



September 22, 2026

Mr. Harold Sellers
President
BC Nature
c/o Ms. Mish Stone
< mstone@bcnature.ca >

Dear Mr. Sellers,

Thank you for your correspondence of July 16, 2026, regarding follow-up to BC Nature's comments on the proposed amendments to the *Marine Mammal Regulations* (MMR).

The proposed regulatory amendments were pre-published in the *Canada Gazette*, Part I, for a 30-day public consultation period, providing Canadians, stakeholders, Indigenous partners, and other interested parties with an opportunity to review and comment on the proposal. I appreciate the feedback provided by BC Nature during the *Canada Gazette*, Part I consultation period. In accordance with the *Canada Gazette* consultation process, individual responses to submissions were not provided; however, all comments received during the consultation period have been published online on the [Canada Gazette](https://www.canadagazette.gc.ca/) website. Feedback received is being carefully considered and will inform the ongoing regulatory development process.

On April 2, 2026, Transport Canada, in alignment with the proposed amendments to the MMR, announced an enhanced protection measure establishing a mandatory minimum approach distance of 1,000 metres for Southern Resident Killer Whales (SRKW) through an Interim Order made under the *Canada Shipping Act, 2001*. The Interim Order came into force on June 1, 2026. Amendments to the MMR are considered finalized when published in the *Canada Gazette*, Part II.

Other populations of killer whales may also be affected by physical and acoustic disturbance. However, the long-term effects of physical and acoustic disturbance from small, recreational boaters are currently unknown. Available evidence does not suggest that increasing the approach distance beyond 200 metres, as currently prescribed by the MMR, will confer additional benefits to these populations. Fisheries and Oceans Canada (DFO) is aware that increasing the approach distance for these populations would have impacts on Canadians, including recreational boaters and commercial whale-watching operators. Given the current scientific evidence and these potential impacts, Canada is not proposing to increase the minimum approach distance for other killer whale populations at this time.

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The Government of Canada has been supporting the survival and recovery of SRKW for many years. Annual management measures have been underway since 2018 to address key threats, including those that reduce underwater noise and physical disturbance from vessels within key areas of SRKW critical habitat. Building on this progress, and as announced in the May 2026 Spring Economic Update, Canada announced an additional investment of \$258.1 million over five years to renew and enhance funding for the protection of North Atlantic right whales, SRKW, and St. Lawrence Estuary belugas. This included an additional \$95 million over five years, with \$16.5 million ongoing, to implement enhanced measures to address imminent threats and support the recovery and survival of SRKW, including a regional noise monitoring and management program. I look forward to engaging with BC Nature and other stakeholders as this work progresses.

For more general information about progress towards the implementation of the *Species at Risk Act* recovery strategy and action plan for Northern Resident Killer Whales and SRKW, please visit the [Species at Risk Public Registry](#).

Should you have any questions or wish to discuss this matter further, I invite you to contact DFO's Regional Manager of the Marine Mammal Unit in Pacific Region, Ms. Heather Brekke, by email at < Heather.Brekke@dfo-mpo.gc.ca >. I have also taken the liberty of sharing your correspondence with my Senior Regional and Policy Advisor for BC, Mr. Joshua Lindner, who can be reached by email at < Joshua.Lindner@dfo-mpo.gc.ca >.

Thank you for providing me with your thoughts on this matter.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Joanne Thompson', with a stylized, flowing script.

The Honourable Joanne Thompson, P.C., M.P.