



August 28, 2017

Honourable Marc Garneau,
Minister of Transport
330 Sparks Street
Ottawa, Ontario K1A 0N5

Honourable Dominic LeBlanc
Minister
Department of Fisheries and Oceans Canada
200 Kent Street, Ottawa, ON K1A 0A6

Re: North Atlantic right whales – Refining the speed restriction area in the Gulf of Saint Lawrence

Dear Ministers Garneau and LeBlanc,

The Shipping Federation of Canada, which was incorporated by an Act of Parliament in 1903, represents the owners, operators and agents of ocean-going vessels carrying Canada's imports and exports to and from world markets. Our members' vessels call ports throughout Canada, from the Atlantic to the St. Lawrence and Great Lakes to the West Coast and the Arctic – and therefore have a direct interest in the discussions on priority actions for the recovery of endangered whales in Canadian waters.

The government's recent decision to implement a mandatory speed restriction of 10 knots for vessels navigating in the western part of the Gulf of Saint Lawrence in order to protect North Atlantic right whales in the area is having a major impact on commercial navigation.

Although we share the common objective of reducing the occurrence and severity of ship collisions with North Atlantic right whales, we must also not lose sight of the fact that the geographical extent of the restricted area is significant and leads to substantial additional transit times for some of the commercial cargo and passenger vessels operating in the Gulf.¹

Time is of the essence for maritime transportation, and the effect of the speed restriction is already being felt throughout our industry. On the passenger side, international cruise lines are cancelling port calls and/or changing their itineraries with respect to several ports located on their Canada –

¹ The additional transit time is in the range of 2 hours to 4 hours for bulk carriers and 5 to 8 hours for container and cruise vessels, which typically transit at a higher speed.



New England routings. As an example, it is our understanding that the Port of Gaspé expects to lose at least four port calls in the 2017 season, which will result in serious financial consequences not only for the affected cruise lines, but also for the regional economies. Further cancellations or shortening of port calls are also possible at other destinations (Charlottetown, etc.).

On the cargo side, the speed restriction is causing ships to consume more fuel to make up the time lost in the Gulf or, in some cases, to incur additional labor/port costs when a vessel is unable to make up the time lost during the other parts of the voyage. For some of the regular ocean-going container lines trading along the Saint Lawrence River, this could mean addition costs of up to \$260 000 CAD per carrier on a five-week cycle. Those increase in cost of transportation may eventually have an impact on the costs of goods, and also create concern regarding the efficiency of the Atlantic and St. Lawrence trade corridors overall.

This industry is no stranger to the need to take actions to ensure that whales and vessels can safely coexists.² **However, in the current situation, we believe that the government's initial precautionary approach, which was subsequently translated into a broad-brush designation of the speed restriction area, must now also focus on refining that zone at the earliest.** More specifically, we are looking for an approach whereby the timing, duration and geographic extent of the speed restriction is tightly constructed to reflect the current data on distribution and aggregation of the whales, so as to also minimize impacts on shipping and the national/regional economies that depend on an effective maritime transportation service.

We understand that Transport Canada and Fisheries and Oceans Canada have been increasing aircraft surveys over the last few weeks in order to gather additional data on the location of right whales in the western part of the Gulf. Based on the information we have seen so far, it is our understanding that sightings data from various sources indicates that a key aggregation area for these whales is located mostly south of the main shipping corridor going into the Saint Lawrence River (i.e., off Gaspé and mostly below 48°40'N latitude). We have also been told that some of the whales appear now to be venturing slightly north, bringing them closer to the outbound shipping lane, south of Anticosti Island (in the Honguedo Passage). However, the majority of the whales in the area seem to be some distance away from the inbound lane in that shipping corridor. For the Jacques Cartier passage, north of Anticosti Island, we understand that the number of right whales in the area is much lower (compared to the key aggregation area off Gaspé) and that known locations of whale occurrences are more concentrated than the actual broad restriction zone that is now in effect.

² On the Atlantic, the Shipping Federation of Canada has been an important player in the multi-government/stakeholder efforts to alter shipping lanes in the Bay of Fundy and the Roseway Basin region to minimize the risks of vessel collisions with right whales in the area. We, along with the maritime community in the Saint Lawrence River, have also devoted significant efforts in developing and implementing a seasonal voluntary speed reduction measure to reduce the risks of ship strikes and minimize the impact of noise on beluga in a section of the Laurentian Channel. On the West Coast, we are an active participant in the ECHO program to implement a voluntary vessel slow down trial in the Strait of Haro over this summer. In 2014, we also co-led the development of *A Mariner's Guide to Whales in the Northwest Atlantic* – which is an important tool to raise awareness among mariners and to support better coexistence between ships and whales.



In view of the above, we urge you to consider the feasibility of adjusting the geographic extent and the management approach in the speed restriction area, in order to more actively take into consideration sightings data on overlap between right whale occurrences and the main shipping lanes.

More specifically, we recommend an approach that will reduce **the economic impact of the speed restriction while still delivering the vast majority of the conservation benefits needed in the situation**. There may be several ways of achieving this – including a refinement of the speed restriction zone north of Anticosti (in the Jacques Cartier passage) and an exclusion of the inbound shipping lane from the speed restriction area south of Anticosti (in the Honguedo passage). Consideration could also be given to taking a more dynamic management approach, similar to ice routing in winter whereby the Canadian Coast Guard is providing temporary routes, which may deviate from the main shipping lanes both south and north of Anticosti Island, based on changing ice conditions.

We look forward to a meaningful dialogue on the above, and to working with you and your officials to further refine the speed restriction area, with a view to delivering the needed protection to the whales while minimizing the impacts on the 2017 commercial navigation season and discussing the timing for lifting the temporary restriction. We also look forward to discussing efforts to increase our collective knowledge on the distribution and aggregation patterns of the North Atlantic right whales for the future.

We thank you for considering the above.

Sincerely,

Michael H. Broad, President
SHIPPING FEDERATION OF CANADA

cc:

Mr. Trevor Swerdfager, Senior Assistant Deputy Minister, Ecosystems and Oceans Science and Oceans Protection Plan, Fisheries and Oceans Canada

Mr. Donald Roussel, Associate Assistant Deputy Minister, Safety & Security, Transport Canada

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