



SHIP SAFETY BULLETIN

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Subject: [Protecting Killer Whales \(*Orcinus orca*\) in the Waters of Southern British Columbia, 2023](#)

This bulletin replaces [Ship Safety Bulletin No. 15/2022](#)

Scope

This bulletin applies to all vessels, including pleasure crafts, that are navigating the waters of southern British Columbia.

This bulletin does not apply to:

- a vessel or person that's in distress, or helping a vessel or person in distress
- a vessel or a person that's responding to a pollution incident
- a vessel or a person that's avoiding an immediate or unforeseen danger; or
- an employee of the Government of Canada or a peace officer who is working, a person who is helping them or is present at the request of the Government of Canada, or vessels carrying these people

Purpose

This bulletin describes vessel requirements under the [Interim Order for the Protection of the Killer Whale \(*Orcinus orca*\) in the Waters of Southern British Columbia, 2023](#), which came into force June 1, 2023.

Context

Southern Resident killer whales are listed as endangered under the [Species at Risk Act](#) and are vulnerable to marine vessels due to underwater noise and physical disturbance. Some waters in

Keywords:

1. Southern Resident Killer Whales
2. Minimum approach distance
3. Interim Sanctuary Zones

Questions concerning this Bulletin should be addressed to:

AMSD
Transport Canada
Marine Safety and Security
Tower C, Place de Ville
330 Sparks Street, 11th Floor
Ottawa, Ontario K1A 0N8

Contact us at: marinesafety-securitemaritime@tc.gc.ca or 1-855-859-3123 (Toll Free).

Canada

southern British Columbia are key feeding sites for Southern Resident killer whales, and vessels can impact the whales' ability to find food and communicate with each other.

Due to these threats and to support the survival and recovery of Southern Resident killer whales, the Minister of Transport issued the [*Interim Order for the Protection of the Killer Whale \(Orcinus orca\) in the Waters of Southern British Columbia, 2023*](#).

The measures listed in this Interim Order were developed to reduce the impacts of vessel noise and other disturbances on the Southern Resident killer whales, and create a temporary refuge for them. See Figure 1 for details.

What you need to know

All vessels must stay at least 400 metres away from all killer whales, and vessels must not be positioned in the path of a killer whale.

There are 2 speed restricted zones, and 2 interim sanctuary zones at Saturna Island and Pender Island.

400 metres approach distance

This prohibition came into effect on **June 1, 2023 and will be in place until May 31, 2024**.

Vessels must stay at least 400 metres away from any killer whale in:

- the Salish Sea south of Campbell River (Figure 1), and
- the waters that have been identified as their critical habitat (Figure 1)

This ban doesn't apply to vessels in transit (travelling directly from one point to another), or to people doing certain authorized activities under the *Species at Risk Act*, *Marine Mammal Regulations*, or *Fishery (General) Regulations*.

Commercial whale watching and ecotourism businesses may receive an authorization from Transport Canada to be between 200 metres and 400 metres of killer whales, other than Southern Resident killer whales.

If you have questions about these authorizations, please email: TC.QuietShips-Naviressilencieux.TC@tc.gc.ca

Ban Against Positioning Vessel in Path of a Killer Whale

This ban came into effect on **June 1, 2023 and will be in place until May 31, 2024**.

Vessels must not place themselves in the path of a killer whale in the waters indicated in Schedule 1 of the Interim Order.

This ban doesn't apply to vessels:

- that are at anchor or aground
- that are not under command as defined in Rule 3(f) of Schedule 1 to the *Collision Regulations*

- that have a restricted ability to manoeuvre as defined in Rule 3(g) of that Schedule
- that are constrained by their draught as defined in Rule 3(h) of that Schedule
- that are conducting activities authorized under the [Species at Risk Act](#), [Marine Mammal Regulations](#), or [Fishery \(General\) Regulations](#)

Interim Sanctuary Zones

This ban came into effect on **June 1, 2023 and will be in place until November 30, 2023.**

Vessels are prohibited from navigating in two (2) Interim Sanctuary Zones (Figure 2), which include waters:

- off the southwest coast of North Pender Island, (Figure 2); and
- off the eastern tip of Saturna Island, (Figure 2).

This ban doesn't apply to:

- local traffic that is accessing a home, business or any other establishment providing a service, and is travelling:
 - directly between Pender Island and Saturna Islands
 - between one of those islands and a location beyond the interim sanctuary zones or a mooring buoy within those zones, or
 - between a mooring buoy in the zones and a location beyond those zones, if travelling within an interim sanctuary zone is the only practical option (for example, to access a home or business that cannot be reached by road)
- human powered vessels navigating the 20 meter transit corridor alongside the Pender and Saturna Island zones (See Figures 2 and 3 for more information)
- people and vessels conducting certain authorized activities under the [Species at Risk Act](#), [Marine Mammal Regulations](#), or [Fishery \(General\) Regulations](#)
- people and vessels fishing under a license issued under the [Aboriginal Communal Fishing Licences Regulations](#) for food, social or ceremonial purposes, or for domestic purposes under a treaty within the meaning of [Section 35 of the Constitution Act, 1982](#);
- Indigenous peoples and vessels exercising an existing right, other than fishing, for non-commercial purposes under [Section 35 of the Constitution Act, 1982](#)

Speed restricted zones

The Speed Restricted Zones are in effect **from June 1, 2023 until November 30, 2023.**

All vessels, including pleasure crafts, must stay under a speed of 10.0 knots over ground in the 2 Speed Restricted Zones near Swiftsure Bank (Figure 3).

This speed limit does not apply vessels without a motor.

NAVWARN broadcasts

The Canadian Coast Guard issues and publishes NAVWARNs:

- by radio, and
- on their [Navigational Warnings site](#)

As a mariner, you must make sure you have accurate and up-to-date information about the measures to protect Southern Resident killer whales, as are outlined in all applicable NOTMARs and NAVWARNs.

Compliance and enforcement

You must comply with this Interim Order and any NAVWARNs broadcast and published by the [CCG](#) related to this Interim Order.

Any person or vessel that doesn't comply with this Interim Order may be:

- subject to an administrative monetary penalty of up to \$250,000, or a fine up to \$1 million and/or
- sent to prison for up to 18 months upon summary conviction

Report a killer whale in distress

If you see an injured, stranded, entangled or dead killer whale, contact

- BC Marine Mammal Response Network: 1-800-465-4336
- VHF Channel 16

Figure 1: 2023 Measures to protect Southern Resident Killer Whales

This map is for visual representation only and must not be used for navigation or enforcement.

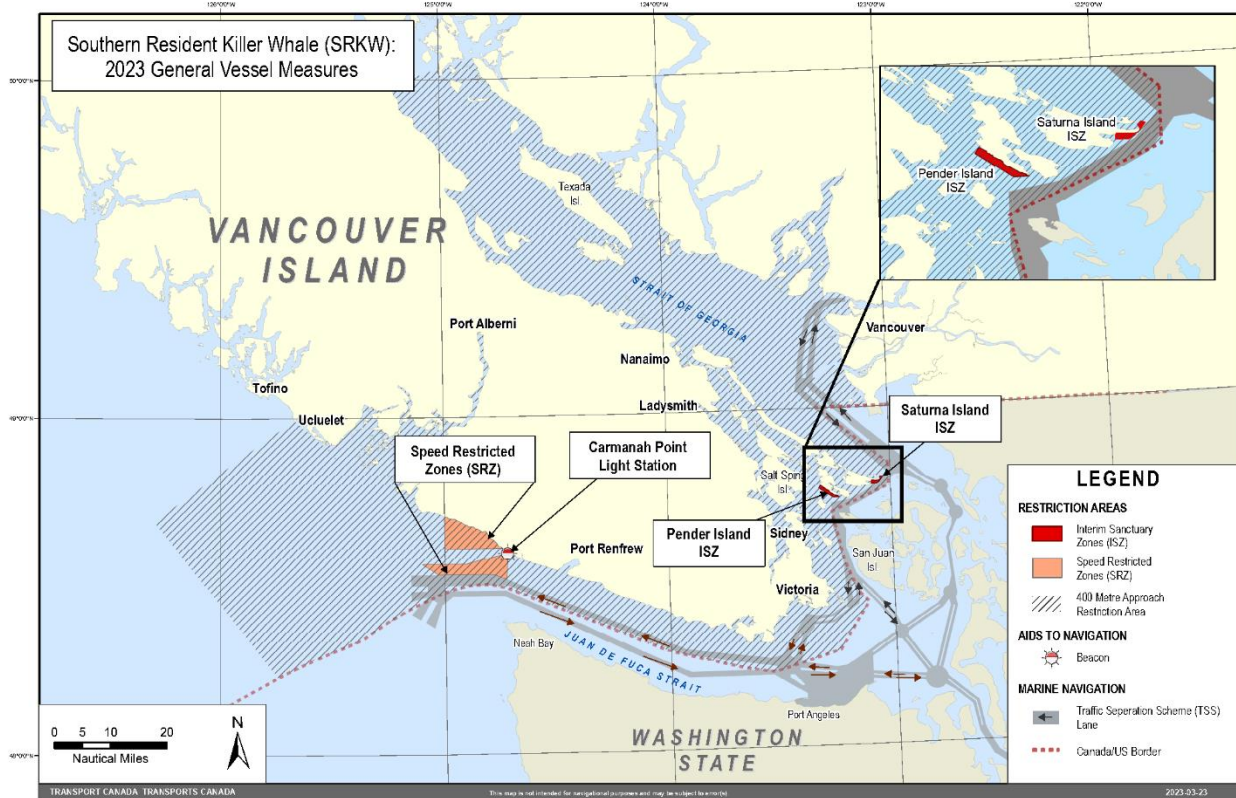


Figure 2: Interim Sanctuary Zones – Saturna Island and Pender Island Interim Sanctuary Zones

This map is for visual representation only and must not be used for navigation or enforcement.

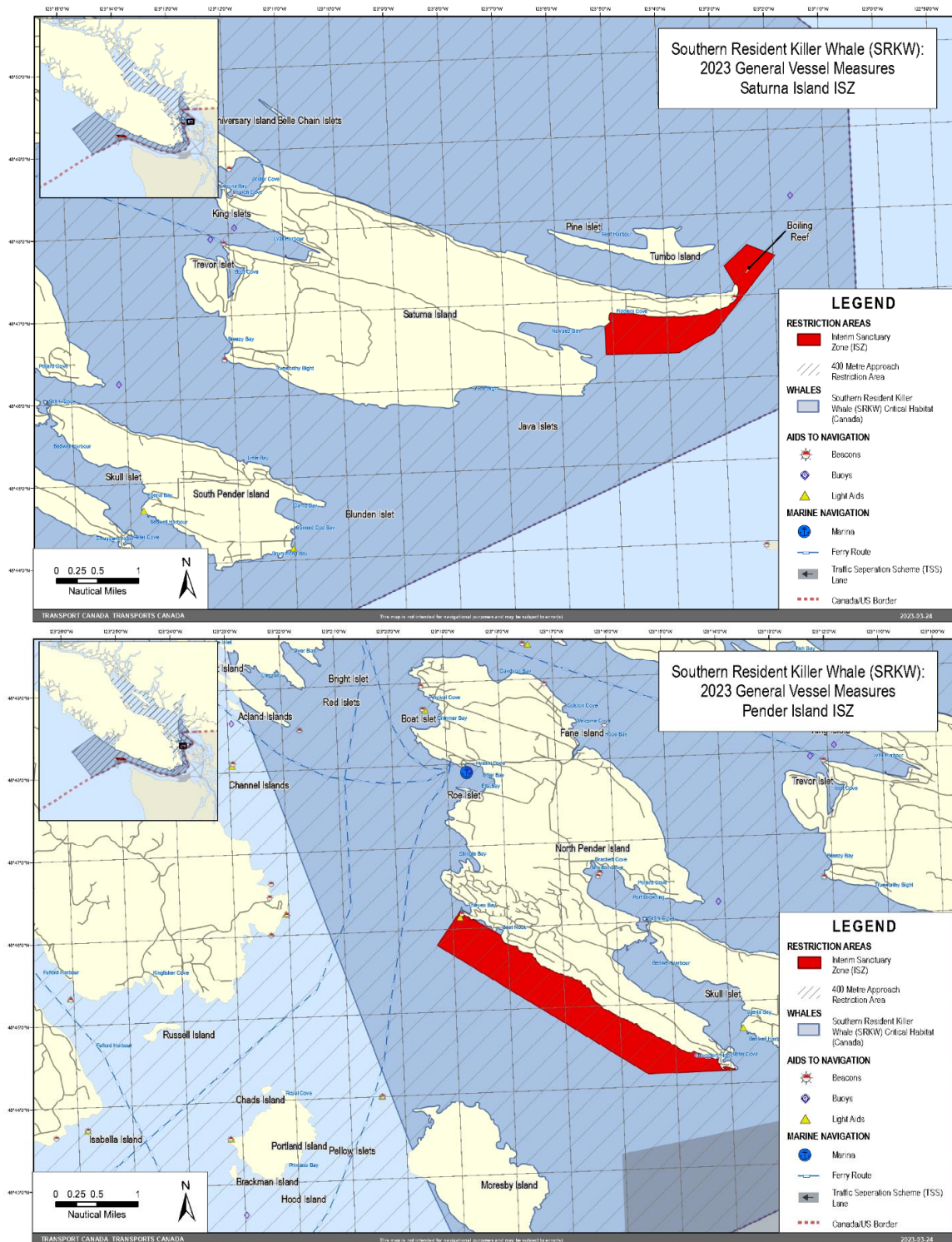
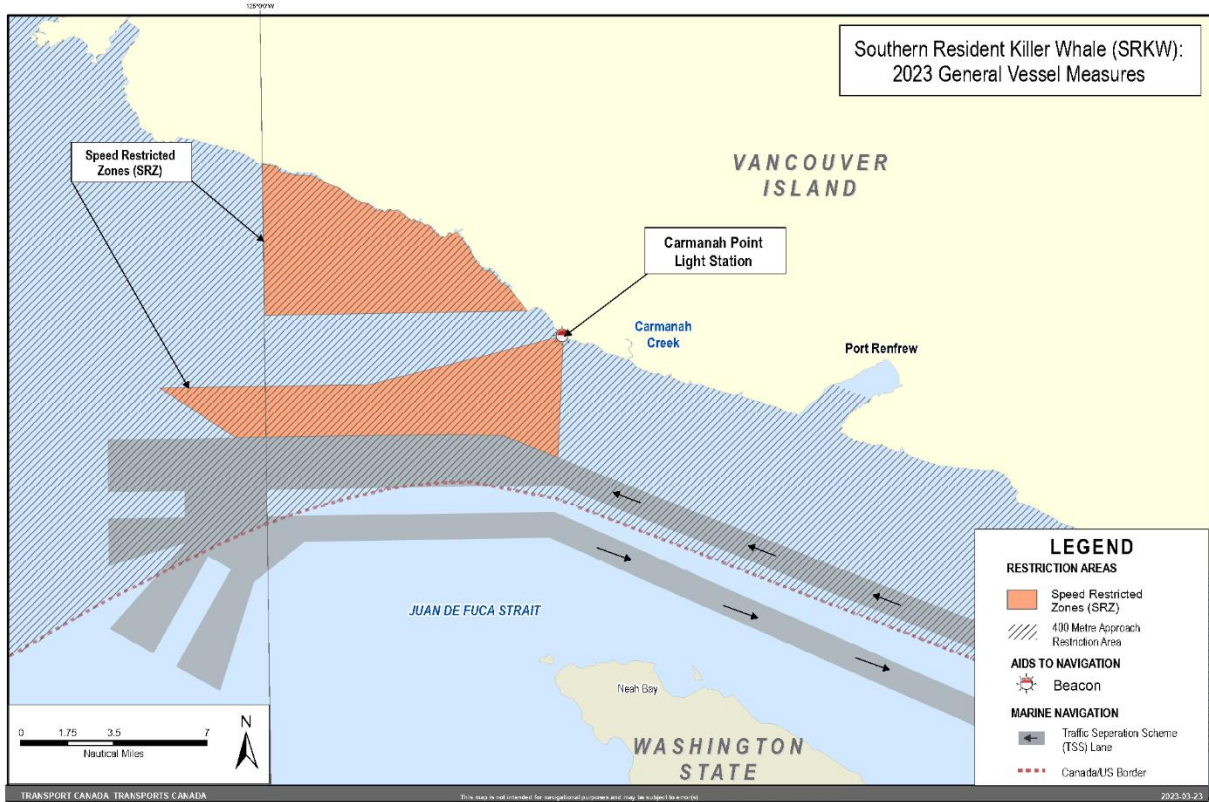


Figure 3: Swiftsure Bank management measures – Speed Restricted Zones¹

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¹ See [NOTMAR Annual Edition 2023](#) and [A2-Notice 5](#) for additional details on the coordinates.