

BC Nature’s Response to: Regulations Amending the Marine Mammal Regulations (Southern Resident Killer Whale Approach Distance) | Submitted April 16, 2026

BC Nature appreciates the opportunity to comment on the proposed amendment to the Marine Mammal Regulations to increase the minimum approach distance to 1,000 metres for Southern Resident Killer Whales (SRKW).

BC Nature is a provincial conservation organization representing over 7,000 members and more than 60 local nature clubs across British Columbia. Our members are deeply committed to protecting wildlife and the ecosystems that sustain them.

We support the proposed increase to a 1,000 metre approach distance for SRKW as a necessary and science-aligned step to reduce disturbance to this endangered population.

However, we are concerned that this amendment is narrow in scope and does not reflect the breadth of feedback provided during the Government of Canada’s 2024 consultation on strengthening protections for marine mammals. While increasing approach distance is an important measure, it addresses only one component of the cumulative pressures facing whales in British Columbia waters.

The amendment does not address cumulative threats.

Marine mammals face multiple, interacting pressures, including: underwater noise, vessel strike risk, increasing vessel traffic and habitat degradation

The current amendment focuses solely on approach distance to SRKW, while other critical measures—such as vessel speed restrictions, slowdown zones, and vessel-restricted zones—remain governed by Interim Orders or voluntary guidelines.

BC Nature recommends that these measures be formally incorporated into the Marine Mammal Regulations, rather than relying on separate or temporary instruments. A fragmented framework reduces clarity, limits enforceability, and weakens overall effectiveness.

Commercial vessel exemptions limit effectiveness

BC Nature is concerned that exemptions for commercial vessels significantly reduce the effectiveness of efforts to limit disturbance.

Marine mammals are affected by vessel noise and presence regardless of vessel type. Exemptions for major contributors to underwater noise undermine the intent of increasing approach distances.

We recommend that protections be applied as consistently as possible across vessel classes, particularly in areas critical to feeding, resting, and social behaviour.

Need for consistent and enforceable measures

BC Nature recommends that the Government of Canada:

- incorporate mandatory vessel speed restrictions into the Marine Mammal Regulations
- formalize vessel-restricted zones within the regulations
- ensure measures are consistent, enforceable, and not reliant on voluntary compliance

While Interim Orders and guidance play an important role, they do not provide the permanence or clarity required for long-term conservation outcomes.

Enhancing protections through dynamic measures

BC Nature supports the use of dynamic management measures that respond to real-time whale presence.

Dynamic measures that trigger temporary mandatory slowdowns when whales are present would better align protections with whale behaviour and habitat use. This approach would be especially beneficial in high-use areas such as Haro Strait and Boundary Pass, where whale presence varies seasonally and includes multiple species. Regulatory measures should reflect these patterns to ensure protections are responsive and effective across species, including both Southern Resident and Bigg's killer whales.

Greater Canada–U.S. alignment is essential

Marine mammals in the Salish Sea move freely across the Canada–United States border.

Differences between regulatory frameworks create confusion and reduce effectiveness. BC Nature supports greater alignment between jurisdictions so that operators are subject to consistent standards and expectations in shared waters.

Unintended consequence: reduced protection for Bigg's killer whales

BC Nature is concerned that this amendment may result in reduced protections for Bigg's killer whales.

Under recent Interim Orders, all killer whales were protected by a 400 metre approach distance. With the proposed amendment focused specifically on SRKW, Bigg's killer whales would return to a 200 metre approach distance.

This represents a rollback of protections for a species that continues to experience increasing vessel interaction and disturbance. We recommend that this unintended consequence be addressed to ensure protections are not weakened for other whale populations.

Additional protections needed for humpback whales

BC Nature also highlights the need for enhanced protection of humpback whales.

Following decades of recovery, humpback whale populations have increased in British Columbia waters, resulting in greater overlap with vessel traffic and increased risk of vessel strikes. At present, there are no equivalent enhanced protections specifically addressing this species.

We recommend extending slowdown measures and other protective actions into key humpback habitats, including areas such as the Juan de Fuca Strait, to proactively reduce risk as populations continue to recover.

Conclusion

BC Nature supports the proposed increase to a 1,000 metre approach distance for Southern Resident Killer Whales as an important step forward.

However, this amendment does not fully address the broader and well-documented threats facing marine mammals in British Columbia waters.

To be effective, regulatory protections must be: comprehensive, clearly embedded within regulation, consistent across jurisdictions and enforceable

We urge the Government of Canada to build on this amendment by incorporating additional protective measures into the Marine Mammal Regulations and addressing gaps identified through previous public consultation.

Thank you for the opportunity to provide input.