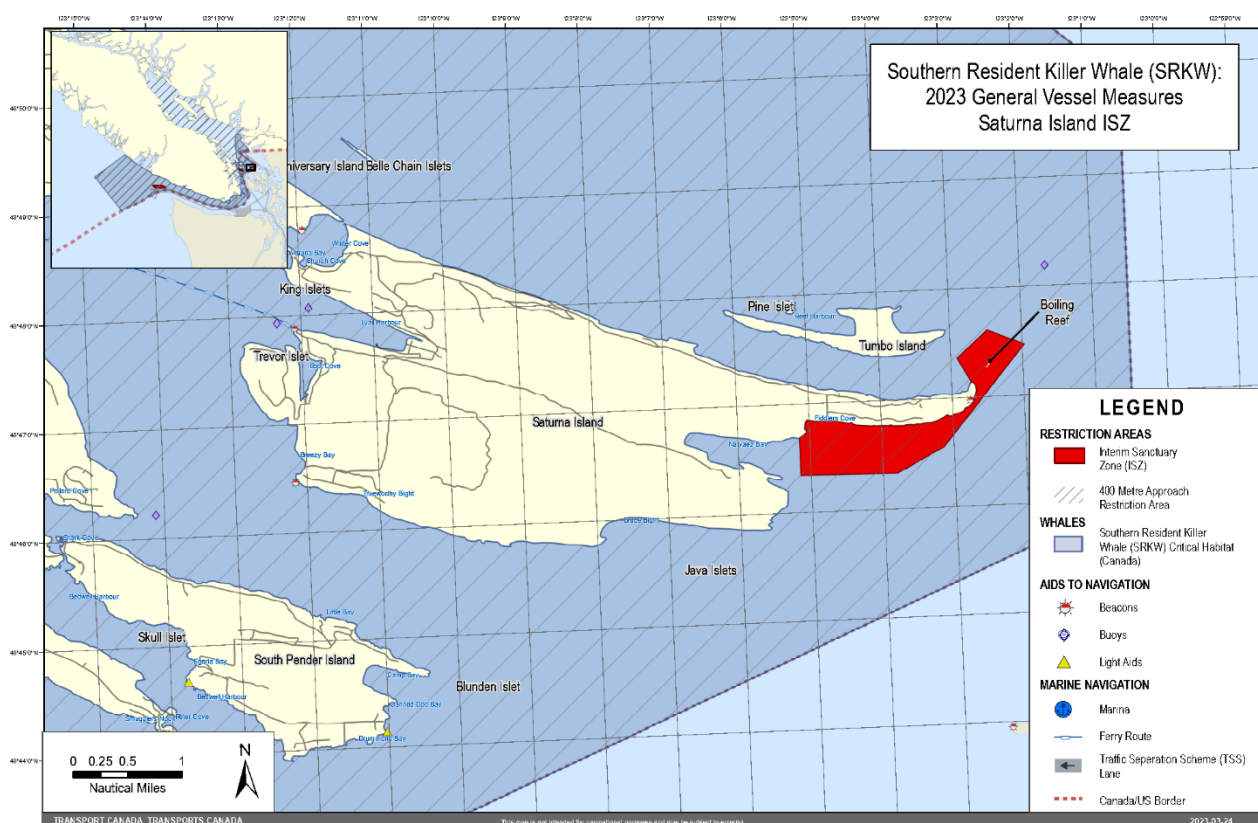


### Coordinates for the Saturna Island ISZ

The waters off Saturna Island bounded by a line:

commencing at	48°47.15'N	123°02.733'W	[North Boundary of East Point (shoreline)];
then to	48°47.367'N	123°02.915'W	[Tumbo Channel];
then to	48°47.617'N	123°02.483'W	[Northwest Corner (East of Tumbo Point)];
then to	48°47.473'N	123°01.975'W	[Northeast Corner (Boiling Reef)];
then to	48°46.558'N	123°03.147'W	[Boundary Pass];
then to	48°46.333'N	123°03.805'W	[Southeast Corner]
then to	48°46.35'N	123°05.15'W	[Southwest Corner (Narvaez Bay)];
then to	48°46.683'N	123°05.15'W	[Fiddler's Cove].

The Saturna Island ISZ (2023) for the Southern Resident Killer Whale is shown in the map below:



### Seasonal Slowdown Areas

Two new Seasonal Slowdown Areas are in place near Swiftsure Bank from June 1, 2023, until November 30, 2023. All vessels are restricted to a maximum speed of 10 knots speed over ground while in the areas with limited exceptions. The first area is in the Protected Fisheries Management Area 121-1 and the second Seasonal Slowdown Area is located near the mouth of the Nitinat River from Carmanah Point to Longitude 125 degrees west. This measure is separate from the voluntary slowdowns coordinated by the ECHO Program. This measure was co-developed with Pacheedaht First Nation and incorporates new scientific information about habitat use.

## Exceptions

The following vessels and persons are excepted from the Seasonal Slowdown Areas speed limit :

- vessels in distress or providing assistance to a vessel or person in distress;
- vessels involved in pollution response operations;
- vessels avoiding immediate or unforeseen danger<sup>4</sup>;
- employees of the Government of Canada and peace officers performing their duties or functions, persons assisting them, or persons that are present at the request of the Government of Canada;
- vessels not utilizing a motor.

## Coordinates for the Swiftsure Bank Seasonal Slowdown Areas

### 1. Mouth of the Nitinat River

The waters subject to the speed restriction zones are bounded by a line

beginning at	48°42.377'N	125°00.000'W	[northwest boundary];
then to	48°36.683'N	125°00.000'W	[northwest boundary – Swiftsure Bank];
then to	48°36.683'N	124°45.083'W	[southeast boundary – Carmanah Point];
Then along the coastline to	48°42.377'N	125°00.000'W	[northwest boundary];

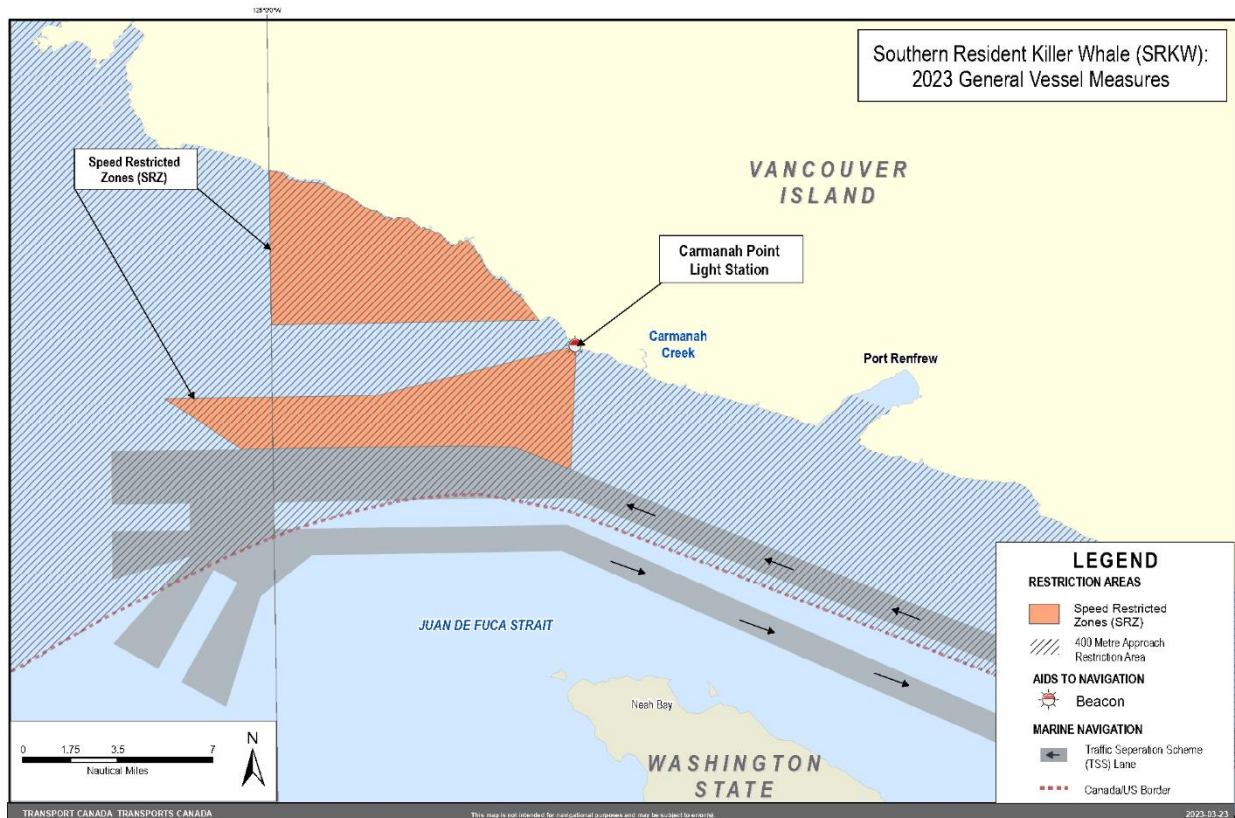
### 2. Swiftsure Bank

The waters subject to the speed restriction zones are bounded by a line

beginning at	48°34.000'N	125°06.000'W	[northwest boundary];
then to	48°32.100'N	125°01.760'W	[southwest boundary];
then to	48°32.100'N	124°49.545'W	[southern border to Traffic Separation Scheme]
then to	48°32.017'N	124°46.593'W	[southern border to Traffic Separation Scheme]
then to	48°31.150'N	124°43.483'W	[southeastern boundary]
then to	48°35.717'N	124°43.067'W	[northeastern boundary]
then to	48°34.000'N	124°54.190'W	[northern border]
then to	48°34.000'N	125°06.000'W	[northwest boundary];

<sup>4</sup> An immediate or unforeseen danger includes any situation in which weather, mechanical issues or collision risks require the vessel to go through the Interim sanctuary zone because that is the safest route or the quickest path to safety

The Seasonal Slowdown Areas (2023) for the Southern Resident Killer Whale are shown in the map below:





## Voluntary Measures

In addition to the above Interim Order measures, Transport Canada recommends boaters

- Reduce speed to less than 7 knots when within **1000** metres of a killer whale;
- Turn off echo sounders and fish finders, when safe to do so ; and
- Place their engine in neutral idle, when safe to do so, if inadvertently within the approach distance to a killer whale.

Transport Canada also encourages large commercial vessels to participate in the Vancouver Fraser Port Authority led Enhanced Cetacean Habitat and Observation (ECHO) Program 2023 voluntary slowdown measures:

1. Haro Strait and Boundary Pass Voluntary Ship Slowdown
  - The Haro Strait and Boundary Pass voluntary slowdown is in effect 24 hours per day as of June 1, 2023 until 2359 PDT on November 30, 2023, for all commercial and government vessels.
  - If it is safe and operationally feasible to do so, commercial and government vessels are requested to not exceed the following speeds through the water:
    - 11 knots – Bulklers, tankers, general cargo vessels and government vessels;
    - 14.5 knots – Vehicle carriers, cruise ships, and container vessels.
  - The voluntary vessel slowdown takes place between the vessel traffic separation scheme at the south end of Haro Strait, and the vessel traffic separation scheme at the north end of Boundary Pass. Speed transition zones are in place within the established traffic system at both approaches to the slowdown area. The north transition zone are those waters between north of Boat Pass, Saturna Island and Rosenfeld Rock and the south transition zone are those waters between buoy VH at the Victoria pilot station, and Sea Bird Point at the southeast corner of Discovery Island. There are also two optional slowdown areas, one rounding turn point and the other between Turn point, Saturna Island and Alden Point, Patos Island.

The Haro Strait and Boundary Pass voluntary ship slowdown zone is shown in the map below:

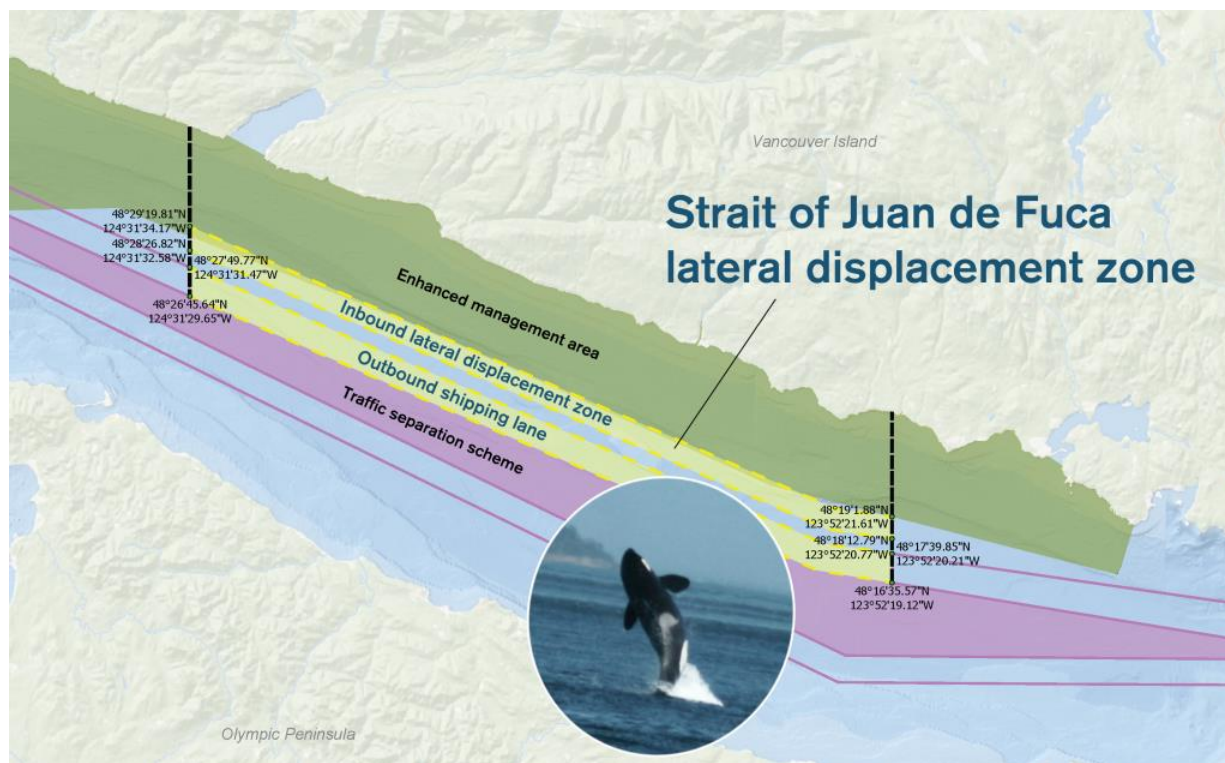




2. Strait of Juan de Fuca voluntary inshore lateral displacement

- The Strait of Juan de Fuca voluntary inshore lateral displacement is in effect 24 hours per day as of June 1, 2023 until 2359 PDT on October 31, 2023 for all tug and barge vessels transiting the Canadian inshore area.
- If it is safe and operationally feasible to do so, tugs are requested to move south of the known killer whale feeding area and navigate either through the outbound shipping lane or the inshore lateral displacement zone, while maintaining a buffer distance of 1,000 metres from the traffic separation scheme (TSS).
- The inshore lateral displacement zone is 1,500 m wide and occurs in the area between longitudes 123° 52.3532' W 48° 18.6222' N and 124° 31.5563' W 48° 28.8886' N, covering a distance of approximately 28 nm.

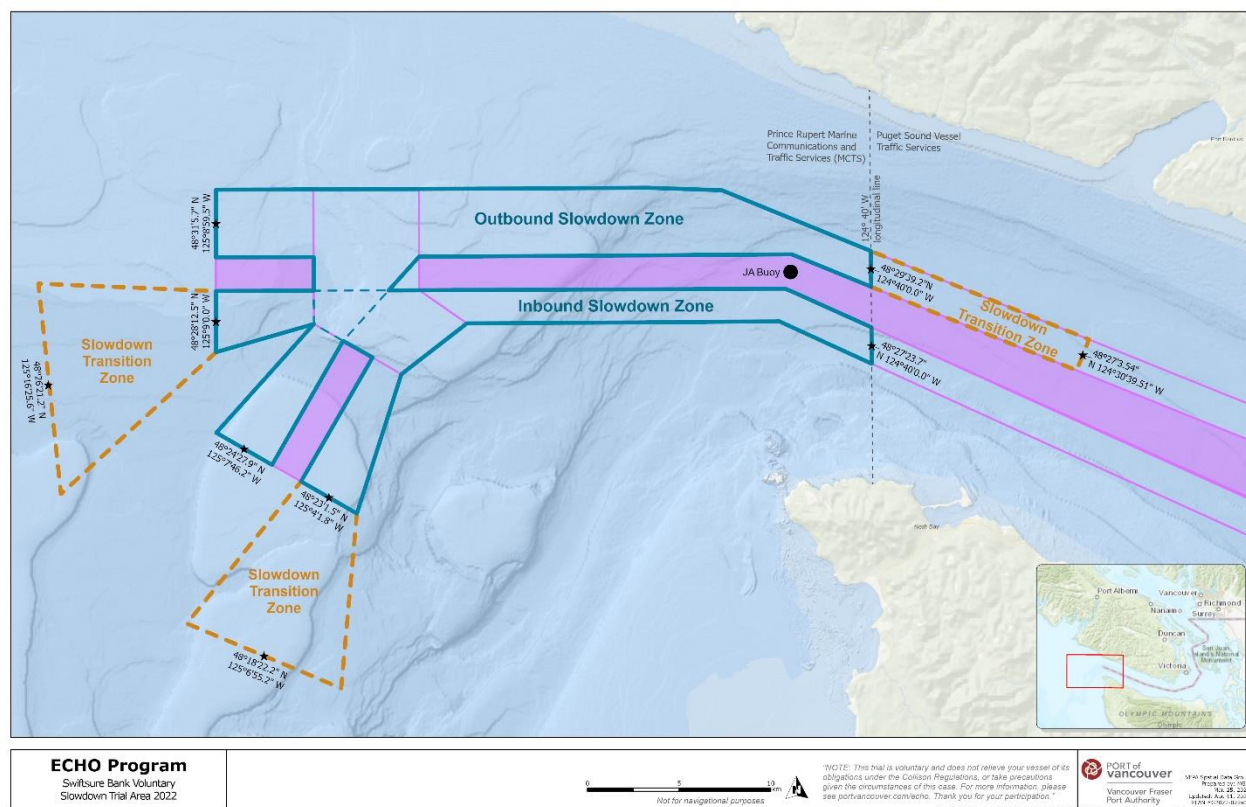
The Strait of Juan de Fuca voluntary inshore lateral displacement zone is shown in the map below:



3. Swiftsure Bank Voluntary Ship Slowdown

- The voluntary slowdown trial in Swiftsure Bank is in effect 24 hours per day as of June 1, 2023 until 2359 PDT on October 31, 2023, for all inbound and outbound commercial and government vessels.
- If it is safe and operationally feasible to do so, commercial and government vessels are requested to not exceed the following speeds through the water:
  - 11 knots – Bulklers, tankers, general cargo vessels, and government vessels;
  - 14.5 knots – Vehicle carriers, cruise ships, and container vessels.
- The voluntary vessel slowdown takes place in the inbound and outbound lanes of the vessel traffic separation scheme between the start or end of the traffic separation scheme on the western or southern side, and the 124° 40' W longitudinal line (radio call in point 1) on the eastern side. Speed transition zones are in place about 5 nautical miles prior to entering the slowdown area.

The Swiftsure Bank voluntary slowdown trial zone is shown in the map below:



The ECHO Program voluntary slowdown and lateral displacement initiatives aim to reduce underwater noise in known Southern Resident Killer Whale feeding areas and is led by the Vancouver Fraser Port Authority's ECHO Program, in cooperation with government agencies, Indigenous communities, industry partners, and environmental groups. Refer to the [Port of Vancouver website](http://portvancouver.com) for more detailed information related to this and other slowdowns and the ECHO program.

### Compliance and Enforcement

The enforcement regime under the [CSA 2001](#) applies to violations of the Interim Order. Every person or vessel subject to an Interim Order shall comply with it. Any person or vessel that does not comply with the Interim Order may be subject to:

- an administrative monetary penalty of up to \$250,000 and/or
- is liable on summary conviction to a fine of not more than \$1,000,000 or to imprisonment for a term of not more than 18 months, or to both.

Authority: Fisheries and Oceans Canada (DFO)