

# ADOPTED



## Saturna Island Local Trust Committee Minutes of Special Meeting

**Date:** August 15, 2019  
**Location:** Saturna Island Community Hall  
105 East Point Road, Saturna Island, BC

**Members Present:** Paul Brent, Local Trustee  
Lee Middleton, Local Trustee

**Regrets:** Laura Patrick, Chair

**Staff Present:** Ruth Daber, Recorder

**Guests:** Department of Fisheries and Oceans (DFO):  
Nicole Stamnes, DFO, Ocean Protection Plan Coordinator (Support)  
Lee Harber, DFO, Marine Mammal Coordinator (Support)  
Elly Chmelnitsky, DFO, Senior Marine Environmental Quality  
Advisor (Speaker)  
Mandy Ludlow, DFO, Fishery Officer, Detachment Supervisor for Georgia  
Basin South and the Whale Protection Unit  
Willi Jansen, DFO, Fishery Officer, Whale Protection Unit (Speaker)  
Jeffrey Quigley, DFO, Fishery Officer, Whale Protection Unit  
Jordan Bromwich, DFO, Fishery Officer, Whale Protection Unit

Parks Canada (PC):  
Richard Lamy, PC, Parks Warden  
Craig Bolton, PC, Parks Warden  
Athena George, PC, Parks Interpreter

Transport Canada (TC):  
Sonja Henneman, TC, Clean Water Policy Manager  
Michelle Sanders, TC, Clean Water Policy Director (Speaker)

**Public:** There were approximately (55) members of the public present.

## 1. CALL TO ORDER

Trustee Middleton was assigned as the Acting Chair and opened the Special Meeting at 6:41 p.m. He introduced himself and Trustee Brent. He explained that the Islands Trust was facilitating the meeting.

Department of Fisheries and Oceans, Parks Canada and Transport Canada were represented as listed above to provide information and answer questions.

The panel introduced themselves (marked as “speaker” or “support”).

Trustee Middleton acknowledged that the meeting was being held in traditional territory of the Coast Salish First Nations with the Islands Trust area going out to the US border.

## 2. APPROVAL OF AGENDA

The Trustees explained that Elly Chmelnitsky and Nicole Stamnes would coordinate the information session and Trustee Brent would facilitate the question and answer sections.

## 3. SOUTHERN RESIDENT ORCA RECOVERY PLAN

### 3.1 Presentations

#### 3.1.1 Information Sharing re: Objectives Plans for Enforcement of the Sanctuary Zone Around Saturna Island

A slide show was presented with the title:

Information Session: 2019 Management Measures to Support the Recovery of Southern Resident Killer Whales (SRKW). Hosted by Fisheries and Oceans Canada, Transport Canada, and Parks Canada.

Nicole Stamnes presented meeting objectives and ground rules followed by an agenda to the information session:

- Overview of 2019 Measures;
- Short Question Period;
- Outreach & Education;
- Monitoring Effectiveness;
- Compliance & Enforcement;
- Observe, Record & Report;
- Short Question Period;
- Whale Tracking Network;
- Community Perspective and Views; and
- Questions.

The following points were covered throughout the slide show:

- Overview of 2019 Measures;
- Recent recovery efforts & initiatives;
- Consultation and engagement;

- A video was played demonstrating the 2019 measures regarding boating around killer whales;
- General vessel measures and commercial vessel measures;
- Details about the types of zones: SRKW Critical Habitat, Enhanced Management Areas and Interim Sanctuary Zones;
- Transport Canada, DFO and Parks Canada roles; and
- Exemptions in Interim Zone.

Note: “Q” is questions/comments from the members of the public. “A” means answers/comments from the members on the guest panel.

Q: How many times has enforcement happened and with what consequences and is there a clearer map or chart?

A: Enforcement related questions will be held until the end. Information and maps are available online; it’s not possible to change marine charts.

Q: What enforcement is happening actively? There is concern that minimum distances to SRKWs after October 31<sup>st</sup> will go back to 200 metres.

A: There is some flexibility with the time frame.

Q: Identifying areas is complicated. Why have different standoff distances for different whales?

A: Distances are based on scientific studies and the approach will be reviewed. Interim measures and complicated factors determined them. I.e. Transient killer whales face different threats.

Q: Why is the sanctuary zone so small?

A: There are restricting factors like safe navigations of the area. We will review at the end of the season.

Trustee Brent requested to hold further questions and comments from the public till the end.

The slide show included information on the following topics:

- Outreach & Education;
- Monitoring Effectiveness (short- and long-term performance);
- Compliance and Enforcement;
- Fisheries and Oceans in partnership with Transport Canada, Parks Canada and the Royal Canadian Mounted Police (RCMP);
- Reporting number for violations;
- A video demonstrated 100 m distance (up to 400 m distances are applicable);
- Saturna Island had 25 reported violations;
- 2019 issues of fines: 215 written warnings, 625 pending, none have been fined. This year is all about education, unless there is repeat offence;
- Differentiation between Marine Mammal Act and the 2019 Measures for SRKWs Recovery; and

- Community Perspective and Views (see Agenda Item 3.2).

### 3.2 Question and Answer Session

The following points were raised during discussion:

- The high seal population is responsible for the decline of Chinook salmon by 75%.
- There will be a look at short and long-term measures. 2019 measures focus on food availability. Further work is being done to look at enhancement of forage fish for species like herring.

The members of the public made the following points:

- Only 10-12 members of the public showed up at the Salt Spring Island information meeting. The speaker assumed lack of promoting;
- Urgency to act to stop SRKWs starving;
- The sanctuary is too small;
- There are only 73 SRKWs left;
- Matriarchs are dying;
- Stop herring and Chinook fishing;
- We appreciate enforcement people; and
- The maps don't provide enough detail.

Q: Marine safety issues arise when forcing kayaks, canoes, rowboats and stand-up paddleboards to go outside the reef area. Why do you include such vessels?

A: The panel members have good science that any vessel present can be a disturbance; however we do want safety.

The members of the public made following points:

- Appreciation for talking with the Saturna Island community;
- Saturna residents have good understanding of SRKWs' challenges;
- There is no real science that non-motorized vessels disturb whales;
- Concern that Saturna's residents were not consulted;
- We like to see scientific base to the measures and zones;
- Will questions be answered in writing;
- We should regulate transportation at West Coast like East Coast;
- Saturna Islanders can help with whales;
- Show us science regarding non motorised vessels causing disturbance; and
- Fix the Fraser River for Chinook salmon and close Chinook fisheries.

The members of the panel raised the following points:

- We are working hard to find solutions and it's complicated;
- We need to include safety considerations and have limitations to what we can do;
- Regulations were updated, vessels over 8 metres that can carry passengers are required to carry an Automated Identification System (AIS); and

- There are technical challenges to identify each individual. We will do our best to respond to the questions in writing.

More following points were made during discussion:

- Kayakers that avoid the Sanctuary at Boiling Reef/East Point are put at risk;
- Paddle Canada, national sea kayaking organisation, only announced today the 2019 Measures to protect the SRKWs. There is lack of communication and awareness;
- Hire someone on land to take pictures;
- Whale watching boats position themselves in path of whales that often travel with the current;
- Why encourage motorised whale watching boats;
- DFO and Parks Canada boats are among the loudest;
- Kayakers make no noise; and  
Phone calls to report violations were not responded to.  
Calls are important and the panel may not be able to respond right away; so please try calling again.  
30-40 whale watch boats were reported and were considerably closer than 200 metres with little to no response.

Q: Concern for lack of prey and noise pollution. Why focus on distance and not other challenges like open fish farms that are affecting the whales, even though they are not located in the zones?

A: We are aware, finding solutions is on-going work.

Q: Orcas travel to boats at times. Be certain to not confuse such cases.

A: In such cases correct protocol is to shut your motor off, let the whales pass. Photographs could be misleading.

The members of the public made the following points:

- Outer Island excursions were witnessed in SRKW Interim Sanctuary Zone, but an Automated Identification System (AIS) tracking app did not show them. There's concern that it was disabled.
- The residents want to be given the tools to identify and report from shore.
- Witnessed within an hour in Sanctuary zone: three kayaks, 1 sailboat and a fishing vessel.
- A resident mentioned an invitation to use his property in the Interim Zone for property monitoring.
- Observed better behaviour of vessels recently.

Q: Why not create a Marine Protected Area (MPA) like in Haida Gwaii?

A: "Sanctuary" is not a defined term. We look for long term options and, in the meantime, there are Interim measures.

Q: If people were fined on the spot, then extra regulations would not be needed, and less time spent investigating.

A: We had several vessel regulations. A 200 m distance once voluntary, became mandatory.

The members of the public made the following points:

- Tumbo Channel has little research of presence of SRKWs;
- Saturna's residents have made a lot of observations regarding the whales' behaviour;
- SRKWs have been far less in the Salish Sea;
- The only Parks Canada campgrounds around here are Narvaez Bay and Cabbage Island. They connect passing through the Interim Sanctuary Zone;
- Research was found on kayakers' impact on orcas is with the Northern Resident Killer Whales;
- Allowing small sized groups of non-motorised vessels should be considered; and

Q: What is the size of the education team?

A: We use as many resources as we can.

The members of the public made following points:

- There is an upcoming Saturna Island Marine Research and Education Society (SIMRES) event to help killer whales;
- They didn't hear much about rebuilding the wild salmon stocks; and
- Fish farms are on route of the migrating wild salmon.

A: There are some limitations in certain waters, i.e. international and shipping lanes. We appreciate feedback and questions.

The panel thanked the community for their comments, ideas and feedback, mentioned next steps and that data will be analysed with the aim to be more effective.

#### 4. **ADJOURNMENT**

Trustee Brent thanked all the guests: DFO, PC and TC on behalf of the Saturna community.

**By general consent** the meeting was adjourned at 9:00 p.m.

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Trustee Middleton, Acting Chair

Certified Correct:

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Ruth Daber, Recorder