

SEHAB JUNE 2024: SRKW PREY TWG UPDATE

A report titled “*Comments on the Southern Resident Killer Whale Indigenous & Multi-Stakeholder and Technical Working Groups Meeting, January 12, 2024 Including Southern Resident Killer Whales Proposed 2024-2025 Management Measures*” was submitted to Fisheries & Oceans Canada February 11, 2024. Although receipt was acknowledged, a letter identifying only general themes received from other TWG and Indigenous & Multi-stakeholder Advisory Group members and the general public was received. It stated that generally speaking there was support for

“...efforts to support prey availability for Southern Residents, and salmon population conservation more broadly. However, feedback was mixed regarding the proposed fishing closures for 2024 and 2025, ranging from interest in more protection versus concerns due to socioeconomic impacts due to the proposed fishing closure options.”¹

On May 07, a virtual Technical Briefing was held identifying the adopted Fisheries Management Measures for 2024/25. The information at this meeting detailed DFO, Transport Canada (TC) and Environment & Climate Change Canada’s (ECCC) efforts. It did not include this year’s plans by Vancouver & Fraser Port Authority for their Enhanced Cetacean & Habitat Observations (ECHO) program. It was learned, in attending the Salish Sea Symposium, for another NGO, that Vancouver/Fraser Port Authority are considering extending the voluntary large vessel slow-down for a month into the fall as a result of the increased presence of the SRKW at that time of the year. There was no mention of considering a cumulative noise study as SEHAB recommended.

Supporting Prey Availability was not discussed and there was no mention of our recommendation that Coho and Chum stocks targeted by the SRKW in the fall should be identified to facilitate prioritizing their conservation and restoration for the benefit of the whales.

With respect to addressing disturbance, TC’s 400m Avoidance Distance Interim Order for all KW in southern BC waters will once again be in effect for this year. It is hoped that this will provide the necessary time for DFO to amend the Marine Mammal Regulations of the Fisheries Act by 2025. It is not known if that new avoidance distance will match the Washington state now legal distance of 1000m. Similarly, it is not known if Sechelt Inlet will be included as part of the southern BC waters in the revised Marine Mammal Regulations. What is known that the Avoidance Distance does not, and likely will not, apply to (large) vessels in transit.

For now, the commercial whale watching regulations remain unchanged, though this may change with the amended Regulations.

¹ N. Davis, Regional Director, Fisheries Management, Pacific Region, Fisheries & Oceans Canada. Letter dated March 07, 2024.

On April 11th and then again on June 05th, a consultation letter² inviting our group to send a submission directly or via an online survey portal with our recommendations for the Amendments was received.

Does SEHAB wish me to respond?

With respect to our question of ECCC as to what their enforcement on identified contaminants of concern for whales, their prey and their environments currently is, the response was generalized, stating that they “...will continue to enforce the regulations that protect them (SRKW and prey) from chemicals....”³

There were similar generalized statements about how DFO is working within and outside of government with stakeholders but nothing in response to our urging that the Impact Assessment Agency of Canada be brought into the discussions.

As part of the suite of 2024-2025 SRKW Management Measures, the Proposed Fisheries (Prey) Management Measures have been put into effect for both years. The mouth of the Fraser River, Southern Gulf Islands and Swiftsure Bank all keep their status quo with respect to the geographical areas and times covered. The Juan de Fuca area has been adjusted (increased) as per the newest scientific findings on increased foraging activity. SEHAB had supported increasing the latter area.

New this year will be the enforcement of the Prohibition on Impeding the Path of a Killer Whale Measure. Last year the government focussed on educating the public of this measure.

The government has also supported the option to add a voluntary Speed Restricted Zone in Tumbo Channel (east side of Saturna Island) based on a recent SFU study.

In addition to the amendments to the Marine Mammal Regulations of the Fisheries Act, SRKW TWG members will also be invited to provide input on the Southern Resident Killer Whale Accountability Framework to inform that upcoming report. The ECCC Species-at-Risk Action Plan (2017) will also be updated and input will be sought.

Questions following the May 07 technical briefing echoed SEHAB’s disappointment that Management Measures continue to be seasonal and that new science was (generally) not being applied.

On June 03, the government of Canada released a statement (<https://www.canada.ca/en/transport-canada/news/2024/06/government-of-canada-announces-new-measures-and-funding-to-protect-southern-resident-killer-whales.html>) outlining the measures and funding for this year to protect the SRKW. Transport Canada is funding \$3.2 million to the Vancouver Fraser Port Authority for the continuation of the ECHO program for the next two years. TC is also funding Ocean Wise \$300,000 for the Whale Report Alert System.

-Angela Kroning, SRKW Prey TWG member, June 04, 2024

² D. Scriven, Acting Director, Resource Management & Sustainability, Fisheries & Oceans Canada; Letter dated April 11, 2024.

³ Slide 19/20; 2024 and 2025 Management Measures to support Southern Resident Killer Whale Recovery, presented at IMAG & TWG Technical Briefing, May 07, 2024