

September 17, 2018 - in mid-June, DFO provided notice requesting feedback on proposed designation of Resident Killer Whale critical habitat. The request was badly timed, however, DFO has responded to feedback from the sport fishing community that additional opportunity to contribute information and comment must be provided. A notice by DFO sent out this past Friday afternoon, details two online webinars and two in person meetings on Vancouver Island at the end of this month and the beginning for October. Locations, dates and some suggestions for developing a response are provided in this update.



September 17, 2018



RESIDENT KILLER WHALES CRITICAL HABITAT DISCUSSION INFORMATION SESSIONS AND OPPORTUNITY TO COMMENT

DFO opened a review of the Recovery Strategies to public consultation on June 12, 2018 and closed it on July 11, 2018. While the key points for discussion required input from stakeholders, the timing and the window of opportunity to provide feedback was inappropriate. Stakeholders that could provide meaningful feedback were either unaware of this comment period or were too busy with the height of the season. Many pointed this out to DFO, and while they have maintained a time line of action, they have added two in person opportunities to provide comment about the critical habitat proposals for Southern Resident Killer Whales on the West coast of Vancouver Island.

The following are details of the notice from DFO:

Fisheries and Oceans Canada (DFO) and the Parks Canada Agency (PCA) are pleased to notify you of the following information sessions regarding the proposed amendments to the *Recovery Strategy for the Northern and Southern Resident Killer Whales (Orcinus orca) in Canada*.

The amended Recovery Strategy includes identification of two additional areas as proposed critical habitat for Resident Killer Whales following recent science advice, as well as clarification of the features, functions and attributes for proposed and existing critical habitat. The proposed amended Recovery Strategy is currently posted on the [Species at Risk Public Registry](#), and public input is being sought on Section 7 (Critical habitat) of the document for a 60-day comment period (September 4 – November 3, 2018). Input is sought via the above link or through the regional SARA program (contact info below).

The purpose of the information sessions is to provide information about the proposed critical habitat for Northern and Southern Resident Killer Whales, including the description of the science advice underlying the identification of the additional proposed critical habitat areas, and to answer questions about the proposed amendments to the document.

Locations, dates and times of these meetings are:

Webinar:

· Webinar: Wednesday, September 26th, 2018, 10 am – 12 pm

WebEx Information:

- Toll-free dial-in number (Canada/US): 1 877-413-4782
- Local dial-in number: 613-960-7511
- Conference ID: 5681284

Regional in-person meetings:

PORT ALBERNI

Wednesday, October 3rd 2018, 6-9 pm

Best Western Barclay Hotel, 4277 Stamp Ave.

UCLUELET

Thursday, October 4th 2018, 6-9 pm

Black Rock Oceanfront Resort, Ballroom, 596 Marine Drive

The SFI is coordinating participation with local groups including the West Coast Fishing Guide Association - WCFGGA and maintains an archive of many useful and relevant documents and publications regarding Killer Whales here: [RKW Issues](#).

- The draft Amended Recovery Strategy updates the critical habitat for Northern and Southern Resident Killer Whales based on new science advice
- Two additional areas of special importance as proposed critical habitat for Resident Killer Whales. These include:
 - waters on the continental shelf off southwestern Vancouver Island, including Swiftsure and La Pérouse Banks (important for both Northern and Southern Resident Killer Whales)
 - waters of west Dixon Entrance, along the north coast of Graham Island from Langara to Rose Spit (important for Northern Resident Killer Whales)
- The amendment also provides clarification of the functions, features and attributes for all critical habitat identified for Northern and Southern Resident Killer Whales

Note: these are proposals to identify critical habitat for both NRKW and SRKW. The activities that may or not be allowed in those areas have not been determined. If you operate or fish in areas where you know Northern or Southern KW frequent, it is important to contribute your feedback and should plan to do so within the comment period ending November 3rd.

ADDITIONAL BACKGROUND ON THE RKW ISSUE AND SUGGESTIONS FOR DEVELOPING A RESPONSE

This issue is a challenge in that it has become a media focus yet there is not a lot of understanding or public sympathy in terms of protecting recreational fishing opportunity vs. what is perceived as "protecting" SRKW's. Incomplete science and the potential of devastating impacts to coastal communities make it critically important that DFO slows down and makes sure all information is acquired before making decisions.

We are now in a 60-day written consultation period for the proposal Critical Habitat extension. The deadline for submissions is November 3rd. It is important that we all take time to get it right rather than providing a knee jerk response. And, just because there may be public meetings doesn't mean anglers shouldn't take time to provide a written response. It is of the utmost importance that everyone you know who is concerned or likely to be impacted responds to that proposal. This is worth repeating: You've got until November 3rd to create a written response – do the homework, understand the issue and provide a reasoned, but passionate response that includes your local expertise and traditional knowledge.

As mentioned, The SFI has an [RKW page](#) where a variety of articles and documents are listed including a link to the SAR Public Registry, where responses must be submitted.

[SAR Public Registry](#) - Comments can be sent via email at the bottom of the page.

Please take the time to read all the documents associated with the issue especially the following, posted here and on the SFI website:

[Research Document 2017/035 - Habitats of Special Importance to Resident Killer Whales \(*Orcinus orca*\) off the West Coast of Canada](#)

It is important to understand a few key points in responding:

- This consultation is about the critical habitat extension. It is not about closures. DFO has said nothing about what it may or may not do in the area once it is designated as critical habitat.
- It appears that DFO is committed to designating this area as critical habitat. The opportunity to comment and participate in the upcoming sessions, should allow for a challenge to some of the data, especially in terms of the frequency of observations in the La Perouse Bank and Swiftsure Bank areas.
- Local traditional knowledge needs to be a part of consideration, therefore the importance of locals and those familiar with the area providing comment. There are guides in the area who have spent decades on the offshore banks for most of each summer. How frequently do you see killer whales?
- Make sure that when you respond that you carefully articulate your local knowledge and experience on the water as well as how this issue is likely to impact your business, family and life. Are rumours of closures impacting repeat bookings? Is the uncertainty about the future causing you difficulty in planning your business activities moving ahead?
- The response doesn't need to be an article that will pass scientific peer review. Please avoid exaggeration and assumptions, one page stating concerns will suffice.

A next step in the process will be how DFO determines what activities can take place within the Critical Habitat areas, if they are legally added. Some thoughts on this...

- It isn't clear what this will look like or when it will happen. Depending on the sense of urgency DFO applies to the situation, worst-case scenario may be that fisheries measures are imposed in time for the 2019 season. We currently have no confirmation or denial of that schedule despite asking. As you may have seen, environmental non-government organizations (ENGO) have stated their desire to see all fisheries closed and recently launched a lawsuit to pressure DFO. The response from DFO is worth noting and a little encouraging, linked

here and on the SFI website: [Minister fires back at groups for suing over Killer Whales](#) - September 9, 2018.

Key points to consider:

- Despite the “crisis mode” that has been created by a well funded ENGO social media and mainstream media campaign, the facts indicate that while many Killer Whale populations are healthy, if not thriving, SRKW’s face a 0 to 50% chance of extinction in the next 100 years. This, by anyone’s definition, is not an immediate crisis. DFO and society have the time to determine some meaningful, measurable steps to aid the whales rather than rush in, panicking about a falsely identified time crisis, and get it wrong or worse, get it wrong and negatively impact the health and stability of coastal communities, businesses and individuals.
- Our “consultation” experience for SRKW’s in 2018 created great mistrust between DFO and the fishing community. The DFO Minister of the day chose to bow to political pressure in the form of a threatened lawsuit rather than listen to the advice offered by his own Pacific Region staff and the carefully and thoughtfully gathered community recommendations that incorporated the best available science of the day. This was both demoralizing to staff, insulting to those who took the time to participate in consultation, and downright irresponsible in its purely political rather than scientific justification. The result was a ridiculous farce that permits industrial scale commercial fisheries for the same species in the same areas while low impact recreational fisheries are prohibited. We know that regional staff and the local fishing community are both insulted and demoralized by the outcome, and we are fearful that a similar approach may be taken this time. However, we are hopeful that the new Minister, who has consistently declared that best science will be his guide and is from the west coast, may take the time to understand the issue more clearly and respond in a more meaningful and science-based manner. His response to the Sept 6th lawsuit, as noted above, launched by 6 so-called conservation groups, gives some cause for optimism in this regard and perhaps evidence that reason and science will prevail over Twitter, Facebook and emotion.
- Little is known about populations of SRKW prior to the 60’s. There were 47 animals captured in the 60’s and 70’s and removed from the population. Since then, the numbers of SRKW has fluctuated between a low of 70 in 1974 to a high of 99 in 1995. Since 2001 the population has fluctuated between 89 and its current level of 74 individuals. The increases in the population correlate well with times of high chinook abundance and in the presence of much, much larger commercial fisheries than we have today. Much of that abundance was hatchery origin chinook yet many of those hatcheries, especially on the Fraser River, no longer operate today or operate at much lower production levels.

- The actual locations and timing of foraging behaviour in the proposed critical habitat extension do not appear even remotely conclusive – especially in the portions of the proposed Critical Habitat zone around La Perouse and Swiftsure Banks. DFO needs to be certain about where and when these animals forage, and what benefits (or lack thereof) SRKW's will get from fishery management measures. An understanding of these details needs to be gathered and be more definitive before throwing the citizens of the WCVI under the bus as a political gesture to a vocal ENGO community that seems to just not care about the impacts that half-baked, panic driven measures will have on the families and communities of the region.
- A technical workshop held in Vancouver last year was well attended by both whale and salmon biologists and managers from OR, WA, AK and BC. The SFI's Martin Paish attended as a representative of the SFAB, SFI and the sport fishing community. The consensus reached at that workshop was that large-scale closures implemented to increase the overall abundance of chinook would **NOT** be an effective strategy to provide more prey to SRKW's. Again, DFO needs to listen to its experts and not to strategically manipulated public opinion. Find details and findings of the workshop here and on the SFI website: [SRKW Prey Workshop Proceedings](#)
- DFO has a responsibility and fiduciary duty to consider not only the whales but the people and communities that will be impacted by any potential management measures. Widespread closures in key fishing areas such as those that have occurred in the more eastern areas of the proposed Critical Habitat will produce significant negative impacts to individuals, businesses, families and entire communities and likely without accomplishing anything that may provide material benefits to the whales.

FOR THE WHALES AND BRITISH COLUMBIANS

- DFO will have one opportunity to get this right as widespread fishing closures will force the closure of businesses, the removal of fishing related infrastructure and the loss of market share to other areas. "Shooting first and asking questions later" by imposing widespread management measures as proposed by the ENGO community is irresponsible to both the impacted communities and the whales. Such action poses the real risk of providing the optics that much has been accomplished for the whales while not providing any real solution. The designation of the forage areas during the 2018 fall in to that category.
- There are solutions available that will actually solve problems rather than address symptoms. We believe that if government is willing to make the right investments, chinook abundance can be enhanced and restored to allow for both fisheries and abundant prey for RKW's. The focus should be on producing more chinook rather than catching less. The 80's and 90's produced abundances of chinook that provided for large scale commercial fisheries, a

growing recreational fishery and an increasing RKW population. How do we get back there?

To protect both citizens of the BC coast and recover whales, government (both Provincial and Federal) needs to:

1. Invest in strategic enhancement of the right stocks of chinook that will provide prey that is accessible to RKW's when they need it. Modernize hatchery protocols to focus on the right stocks in terms of survival success and timing.
2. Invest in understanding and then mitigating the impacts of predators on both juvenile and adult salmon.
3. Invest in protecting remaining salmonid habitat first, and then rehabilitating damaged habitat as a more long-term strategy. Habitat must include sufficient water flows to allow salmon to both spawn and rear.

We have had situations in the past where both whales and fisheries coexisted well and examples in the north where that situation continues. We believe that this is not an us or them scenario. Action and response are required but it must be multifaceted. Both public and politicians must better understand that harvest of chinook and access to our coast is critical to both the whales and small coastal communities on the WCVI. And, that modifying harvest is at best addressing a symptom, not a solution. Reducing or eliminating chinook harvest in particular areas displaces harvest somewhere else and does not address the underlying issues including those described above; reduced production of chinook, degraded habitat and predator control.

Simply put, in order to actually solve the problem we need to do many things including make more chinook.

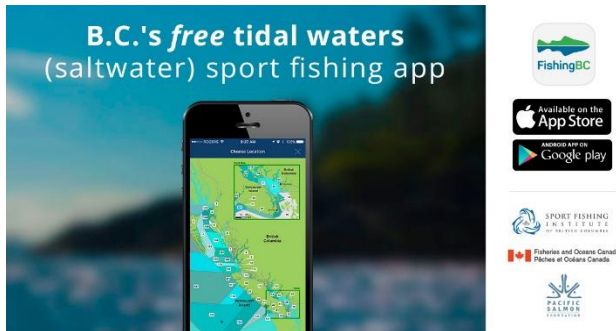
We need a sustained and unified voice to demand that the necessary investments are in place to address the real issues that will deliver meaningful, measurable change. We are Canadians. We care about our citizens, our environment and our whales and don't run our society based on tweets and manipulative social media campaigns.

Let's take the time to get this right and do our best to aid RKW's and the lifestyle and economy that is so important to the west coast of our country.

BUSY FALL - MORE UPDATES TO FOLLOW

The Killer whale consultation and comment period is time sensitive, important to all of us, and is worthy of this lengthy update. But, there are many other things developing for the sport fishing community and the SFI as we move into the fall. We will send additional member updates as emerging items and details require and later this week that will include details about our upcoming **Conference and Big Splash** on November 22 in Vancouver and a reminder about the enrollment in the **Fishing BC trade show co-op program**.

Until next time, tight lines,
The SFI Team



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