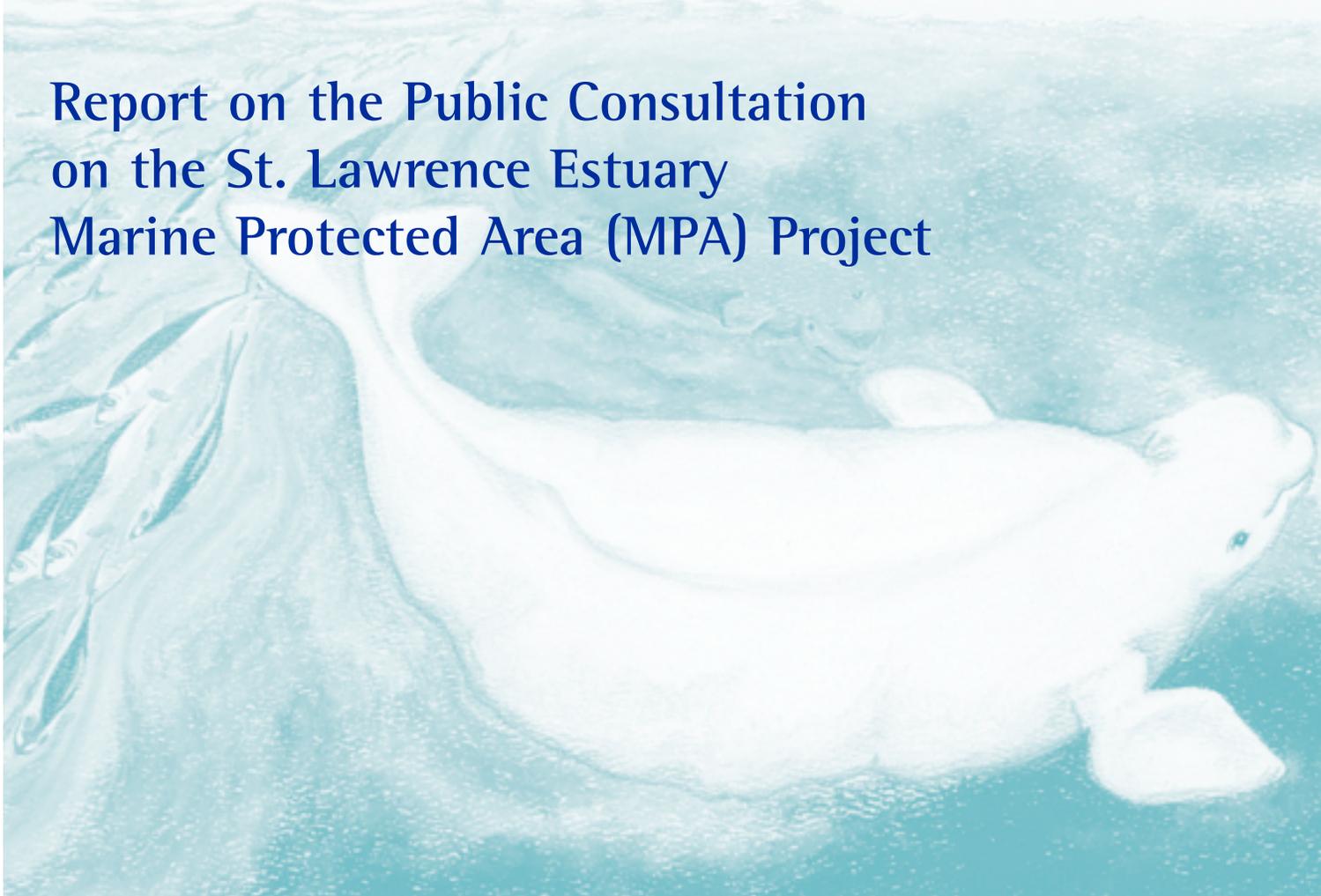




**The St. Lawrence Estuary Marine Protected Area Project**

**Report on the Public Consultation  
on the St. Lawrence Estuary  
Marine Protected Area (MPA) Project**



**Published by :**

**Oceans, Habitat and Species at Risk Regional Branch  
Fisheries and Oceans Canada  
P.O. Box 1000  
Mont-Joli (Québec) G5H 3Z4**

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**Cat. No. Fs49-2/2010E-PDF  
978-1-100-15257-8**

**March 2010**

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**ILLUSTRATIONS**

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*Cette publication est aussi disponible en français*

## EXECUTIVE SUMMARY

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The St. Lawrence Estuary is internationally recognized as a vital feeding ground for many marine mammal species. It is also host to one of the largest whale-watching industries in the world. In order to ensure long-term protection of marine mammals while maintaining sustainable economic activities, Fisheries and Oceans Canada (DFO) plans on creating a Marine Protected Area (MPA) in the St. Lawrence Estuary.

In fall 2004 and winter 2005, DFO held public consultations on the St. Lawrence Estuary MPA Project. The consultations allowed the department to hear the opinions of representatives from Aboriginal communities, area resource managers, the public, various private-sector groups—including marine mammal viewing, shipping and fishing concerns—and the scientific community.

The majority of participants at the public sessions said they were satisfied with the consultation process. Overall, session analysis showed that the St. Lawrence Estuary MPA Project was received favourably. No participants questioned the project's relevance, but a number of organizations had concerns about how management measures for the proposed MPA would tie in with measures already in effect for the Saguenay–St. Lawrence Marine Park.

Numerous organizations felt that some measures were not yet developed enough to assess the methods of application or impacts on users. Others had doubts about the effectiveness of the MPA as a means of countering certain threats to marine mammals; however, they still supported the project and wanted to help develop ways to implement certain measures.

The department's ongoing MPA Project discussions following the public consultations have raised the possibility of marked changes to the project. Clearly, the department will keep stakeholders informed of any significant advancement on the MPA project.

## ACKNOWLEDGEMENTS

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A project of the scope of the St. Lawrence Estuary MPA project requires exceptional and effective collaboration on the part of numerous groups and individuals from many different backgrounds. Thanks to this active participation, the project was able to achieve the necessary momentum to successfully complete several important steps, including public consultation.

Organizing and holding this public consultation process required the participation of a large number of individuals including experts, scientists and resource persons at Fisheries and Oceans Canada (Richard Bailey, Perry Beaudoin, Liette Bernatchez, Martin Blouin, Marcel Boudreau, John Chouinard, Hugh Cotton, Michel Gilbert, Michel Harvey, Julie Inkel, Jacques Lacroix, Judith Leblanc, Michel Leblanc, Véronique Lesage, Ian McQuinn, Lena Measures, Isabelle Morency, René Paré, Martin St-Gelais, Serge Synnott, Michel Tremblay) and at Transport Canada (Michel Bouliane, Danielle Duranceau, Lucie Gagnon). We would like to express our deep gratitude to all these individuals. We would also like to sincerely thank the representatives of the Saguenay–St. Lawrence Marine Park (Pierre Bertrand, Suzan Dionne, Jean Desaulniers, Nadia Ménard, Hugues Michaud) who participated in turn in the consultation sessions as observers and who kindly provided, on request, additional information about the measures affecting their mandate and areas of jurisdiction. We would also like to thank Pierre Béland (meeting chairman), François Rondeau (strategic communications consultant), Sylvie Roy (events manager), Carole Gélinas (stenographer) and Denyse Blais (linguistic revision) for their excellent work.

A very special thank-you goes to the stakeholders and organization representatives who participated in the various consultation sessions. Their valuable input was very helpful in improving the project. We would also like to recognize the contribution of the Essipit, Betsiamites and Malecites of Viger First Nations as well as the RCMs affected by the project for their collaboration.

The objectives of this consultation process were attained thanks to the contribution and participation of all concerned.

### **The Consultation Team**

Luci Bossé, Guy Cantin, Danielle Dorion, Francine Dufour, Pierre Gauthier, Michel Lemay, Daniel Le Sauter, Jean Morisset and Sylvi Racine

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## LIST OF ACRONYMS AND ABBREVIATIONS

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CED	Canada Economic Development
COA	<i>Canada Oceans Act</i>
COSEWIC	Committee on the Status of Endangered Wildlife in Canada
CSA	<i>Canada Shipping Act</i>
DFO	Fisheries and Oceans Canada
ENGO	Environmental non-governmental organization
IUCN	International Union for Conservation of Nature
MMW	Marine mammal watching
MPA	Marine Protected Area
NRCan	Natural Resources Canada
PWGSC	Public Works and Government Services Canada
RCM	Regional County Municipality
SARA	<i>Species at Risk Act</i>
SLAP	St. Lawrence Action Plan
SSLMP	Saguenay–St. Lawrence Marine Park
TBT	Tributyl tin
UPA	<i>Union des producteurs agricoles</i>
WDCS	Whale and Dolphin Conservation Society
ZIP	<i>Zone d'intervention prioritaire</i> [area of prime concern]



## INTRODUCTION

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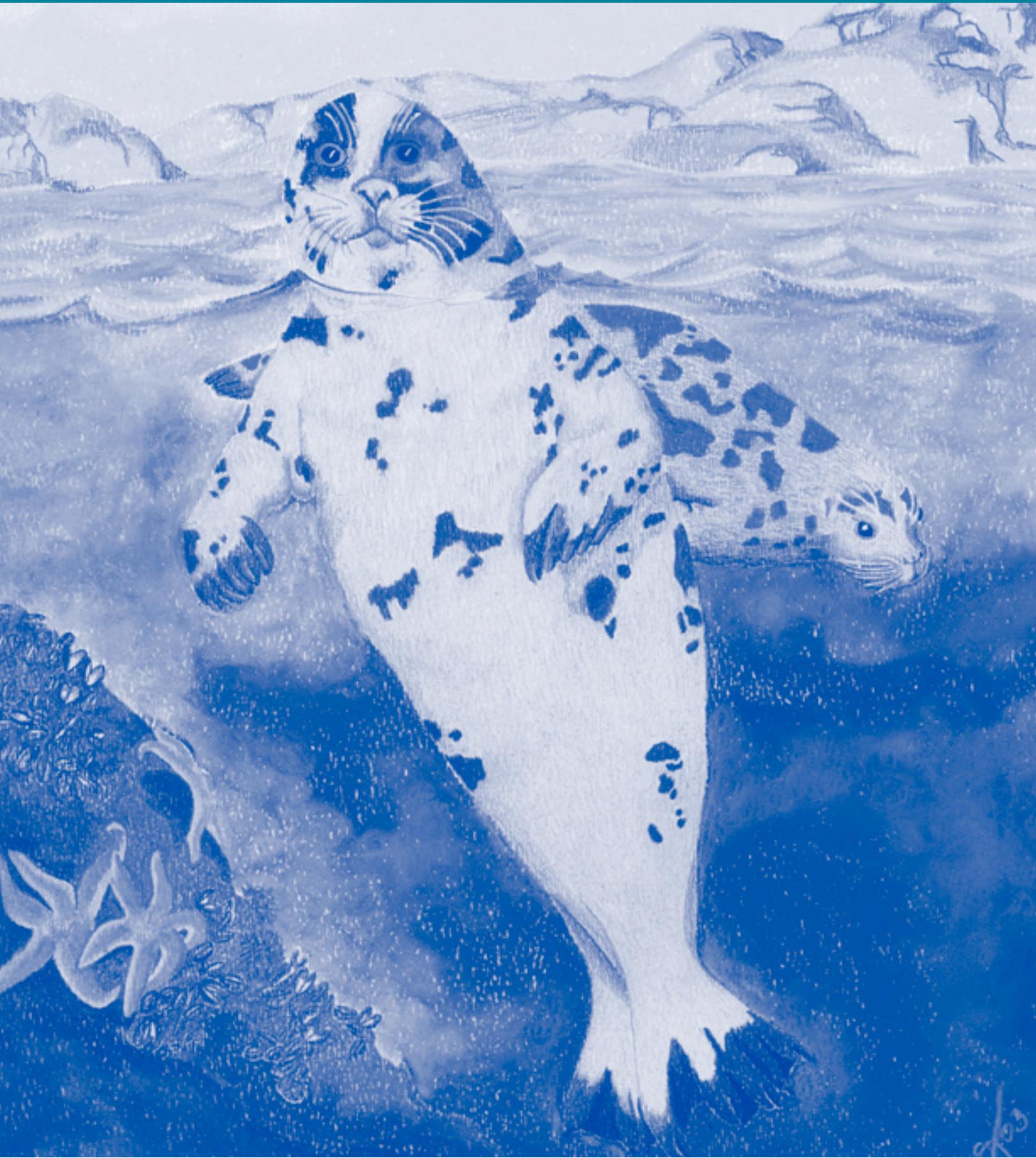
Marine Protected Areas (MPAs) are created under the federal Oceans Act and are part of federal programs for the creation of protected marine areas. The establishment of a national network of protected marine areas is a key component for the development and health of our oceans as well as for meeting Canada's international commitments to protect and preserve the biological diversity of our waters.

The St. Lawrence Estuary MPA Project was started in September 1998. It is a large-scale project that will enable Fisheries and Oceans Canada to fulfill its role of protecting marine mammals in the St. Lawrence Estuary. This immensely rich environment is under heavy pressure from human activities, some of which threaten the marine mammals that live in the Estuary or pass through it. The proposed management measures for achieving the MPA Project's protection objectives are based on the latest scientific knowledge and on an exhaustive and ongoing consultation process, which began in 1999 and involves experts from government, universities and independent research groups. The management measures were the subject of public consultations held in fall 2004 and consultations with representatives from Aboriginal communities affected by the MPA Project held in spring 2005. The consultation mechanism was designed above all to achieve transparency and openness to community input. Accordingly, the department ensured that project information was easily accessible and written in plain language. Further, it designated a competent and impartial chairman for the sessions who ensured that participants could express themselves freely in a respectful setting. This report consolidates information on the project, the public consultation process, and participant comments on management measures. It also provides a summary of these comments.

The department's ongoing MPA Project discussions following the 2004-2005 public consultations have brought to light the jurisdictional complexities associated with this issue. The project might therefore undergo marked changes depending on the direction it takes. Clearly, the department will keep stakeholders informed of any significant advancement on the MPA Project.



THE ST. LAWRENCE ESTUARY MPA





## 1. The St. Lawrence Estuary MPA

### OBJECTIVE OF THE ST. LAWRENCE ESTUARY MPA

The objective of the proposed MPA is to ensure the conservation and long-term protection of marine mammals and their habitats and food resources.

### PROJECT RATIONALE

The St. Lawrence Estuary is internationally recognized as an area of critical importance for many marine mammal species found in these waters, particularly the beluga and the harbour seal, which are year-round residents, and a number of cetaceans, including large whales, that visit seasonally during their migrations to feed and build up energy reserves in preparation for the breeding season. Since all these marine mammals are faced with a multitude of threats resulting from the high level of human activity

in the area and since several of these mammals are on the list of species at risk in Canada, this MPA project represents an important initiative that aims to improve the protection of marine mammals of this area.

### *Importance of the St. Lawrence Estuary for marine mammals*

Because of the large concentrations of krill and capelin found there, the St. Lawrence Estuary is a vital feeding ground for many marine mammals, including certain North Atlantic whale populations. The beluga and the harbour seal complete their entire life cycle in the estuary. Nearly half a dozen marine mammal species found in the estuary regularly or occasionally are species at risk listed under the *Species at Risk Act* or by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC).

Table 1. Marine mammals that are resident or occasionally observed species in the St. Lawrence Estuary

Species	Species status	Resident/migratory
Blue whale	Endangered <sup>CA</sup>	Migratory
Right whale <sup>1</sup>	Endangered <sup>CA</sup>	Migratory
St. Lawrence beluga	Threatened <sup>CA</sup>	Resident
Harbour porpoise	Special concern <sup>C</sup>	Migratory
Fin whale	Special concern <sup>CA</sup>	Migratory
Harbour seal	Not at risk <sup>C</sup>	Resident
Humpback whale	Not at risk <sup>C</sup>	Migratory
Minke whale	Not at risk <sup>C</sup>	Migratory
Atlantic white-side dolphin	Not at risk <sup>C</sup>	Migratory
Sperm whale	Not at risk <sup>C</sup>	Migratory
Grey seal <sup>2</sup>	Not at risk <sup>C</sup>	Migratory
Harp seal <sup>2</sup>	Not at risk <sup>C</sup>	Migratory

<sup>1</sup>Rare species in the estuary; <sup>2</sup>The MPA is not intended to protect this species; <sup>C</sup>Status according to the Committee on the Status of Endangered Wildlife in Canada (COSEWIC); and <sup>CA</sup>Species listed under the *Species at Risk Act* (SARA)

### *Pressures and threats facing whales and harbour seals of the St. Lawrence Estuary*

In Canada, it is in the St. Lawrence Estuary that marine mammals are exposed to the greatest pressures. The many human activities either within or upstream of the estuary represent various threats that can have significant adverse and cumulative impacts on these animals, for example:

- Risks of collisions with boats and ships;
- Entanglement in fishing gear;
- Human disturbance that may disrupt essential activities, such as feeding;
- Exposure to noise;
- Harbour seal mortality due to poaching or improper species identification during sport-hunting of other seal species;
- Deterioration of habitats and food resources;
- Pollution (presence of persistence toxic substances in the food chain) and risk of oil and chemical spills;
- Exposure to infectious or parasitic diseases;
- Potential commercial exploitation of food resources essential to these species.

## 1. The St. Lawrence Estuary MPA

### *Rationale for an MPA in the estuary*

The establishment of an MPA in the estuary is justified for the following reasons:

- Its richness in marine mammals;
- The presence of many species at risk;
- The importance of this area as a feeding ground for many marine mammals, particularly North Atlantic migratory species;
- The intensity of human activities, which are placing significant pressure on the mammals in this area;
- The inadequacy of current protection measures, as well as of existing human and other resources to effectively protect marine mammals in the estuary.

### *Additional benefits of establishing an MPA in this area*

The establishment of the MPA, together with the existing Saguenay–St. Lawrence Marine Park (SSLMP), would substantially raise the level of protection of marine mammals in the St. Lawrence Estuary.

In fact, this concerted effort would:

- Enhance the consistency and effectiveness of protection,

awareness and research efforts relating to marine mammals, several species of which are on the Canadian list of species at risk;

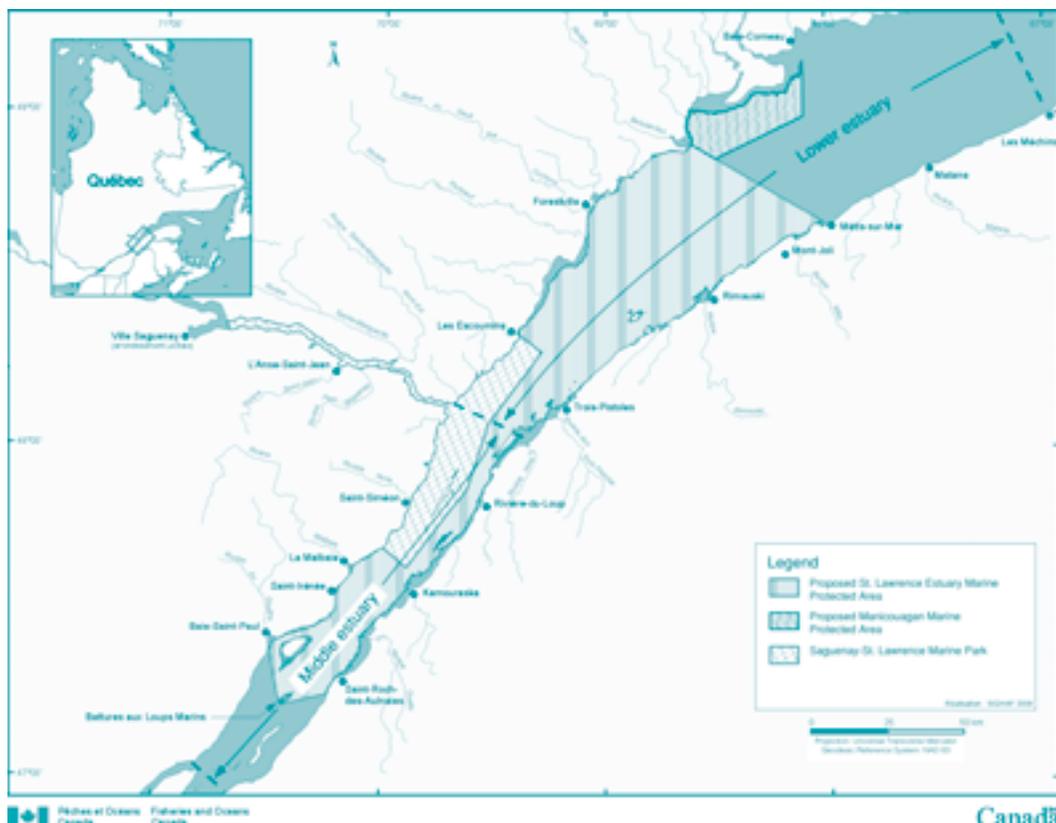
- Protect species without status but which are believed to be potentially at risk;
- Allow continuation of sustainable economic activities;
- Together with the SSLMP, constitute the largest sanctuary for marine mammals in Canada;
- Enhance the national and international visibility of the area.

### GEOGRAPHIC BOUNDARIES

The MPA (see Figure 1), covering an area of approximately 6,000 km<sup>2</sup>, will include the St. Lawrence beluga's summer distribution range and most of the habitat of the St. Lawrence Estuary harbour seal population as well as significant feeding areas for the blue whale. The area selected corresponds to the region where pressure on marine mammals is greatest in the St. Lawrence.

The MPA surrounds but does not include the Saguenay–St. Lawrence Marine Park (SSLMP).

Figure 1. Geographic boundaries of the St. Lawrence Estuary MPA



## 1. The St. Lawrence Estuary MPA

### MANAGEMENT GOALS AND OBJECTIVES

#### *Preferred principles for the establishment and management of the MPA*

- Integrating the precautionary principle with regards to planning, decision-making and management;
- Respecting federal and provincial authorities and jurisdictions as well as Aboriginal rights;
- Involving other legal stakeholders;
- Harmonizing marine mammal protection efforts with those of the Saguenay–St. Lawrence Marine Park;
- Adaptive management (a management system whereby actions are subjected to follow-up, assessment and

adjustments on a periodic basis as new knowledge becomes available).

#### *Protection objectives of the proposed MPA and categories of associated management measures*

This section describes the threats associated with each of the three main protection objectives that the establishment of the MPA is intended to address (Table 2) and the categories of proposed management measures to counter or mitigate the threats and pressures facing marine mammals in the St. Lawrence Estuary (Table 3).

Table 2. Protection objectives and associated threats

Protection objective	Associated threats
A. To protect marine mammals	A1. Collisions A2. Entanglement A3. Disturbance A4. Disturbance by noise A5. Mortality from hunting
B. To protect their habitats	B1. Pollution B2. Exposure to diseases
C. To protect their food resources	C1. Deterioration of habitat C2. Exploitation

The management measures were organized into the following categories:

- Regulatory measures
- Non-regulatory measures
- Program harmonization
- Public awareness and information

Table 3. Breakdown of the proposed management measures by category

Categories of measures	Measures* <sup>&amp;</sup>	Total
1. Regulatory measures	A1.1, A3.1, A3.2, A3.3, A3.4, A3.5, A4.1, B1.1, B2.1, B2.2, C1.1, C2.1, C2.2	13
2. Non-regulatory measures	A1.2, A2.1, A2.2, A2.3, A2.4, B1.4, D1.1	7
3. Program harmonization	A3.6, B1.2, B1.3, D1.2, D1.3	5
4. Public awareness and information	A3.7, A3.8, A5.1, B1.5, B1.6, D1.4, D1.5	7
<b>Total</b>		<b>32</b>

\*See section 4 for the wording of each of the measures presented during the consultation.

<sup>&</sup>The measure code corresponds to the threat it is intended to address, identified in Table 2 (e.g. the code for all the measures aimed at reducing disturbance begins with A3.). Code D is used for measures aimed simultaneously at more than one threat.

## 1. The St. Lawrence Estuary MPA

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### COMPLETED STEPS

Following enactment of the *Oceans Act*, Fisheries and Oceans Canada drafted a document entitled “Department of Fisheries and Oceans Marine Protected Areas Program,” which includes the Marine Protected Areas Policy and the National Framework for Establishing and Managing Marine Protected Areas. Listed below are the steps completed between the time of publication of that document and the end of the public consultation:

- **1998:** identification of Areas of Interest for the potential establishment of pilot MPAs and selection of the St. Lawrence Estuary and the Manicouagan Peninsula as MPA projects;
- **1999–2000:** study on the biophysics and uses of the area and socio-economic study;
- **April 2000:** identification and assessment of the threats to marine mammals and their habitats and food resources; confirmation of the relevance of establishing a Marine Protected Area and proposed boundaries;
- **November 2000 to February 2001:** development of recommended solutions or mitigation measures for the threats identified;
- **January to September 2002:** consultation of the various DFO branches in the Quebec Region concerning the recommendations formulated;
- **December 2002 to April 2003:** consultation of various federal departments and agencies on the recommendations as amended following consultation within DFO;
- **November 2003:** information sessions with representatives of the Aboriginal communities;
- **November to December 2003:** information sessions with territory managers and the Regional County Municipalities (RCMs) concerned;
- **February 2004:** information meeting with Quebec government departments and agencies;
- **Fall 2004:** public consultation;
- **Spring 2005:** consultation of representatives of the Aboriginal communities affected by the project.

# PUBLIC CONSULTATION





## 2. Public consultation

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### CONSULTATION OBJECTIVES

- To inform and raise public awareness regarding the importance of providing greater protection of marine mammals in the St. Lawrence Estuary by establishing an MPA and implementing appropriate management measures.
- To gather concerns, perceptions, information and any other comments.

### COMMUNICATION ACTIVITIES AND CONSULTATION METHODS

Communication activities and consultation methods included holding consultation sessions, developing and operating a website and a variety of other communication tools, all with the primary aim of maximizing the participation of interested groups and organizations, as well as of the general public (see Appendices II to III for more details).

### PARTICIPATION

The participation rate of the targeted groups and organizations was 25%. The level of public participation varied somewhat from session to session, and the volume of traffic on the website was considered satisfactory. Appendix III provides a breakdown of the statistics on participation in the public consultation. It includes the participation rate by sector table and geographic area, the number of consultation workbooks and other documents submitted and, finally, the number of visitors to the website.



# GENERAL COMMENTS





### 3. General comments

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This section presents the highlights of the comments made by the sector table participants and the First Nations, who were consulted in a subsequent phase. A summary is provided of the participants' reactions, concerns and assessments of the MPA project, the consultation process and the management framework scenarios, while the issues specific to each group and those shared by all the participants are identified.

#### ANALYSIS OF THE PARTICIPANTS' COMMENTS AND INPUT

The analysis conducted was primarily qualitative. This process is described in Appendix IV. We refer the reader to Appendix III – List of Consultation Sessions, for the dates and venues of the public sessions, and to Appendix I for the list of participants in each sector table.

#### COMMENTS OF THE SECTOR TABLE PARTICIPANTS

Most of the public session participants indicated that they were satisfied with the consultation process. They felt that the consultation process was very open to their concerns and respected their particular activities, prompting them to describe this consultation as “genuine.” They mentioned the constant concern for transparency evident throughout the process and the quality of the information and documentation provided. A number of participants indicated that this experience helped them learn more about marine mammals.

On the whole, the analysis indicates that the St. Lawrence Estuary MPA project was favourably received. None of the participants questioned the project's rationale, but a number of organizations were concerned about coordinating existing management measures in the Saguenay–St. Lawrence Marine Park to protect marine mammals with those of the proposed MPA.

Many organizations felt that certain measures had not yet been sufficiently developed to enable the implementation process and the impact on users to be assessed. Others had doubts about the effectiveness of the MPA in mitigating certain threats to marine mammals, but were still supportive of the project and were willing to collaborate in the development of the process for implementing certain measures.

#### *“Recreational activities” sector table*

##### Rimouski, Forestville and Quebec City sessions

The majority of the participants in the “Recreational activities” sector table were willing to participate in the St. Lawrence Estuary MPA project. They considered the project to be well organized, but pointed out the need to develop an evaluation method for measuring attainment of the MPA's objectives. Recreational boaters were particularly concerned about the management measures relating to marine mammal approach distances, discharge water from certain boats and the lack of systems for recovering discharge water and waste oil in marinas.

#### *“Tourism and economic development” sector table*

##### North Shore: La Malbaie session

The participants in the La Malbaie session indicated that they were satisfied with the consultation process, and commented positively on the clarity and quality of the information booklet/backgrounders. In their view, the establishment of an MPA is a major event that will ensure the sustainability of marine mammals in the St. Lawrence Estuary, just as certain management measures in the SSLMP contribute to this goal. They pointed out that the combination of these two protected areas would be beneficial to the various resident and migratory species, but that this goal must not be achieved at any price and to the detriment of certain users, particularly the marine mammal watching (MMW) industry, which is already heavily regulated. They were concerned about the measures proposed to mitigate disturbance, particularly those concerning speed limits and approach distances. In the view of these stakeholders, the major challenge facing the MPA will be to effectively enforce the proposed management measures over such a large area. They expressed their concern that local or targeted enforcement actions might adversely affect certain users. In their view, public acceptance and support will be essential to the success of the project and it is vital to set priorities for the implementation of each measure. Finally, most of the participants would like to be involved in future steps.

##### North Shore: Forestville session

Various North Shore environmental organizations attended this sector table. They were in favour of all the proposed management measures, but had questions

### 3. General comments

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about project funding and advocated a total ban on oil and gas exploration and development. Few of the measures posed a problem for the economic actors. They were generally supportive of the proposed MPA and offered to collaborate in devising common and equitable solutions allowing the continuation of their activities. However, they expressed their concerns about the potential impacts of some of the management measures on the marine mammal watching industry, which is essentially based on observing blue whales in the immediate Forestville area. They felt that any restrictions targeting this species could have serious adverse effects on private businesses and on the local economies of the small municipalities, and that establishing a protection perimeter around harbour seal haul-out sites could conflict with the activities of nearby softshell clam harvesters.

#### South Shore: Rivière-du-Loup session

On the whole, the St. Lawrence Estuary MPA project was positively perceived by the participants. They considered this project to be very compatible with the concept of sustainable development and felt that more discussion about marine mammals might contribute to the success of efforts to protect them. In their opinion, this is a long-term project, as was the SSLMP in the early stages. Some participants were surprised by the large number of threats mentioned and doubted the effectiveness of this type of protected area if protection efforts are also not carried out upstream, where significant discharges into the environment originate.

#### South Shore: Rimouski session

The tour boat industry representatives expressed their satisfaction with DFO's openness to their views and with the diversity of the groups attending the session. They felt that this exercise had left them better informed to answer questions from the general public and that the MPA should have a positive impact on the status of marine mammals. However, their main concern was with the concept of approach distance. In order to protect harbour seal haul-out sites, the representatives of the RCMs proposed collaborating with the federal government by incorporating the relevant information in their land use and development plans. They indicated their willingness to participate in the development of implementation and monitoring processes. The *Union des producteurs agricoles* (UPA) listened attentively to concerns about the problem of non-point source pollution

generated by farmers, and gave assurances that the agricultural community would collaborate in efforts to improve water quality. In the opinion of this organization, awareness-raising remains the most effective tool and regulatory measures must be phased in.

#### *“Education and research” sector table*

##### Rimouski session

Education and research organizations praised the high quality of the consultation process. These organizations were keen to help devise solutions to mitigate the threats to marine mammals. They suggested improving municipal wastewater systems and economic incentives to reduce dumping of fish waste at sea by using this waste in the marine biotechnology industry. They also suggested setting up a shared central database on marine mammal samples that could be used for studies of animal contamination and other issues. In their view, awareness-raising is an essential tool that must be developed at the local, national and international levels. Although there are some knowledge gaps to be filled, they advocated proceeding with establishment of the MPA as soon as possible, which would not preclude making improvements to the project as new knowledge becomes available.

#### *“Environment” sector table*

##### North Shore: Forestville session

See the “Tourism and economic development” sector table, Forestville session. The sector tables were combined in this case for practical reasons.

##### North Shore: La Malbaie session

See the “Tourism and economic development” sector table, La Malbaie session. The sector tables were combined in this case.

##### South Shore: Rivière-du-Loup session

The environmental groups supported the St. Lawrence Estuary MPA project and the proposed measures and appreciated the opportunity to express their views on the various environmental issues. Some participants pointed out that the establishment of an MPA would provide a better platform for public education and protection efforts concerning the harbour seal, a resident species currently exposed to disturbance. This sector table included a number of not-for-profit organizations that raised some questions about funding for implementation

### 3. General comments

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of the awareness and information measures. Most expressed their willingness to collaborate with the department.

#### **South Shore: Rimouski session**

The participants felt that the consultation process went very well, since it gave them an opportunity to express their views to the Department on a range of issues. They praised the clarity of the information booklet/backgrounder and affirmed that the concept of adaptive management (see Section 1: *Management goals and objectives – Preferred principles for the establishment and management of the MPA*) will be indispensable to implementation of the project, and it will be equally essential to secure the acceptance and support of the project by the main users and the general public. The participants considered all the threats to marine mammals to be priorities, whether collisions, disturbance, disturbance by noise, pollution or exploitation of food resources, but they also pointed out that effective methods must be adopted to evaluate the outcomes of the measures implemented. Generally, the participants indicated their willingness to collaborate in the next steps, but expressed concerns as to whether DFO possessed the necessary resources to carry out its ambitious plans.

#### **Quebec City session**

All the participants in this sector table commented positively on the quality of the consultation process. Some considered this project to be a good integrated management approach and recognized the obvious need for regulations, combined with an education and awareness component. They stressed the urgency of taking action to protect marine mammals, which are currently threatened, but felt that it was essential to monitor outcomes by using valid indicators. In the view of the environmental groups, all the threats to marine mammals are important and a comprehensive approach is essential in order to ensure sustainability of the resource. They noted a potential imbalance in protection and conservation measures between cetaceans and seals, in favour of the former, and the need to adequately protect harbour seals. They indicated their willingness to collaborate in the dissemination of information to the various users and in the detailed development of certain measures. Some participants considered it desirable to characterize the MPA according to the criteria defining protected areas established by the International Union for Conservation of Nature (IUCN).

#### *“Harvesting of living resources” sector table*

##### **South Shore: Rimouski session**

The South Shore commercial fishermen found the process associated with this MPA to be very constructive, but they would like to see confirmation that the threats are real before regulations are introduced and they suggested that DFO begin by establishing an order of priority for the mitigation of threats. While the fishermen felt that the management measures associated with the St. Lawrence Estuary MPA project should not have a particularly negative impact on their operations, they were more concerned about the measures relating to entanglement, deterioration of habitat, exploitation of vital food resources for marine mammals and mortality from hunting. They would like the department to evaluate all other alternatives before banning an activity. In their opinion, the large size of the MPA will complicate the enforcement of certain measures. One of the participants felt that the MPA was not located in the right area, while other participants felt the threats were more associated with polluting sources upstream. In general, the fishermen indicated their willingness to collaborate to develop better fishing gear or solve any other problems and some were interested in providing DFO with information on marine mammals.

##### **North Shore: Forestville session**

The North Shore fishermen indicated that, while they are receptive to the concept of protecting marine mammals and interested in participating in the development of protection measures concerning these animals, they had some concerns about regulations that could adversely affect their operations and prove difficult to enforce as well as about the presumed loss of fishing rights or fishing areas. They were opposed to any measures that would result in the loss of their vested rights and felt that greater emphasis should be placed on public awareness, program harmonization and non regulatory measures. They pointed out that the imposition of a protection perimeter for seal haul-out sites could interfere with the activities of some professional softshell clam harvesters. The fishermen's associations were concerned about the measures relating to entanglement, deterioration of habitat and exploitation of marine mammal food resources. They called for more detailed study of the various issues and for setting priorities for the mitigation of threats. They suggested

### 3. General comments

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that factors outside the MPA might have a greater impact on marine mammals than the threats that exist within the MPA.

#### *“Shipping” sector table*

##### Quebec City session

The shipping representatives described the consultation process as very open, dynamic and receptive to their concerns. They were concerned about the collision threat, which could require introducing a speed limit for vessels in the MPA. The rationale behind the various management measures was an important point for these users and they would like to see these measures supported by precise and relevant data. They considered it essential that the situation be monitored with reliable indicators and that provision be made for a review structure. On the issue of speed limits, they felt that DFO should verify the policies applied in other marine protected areas around the world. These stakeholders indicated their willingness to collaborate by allowing the use of their ships to conduct certain research aimed at mitigating the impact of shipping on marine mammals.

#### ABORIGINAL COMMUNITIES

The representatives of the Innu of Betsiamites, the Innu of Essipit and the Malecites of Viger were consulted one community at a time between April and June 2005. It should be pointed out that an information meeting with the representatives of the Essipit and Viger groups had been held earlier in the fall of 2003 to inform them of the establishment of the St. Lawrence Estuary MPA. During the 2005 consultation, the project was favourably received and the band councils of the two Innu communities of the Upper North Shore submitted written resolutions supporting the project.

The main comments made during the consultation sessions with the Aboriginal organizations are presented below.

The objectives of the meetings with the Aboriginal representatives were similar to those of the 2004 public consultation. However, this time DFO was also interested in obtaining an official written position from the band councils on the project and on the proposed management measures.

#### *Innu of Betsiamites*

The representatives of the Betsiamites band council\* noted that the St. Lawrence Estuary MPA project is not likely to have a major impact on their community because of its location. However, they considered all the aspects of the public awareness and education program to be essential and indicated their willingness to participate in these activities. They favoured voluntary measures for their population, even though they have authority to institute regulatory measures on their territory.

In early September 2005, the council submitted an official written statement outlining its position on the St. Lawrence Estuary MPA project in which it “[translation] ... strongly supports the process...” The “[translation] council supports the proposed measures (for the MPA) through the Vice Chief.” The Betsiamites community feels that the project does not really affect them directly since it concerns an adjacent territory.

#### *Innu of Essipit*

Generally, the St. Lawrence Estuary MPA project was well received by the representatives of the Innu of Essipit. Their concerns dealt mainly with marine mammal watching, especially the blue whale, and the approach distances for migratory species that have been designated species at risk under the provisions of the *Species at Risk Act* and the decisions of the Committee on the Status of Endangered Wildlife in Canada (COSEWIC). They preferred the development of approach methods that are harmonious and respectful of the animals, rather than setting an approach limit of 400 meters. The band council feared that certain management measures would hamper the Innu’s traditional activities, which are of primary importance and are part of land negotiations. However, the community expects to be treated in the same way as the other local actors where its non-traditional economic activities are concerned. Community representatives emphasized the great importance they attach to the activities carried out on their territory (regardless of land claim status). A number supported the measures concerning the ban on krill fishing and stricter standards on dumping at sea and recommended a total ban on oil and gas exploration and development activities in the MPA.

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\*The current name is the Innu Council of Pessamit.

### 3. General comments

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The council submitted an official written statement outlining its position on the St. Lawrence Estuary MPA project in mid August 2005. It states that the Innu of Essipit are “[translation] ...in favour of the establishment of a Marine Protected Area (MPA) within the fluvial limits of Nitassinan...” However, the council’s positions clearly expressed in the minutes of the last meeting with DFO must be respected. These positions are reiterated in the resolution that the council later adopted. On January 26, 2006, the council of the Innu of Essipit First Nation adopted a resolution confirming its acceptance of and support for the MPA project based on two conditions: establishment of a committee composed of the legal representatives and territory managers and respect for the community members’ priority areas for hunting, fishing and gathering in Nitassinan. The council also undertook to gradually exercise natural resources management responsibilities and competencies and stated that it viewed its participation in the MPA management committee as consistent with the mechanism of genuine participation.

#### *Malecites of Viger*

The representatives of the Malecites of Viger were supportive of the project. However, they pointed out that the establishment of this MPA must not interfere with the practice of their traditional activities (hunting and fishing). Despite some concern in this regard, they were willing to make a recommendation to their band council in favour of collaboration in the project and even direct involvement of the members of their community. This involvement could take the form of assistance of their protection officers in enforcing the management measures in the part of the estuary covered by their ancestral territory. The Malecites of Viger also indicated their intention to eventually set up a marine mammal watching business.

The representatives of Viger took advantage of the opportunity afforded by this meeting to express some serious reservations about a proposed liquefied natural gas terminal at Cacouna and the validity of the proponent’s environmental impact study. They questioned the compatibility of this type of activity within an MPA devoted to the protection of marine mammals. They were particularly concerned about the noise from tugboats and from waiting ships, not at anchor, unable to dock due to winds higher than 50 km/h.

At the time this report was being written, DFO had not received the official position of the band council of the Malecites of Viger.

#### REACTIONS TO THE MANAGEMENT FRAMEWORK

The following management scenarios were presented during the consultation:

##### Scenario “A”

DFO manages the MPA in consultation with its federal and provincial partners.

##### Scenario “B”

A management committee, chaired by DFO and composed of the legal representatives and territory managers directly associated with the management measures, is responsible for effective management of the MPA.

##### Scenario “C”

A management committee, chaired by DFO and composed of the legal representatives and territory managers concerned, and supported by one or more advisory committees comprised of the main stakeholders and users of the estuary, is responsible for effective management of the MPA.

##### Scenario “D”

DFO manages the MPA in partnership with a major stakeholder, supported by a coordination committee and advisory committees comprised of the legal representatives and main stakeholders and users of the estuary.

##### Scenario “E”

Your suggestions.

Out of all the sector tables, only two commented on the management framework scenarios for the MPA. The participants in the “Tourism and economic development” sector table held in Rivière-du-Loup felt that the management framework should not be similar to that of the SSLMP, which is too cumbersome. It must be adapted to the environment and involve the main actors. They considered scenario “C” the most suitable. The participants in the “Environment” sector table held in Quebec City attached little importance to the type of framework, but emphasized the importance of the following three aspects: effective dissemination of information, an effective feedback mechanism involving the main users and

### 3. General comments

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simple and efficient management. They proposed a modified version of scenario “C”: DFO is responsible for implementation of the MPA with the support of outside collaborators through working sector tables. They felt that this management committee should focus particularly on research and knowledge acquisition.

The representatives of the Betsiamites band council considered it important to reserve a seat for Aboriginal authorities on the future management committee. They suggested that this seat be given to the Innu of Essipit, who are more directly concerned by this MPA than the Betsiamites. The Malecites of Viger felt that the management framework must include a role for their community and for the other Aboriginal communities concerned.

The band council of the Innu of Essipit would like to be considered a legal representative and sit on the future management committee. The council ruled out scenario “A,” in which DFO manages the MPA alone. It suggested that the management structure be based on scenario “B” (a management committee, chaired by DFO and composed of the legal representatives and territory managers directly associated with the management measures) but with the addition of ad hoc advisory committees.

## PARTICIPANTS' SPECIFIC COMMENTS ON THE MANAGEMENT MEASURES PRESENTED DURING THE CONSULTATION





## 4. Participants' specific comments on the management measures presented during the consultation

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This section provides a summary of the comments made during the consultation meetings concerning each of the 38 measures proposed during the consultation process to counter the nine main threats to marine mammals in the MPA. In this section, you will also find the wording of the measures as presented during the public consultation. The measures are presented in the same order as in the consultation workbook.

### CATEGORY A MEASURES: INTENDED TO COUNTER DIRECT THREATS TO MARINE MAMMALS

The primary protection objective of the St. Lawrence Estuary MPA is to protect marine mammals in accordance with the following general principle: to avoid disturbing, damaging, destroying or capturing marine mammals alive. Five threats were identified and measures were proposed to mitigate or counter each of them.

*Category A1 measures: Intended to reduce collisions with boats or ships resulting in death or injury*

**Measure A1.1** *To adopt a regulation to control maximum boat speed*

#### Regulatory measure

*Why?* The proposed measure aims to control the risks of collisions with whales by introducing a maximum speed limit for vessels. At this time, no speed limit has been proposed. Discussions with stakeholders and responsible authorities will be necessary in order to define such a measure.

#### Summary of the participants' comments

Approximately 60 organizations commented on measure A1.1. In general, the participants raised few objections and tended to be fairly supportive of implementing a regulatory measure of this type. However, representatives of the industry sectors potentially most affected by this type of measure expressed reservations or raised concerns about the true extent of the problem and the feasibility of enforcing such a measure. The research and environmental organizations were in favour of this measure.

All the participants understood the link between boat speed and the risk of collision, but did not agree on how

to control this risk, with many advocating a regulatory approach, while others preferred a voluntary approach. Some pointed to the need to explore other potential solutions, such as diverting marine traffic or developing other methods of speed limit enforcement such as installing black boxes, maintaining St. Lawrence pilots on board, use of zoning, selective seasonal or sectoral enforcement, raising user awareness or increased monitoring. They also suggested allowing certain exemptions so that special events such as the Transat Québec Saint-Malo could be held. Some advocated harmonization with the current speed limit in the SSLMP, i.e. 25 knots. Others felt that this speed was still too high and suggested reducing it to 20 knots. The shipping stakeholders pointed out that the transit speed of merchant vessels in the estuary is between 10 and 22 knots. The high-speed ferry linking Rimouski and Forestville operates at speeds of between 24 and 27 knots. The shipping industry would like to see a more detailed picture of the situation and justification of speed limits that take different vessel characteristics into account.

**Measure A1.2** *To support the implementation of the Quebec Marine Mammals Emergency Network, in particular in the event of collision with a marine mammal*

#### Non-regulatory measure

*Why?* The proposed measure aims to improve the capacity to respond to and monitor collisions between boats and marine mammals by supporting the new network that comes to the aid of marine mammals that have been the victim of incidents in the St. Lawrence. This network, which was established by government institutions and Quebec private sector groups, aims to reduce accidental deaths of marine mammals, help animals in difficulty and take care of the disposal of dead (stranded or drifting) animals. It could help improve collision-related information (marine mammal species, type of injury, location, boat speed, etc.) and increase the effectiveness of potential measures in the MPA aimed at reducing the number of collisions. Users and shoreline residents of the St. Lawrence can already alert this network by calling a toll-free number for the following types of incidents: by-catches in fishing gear, stranding, collision with a boat, drifting carcass or marine mammal that has strayed from its customary range.

## 4. Participants' specific comments on the management measures presented during the consultation

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### Summary of the participants' comments

Seven organizations from the “Tourism and economic development,” “Environment” and “Education and research” sector tables commented on measure A1.2. They raised no major objections; most were quite supportive of the implementation of this non-regulatory measure. Some made specific suggestions to improve the measure.

A number of environmental non-governmental organizations (ENGOS) pointed out what they considered a shortcoming of the network, namely the much greater effort devoted to protecting cetaceans compared to seals, especially the harbour seal. They proposed to remedy this situation through training on seals, aimed at the network's main stakeholders, or greater recognition by DFO of organizations devoted to the cause of the harbour seal, for example those already working with weir fishermen. They pointed out that, contrary to what some people might believe, the network and its members are not authorized to care for sick or injured animals or to re-introduce them into the environment.

The question of the long-term viability of the network and the need for recurring funding remained a concern for some ENGOS. They felt that without outside financial assistance, the future of the Quebec Marine Mammals Emergency Network is far from assured.

There appeared to be a consensus among the researchers in attendance on the usefulness of establishing a central database on tissue samples taken from marine mammal carcasses. These researchers proposed to draw on the network in order to make this database a reality and they were open to discussing the mechanisms and advantages of a database of this type.

### *Category A2 measures: Intended to reduce entanglement in fishing gear*

**Measure A2.1** *To re-examine the deployment strategy for cod fishing gear, reduce the use of gillnets and encourage the use of longlines for catching this species*

#### Non-regulatory measure

**Why?** The proposed measure aims to reduce by-catches and deaths of marine mammals, particularly the harbour

porpoise, by re-examining the deployment strategy for cod fishing gear, reducing the use of gillnets and encouraging the use of longlines. Cod gillnets are responsible for the vast majority of harbour porpoise by-catches. Although fishing with this type of gear is currently quite uncommon in the proposed MPA, it could be more widely used if cod fishing were to resume. The use of longlines could be an alternative fishing method worth considering since it intrinsically presents no risk of marine mammal by-catches.

### Summary of the participants' comments

Approximately 20 organizations commented on measure A2.1. In general, they were either neutral or in favour of the application of this non-regulatory measure, but they did not consider its implementation urgent owing to the moratorium imposed in the early 1990s, the very limited fishing since the moratorium was lifted and the gradual reduction in the number of gillnets used in Quebec since the 1990s.

The “Harvesting of living resources” sector table was somewhat against, but not firmly opposed. The Greenland halibut fishermen doubted the feasibility of using longlines as a substitute for gillnets. They feared that the longline's many lines would be more harmful to marine mammals. The sturgeon fishermen were worried that this measure would adversely affect the sturgeon, a species at risk in the estuary. They were concerned about a possible requirement to use longlines because this type of gear can catch large spawners, which are released with the current fishing method. For the same reasons, they felt that the installation of longlines should be prohibited in the sector of the MPA located upstream of the mouth of the Saguenay River. The fishermen would like to have a more detailed picture of the situation that would support implementation of this measure. A number of participants would like to obtain data on the entanglement of marine mammals, particularly in the targeted area.

**Measure A2.2** *To implement management or installation measures for fishing gear that is considered to be very risky in order to reduce marine mammal by-catches*

#### Non-regulatory measure

**Why?** The proposed measure aims to reduce marine mammal by-catches in certain types of fishing gear used

## 4. Participants' specific comments on the management measures presented during the consultation

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in the proposed MPA (gillnets, trap lines, etc.) by working in cooperation with the fishing industry on the development of management measures that could help reduce the incidence of these by-catches.

### Summary of the participants' comments

Approximately a dozen organizations commented on measure A2.2. The "Environment" and "Harvesting of living resources" sector tables had the same number of comments. In general, there was no opposition, although some questions were raised about this non-regulatory measure. Representatives of the fishing industry were concerned about the impact of this measure on their activities. While they were not opposed to this measure, they were concerned that they might have to modify their gear at their own expense. Some fishermen suggested a few simple technical changes to adapt certain gear currently used.

Some participants questioned the effectiveness of certain techniques such as sound scaring of harbour seals and were concerned about the unregulated use of these techniques. It was suggested that any innovation in the various fisheries aimed at reducing impacts on marine mammals be documented before being implemented, in order to assess their effectiveness and identify any potential adverse effects.

*Measure A2.3 To support the implementation of the Quebec Marine Mammals Emergency Network, particularly to help marine mammals entangled in fishing gear*

### Non-regulatory measure

*Why?* The proposed measure aims to improve the capacity to respond to and monitor cases of entanglement of marine mammals in fishing gear by supporting the new network that comes to the aid of marine mammals that have been the victim of incidents in the St. Lawrence. This network, which was established by government institutions and Quebec private sector groups, would help improve entanglement-related information (marine mammal species, type of injury, location, type of fishing gear, etc.) and increase the effectiveness of potential measures in the MPA aimed at reducing the number of deaths and injuries.

### Summary of the participants' comments

The comments made were essentially the same as those gathered for measure A1.2.

One participant pointed out that the protocol in cases of entanglement should be revised in order to take into account seals that get caught in fixed fishing gear.

*Measure A2.4 To encourage fishermen to systematically report any marine mammal by-catches*

### Non-regulatory measure

*Why?* The proposed measure aims to improve our understanding of the problem of marine mammal by-catches and provide more detailed statistics by encouraging fishermen to systematically report these incidents.

### Summary of the participants' comments

Ten organizations commented on measure A2.4. There was no opposition to this non-regulatory measure. All the stakeholders emphasized the importance of devising incentives to encourage fishers to systematically report their marine mammal by-catches. The ENGOs expressed their interest in finding practical solutions to facilitate fisher collaboration. The fishing industry did not comment on this measure.

*Category A3 measures: Intended to reduce marine mammal disturbance caused by human activities*

*Measure A3.1 To implement a regulation concerning distances and approach speeds to whales*

### Regulatory measure

*Why?* The proposed measure aims to reduce whale disturbance in the MPA by adopting a regulation governing distances and speeds for approaching these marine mammals. This measure is aimed particularly at the blue whale, an "endangered species" and one of the main species targeted by the marine mammal watching industry outside the SSLMP.

These measures should be developed with consideration to the existing measures currently implemented in the SSLMP in order to make them easier to understand and enforce.

## 4. Participants' specific comments on the management measures presented during the consultation

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### Summary of the participants' comments

More than 30 organizations commented on measure A3.1. For the most part, they were in favour of this regulatory measure. Opposition to this measure came mainly from the "Tourism and economic development" sector table.

The organizations concerned about this measure were primarily members of the marine mammal watching (MMW) industry. They were particularly concerned that this measure would jeopardize blue whale watching activities at sea and had doubts about the feasibility of enforcement. Some felt that adopting regulations comparable to those in effect in the SSLMP might compromise the economic viability of their businesses. Some participants from the marine mammal watching industry who attended the La Malbaie session indicated that they were prepared to operate in a regulatory framework similar to that of the SSLMP, while other participants preferred to adopt a code of ethics that could be incorporated in a future licence. They all indicated their willingness to participate in the next steps leading to the establishment of regulations on this subject. A number of ENGOs felt that this measure would mitigate disturbance, but pointed out the difficulty of monitoring inappropriate user behaviour and estimating distances on the water. In their view, the measure should be apply to all craft, including kayaks, and disturbance of the harbour seal cannot be treated in the same way as disturbance of a cetacean; measures aimed specifically at this species must be developed. Environmental groups were in favour of introducing controls on the number of boats at whale watching sites as well as a licensing system.

*Measure A3.2 To explore the possibility of setting up a licensing system for commercial marine mammal watching activities at sea*

### Regulatory measure

*Why?* The proposed measure aims to reduce the disturbance of marine mammals by exercising tighter control over the marine mammal watching industry by instituting a licensing system. The presence of humans can disrupt vital marine mammal activities. A licensing system that would control the number of commercial boats allowed to approach whales and harbour seals could reduce the risk of disturbance. At this time, the specifics of this system have not been determined. Discussions with stakeholders and responsible authorities will be necessary in order to define this type of measure.

### Summary of the participants' comments

Just under 30 participants commented on measure A3.2. The majority of the participants did not object to this regulatory measure. However, one organization from the "Environment" sector table was opposed to issuing licences and many economic actors from the "Tourism and economic development" sector table, including a number of MMW companies, indicated that they were reluctant to support this measure.

Several representatives of the North Shore MMW industry expressed reservations about introducing a new control system. They criticized the red tape involved in any system aimed at regulating their movements and would like to see other alternatives to limit access to some of the sites examined. The South Shore marine mammal watching companies appeared to have fewer objections to the proposed regulations. One company also proposed controlling diving activities by means of a licensing system. Some economic actors felt that this measure should be harmonized with the SSLMP regulations and had questions about how the licences would be granted. A large number of ENGOs supported the idea of introducing a licensing system. Some proposed additional measures such as the possibility of revoking or amending a licence and limiting the number of new MMW companies. Many ENGOs supported the idea of instituting a system, managed by an outside organization, for certification or classification of MMW companies based on their practices. Others called for mandatory training in order to raise awareness and educate boat operators. One shipping association mentioned the possibility of discontent among users who might be unable to obtain a licence.

*Measure A3.3 To establish a protection perimeter around harbour seal haul-out sites (keeping at a distance of 200 m at all times and a distance of 400 m during the critical period, i.e. between the last week of May and the first week of July) and ensure an increased protection during the critical period*

### Regulatory measure

*Why?* The proposed measure aims to protect harbour seal populations in the estuary, specifically by regulating haul-out approach distances. The status of the harbour seal population in the estuary is worrisome. Haul-out sites are a critical habitat for this species and the number of these sites in the estuary is limited and not currently protected. Whelping and nursing take place at the haul-out

## 4. Participants' specific comments on the management measures presented during the consultation

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sites between late May and early July. This period is thus critical for the harbour seal because of the births, limited mobility of the pups, the pups' high and constant energy requirements, and the strong possibility of mother-pup separation. The moulting period, which extends from July to mid September, is also important for this species which remains longer at the haul-out sites. Seals have particularly sensitive hearing and react to the sound of personal watercraft even at a distance of 5 or 6 km from the haul-out sites. It would thus be appropriate to add an additional restriction for this type of watercraft.

### Summary of the participants' comments

More than 40 participants commented on measure A3.3. Their comments were divided more or less equally into two main categories: those in favour of the measure and those who were more or less neutral, some of whom favoured a voluntary approach. The sector tables did not raise any major objections to this measure, although some concerns were expressed (elimination of activities, monitoring, etc.).

All the sector tables appeared to be particularly concerned about measure A3.3. The most frequent comments were from the ENGOs from the "Environment" sector table and from the participants of the "Harvesting of living resources" table. The fishing industry appeared to be neutral, but was concerned about a total or partial elimination of its activities, for example softshell clam harvesting, if a haul-out protection perimeter were established, and therefore wanted to be informed concerning the haul-out sites where protection measures might conflict with other uses. Finally, the fishing industry had doubts about the feasibility of enforcing this type of measure.

The participants opposed were primarily MMW companies on the South Shore of the estuary. They advocated a more flexible approach to the issue of haul-out approach distance. They felt that, with training, operators could safely approach the haul-out sites more closely and that if this is done regularly, the harbour seals will become accustomed to the presence of humans. Some participants felt that such restrictions could have significant adverse impacts on their activities and should be harmonized with those in effect in the SSLMP. Other economic actors emphasized the need for inventories and monitoring, which will require additional financial or other resources. They reported that, for safety reasons, for example in bad

weather, some craft such as kayaks have no other choice but to approach haul-out sites. The ENGOs supported this measure, which they considered effective in protecting harbour seals. They would like to find a way of delimiting the perimeter around haul-out sites, were concerned about small craft (kayaks) and would like to see certain land-based observation sites, such as Îlets Boisés, protected. However, support for protection of this site was not unanimous, since traditional Aboriginal activities are carried out on these islets.

*Measure A3.4 To use the suitable legislative tool to establish a land protection perimeter around harbour seal haul-out sites which include the terrestrial environment*

### Regulatory measure

*Why?* The proposed measure aims to provide more effective protection of harbour seal haul-out sites by exploring supplementary legislative tools for introducing regulations establishing a land protection perimeter. This is essential owing to the fact that the *Fisheries Act*, which protects marine mammals and their habitat, is difficult to apply in the terrestrial area surrounding the haul-out sites that are in close proximity to the shore in the MPA. In addition, this measure complements the preceding regulatory measure concerning approaches from sea.

Haul-out sites are a critical habitat for this species and the number of these sites in the estuary is limited and not protected within the limits of the proposed MPA at this time. Whelping and nursing take place at the haul-out sites between late May and early July. This period is thus critical for the harbour seal because of the births, limited mobility of the pups, the pups' high and constant energy requirements, and the strong possibility of mother-pup separation.

### Summary of the participants' comments

Some 15 participants commented on measure A3.4. They were in favour of this measure and did not raise any objections. The majority of the comments received came from the "Tourism and economic development" and "Environment" sector tables.

At the "Tourism and economic development" sector table, many RCMs expressed a keen interest in this measure, since, in addition to their land use and development plans, they have certain legal powers that may be useful

## 4. Participants' specific comments on the management measures presented during the consultation

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in implementing this measure. The RCMs cited a range of management options, including zoning, special designation or management by site of ecological interest. They pointed out that assigning a protection status to certain haul-out sites could cause conflicts, since this would limit access to certain shoreline areas that are very popular with the public. The riverside municipalities, which are administrative entities that are an integral part of the RCMs, should be encouraged to play a role in implementing and enforcing this measure. The ENGOs from the "Environment" sector table were quite supportive of using municipal legislative tools, with some advocating the establishment of exclusion zones, while others advocated that the SSLMP also adopt this type of measure. Some were concerned that identifying harbour seal haul-out sites would only further encourage visitors to these sites.

*Measure A3.5 To prohibit approaching within 400 m of a resident marine mammal species that has an endangered or threatened status*

### Regulatory measure

*Why?* The proposed measure aims to provide increased protection of the St. Lawrence beluga, a threatened resident species, by banning whale-watching activities aimed at this species. The disturbance caused by human activities is added to the other threats to the beluga, a year-round resident species in the estuary. This disturbance therefore represents a significant impediment to the recovery of this species. For this reason, the beluga must be excluded from the species subjected to whale-watching activities at sea. This measure would ensure harmonization of beluga protection measures with the SSLMP.

### Summary of the participants' comments

Nearly 30 participants commented on measure A3.5. The "Tourism and economic development" and "Environment" sector tables expressed quite divergent opinions.

The MMW industry was reluctant to support the measure and feared that the industry's very survival might be compromised if this measure also be extended to the migratory species that transit through the estuary. It was opposed to the idea of adding the blue whale to the list

of species covered by these regulations. However, the wording presented during the consultation, which excluded migratory species, including the blue whale, seemed acceptable to this industry. Regional development organizations supported the industry on this last point. Other participants questioned the feasibility of enforcing these regulations over such a large area where the cetaceans are moving constantly. One economic actor doubted that this measure could be applied to the harbour seal if it acquires the status of species at risk and also pointed out the potential enforcement problems for craft such as kayaks. The ENGOs were in favour of this regulatory measure and felt that it should include the blue whale and other migratory species at risk. They advocated harmonization with the SSLMP, controlling the number of marine mammal watching boats, the use of a single observation platform for all MMW companies or the promotion of land-based observation sites. Some participants proposed a certification system in order to reinforce responsible practices, while others preferred to rely on deterrent measures to discourage inappropriate behaviour. Finally, one organization suggested that the *Marine Activities in the SSLMP Regulations* be used as the model for developing the regulations on speeds and approach distances in the MPA (see measure A3.1).

*Measure A3.6 To ensure that information regarding the location of harbour seal haul-out sites and the relevant protection measures are transmitted to the municipalities and RCMs so that they may be integrated into development plans and zoning by-laws for coastal areas*

### Program harmonization measure

*Why?* The proposed measure aims to promote harmonization of the provisions of the RCMs' land use and development plans with the MPA measures concerning the protection of haul-out sites and observation of harbour seals by informing the RCMs about the location of the haul-out sites. It is important that the protection measures adopted for haul-out sites in the MPA also apply to shore-based harbour seal watching and other coastal activities. RCMs are required to include minimal shoreline protection standards in their land use and development plans. Municipalities must adopt a by-law that is consistent with these standards to allow them to govern or prohibit all land uses.

## 4. Participants' specific comments on the management measures presented during the consultation

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### Summary of the participants' comments

Approximately a dozen participants commented on measure A3.6. The participants in the "Tourism and economic development" and "Environment" sector tables agreed on the need for this measure.

The RCMs and the municipalities were the main parties concerned by this measure and indicated that they were willing to participate. However, they had some questions about how best to go about it. The ENGOs were also in favour of this measure and interested in collaborating in information and awareness-raising activities.

*Measure A3.7 To develop, in partnership with relevant groups, awareness and training activities and programs for the public, cruise companies (commercial whale-watching activities at sea) and recreational boaters about the MPA measures and other regulations and measures associated with marine mammals*

### Public awareness and information measure

*Why?* The proposed measure is intended to complement the measures to minimize the disturbance caused by marine mammal watching activities at sea by implementing a preventive component relying on education and awareness programs for the public and users, developed in partnership with the relevant parties. Users must be informed of the main concerns associated with marine mammals in the estuary, as well as of the steps being taken to protect them and the codes of conduct that should be observed during marine mammal watching activities. It is important to inform the public about how to observe marine mammals in a sustainable way and to improve the knowledge of tour boat companies and recreational boaters about the ecology of marine mammals.

### Summary of the participants' comments

Some 15 participants commented on measure A3.7. They did not raise any objections and unanimously agreed on the importance of providing accurate information to tour boat industry stakeholders, recreational boaters and the general public. The participants in the "Tourism and economic development" and "Environment" sector tables agreed on the need for this measure. The ENGOs indicated their willingness to

collaborate in awareness activities; however, some were sceptical about the financial resources that will be allocated for this initiative.

*Measure A3.8 To develop, in partnership with relevant groups, public awareness activities for shoreline residents and vacationers where young seals are often found washed up on the banks, and to inform them of the procedures to follow in such cases*

### Public awareness and information measure

*Why?* The proposed measure aims to reduce human interventions in cases of "orphan" harbour seal pups found on shore and the problem of mother-pup separation by implementing a preventive component that relies on awareness and education programs aimed at shoreline residents and seasonal visitors, developed in partnership with relevant groups. Some well-intentioned shoreline residents or visitors can in fact worsen the problem of separation of young nursing harbour seals from their mothers by taking pups that appear abandoned on shore. These people wrongly believe that these animals are wounded, lost or sick and that they will die if they are not looked after immediately. By so doing, they separate the animal from its mother, which can be fatal. It is therefore necessary to change this way of thinking and to inform shoreline residents and vacationers about the proper procedure in these cases. In addition, no one should touch or move a seal found on shore, considering the risks to both the person (bites and diseases) and the animal (breach of the mother-young bond and diseases) inherent in handling the animal.

### Summary of the participants' comments

Fewer than 10 participants commented on measure A3.8 and they were all from the "Environment" sector table.

The ENGOs were particularly interested in the public awareness and education aspect. They felt that the protection and conservation of seals requires a better understanding of the animal's behaviour. In their view, human resources should be increased in order to enhance public education and awareness activities during the summer and they suggested incorporating the awareness component in the Quebec Marine Mammals Emergency Network.

## 4. Participants' specific comments on the management measures presented during the consultation

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### *Category A4 measures: Intended to reduce disturbances by man-made noise*

**Measure A4.1** *To establish regulations regarding the noise caused by seismic surveys and Low Frequency Active Sonars*

#### **Regulatory measure**

*Why?* The proposed measure aims to more effectively protect marine mammals from noise created by seismic activities and the use of low-frequency sonar by regulating these activities and adopting strict management measures. The air guns used for seismic surveys produce sounds that can be heard dozens of kilometres away. These sounds can cause behavioural changes than can alter the survival and reproduction of marine mammals, or can cause hearing loss, injury or death in extreme cases. Low-frequency active sonar used by the navy to detect submarines produces very powerful sounds that can travel for several hundred kilometres and may cause severe internal injuries and even death in marine mammals.

#### **Summary of the participants' comments**

More than 30 participants commented on measure A4.1. Most of the opinions were expressed by the "Tourism and economic development" and "Environment" sector tables. A number of participants commented favourably, but many refrained from commenting since they felt that they did not know enough about this issue to offer an informed opinion.

The more or less neutral participants from the "Tourism and economic development" sector table were mainly concerned about the impact of the sound waves generated by seismic surveys. They advocated a moratorium on these activities pending better documentation of the issue. The fishermen's associations were concerned about the impact of the sounds on sedentary species that cannot flee quickly, but noted that they were not very well informed about this issue. The ENGOs and several stakeholders from the tour boat industry were in favour of this regulatory measure. However, they felt that the proposed measure did not go far enough given the risks associated with seismic surveys and recommended a total and permanent ban on oil and gas exploration and development activities in the MPA. The ENGOs would like to see the ban extended to the entire Gulf of St. Lawrence or at least to a buffer zone around the

protected area, as recommended in the action plan on marine noise developed by the Whale and Dolphin Conservation Society (WDCS). They suggested that this ban should also apply to other activities that generate intense sound waves, given how far noise travels in water. They urged greater reliance on the opinions of experts and noted the need to be careful in the use of terms that have a very specific meaning, such as "protected area" when referring to MPAs since, in the view of some, oil and gas activities should automatically be excluded from protected areas.

The issue of low-frequency active sonar generated little discussion. The participants and the general public (none of whom use this type of sonar) did not appear to be concerned about a potential ban.

### *Category A5 measures: Intended to reduce unintentional killing of harbour seals by hunting*

**Measure A5.1** *To raise awareness and inform seal sport hunters of the proper identification and precarious status of the harbour seal, a species whose hunting is prohibited*

#### **Public awareness and information measure**

*Why?* The proposed measure aims to reduce unintentional killings of harbour seals by implementing awareness-raising programs aimed at seal hunters who hunt seals for personal use in order to inform them about the precarious status of the harbour seal and teach them how to properly identify the species. Grey seal and harp seal hunting for personal use represents a threat to harbour seals in the estuary (hunting of this species is prohibited). Misidentification of the species by hunters is raising the risks of unintentional killings of harbour seals.

#### **Summary of the participants' comments**

Approximately 15 participants, primarily from the "Environment" and "Harvesting of living resources" sector tables, commented on measure A5.1.

Several fishermen's associations took a neutral position. They explained their relationship with seals and reported few accidents. They pointed out that licence holders receive training on seal identification. The ENGOs were in favour of this measure and emphasized the need to

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properly train users in order to improve identification of harbour seals. Some suggested monitoring and developing additional educational tools. They indicated their willingness to collaborate in the implementation of this measure given the education and awareness opportunities it provides.

### CATEGORY B MEASURES: INTENDED TO COUNTER THREATS TO MARINE MAMMAL HABITAT

The second protection objective of the St. Lawrence Estuary MPA is to protect marine mammal habitat in accordance with the following general principle: to avoid disturbing, damaging, destroying or removing any part of marine mammal habitat found within the MPA. Two threats were identified and measures were proposed to mitigate each.

#### *Category B1 measures: Intended to reduce pollution*

**Measure B1.1** *To prohibit the dumping, release or immersion of substances that can disturb, damage or destroy marine mammals or their habitat*

##### Regulatory measure

*Why?* The proposed measure aims to reduce the exposure of marine mammals and their habitats and food resources to certain contaminants by adopting regulations governing discharges from boats as well as oil and gas exploration and development and mining activities. Grey water and wastewater from boats may contain pollutants potentially harmful to marine mammals and their habitat. Oil and gas exploration and development and mining activities involve risks of contamination of the marine environment related to routine operations and accidental events.

##### CLARIFICATIONS CONCERNING MEASURE B1.1:

The management plan will define the types of deposits, releases and dumping that will be prohibited within the MPA. Grey water and wastewater from all boats are covered by this prohibition as well as contamination associated with the routine activities of oil and gas and mining industries in the marine environment. The development of measures associated with this management objective will be based on the ongoing reform of the *Prevention of Pollution from Vessels Regulations*.

##### Summary of the participants' comments

Approximately 25 participants commented on measure B1.1, and most appeared to be generally in favour of implementing it as a regulatory measure. No opposition was expressed to the measure.

The environmental groups stressed the importance of solving the pollution problem and strongly supported the regulatory approach. A few environmental groups, as well as participants in other sector tables, drew attention to the problem of polluting sources upstream of the estuary. They called for concerted efforts on the part of the municipalities and the various levels of government to reduce spills of all kinds. In addition, according to one ENGO, establishing a buffer zone around the MPA would help prevent spills from spreading and ensure a more effective response in the event of an emergency. The recreational boaters groups were concerned about the financial impact of this measure on certain marinas that will have to improve their pumping systems and other infrastructure that is inadequate or nonexistent. According to several community actors, in order to ensure the economic health of riverside municipalities, port dredging activities must not be compromised.

**Measure B1.2** *To prepare an emergency environmental plan that is specific to marine mammals in the event of toxic substances spills*

##### Program harmonization measure

*Why?* The proposed measure aims to protect marine mammals in the event of a toxic spill and to harmonize the various existing emergency response programs by incorporating measures specific to marine mammals in existing environmental emergency plans. There is currently no response plan dealing specifically with marine mammals in the estuary or in the Gulf of St. Lawrence. Adding this component to existing plans would provide experts with better guidance in the event of oil spills or other toxic spills.

##### Summary of the participants' comments

Nearly 40 participants commented on measure B1.2 concerning development of an emergency plan. The majority were quite supportive, pointing out that the measure will have to take into account the various emergency plans that exist at the municipal, provincial

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and federal levels. A third of the participants questioned how an emergency plan would be implemented, but did not express any opinions on the benefits of this initiative.

The environmental groups advocated improved prevention in order to avoid emergency situations. They felt that it was a priority to maintain St. Lawrence pilots aboard vessels transiting through the estuary, to maintain prevention standards and to evaluate (or consider) the implementation of new standards for these vessels (e.g. double hull for the shipment of hazardous materials). They stressed the importance of drawing up a list of sites to protect, adequately training volunteers and publicizing the emergency facilities and equipment available in the area. Some economic actors wondered whether existing equipment was sufficient to respond to a major spill. Since some RCMs already have emergency plans, all agreed that the various plans in effect in the MPA should be harmonized. It was suggested that polluters be more involved in environmental clean-up efforts. Finally, the issue was raised of possible conflicts between the emergency plan for marine mammals and rehabilitation – reintroduction of a rescued animal (see measure B2.2). The members of the “Harvesting of living resources” sector table did not express any objections to this measure.

**Measure B1.3** *To develop management measures for commercial ships waiting in the two anchorage areas of the proposed MPA (Bic and Saint-Fabien)*

### Program harmonization measure

*Why?* The proposed measure aims to reduce contamination of marine mammal habitat by commercial ships that must remain waiting in the anchorage areas of the proposed MPA (Bic and Saint-Fabien) by developing, in conjunction with the competent authorities, management measures for these vessels and by increased monitoring of their activities. These two anchorage areas are close to feeding grounds for certain marine mammal species. Large ships that spend several days in these anchorage areas represent a potential source of contamination from tributyl tin (TBT), a toxic chemical found in ship anti-fouling paints. Since paints containing TBT are expected to be banned internationally in the medium term, the need to develop this type of measure should decrease after this ban comes into effect. However, better monitoring of operations of ships at anchor is necessary in order to reduce any other types of contamination caused by ships in the MPA.

### Summary of the participants' comments

Just over 15 participants commented on measure B1.3 concerning the two anchorage areas of the proposed MPA. All the sector tables made comments, except for the sector table that included recreational organizations. Two thirds indicated that they were in favour of the measure, while the others were noncommittal.

The participants in the “Environment” sector table were concerned about the TBT-based paints on ships' hulls. Some hoped to see efforts to develop replacement products that are less harmful to the environment, or even environmentally friendly. Others pointed out that the other anchorage areas available or regularly used should be identified and that shipowners be encouraged to respect the environment in these areas as well. Some environmental groups raised the issue of sound waves generated in the water by large vessels travelling in these areas. In their opinion, if marine traffic increases, the level of underwater noise will very likely also increase. The economy and tourism-related organizations felt that it might be advisable to step up monitoring and surveillance of the toxicity of these sites and anchoring practices. One stakeholder felt that we need to gather more detailed data concerning anchoring areas before deciding on measures to regulate them.

**Measure B1.4** *To complete the information on areas of sediment accumulation within the limits of the proposed MPA where contamination levels are of concern and to establish suitable management measures*

### Non-regulatory measure

*Why?* The proposed measure aims to reduce the risks of resuspension of contaminants, that could affect marine mammals, caused by certain human activities (dredging, anchoring, ship movements and bottom trawling) particularly in highly contaminated sediment accumulation areas by identifying these areas, monitoring their toxicity and instituting appropriate management measures.

### Summary of the participants' comments

Some 20 participants commented on measure B1.4. The “Recreational activities” and “Harvesting of living resources” sector tables did not comment on this measure. The “Environment”, “Tourism and economic development” and “Shipping” sector tables were in favour. The participants that were more or less neutral were from the “Shipping” and “Education and research” sector

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tables and, finally, one organization from the “Tourism and economic development” sector table was opposed.

The economic and shipping actors were particularly concerned about identifying the most severely contaminated sediment accumulation sites and the sites requiring systematic dredging, such as harbour channels. In the view of many, free access of vessels to port infrastructures is just as essential as sound management of contaminated sediments. It should be pointed out that dredging is subject to an environmental assessment and governed by strict conditions (even without contamination), which in some cases require disposal of the sediments on land or even a ban on dredging. The environmental groups and research organizations advocated monitoring toxicity levels in contaminated sediment accumulation areas. According to one participant, organobromine compounds, which pose a potential risk to human and animal health, are increasing in the St. Lawrence Estuary.

*Measure B1.5 To develop, in partnership with the relevant parties, activities to raise public awareness on the contamination of marine mammals and their habitats, particularly for the two resident species (the beluga whale and harbour seal)*

### Public awareness and information measure

*Why?* The proposed measure aims to inform estuary users and the general public about the extent of the potential impact of chemical contaminants on marine mammals and their habitats.

### Summary of the participants' comments

Fewer than 10 participants commented on measure B1.5. Only the “Environment” and “Shipping” sector tables expressed opinions. The former was in favour, while the latter appeared to be neutral.

The ENGOs supported this measure and were interested in participating in awareness activities so long as financial assistance is provided by DFO. These organizations considered it essential to cultivate among the public a sense that they have a stake in the environment and to raise awareness of the main estuary users. Others would like to see greater effort devoted to identifying chemical contaminants and studying their effect on marine mammals. A representative of the “Shipping” sector table argued that measure B1.6, since it targets the key stakeholders, has a greater chance of generating direct effects than this measure.

*Measure B1.6 To inform key stakeholders, such as territory managers, river watershed committees, agro-environmental “club-conseil” (advisory clubs), ZIP (Area of prime concern) committees, and coastal area management committees, of concerns regarding the input of pollutants linked to agricultural and aquacultural activities and municipal wastewaters*

### Public awareness and information measure

*Why?* The proposed measure aims to reduce the threats to marine mammals caused by inputs of agricultural, aquaculture and municipal pollutants (effluents) by informing the key actors in this field. Several programs initiated by the Quebec government and by various non-governmental groups already have the objective of reducing the input of pollutants into the tributaries of the St. Lawrence. MPA managers should encourage such initiatives.

### Summary of the participants' comments

Nearly 30 participants commented on measure B1.6. The “Environment”, “Tourism and economic development” and “Shipping” sector tables indicated that they were in favour of this measure. A small proportion of participants remained neutral.

According to the economic actors and environmental groups, the establishment of an MPA will give riverside municipalities greater leverage in securing funding to improve their wastewater treatment systems. These participants claimed that pollutants generated upstream were partially responsible for the degradation of water quality in the St. Lawrence Estuary and that establishing a buffer zone could help more effectively contain this pollution coming from outside the area by extending monitoring outside the proposed MPA. However, they had differing views concerning compliance with pollution standards. The economic actors felt that the standards are sometimes too stringent and are difficult for some municipalities to meet, while the ENGOs held the opposite view that these standards are too lax. All the participants considered watershed-based water management, as mandated by the *Quebec Water Policy*, to be a promising solution. They suggested making the regulations on discharges in saltwater just as stringent as the regulations on discharges in freshwater. The shipping sector felt that the “polluter pays” principle could be applied or at least considered. Some municipalities feared that

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they would be forced to bear the financial costs of the indirect consequences of this measure (e.g. acquisition of new infrastructures).

### *Category B2 measures: Intended to reduce exposure to various infectious and parasitic diseases*

**Measure B2.1** *To prohibit the dumping, release or immersion of substances that can disturb, damage or destroy marine mammals or their habitat*

#### Regulatory measure

*Why?* The proposed measure aims to reduce the risks associated with the spread of pathogenic or parasitic organisms found for instance in ballast water, grey water and wastewater of ships and prohibiting their discharge in the MPA.

Ballast water can contain large quantities of pathogens and it is likely that some of this water is currently being discharged into the St. Lawrence Estuary. For this measure to be effective, it must take into consideration similar measures applied outside the MPA as well as the *Ballast Water Control and Management Regulations* currently being developed. The dumping of fish wastes at sea also represents a potential source of diseases and parasites transmissible to marine mammals. These wastes can alter disease and parasite transmission dynamics by introducing high concentrations of pathogens in the environment at certain times of year when they are normally low.

**CLARIFICATIONS CONCERNING MEASURE B2.1:** The MPA management plan could define the types of deposits, releases and dumping that will be prohibited within the MPA. Ballast water from ships from outside Canadian waters, grey water and wastewater from all boats are covered by this prohibition. This measure would also apply to the release of seal- and fish-processing wastes by fish-processing plants and factory ships.

#### Summary of the participants' comments

Approximately 15 participants commented on measure B2.1. The "Recreational activities" sector table did not comment on this measure. The majority of the other participants were in favour, particularly the environmental groups.

Some participants anticipated that the review of the *Canada Shipping Act* will significantly impact measure B2.1. The resulting amendments will force commercial vessels to manage their ballast water in a more environmentally friendly manner. The ENGOs and research institutes favoured stricter standards concerning ballast water discharge practices and monitoring of the state of health of the St. Lawrence in order to more effectively control environmentally harmful substances. They suggested evaluating the possibility of placing certain substances on the *Priority Substances List* or other appropriate lists. They were concerned about the introduction of pathogenic organisms and considered the measures proposed to reduce the risks associated with parasitic load and with infectious diseases to be inadequate to protect marine mammals, particularly the measures concerning sanitary discharges. It was recommended that DFO better document the dumping of seafood-processing wastes for two reasons: to better assess the risk before introducing regulations and to verify whether these wastes could be recycled or reprocessed in some way.

**Measure B2.2** *To prohibit the rehabilitation and reintroduction of sick or wounded marine mammals into the natural environment as well as any other non-natural introduction of marine mammals*

#### Regulatory measure

*Why?* The proposed measure aims to reduce the threats associated with the introduction of pathogens that can cause infectious diseases and even mass mortality of marine mammals. Sick or wounded marine mammals rescued from a natural environment and kept in captivity for rehabilitation purposes can contract very serious diseases. If they are reintroduced into the natural environment, they could also introduce pathogens, increase the occurrence of disease in marine mammals and even lead to mass mortalities.

#### Summary of the participants' comments

Approximately 10 participants commented on measure B2.2. The "Environment" sector table, which voiced the most comments on this measure, was divided on the advisability of rehabilitating and reintroducing marine mammals especially harbour seals.

The ethical issue of non-intervention in the case of marine mammals in trouble or in distress was of particular

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concern to the ENGOs, which formulated two different philosophies. The first advocated caring for an animal in emergency situations, while the second feared that this human intervention might be harmful to the entire population by introducing pathogens, for example. The supporters of the first viewpoint felt that DFO must take action by funding the establishment of a rehabilitation centre or by adopting measures that would facilitate intervention to help marine mammals in distress. They were also concerned that measure B2.2 would hamper the activities of marine mammal rehabilitation organizations. The supporters of the second viewpoint felt that public awareness and education should take precedence. One participant suggested rescued animals should not be reintroduced since it cannot be proven that they do not pose a safety risk.

### CATEGORY C MEASURES: INTENDED TO COUNTER THREATS TO MARINE MAMMAL FOOD RESOURCES

The third protection objective of the St. Lawrence Estuary MPA is to protect the food resources of marine mammals in accordance with the following general principle: to avoid disturbing, damaging, destroying or removing, in part or in whole, essential marine mammal food resources or the habitat of these resources. Two threats were identified and measures were proposed to mitigate each of them.

#### *Category C1 measures: Intended to limit the deterioration of food resource habitat*

**Measure C1.1** *To prohibit fishing on known herring spawning grounds using fishing gear that may disrupt the physical habitat*

##### Regulatory measure

*Why?* The proposed measure aims to protect the reproductive potential of herring, an important food resource for the harbour seal, the harbour porpoise, whales and possibly the beluga, by prohibiting the use of fishing gear that could damage the herring's spawning grounds, which are critical habitats for its survival.

##### Summary of the participants' comments

Approximately 15 participants commented on measure C1.1. Three sector tables took a position on this measure: the "Environment" sector table was in favour, the

"Harvesting of living resources" sector table was opposed, and the "Tourism and economic development" sector table included some participants who were in favour and others who were neutral.

One of the economic actors would like to see this measure phased in, in order to minimize any negative impact on small fisheries operators who help to diversify the regional economy and who are always more vulnerable to the impact of political decisions. The environmental actors would like to see this ban extended to all the "forage" species, such as capelin, and they considered it essential to properly identify herring spawning grounds. They called on DFO to establish public awareness and education programs that take fishing activities into account as well as the risks posed by the possible use of "forage" species by biotechnology companies. One fisherman advocated that the management of "forage" species be harmonized with the principles of sustainable development; in his opinion, the term "prohibit" is too severe. Some fishermen were concerned about a potential ban on fishing activities that are currently permitted. One participant from the shipping industry sector questioned the advisability of introducing regulations when DFO does not have all the available data on the spawning grounds. He did not agree that it was necessary to apply the precautionary principle in all situations.

#### *Category C2 measures: Intended to counter the exploitation of certain vital food resources for marine mammals*

**Measure C2.1** *To prohibit the exploitation of krill and copepods*

##### Regulatory measure

*Why?* This proposed measure aims to protect vital food resources of several marine mammal species, particularly the blue whale, an endangered species that feeds essentially on krill and copepods in the MPA. Other marine mammal prey such as herring and capelin feed on these forage species. Exploitation of these resources could also contribute to disturbance of marine mammals on their feeding grounds and reduce the abundance of their prey. This measure is proposed on a preventive basis since a moratorium is currently in force to prohibit commercial exploitation of forage species such as krill and copepods.

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### Summary of the participants' comments

Approximately 20 participants commented on measure C2.1. Three sector tables participated in the discussions: "Environment", "Harvesting of living resources" and "Tourism and economic development". All the participants from the "Environment" sector table were in favour of the measure. The participants from the other two sector tables either had reservations or did not express an opinion.

Most of the environmental groups advocated a ban on the fishing of krill and copepods that would extend even to the Gulf of St. Lawrence. They favoured an ecosystem-based approach in order to also protect the other "forage" species, algae, marine plants and, especially, eelgrass beds, considered nursery or feeding areas. The ENGOs considered it essential to raise awareness and inform the main resource harvesters. Some economic actors and resource harvesters felt that prohibiting the harvesting of an abundant resource of significant economic value would be going too far. They would prefer instead a policy based on sustainable use of this resource in the areas contiguous to the proposed MPA.

### *Measure C2.2 To prohibit the fishing of capelin using mobile fishing gear*

#### Regulatory measure

*Why?* The proposed measure aims to protect capelin, an important food resource for the fin whale, the minke whale and the harbour seal, by banning the use of mobile gear for fishing capelin. The potential presence of a fleet of fishing boats equipped with mobile fishing gear in capelin concentration areas could have significant adverse impacts on the distribution and abundance of this species and cause a significant disturbance to the marine mammals that feed on them.

This measure is proposed on a preventive basis since this type of gear is not currently used in the estuary.

### Summary of the participants' comments

A dozen participants commented on measure C2.2. The majority indicated that they were in favour, but a few were neutral or opposed. Some supported the protection of "forage" species in general and also capelin.

Some in the fishing industry were reluctant to support bans that restrict access to several potentially exploitable species.

### CATEGORY D MEASURES: INTENDED TO COUNTER SEVERAL THREATS SIMULTANEOUSLY

This section presents the measures relating to multiple threats and protection objectives. Five measures were proposed to mitigate these threats.

#### *Measure D1.1 To identify sensitive or unique sites and those that are important for marine mammals within the proposed MPA and to assess the level of protection they require*

#### Non-regulatory measure

*Why?* The proposed measure aims to protect certain habitats considered sensitive and crucial and requiring special protection, such as harbour seal haul-out sites, areas intensively used by the beluga and blue whale feeding grounds, by identifying these habitats and assessing the level of protection they require.

*Associated threats:* All.

### Summary of the participants' comments

Approximately 20 participants commented on measure D1.1. This measure prompted more reactions from the "Tourism and economic development", "Environment", "Harvesting of living resources" and "Shipping" sector tables. Half of the participants indicated that they were in favour, while the others had some questions but did not express an opinion. One participant from the "Harvesting of living resources" sector table appeared to be opposed, fearing a total ban on fishing in herring and cod spawning grounds if new spawning grounds are discovered in the MPA.

In the opinion of some economic actors, it is essential to strike a balance between economic development and the protection of marine mammals. They pointed out that the sites considered sensitive, unique or of importance could well move over time, as do marine mammals. Since the boundaries of these sites could be variable, one ENGO suggested evaluating them using the concepts of critical periods, distribution of resources or composition. Others pointed to the need for consultation once the sites have been identified. A number of environmental groups considered this a priority measure that will require the involvement of all the interested parties. One shipping association preferred seasonal application of this measure and one fishermen's association was concerned about the level of protection accorded to sensitive sites, fearing potential closure of fishing areas.

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**Measure D1.2** *To pay particular attention to the harmonization and complementarity of management measures taken within the MPA with those of the Saguenay–St. Lawrence Marine Park*

### Program harmonization measure

**Why?** The proposed measure aims to ensure consistency and concerted efforts to effectively protect marine mammals, in both the MPA and the SSLMP, by harmonizing the management measures aimed at objectives common to the two marine protected areas. Since these two areas are neighbours, it is also necessary to properly inform the public of their differences and similarities.

**Associated threats:** All.

### Summary of the participants' comments

Approximately 20 participants commented on measure D1.2. The “Environment” and “Tourism and economic development” sector tables were more vocal in expressing their position. Members of the former were in favour, while the opinions in the latter group were divided.

One economic actor was concerned that the MPA would inherit all the constraints associated with the SSLMP without offering any advantages. One tour boat industry representative took a rather negative view of the SSLMP regulations on COSEWIC-listed species, particularly concerning the blue whale, and was concerned that these regulations would be extended to the future MPA. The environmental actors felt that it was important to benefit from the SSLMP's experience and expected the MPA measures to be harmonized with those of the SSLMP, particularly for seals. Some pointed out the importance of harmonization with the municipalities and RCMs through their land use and development plans. One environmental group commented that the term “marine protected area” was confusing, since the criteria used by the International Union for Conservation of Nature (IUCN) to define a protected area were not met in the case of an MPA established under the *Oceans Act*.

**Measure D1.3** *To initiate round-table discussions with various stakeholders to identify measures to minimize the consequences of commercial shipping on marine mammals and the risk of maritime accidents*

### Program harmonization measure

**Why?** The proposed measure aims to discuss the most effective actions for reducing the impact of commercial

shipping on marine mammals in the St. Lawrence Estuary while at the same time maintaining a high level of safety for shipping by conducting a series of round-table discussions with stakeholders.

**Associated threats:** Disturbance, disturbance by man-made noise, infectious and parasitic diseases, collisions, deterioration of habitat, pollution.

### Summary of the participants' comments

Approximately 15 stakeholders commented on measure D1.3. The participants in the “Recreational activities” sector table did not comment on this measure, while the participants in the other four sector tables were in favour.

The environmental groups, which are willing to participate in the round-table discussions, suggested using existing structures, such as the navigation coordination committee of the St. Lawrence Action Plan (SLAP), or a single forum that would bring together all the stakeholders concerned. In their opinion, it is essential to provide financial assistance to volunteer organizations. The shipping actors felt instead that this type of meeting would be more effective with a limited number of participants designated to represent the industry. They would like to see a transition period before the proposed measures are implemented. They called for more detailed data and scientific evidence to substantiate the various threats, since they want to be sure that the proposed measures will in fact promote attainment of the objectives. They were concerned about the costs of these measures and about the precautionary principle.

**Measure D1.4** *To organize awareness campaigns, in partnership with relevant groups, to promote the protection of marine mammals by ship officers and pilots who pass through the MPA*

### Public awareness and information measure

**Why?** The proposed measure aims to raise awareness among the personnel of ships transiting through the MPA that they are sailing in a unique marine environment that is a feeding ground for several species of marine mammals, by conducting awareness activities aimed at ships' officers and pilots.

**Associated threats:** Collisions, disturbance, disturbance by noise, pollution, exposure to diseases.

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### Summary of the participants' comments

Approximately 15 participants commented on measure D1.4. Those from the "Recreational activities" sector table did not make any comment, while those from the other four sector tables were in favour.

The environmental groups felt that the awareness-raising should be extended to recreational boaters, nature guides, captains or officers of marine mammal watching boats, kayakers and even the general public. Others pointed out that it would be beneficial to incorporate this awareness-raising in the training programs of institutions such as the *Institut maritime du Québec* and the *Centre spécialisé des pêches*. The shipping industry, which has not always received good press according to some of its representatives, would like to see greater attention paid to its efforts to protect the environment.

**Measure D1.5** *To inform organizations likely to conduct research activities in the MPA of the need to obtain authorization from DFO*

### Public awareness and information measure

*Why?* The proposed measure aims to inform all the organizations that may be interested in conducting research work in the MPA about the potential negative impacts of their activities on marine mammals and about the requirement to obtain authorization before undertaking their work.

*Associated threats:* All.

### Summary of the participants' comments

Approximately 15 participants commented on measure D1.5. Those from the "Recreational activities" sector table did not make any comment, while the majority of participants from the other four sector tables were in favour and some did not take any position.

Some of the economic development actors considered it essential that research vessels be clearly identified so that they can be distinguished from marine mammal watching boats. They pointed out that the research permit should specify the authorized areas as well as a code of conduct and that researchers carrying out seismic surveys should be required to report to the legal authority of the MPA. The environmental groups

suggested better supervision of research activities and that these activities be publicized by publishing a list accessible to the public. Finally, the shipping industry felt that the advisability of introducing additional restrictions should be evaluated.

### OTHER DESIRABLE MEASURES NOT UNDER DFO JURISDICTION

This part presents the measures not directly under DFO jurisdiction. This type of measure goes beyond the Department's mandates and responsibilities. It could concern other federal departments, the Quebec government or other organizations. In this case, DFO's role would be limited to providing advice and to working together with the responsible authorities.

**Other measure (1)** *To create a terrestrial whale-watching site near Îlets Boisés (Upper North Shore) in order to reduce the number of boats visiting the area to watch blue whales*

### Summary of the participants' comments

Three participants from the "Environment" sector table commented on this measure.

The ENGOs suggested Îlets Boisés as a land-based marine mammal watching site. They encouraged efforts to identify other sites and preserve access to them. They also urged regional organizations to work together to develop the sites.

**Other measure (2)** *To take steps to make national and international commercial shipping organizations aware of the problems associated with noise in the water*

### Summary of the participants' comments

Three participants from the "Environment" and "Tourism and economic development" sector tables commented on this measure.

A representative of the MMW industry stated his opinion that whales in the estuary are affected by noise since, as he pointed out, it is very difficult to record their vocalizations due to the high noise level. The ENGOs suggested that the problem needs to be better documented before bringing it to the attention of national and international organizations.

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*Other measure (3) To add organotins, particularly TBT, a toxic substance for marine animals, to the list of substances for which temporary criteria (concentration limits) have been established in the context of the management of dredging operations*

and

*Other measure (4) To ensure that regulations concerning the ban on the use of anti-fouling TBT (organotin)-based paint on ships is respected, as TBT is a toxic substance for marine animals, and to ensure that these products are not used on aquaculture infrastructures*

##### Summary of the participants' comments

A single participant from the "Environment" sector table commented on measures 3 and 4, calling for strict enforcement of the ban on anti-fouling paints.

*Other measure (5) To promote the establishment of collection and recycling systems of used petroleum products, wastewater and domestic waste produced by recreational and fishing boats and commercial ships in ports and marinas within the territory included in the proposed MPA*

##### Summary of the participants' comments

Six participants commented on measure 5. The recreational boating industry called for more investment in pumping or waste recycling facilities in all ports and marinas in the St. Lawrence Estuary and criticized the lack of such facilities in a sector where operators need this kind of infrastructure in order to expand their clientele. Sanitary and other facilities are currently barely adequate to meet the needs of local and regional recreational boaters. As this participant noted, even the fishing and shipping industries could benefit from these facilities.

*Other measure (6) To support the efforts of various stakeholders for the protection and restoration of rainbow smelt (a prey for certain marine mammals) spawning sites in tributaries in the MPA*

##### Summary of the participants' comments

Five participants, from the "Environment", "Harvesting of living resources" and "Tourism and economic

development" sector tables, discussed this additional measure. Three participants appeared to be in favour, while two others did not express an opinion.

One ENGO suggested that this measure also include restoration of smelt spawning and nursery sites, while another suggested locating this species' migration corridor in order to reduce disturbance. One fisherman reported that by-catches of juvenile smelt have decreased significantly thanks to the installation of a grill on the weirs. Some stakeholders pointed out that smelt, which are found on the spawning grounds of the Portneuf River, are subject to heavy predation by grey seals and also, to a lesser extent, by harbour seals.



## CONCLUSION

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This public consultation process on the St. Lawrence Estuary MPA project drew public attention to the issues surrounding the conservation and protection of marine mammals and their habitats and food resources from the pressures and threats caused by human activities. The participants supported the project and the conservation objectives developed and agreed that the follow-up workshops will be extremely useful in maintaining a consensus on the measures that could be implemented to attain the objectives. The stakeholders reiterated the need to document certain components in order to improve the management measures.



APPENDICES I, II, III AND IV





## Appendix I. List of organizations invited to the public consultation

✓: present | A: absent

ORGANIZATIONS			
<i>Recreational activities sector table</i>			
Association de développement écotouristique du fleuve	✓	Association touristique régionale de Charlevoix	✓
Association maritime du Québec	✓	Association touristique régionale du Bas-Saint-Laurent	✓
Escadrilles canadiennes de plaisance	✓	Centre d'interprétation des mammifères marins	✓
Fédération de voile du Québec	✓	Centre écologique de Port-au-Saumon	✓
Fédération québécoise du canot et du kayak	✓	Centre local de développement de Charlevoix-Est	✓
Garde côtière auxiliaire canadienne	✓	Centre local de développement de La Mitis	✓
Marina de Rimouski	✓	Centre local de développement de la MRC de Charlevoix	✓
Port de refuge de Cap-à-l'aigle	✓	Centre local de développement Haute-Côte-Nord	✓
Ass. des interv. en plongée sous-marine aux Escoumins	A	Centre local de développement Rivière-du-Loup	✓
Ass. des pêcheurs sportifs de saumons rivière Rimouski	A	Corporation d'aménagement des espaces verts	✓
Ass. des ports de plaisance de l'Estuaire du St-Laurent	A	Conférence régionale des éluEs Bas-Saint-Laurent	✓
Association québécoise de l'industrie du nautisme	A	Croisières AML	✓
Auberge de jeunesse de Tadoussac	A	Croisières AML (Cavalier des mers - ancien Navimex)	✓
Base de plein-air de Sault-au-Mouton	A	Croisières Charlevoix inc.	✓
Centre de formation en motomarine	A	Croisières du Grand Héron	✓
Centre d'interprétation et d'obs. de Cap-de-Bon-Désir	A	Croisières et Pêches Essipit	✓
Club de plongée Aquadyne	A	Énergie Cacouna	✓
Club de plongée Empress	A	Groupe Dufour	✓
Club de plongée Les Kakawis	A	Katabatik	✓
Club nautique de Bergeronnes	A	Leaumer Tour inc.	✓
Club nautique de Charlevoix inc	A	Les Écumeurs du Saint-Laurent	✓
Club nautique de Rivière Portneuf	A	Municipalité régionale de comté de Charlevoix-Est	✓
Club Nautique de Rivière-du-Loup	A	Municipalité régionale de comté de Kamouraska	✓
Corp. gestion de la pêche sportive de la Rivière-Mitis inc.	A	Municipalité régionale de comté de La Haute-Côte Nord	✓
Corporation du patrimoine maritime de Kamouraska	A	Municipalité régionale de comté de La Mitis	✓
Fédération des pourvoiries du Québec	A	Municipalité régionale de comté de Les Basques	✓
Magazine Les Plaisanciers	A	Municipalité régionale de comté de Rimouski-Neigette	✓
Magazine l'Escale nautique	A	Municipalité de Colombier	✓
Magazine Québec Yachting	A	Municipalité de Forestville	✓
Marina de l'Anse-de-Roche	A	Municipalité de L'Isle-aux-Coudres	✓
Marina de Tadoussac	A	Municipalité de Sainte-Flavie	✓
Marina de Trois-Pistoles	A	Municipalité de Saint-Georges-de-Cacouna (paroisse)	✓
Marina de l'île-aux-Coudres, Havre Jacques-Cartier	A	Municipalité Les Escoumins	✓
Paradis marin	A	Office du tourisme et des congrès de Rivière-du-Loup	✓
Parc nautique de Saint-Jean-Port-Joli	A	Rivi-Air Aventure	✓
Pourvoirie fluviale 4 saisons inc.	A	Société d'aide au développ. des collectivités	✓
Québec Yachting	A	Haute-Côte-Nord	✓
Randonnée Nature Charlevoix	A	Sentier maritime du Saint-Laurent	✓
Regroup. des chasseurs de sauvagine région de Tadoussac	A	Technopole maritime du Québec	✓
Sanctuaire marin des Bergeronnes inc.	A	Telus Québec inc. (câble sous-marin)	✓
Site d'interprétation de l'anguille de Kamouraska	A	Sureté du Québec (Patrouille nautique)	A
Société d'aménagement de la rivière Ouelle	A	Union des producteurs agricoles du Bas-Saint-Laurent	✓
Société d'écologie des battures du Kamouraska	A	Union des producteurs agricoles de la Côte-du-Sud	✓
Société des établissements de plein air du Québec	A	Association tourisme nautique du Québec	
Société des récifs artificiels de l'Estuaire du Québec	A	canal Soulanges	A
St-Lawrence Boating Association	A	Association des croisières du Saint-Laurent	A
Voile abordable	A	Association des croisières-excursions du Québec	A
<i>Tourism and economic development sector table</i>		Association touristique régionale de la Gaspésie	A
Aqua-tour	✓	Association touristique régionale de Manicouagan	A
Association des bateliers du Saguenay	✓	Azimut Aventure	A
Association des Îles rurales du Saint-Laurent	✓	Chambre de commerce de Charlevoix	A
		Chambre de commerce de Forestville	A

## Appendix I. List of organizations invited to the public consultation

✓: present | A: absent

ORGANIZATIONS		
<i>Tourism and economic development sector table</i>		
Chambre de commerce de la MRC de Rivière-du-Loup	A	Municipalité régionale de comté de Rivière-du-Loup
Chambre de commerce de la région de Mont-Joli	A	Municipalité de Notre-Dame-des-Neiges-des-Trois-Pistoles
Chambre de commerce de Rimouski	A	Municipalité de Baie-Sainte-Catherine
Cie de la Baie de Tadoussac (croisières AML)	A	Municipalité de Baie-Saint-Paul
Conseil local de développement des Basques	A	Municipalité de Grand-Métis
Conseil local de développement du Kamouraska	A	Municipalité de Kamouraska
Conseil local de développement Rimouski Neigette	A	Municipalité de La Malbaie
Club aux Oiseaux de Charlevoix	A	Municipalité de La Pocatière
Comité de développement zone périphérique Bic	A	Municipalité de Les Bergeronnes
Compagnie de papier St-Raymond Ltée	A	Municipalité de Les Éboulements
Complexe hôtelier Pelchat	A	Municipalité de L'Islet
Conseil économique et social de la région de Charlevoix	A	Municipalité de L'Isle-Verte
Coop de kayak de mer des Îles	A	Municipalité de Longue-Rive
Corporation de développement touristique de Forestville	A	Municipalité de Mont-Joli
Corporation de la réserve mondiale biosphère de Charlevoix	A	Municipalité de Notre-Dame-des-Sept-Douleurs
Corporation régionale de développement économique de Rivière-du-Loup	A	Municipalité de Notre-Dame-du-Portage
Corporation de développement communautaire du KRTB	A	Municipalité de Rimouski
Corporation de développement de la Baie-Verte	A	Municipalité de Rivière-du-Loup
Corporation de gestion de la rivière des Escoumins	A	Municipalité de Rivière-Ouelle
Corporation touristique de Bergeronnes	A	Municipalité de Saint-André
Corporation touristique de Pointe-au-Père	A	Municipalité de Saint-Denis
Corporation touristique de Rivière-Ouelle	A	Municipalité de Saint-Anne-de-la-Pocatière
Croisière Neptune	A	Municipalité de Sainte-Anne-de-Portneuf
Croisières 2001	A	Municipalité de Sainte-Luce
Croisières à la Baleine - Saguenay (Croisières AML)	A	Municipalité de Saint-Fabien
Croisières Express enr. (Croisières AML)	A	Municipalité de Saint-Georges-de-Cacouna
Croisières Navimex (Croisières AML)	A	Municipalité de Saint-Germain
Croisières Zodiac Aventure	A	Municipalité de Saint-Irénée
Détour Nature	A	Municipalité de Saint-Jean-Baptiste-de-l'Isle-Verte
Écomertours Nord-Sud	A	Municipalité de Saint-Roch-des-Aulnaies
Exceptionnelle Aventure	A	Municipalité de Saint-Siméon (Village)
F.F. Soucy Inc.	A	Municipalité de Saint-Simon
Fjord en kayak	A	Municipalité de Tadoussac
Groupe écologiste de Charlevoix	A	Municipalité de Trois-Pistoles
Hydro-Québec - Division pétrole et gaz	A	Municipalité du Bic
Innergex	A	Office du tourisme et des congrès de Rimouski
Kayak de mer Isle-aux-Coudres	A	Otis Excursions
Kruger inc.	A	Parc nature de Pointes-aux-Outardes
L'Air du Large inc.	A	Pâte Mohawk Itée
Le Musée du squelette	A	Québec Hors-Circuits 2004 inc.
Le Québec maritime	A	Réserve mondiale de la biosphère de Charlevoix
Les amis de Charlevoix	A	Société d'aide au développement des collectivités de Charlevoix
Les Croisières du Cap-Trinité	A	Société d'aide au développement des collectivités de La Mitis
Les Découvreurs du Saint-Laurent	A	Société d'électrolyse et de chimie Alcan Ltée :
Tourisme Isle-aux-Coudres	A	Société des entreprises touristique de L'Isle-aux-Coudres
Les Pionniers de la baleines inc.	A	Société d'exploitation des ressources de la Métis inc.
Les Produits Forestiers Donohue Inc., Clermont	✓	Société Duvetnor
Les Sentinelles du Saint-Laurent	A	Stone-Consolidated Inc.
Maïkan Aventure	A	Table de concertation agroalimentaire du Bas-Saint-Laurent
Mer et Monde Écotours	A	Les Jardins de Métis
		<i>Education and research sector table</i>
		Centre de recherche sur les biotechnologies marines

## Appendix I. List of organizations invited to the public consultation

✓: present | A: absent

ORGANIZATIONS			
<i>Education and research sector table</i>			
Groupe recherche et éducation sur les mamm. marins	✓	Club de Fertilisation 2000	A
Innovation maritime	✓	Club KRT Envir-O-Sol	A
Institut national de recherche scientifique -Institut Armand-Frappier	✓	Club Sol Vivant	A
Institut des sciences de la mer	✓	Coalition pour le parc marin du Saguenay-Saint-Laurent	A
Institut maritime du Québec	✓	Collectif écologique des Basques	A
Oceanographic research and ecosystem studies	✓	Comité consultatif des jeunes du Canada	A
Parc Aquarium du Québec	✓	Comité de bassin de la rivière Mitis	A
Station de recherche des îles Mingan	✓	Comité développement harmonieux de Saint-André	A
Table sectorielle de l'industrie maritime du Québec	✓	Comité recherche et intervention environn. du Grand-Portage	A
Université du Québec à Rimouski	✓	Comité sauvegarde patrimoine naturel et culturel du Bic	A
Explos-Nature	A	Comité travail en environnement - Région L'Islet	A
Université de Montréal	A	Conseil du loisir scientifique de l'Est du Québec	A
Biodôme de Montréal	A	Corporation des ressources de Saint-Germain	A
Centre de développement en transport (CDT)	A	Corporation environnementale de la Côte-du-Sud	A
Centre de recherche sur les transports Univ. Montréal	A	Canadian parks and wilderness society - National office	A
Centre spécialisé des pêches	A	Enjeux publics / Canadiens avancement de l'écologie	A
Québec-Océan, GIROQ	A	Environnement Jeunesse	A
Société suisse des cétacés	A	Fédération canadienne de la faune	A
Université du Québec à Chicoutimi	A	Fédération conservation de la faune du Bas-St-Laurent	A
Université du Québec à Montréal, TOXEN	A	Fédération québécoise de la faune	A
Université Laval	A	Fédération québécoise pour le saumon atlantique	A
Université Laval, Département de biologie	A	Fondation pour la sauvegarde des espèces menacées	A
University McGill, Faculty of Science	A	Greenpeace Montréal	A
<i>Environment sector table</i>			
Ass. québécoise des techniques de l'eau : Ville de Rivière-du-Loup	✓	Groupe d'intervention et de recherche en aménagement	A
Comité côtier Les Escoumins-Rivière Betsiamites	✓	Groupe Pousse Vert	A
Comité de bassin de la rivière Fouquette	✓	Fonds international pour la protection des animaux - IFAW	A
Comité de bassin de la rivière Kamouraska	✓	Institut national d'écotoxicologie du Saint-Laurent	A
Comité ZIP rive-nord de l'Estuaire maritime	✓	KETOS, groupe recherche - éducation sur les cétacés	A
Comité ZIP Sud-de-l'Estuaire	✓	Les Amis des Jardins de Métis	A
Conseil de bassin de la rivière Rimouski	✓	Nature-Action Québec	A
Conseil régional de l'environn. - région de la Capitale nationale	✓	Corporation P.A.R.C. Bas-Saint-Laurent inc.	A
Conseil régional de l'environnement de la Côte-Nord	✓	Parc Ami Bic	A
Conseil régional de l'environnement du Bas-Saint-Laurent	✓	Pursol Club agroenvironnement	A
Fondation de la faune du Québec	✓	Regroup. des organisations de bassin versant du Québec	A
Fonds mondial pour la nature du Canada - WWF	✓	Réseau des organismes de rivière	A
Les Amis de la vallée du Saint-Laurent	✓	Réseau Environnement	A
Parc de la rivière Mitis	✓	Réseau québécois des groupes écologistes	A
Regroup. national des Conseil régional de l'environn. du Québec	✓	Société de conservation des milieux humides du Québec	A
Réseau d'observation des mammifères marins	✓	Société de développement de la rivière Trois-Pistoles	A
Société de conservation de la baie de l'Isle-Verte	✓	Société Linnéenne du Québec	A
Société Provancher d'histoire naturelle du Canada	✓	Société pour vaincre la pollution	A
Stratégie Saint-Laurent	✓	STOP	A
Union québécoise pour la conservation de la nature	✓	Union Paysanne	A
Amis de la nature de l'Isle-Verte (Les)	A	Union Saint-Laurent Grands Lacs	A
Association des biologistes du Québec (ABQ)	A	<i>Harvesting of living resources sector table</i>	
Camp maritime Ulysse	A	Ass. des pêcheurs anguilles - poissons d'eau douce du Québec	✓
Canards Illimités Canada	A	Association de cueilleurs de mye de la Haute-Côte-Nord	✓
Centre québécois du droit de l'environnement	A	Association des chasseurs professionnels de phoques	✓
Cercle des jeunes naturalistes "Les Bélugas"	A	Association des pêcheurs commerciaux du Bas-Saint-Laurent	✓
Club Agri-Tech 2000	A	Association des pêcheurs crabiers de la zone 17	✓
		Neptune Technologies & Bioressources Inc	✓
		Pêcheur exploitant	✓

## Appendix I. List of organizations invited to the public consultation

✓: present | A: absent

ORGANIZATIONS		
<i>Harvesting of living resources sector table</i>		
Pêcheur exploitant	✓	A
Regroup. des pêcheurs professionnels du nord de la Gaspésie	✓	A
Regroup. des pêcheurs prof. de la haute et moyenne Côte-Nord	✓	A
Société de développement de l'industrie maricole	✓	A
Club ornithologique du Bas-Saint-Laurent	A	A
Aquaculture Manicouagan-Saguenay inc.	A	A
Association des chasseurs de loup-marins de Les Escoumins	A	A
Association des pêcheurs commerciaux de la rivière du Loup	A	A
Association des morutiers traditionnels de la Gaspésie	A	A
Association des pêcheurs côtiers de la Mitis	A	A
Association des pêcheurs de crevettes de Matane	A	A
Association des pêcheurs de la Côte-Nord	A	A
Association des pêcheurs de la Haute Côte-Nord	A	A
Association des pêcheurs de Rimouski	A	A
Association québécoise de l'industrie des pêches	A	A
Centre aquacole de la Côte-Nord	A	A
Coopérative des travailleurs de trans-loup	A	A
Coquillages Nordiques	A	A
Echinord inc.	A	A
Fédération des pêcheurs semi-hauturiers de Québec	A	A
Le conseil québécois de l'industrie du loup marin inc.	A	A
Les crabiers du nord	A	A
Pêcheries Manicouagan	A	A
19 Pêcheurs exploitants	A	A
Regroupement des mariculteurs du Québec	A	A
<i>Shipping sector table</i>		
Agences CP Ships (Canada) Ltée	✓	A
Alcoa Aluminerie de Deschambault	✓	A
Association des armateurs du Saint-Laurent inc.	✓	A
Commission développement du parc portuaire de Gros-Cacouna	✓	A
Corporation des pilotes du Bas-Saint-Laurent	✓	A
Fednav International Ltée	✓	A
Fédération maritime du Canada	✓	A
Société de développement économique du Saint-Laurent	✓	A
Société des Traversiers du Québec	✓	A
Traverse Rimouski-Forestville inc.	✓	A
Traverse Rivière du Loup-Saint-Siméon	✓	A
Administration du Pilotage des Laurentides	A	A
Administration portuaire de Montréal	A	A
Administration portuaire de Québec	A	A
Administration portuaire deSept-Îles	A	A
Administration portuaire deTrois-Rivières	A	A
Administration portuaire du Saguenay	A	A
Agences océaniques du Bas Saint-Laurent Ltée	A	A
Algoma Central Corporation	A	A
Aluminerie Alouette Inc.	A	A
Arrimage Gros-Cacouna	A	A
Association internationale des maires des Grands Lacs et du Saint-Laurent	A	A
Association de l'industrie de l'aluminium du Québec	A	A
Association des armateurs canadiens		A
Association des marins de la vallée du Saint-Laurent		A
Association des pilotes maritimes du Canada		A
Alliance des pêcheurs professionnels du Québec		A
Association portuaire de Les Escoumins		A
Association québécoise du transport et des routes inc.		A
C. Tremblay & Associées Inc.(Consultant maritime)		A
Canada Steamship Lines Inc. / Société maritime CSL inc.		A
Cargill Ltée		A
CAST North America (1983) Inc.		A
COGEMA		A
Commission du port de Rimouski-Est		A
Compagnie minière Québec Cartier		A
Corporation de gestion de la voie maritime du Saint-Laurent		A
Corp. des pilotes du fleuve et voie maritime du Saint-Laurent		A
Corp. régionale d'administration portuaire de Pointe-au-Pic		A
Corporation d'administration portuaire de Baie-Comeau		A
Corporation des pilotes du Saint-Laurent central		A
Corporation portuaire de Gaspé		A
Dragage Verreault inc.		A
G & A. Bourque Marine Inc.		A
Gestion C.T.M.A.		A
Groupe Desgagnés inc.		A
Groupe Océan inc.		A
Guay Inc.		A
International Communications and Navigation (ICAN)		A
Logistec Corporation		A
Océanex inc.		A
Port de Sorel		A
Relais Nordik inc.		A
Société canadienne des métaux Reynold's		A
Société des traversiers—Traverse Isle-aux-Coudres—		A
Saint-Joseph-de-la-Rive		A
Société d'intervention maritime, Est du Canada (SIMEC)		A
Société du parc industriel et portuaire de Bécancour		A
Société du port de Valleyfield		A
Société du port ferroviaire de Baie-Comeau - Hauterive		A
Terminaux portuaires du Québec		A
Terminaux portuaires du Québec inc. : Gros Cacouna		A
Traverse Trois-Pistoles-Les Escoumins		A
Ultramar Ltée		A
<i>Federal observer</i>		
Affaires indiennes et du Nord Canada		✓
Développement économique Canada		✓
Parcs Canada		✓
Service canadien des forêts Ressources naturelles Canada		✓
Travaux publics et Services gouvernementaux Canada		✓
Agence canadienne d'inspection des aliments		A
Défense nationale		A
Environnement Canada		A
Santé Canada		A
Transports Canada		A

## Appendix II. Communication activities and consultation methods

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### Communication activities

Numerous communication tools were produced in order to disseminate information about the MPA project to the media, the target audiences and the general public: public notice, news release, backgrounder on the project, website, information booklet and consultation workbook.

### Advertising

The general public was informed of the consultation process through a public notice that appeared in various national daily newspapers and local weekly newspapers between October 8 and 10, 2004.

A news release announcing the consultation process and providing the website address, as well as a backgrounder describing the general objectives of the project were sent to all the Quebec media on October 19, 2004.

### Website

The general public could access the project website at any time to obtain information, express opinions or ask questions. This site provided information on the MPA program, the St. Lawrence Estuary MPA, marine mammals and the threats they face. Complete transcripts of the consultation sessions were posted on the website in the days following each session.

### Consultation methods

DFO invited organizations, groups and the general public to submit their comments either verbally, by attending the consultation sessions organized by sector table, or in writing, by using the consultation workbook.

#### Available information sources

To obtain information on the project, the public could attend the public sessions, obtain written information documents from DFO or visit the website set up for the purposes of the consultation.

To inform the territory managers about the upcoming consultations, DFO organized preconsultation sessions with the Quebec government, the regional county municipalities (RCMs) and representatives of Aboriginal communities. During these sessions, held mainly in 2003, DFO contacted: the provincial departments of the Environment, Natural Resources and Wildlife, and Transport as well as the *Société de la faune et des parcs du Québec*, the nine RCMs bordering the territory of the MPA, i.e. Charlevoix, Charlevoix-Est, Upper North Shore, L'Islet, Kamouraska, Rivière-du-Loup, Les Basques, Rimouski-Neigette and La Mitis and, finally, the Innu of Essipit, the Malecites of Viger and the Innu of Betsiamites.

#### Public consultation sessions by sector table and Aboriginal consultation

The public consultation sessions were distributed across five geographic areas: Rimouski, La Malbaie, Rivière-du-Loup, Forestville and Quebec City. In all, 14 meetings were held between October 28 and December 2, 2004, including four evening sessions in order to facilitate participation by the general public. DFO consulted the representatives of the three Aboriginal communities concerned, the Innu of Essipit, the Malecites of Viger and the Innu of Betsiamites, separately in the spring of 2005.

The consultation was organized by assigning the stakeholders to sector tables, based on their field of interest or activities. These sector tables were:

- Recreational activities;
- Tourism and economic development;
- Education and research;
- Environment;
- Harvesting of living resources;
- Shipping.

The period for receiving public comments was from October 20 to December 31, 2004.

## Appendix II. Communication activities and consultation methods

### Appendix IIa. Public Notice, short French version

 Pêches et Océans  
Canada Fisheries and Oceans  
Canada

**AVIS PUBLIC**  
Consultation sur le projet de  
zone de protection marine (ZPM)  
Estuaire du Saint-Laurent

Pêches et Océans Canada envisage la création d'une zone de protection marine dans l'estuaire du Saint-Laurent, afin d'assurer la conservation et la protection à long terme des mammifères marins, de leurs habitats et de leurs ressources alimentaires, et désire connaître l'opinion du public sur les mesures de gestion proposées.

Les documents relatifs au projet seront disponibles à compter du 20 octobre 2004 sur le site Internet du ministère ([www.qc.dfo-mpo.gc.ca/zpmestuaire/](http://www.qc.dfo-mpo.gc.ca/zpmestuaire/)). Veuillez faire parvenir vos commentaires sur le projet par la poste ou par courriel, aux adresses indiquées ci-dessous, au plus tard le 31 décembre 2004 :

Pêches et Océans Canada  
Programme des Zones de protection marines  
850, route de la Mer, Mont-Joli (Québec) G5H 3Z4  
Tél. : (418) 775-0854; téléc. : (418) 775-0718  
Courriel : [zpmestuairedusaint-laurent@dfo-mpo.gc.ca](mailto:zpmestuairedusaint-laurent@dfo-mpo.gc.ca)

RAT10 : 2.004211  
Code d'annonce : 10318-10206F-08234

No. dossier : CTP1MPOI-10318  
Format : 3.75" X 7.125"  
Occasion : Journal de Québec

**Canada**

## Appendix II. Communication activities and consultation methods

### Appendix IIb. Public Notice, short English version

 Fisheries and Oceans  
Canada

Pêches et Océans  
Canada

**PUBLIC NOTICE**  
**Consultation on the St. Lawrence Estuary  
 Marine Protected Area (MPA) Project**

Fisheries and Oceans Canada is planning to establish a Marine Protected Area (MPA) in the St. Lawrence Estuary to ensure the long-term conservation and protection of marine mammals and their habitat and food resources, and is seeking the public's opinion on the proposed management measures. As of October 20, 2004, documents on the project will be available on the Department's Web site ([www.qc.dfo-mpo.gc.ca/zpmestuaire/](http://www.qc.dfo-mpo.gc.ca/zpmestuaire/)). Mail or e-mail us your comments on the project at the addresses below no later than December 31, 2004:

Fisheries and Oceans Canada  
 Marine Protected Areas Program  
 850 Route de la Mer, Mont-Joli, Québec G5H 3Z4  
 Phone: (418) 775-0854 or fax : (418) 775-0718.  
**E-mail: [zpmestuairedusaint-laurent@dfo-mpo.gc.ca](mailto:zpmestuairedusaint-laurent@dfo-mpo.gc.ca)**

**Canada**

RAT10 : 1-564-932  
 Code d'annonce : 10318-M07156A-00233

No. dossier : CTF1MP01-10318  
 Format : 4.5625" X 7.125"  
 Quotidien : The Gazette

## Appendix II. Communication activities and consultation methods

### Appendix IIc. Public Notice, long French version


Pêches et Océans  
Canada      Fisheries and Oceans  
Canada

## AVIS PUBLIC

### Consultation sur le projet de zone de protection marine (ZPM) Estuaire du Saint-Laurent, du 28 octobre au 31 décembre 2004

Pêches et Océans Canada envisage la création d'une zone de protection marine dans l'estuaire du Saint-Laurent afin d'assurer la conservation et la protection à long terme des mammifères marins, de leurs habitats et de leurs ressources alimentaires.

Du 28 octobre au 2 décembre 2004, différents intervenants ciblés seront consultés sur les enjeux liés à la survie des mammifères marins ainsi que sur les mesures de gestion proposées pour assurer leur protection. Les séances de consultation permettront de présenter le projet, de répondre aux questions des intervenants ciblés et de recueillir leurs commentaires. Le public pourra y assister à titre d'observateur et formuler ses questions à la fin.

Informations concernant les séances de consultation				
Date	Heure	Intervenants ciblés	Municipalité	Lieu
28 octobre 2004	9 h à 17 h	Enseignement et recherche	Rimouski	Hôtel Rimouski 225, boul. René-Lepage Est
15 novembre 2004	19 h à 22 h	Activités récréatives		
16 novembre 2004	9 h à 17 h	Développement économique et touristique		
17 novembre 2004	9 h à 17 h	Environnement		
18 novembre 2004	9 h à 17 h	Exploitation des ressources vivantes		
3 novembre 2004	19 h à 22 h	Activités récréatives	La Malbaie	Le Petit Manoir du Casino 525, chemin des Falaises
4 novembre 2004	9 h à 17 h	Développement économique et touristique		
8 novembre 2004	19 h à 22 h	Activités récréatives	Rivière-du-Loup	Hôtel Universel 311, boul. Hôtel-de-Ville
9 novembre 2004	9 h à 17 h	Développement économique et touristique		
10 novembre 2004	9 h à 17 h	Environnement		
22 novembre 2004	19 h à 22 h	Activités récréatives	Forestville	Danube Bleu Econo Lodge 5, route 132 Est
23 novembre 2004	9 h à 17 h	Exploitation des ressources vivantes		
24 novembre 2004	9 h à 17 h	Développement économique et touristique		
30 novembre 2004	9 h à 17 h	Environnement	Québec	Hôtel Travelodge 3135, chemin Saint-Louis
1 <sup>er</sup> décembre 2004	13 h à 17 h	Activités récréatives		
2 décembre 2004	9 h à 17 h	Transport maritime		

**Consultation publique**  
Pêches et Océans Canada désire obtenir le point de vue du grand public sur les mesures de gestion préconisées. Les documents relatifs au projet seront disponibles à compter du 20 octobre 2004 sur le site Internet du ministère ([www.qc.dfo-mpo.gc.ca/zpmestuaire/](http://www.qc.dfo-mpo.gc.ca/zpmestuaire/)) ou en composant les numéros suivants : téléphone, (418) 775-0854 ; télécopieur, (418) 775-0718.

Veillez faire parvenir vos commentaires sur le projet de zone de protection marine Estuaire du Saint-Laurent par la poste ou par courriel, aux adresses indiquées ci-dessous, au plus tard le 31 décembre 2004 :

Pêches et Océans Canada  
Programme des Zones de protection marines  
850, route de la Mer, Mont-Joli (Québec) G5H 3Z4  
Courriel : [zpmestuairedusaint-laurent@dfo-mpo.gc.ca](mailto:zpmestuairedusaint-laurent@dfo-mpo.gc.ca)

No. dossier : CTF/MP01-18318  
 Format : 7.625" X 9.8375"  
 Questions : Hebdo Info Dimanche  
 RATIO : 1.289806  
 Code d'annonce : 18318-M0128F-00225

Canada

## Appendix II. Communication activities and consultation methods

### Appendix IId.

#### Public Notice, long English version


Fisheries and Oceans  
Canada    Pêches et Océans  
Canada

## PUBLIC NOTICE

### Consultation on the St. Lawrence Estuary Marine Protected Area (MPA) Project, from October 28 to December 31, 2004

Fisheries and Oceans Canada is planning to establish a Marine Protected Area (MPA) in the St. Lawrence Estuary to ensure the long-term conservation and protection of marine mammals and their habitat and food resources.

From October 28 to December 2, 2004, stakeholders in targeted sectors will be consulted on issues related to the survival of marine mammals and on the proposed management measures to ensure their protection. The purpose of the consultation sessions is to present the project, answer any questions stakeholders may have and gather their comments. Members of the public are also welcome to attend as observers and ask questions at the end of the sessions.

Consultation Session Information				
Date	Time	Targeted Sectors	Municipality	Location
October 28, 2004	9:00 a.m. to 5:00 p.m.	Education and research	Rimouski	Hôtel Rimouski 225 René-Lepage Blvd. East
November 15, 2004	7:00 p.m. to 10:00 p.m.	Recreational activities		
November 16, 2004	9:00 a.m. to 5:00 p.m.	Economic and touristic development		
November 17, 2004	9:00 a.m. to 5:00 p.m.	Environment		
November 18, 2004	9:00 a.m. to 5:00 p.m.	Harvesting of living resources		
November 3, 2004	7:00 p.m. to 10:00 p.m.	Recreational activities	La Malbaie	Le Petit Manoir du Casino 525 chemin des Falaises
November 4, 2004	9:00 a.m. to 5:00 p.m.	Economic and touristic development		
November 8, 2004	7:00 p.m. to 10:00 p.m.	Recreational activities	Rivière-du-Loup	Universel Hotel 311 Hôtel-de-Ville Blvd.
November 9, 2004	9:00 a.m. to 5:00 p.m.	Economic and touristic development		
November 10, 2004	9:00 a.m. to 5:00 p.m.	Environment		
November 22, 2004	7:00 p.m. to 10:00 p.m.	Recreational activities	Forestville	Danube Bleu Econo Lodge 5 Highway 132 East
November 23, 2004	9:00 a.m. to 5:00 p.m.	Harvesting of living resources		
November 24, 2004	9:00 a.m. to 5:00 p.m.	Economic and touristic development		
November 30, 2004	9:00 a.m. to 5:00 p.m.	Environment	Québec	Travelodge Hotel 3135 Chemin St. Louis
December 1, 2004	1:00 p.m. to 5:00 p.m.	Recreational activities		
December 2, 2004	9:00 a.m. to 5:00 p.m.	Shipping		

**Public consultation**  
Fisheries and Oceans Canada is seeking the public's opinion on the proposed management measures. As of October 20, 2004, documents on the St. Lawrence Estuary Marine Protected Area (MPA) Project will be available on the Department's Web site ([www.qc.dfo-mpo.gc.ca/zpmestuaire/](http://www.qc.dfo-mpo.gc.ca/zpmestuaire/)) or by calling (418) 775-0854 or faxing (418) 775-0718.

Mail or e-mail us your comments on the project at the addresses below no later than December 31, 2004:

Fisheries and Oceans Canada  
Marine Protected Areas Program  
850 Route de la Mer, Mont-Joli, Québec G5H 3Z4  
**E-mail:** [zpmestuairedusaint-laurent@dfo-mpo.gc.ca](mailto:zpmestuairedusaint-laurent@dfo-mpo.gc.ca)



No. dossier : CTP1MPC8-10318  
 Format : 8 25" X 9 9375"  
 Quotidiens : Hebdo Chron., Télégraph  
 RAB10 : 1,211836  
 Code d'annonce : 10318-00121A-00231

## Appendix II. Communication activities and consultation methods

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Appendix IIe.  
News Release, French version

**Pêches et Océans Canada**

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# Communiqué

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C-RQ-04-55F

Le 19 octobre 2004

### PÊCHES ET OCÉANS CANADA ANNONCE UNE CONSULTATION PUBLIQUE SUR LE PROJET DE ZONE DE PROTECTION MARINE ESTUAIRE DU SAINT-LAURENT

**Mont-Joli** – Pêches et Océans Canada (MPO) envisage la création d'une zone de protection marine dans l'estuaire du Saint-Laurent afin d'assurer la conservation et la protection à long terme des mammifères marins, de leurs habitats et de leurs ressources alimentaires. Du 28 octobre au 2 décembre 2004, différents groupes et intervenants qui pourraient être concernés par le projet seront consultés sur les enjeux liés à la survie des mammifères marins ainsi que sur les mesures de gestion proposées pour assurer leur protection. Le public pourra assister aux discussions et participer à la consultation en transmettant ses commentaires à Pêches et Océans Canada, au plus tard le 31 décembre 2004.

La consultation initiée dans le cadre du programme des Zones de protection marines, région du Québec, permettra d'obtenir l'avis des représentants des communautés autochtones, des gestionnaires de territoire, du public et des divers groupes du secteur privé, y compris des entreprises d'observation en mer des mammifères marins, du transport maritime, des pêcheurs et du milieu scientifique. Le projet de zone de protection marine Estuaire du Saint-Laurent est conçu pour protéger les mammifères marins dans l'estuaire à long terme tout en maintenant les activités économiques durables. L'estuaire est le site de l'une des plus importantes industries d'observation de baleines au monde.

Au Canada, c'est dans l'estuaire du Saint-Laurent que les pressions sur les mammifères marins sont les plus fortes. En effet, ces animaux sont confrontés à une multitude de menaces dont la contamination de la chaîne alimentaire par des substances toxiques persistantes; le dérangement associé à la navigation commerciale et de plaisance (actuellement en forte croissance); les risques de collisions avec les bateaux, d'emmêlement dans les engins de pêche; les altérations physiques de l'habitat; et les variations de l'abondance des ressources alimentaires.

Les zones de protection marines sont créées en vertu de la *Loi sur les océans* du Canada et font partie des programmes fédéraux de création d'aires marines protégées. Pour de plus amples renseignements sur cette initiative et pour connaître les dates et lieux des séances de consultation qui se tiendront à Rimouski, Rivière-du-Loup, Forestville, La Malbaie et Québec, veuillez visiter le site Internet du ministère : [www.qc.dfo-mpo.gc.ca/zpmestuaire/](http://www.qc.dfo-mpo.gc.ca/zpmestuaire/).

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Gouvernement  
du Canada

Government  
of Canada

Canada

## Appendix II. Communication activities and consultation methods

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### Coordonnées des séances de consultation

Date	Heure	Intervenants ciblés	Municipalité et lieu
28 octobre 2004	9h à 17h	Enseignement et recherche	Rimouski Hôtel Rimouski 225, boul. René-Lepage Est
15 novembre 2004	19h à 22h	Activités récréatives	
16 novembre 2004	9h à 17h	Développement économique et touristique	
17 novembre 2004	9h à 17h	Environnement	
18 novembre 2004	9h à 17h	Exploitation des ressources vivantes	
3 novembre 2004	19h à 22h	Activités récréatives	La Malbaie Le Petit Manoir du Casino 525, chemin des Falaises
4 novembre 2004	9h à 17h	Développement économique et touristique	
8 novembre 2004	19h à 22h	Activités récréatives	Rivière-du-Loup Hôtel Universel 311, boul. Hôtel de Ville
9 novembre 2004	9h à 17h	Développement économique et touristique	
10 novembre 2004	9h à 17h	Environnement	
22 novembre 2004	19h à 22h	Activités récréatives	Forestville Danube Bleu Econo Lodge 5, route 132 Est
23 novembre 2004	9h à 17h	Exploitation des ressources vivantes	
24 novembre 2004	9h à 17h	Développement économique et touristique	
30 novembre 2004	9h à 17h	Environnement	Québec Hôtel Travelodge 3135, chemin Saint-Louis
1 <sup>er</sup> décembre 2004	13h à 17h	Activités récréatives	
2 décembre 2004	9h à 17h	Transport maritime	

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La fiche d'information qui a trait à ce communiqué est disponible sur le site Internet de Pêches et Océans Canada à l'adresse [www.dfo-mpo.gc.ca/media\\_f.htm](http://www.dfo-mpo.gc.ca/media_f.htm)

FICHE D'INFORMATION	
FI-RQ-04-55F	Projet de zone de protection marine Estuaire du Saint-Laurent

#### Renseignements :

Sylvi Racine  
Conseillère principale  
Direction des communications  
Pêches et Océans Canada  
Mont-Joli  
(418) 775-0744  
Internet : <http://www.dfo-mpo.gc.ca>

## Appendix II. Communication activities and consultation methods

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Appendix IIf.  
News Release, English version

### ***Fisheries and Oceans Canada***

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# ***News Release***

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NR-QR-04-55E

October 19, 2004

#### **FISHERIES AND OCEANS CANADA ANNOUNCES PUBLIC CONSULTATIONS ON A PROPOSED MARINE PROTECTED AREA IN THE ST. LAWRENCE ESTUARY**

**MONT-JOLI** -- Fisheries and Oceans Canada (DFO) is planning to establish a marine protected area in the St. Lawrence estuary to conserve and protect marine mammals, their habitat and their food resources over the long term. From October 28 until December 2, 2004, various groups and stakeholders with a potential interest in the project will be consulted on the issues related to the survival of marine mammals and the management measures proposed for their protection. Discussions are open to the public, who can participate in the process by submitting their input to Fisheries and Oceans Canada by December 31, 2004.

The purpose of this consultation, initiated by Marine Protected Area program in the Quebec Region, is to gather the views of representatives of aboriginal communities, field managers, the public, and various private-sector groups, including whale-watching enterprises, the shipping and fishing industries, and the scientific community. The proposed St. Lawrence Estuary Marine Protected Area is intended to protect marine mammals over the long term while accommodating sustainable economic activities. The estuary hosts one of the largest whale-watching industries in the world.

In Canada, the St. Lawrence estuary is where marine mammals are under the greatest pressure. These creatures face a host of threats, including contamination of the food chain with persistent toxic substances; disturbance associated with both commercial and recreational shipping (currently growing steeply); risks of collision with ships and of entanglements in fishing gear; physical alterations in their habitat, and fluctuations in the abundance of their food sources.

Marine Protected Areas are established under the *Oceans Act* of Canada and is one program among three distinct federal marine protected area programs. For further information on this major initiative and for the dates and venues for consultation sessions in Rimouski, Rivière-du-Loup, Forestville, La Malbaie and Québec, visit the Department's Web site at: [www.qc.dfo-mpo.gc.ca/zpmestuaire/](http://www.qc.dfo-mpo.gc.ca/zpmestuaire/).

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## Appendix II. Communication activities and consultation methods

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### Consultation venues

Date	Time	Target audiences	Municipality and location
October 28, 2004	9 a.m. to 5 p.m.	Teaching and research	Rimouski Hôtel Rimouski 225 René-Lepage Blvd East
November 15, 2004	7 a.m. to 10 p.m.	Recreational activities	
November 16, 2004	9 a.m. to 5 p.m.	Tourism and economic development	
November 17, 2004	9 a.m. to 5 p.m.	Environment	
November 18, 2004	9 a.m. to 5 p.m.	Harvesting of live resources	La Malbaie Le Petit Manoir du Casino 525 Chemin des Falaises
November 3, 2004	7 a.m. to 10 p.m.	Recreational activities	
November 4, 2004	9 a.m. to 5 p.m.	Tourism and economic development	Rivière-du-Loup Hôtel Universel 311 Hôtel de Ville Blvd
November 8, 2004	7 a.m. to 10 p.m.	Recreational activities	
November 9, 2004	9 a.m. to 5 p.m.	Tourism and economic development	
November 10, 2004	9 a.m. to 5 p.m.	Environment	Forestville Danube Bleu Econo Lodge 5 Highway 132 East
November 22, 2004	7 a.m. to 10 p.m.	Recreational activities	
November 23, 2004	9 a.m. to 5 p.m.	Harvesting of live resources	Québec Hôtel Travelodge 3135 Chemin Saint-Louis
November 24, 2004	9 a.m. to 5 p.m.	Tourism and economic development	
November 30, 2004	9 a.m. to 5 p.m.	Environment	Québec Hôtel Travelodge 3135 Chemin Saint-Louis
December 1, 2004	1 p.m. to 5 p.m.	Recreational activities	
December 2, 2004	9 a.m. to 5 p.m.	Shipping	

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Information pertaining to this release can be found on the Fisheries and Oceans Canada Web site at [www.dfo-mpo.gc.ca/media\\_e.htm](http://www.dfo-mpo.gc.ca/media_e.htm)

BACKGROUND	
B-QR-04-55E	Proposed St. Lawrence Estuary Marine Protected Area

#### Information:

Sylvi Racine  
Senior Advisor  
Communications  
Fisheries and Oceans Canada  
Mont Joli  
(418) 775-0744

Internet: <http://www.dfo-mpo.gc.ca>

## Appendix II. Communication activities and consultation methods

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Appendix IIg.  
Backgrounder, French version

**Pêches et Océans Canada**

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# *Fiche d'information*

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**FI-RQ-04-55F**

## **PROJET DE ZONE DE PROTECTION MARINE ESTUAIRE DU SAINT-LAURENT**

L'adoption de la *Loi sur les océans* du Canada (1997) a doté Pêches et Océans Canada d'un nouvel outil pour la gestion et la protection des océans. Cette loi permet, entre autres, la création de zones de protection marines (ZPM). Le projet de zone de protection marine Estuaire du Saint-Laurent vise à rehausser le niveau de protection des mammifères marins, leurs habitats et leurs ressources alimentaires.

L'estuaire du Saint-Laurent est reconnu internationalement comme une zone d'alimentation de première importance pour de nombreuses espèces de mammifères marins. Les fortes concentrations de nourriture présentes en font un site de choix pour les grands cétacés qui y migrent lors de la période estivale. L'estuaire du Saint-Laurent est aussi un habitat primordial pour le béluga et le phoque commun, des espèces résidentes.

Une douzaine d'espèces de mammifères marins se retrouvent dans l'estuaire sur une base saisonnière. Parmi celles-ci, près de la moitié sont des espèces en péril selon le Comité sur la situation des espèces en péril au Canada (COSEPAC). Deux espèces sont considérées en voie de disparition, soit le rorqual bleu et la baleine noire. Depuis mai 2004, le béluga du Saint-Laurent a été désigné espèce menacée. Ce projet de zone de protection marine (ZPM) représente une initiative majeure afin de rehausser la protection des mammifères marins de ce territoire, notamment en appuyant la nouvelle *Loi sur les espèces en péril* du Canada.

Pêches et Océans Canada a sélectionné le site de l'estuaire du Saint-Laurent en 1998 en raison de l'importance écologique de cette zone et des pressions croissantes exercées par l'homme sur elle. Depuis, un atelier scientifique réunissant des experts nord-américains a permis d'identifier et d'évaluer les menaces pesant sur les mammifères marins. De plus, des groupes de travail formés de gestionnaires des ministères fédéraux, de scientifiques du gouvernement

## Appendix II. Communication activities and consultation methods

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du Canada et d'organisations provinciales et non gouvernementales ont travaillé à l'élaboration de mesures de gestion afin de réduire ou contrer ces menaces.

Parmi les mesures de gestion proposées pour cette ZPM, certaines concernent par exemple le besoin de réduire l'exposition des mammifères marins aux bruits ambiants d'origine humaine, tels ceux produits par l'exploration minière, gazière et pétrolière, la présence d'embarcations près des échoueries de phoques et l'utilisation de sonars actifs à basse fréquence.

D'autres mesures sont proposées afin de protéger l'habitat et les ressources alimentaires essentielles des mammifères marins, d'éviter les collisions avec les embarcations de même que les emmêlements dans les engins de pêche.

Le territoire couvert par le projet correspond à l'aire de répartition estivale du béluga, à d'importantes aires d'alimentation du roqual bleu et à la grande majorité des sites fréquentés par la population de phoque commun. La zone retenue coïncide avec celle où les pressions humaines sur les mammifères marins sont les plus fortes dans le Saint-Laurent. La ZPM est adjacente au parc marin du Saguenay-Saint-Laurent (PMSSL). Elle n'inclut pas le territoire du parc marin mais est complémentaire à celui-ci.

Différents groupes et intervenants qui pourraient être concernés par le projet seront consultés sur les enjeux liés à la survie des mammifères marins ainsi que sur les mesures de gestion proposées pour assurer leur protection. Le grand public peut également participer à la consultation en transmettant ses commentaires par écrit à Pêches et Océans Canada, au plus tard le 31 décembre 2004.

La documentation sur le projet ainsi que les coordonnées pour transmettre vos commentaires sont affichées sur le site Internet de Pêches et Océans Canada à l'adresse [www.qc.dfo-mpo.gc.ca/zpmestuaire/](http://www.qc.dfo-mpo.gc.ca/zpmestuaire/). Vous pouvez aussi obtenir les documents en vous adressant à :

Pêches et Océans Canada  
Institut Maurice-Lamontagne  
Programme de Zones de protection marines  
850, route de la Mer, C.P. 1000  
Mont-Joli (Québec) G5H 3Z4  
Téléphone : (418) 775-0854  
Télécopieur : (418) 775-0718  
Courriel : [zpmestuairedusaint-laurent@dfo-mpo.gc.ca](mailto:zpmestuairedusaint-laurent@dfo-mpo.gc.ca)

## Appendix II. Communication activities and consultation methods

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Appendix III.  
Backgrounder, English version

### ***Fisheries and Oceans Canada***

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# ***Backgrounder***

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**B-QR-04-55E**

## **PROPOSED ST. LAWRENCE ESTUARY MARINE PROTECTED AREA**

In 1997, Canada entrenched its commitment to our oceans by adopting the Oceans Act. This Act provides Canadians with the tools they need to develop a new approach to oceans management. Marine Protected Areas are established under the *Oceans Act*. The proposed St-Lawrence Estuary Marine Protected Area is intended to provide increased protection for marine mammals, their habitats and their food resources.

The St. Lawrence estuary is internationally recognized as being of prime importance for many species of marine mammals. The heavy concentrations of food resources found there make it a choice site for the large cetaceans that migrate there in summer. The estuary is also key habitat for the beluga and the harbour seal, two resident species.

Some 12 species of marine mammal are found in the estuary on a seasonal basis; of these, nearly half are species listed at risk by the Committee on the Status of Endangered Wildlife in Canada (COSEWIC). Two of these are considered to be endangered: the blue whale and the right whale, and since May 2004 the St. Lawrence beluga has been designated as a threatened species. The Marine Protected Area (MPA) proposal is an important initiative designed to enhance the protection of marine mammals in this territory, in particular by applying the new Canadian *Species at Risk Act*.

Fisheries and Oceans Canada selected the St. Lawrence estuary as a site in 1998 because of the ecological importance of this area and the burgeoning human pressures on it. Since then, a scientific panel of North American experts has been at work identifying and assessing the factors threatening marine mammals. In addition, working groups of federal public servants and scientists from the federal and provincial governments and non-government organizations have been labouring to develop management measures to mitigate or counter these threats.

Some of the management measures proposed for this MPA involve, for example, reducing the exposure of marine mammals to ambient man-made noise, such as that from mining, gas and oil prospecting, marine traffic around seal haulouts, and the use of active low-frequency sonar.

Still other measures have been put forward to protect essential marine mammal habitat and food resources and to avoid collisions with shipping and entanglement in fishing gear.

## Appendix II. Communication activities and consultation methods

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The territory covered by the project encompasses the summer range of the beluga, major blue whale feeding grounds and the great majority of sites frequented by harbour seal populations. The area thus designated corresponds to the region where pressures on marine mammals of the St. Lawrence are heaviest. The MPA adjoins the Saguenay–St. Lawrence Marine Park. It does not include the Marine Park, but complements it.

Various groups and stakeholders with a potential interest in the project will be polled on the issues related to the survival of marine mammals and the management measures proposed for their protection. Discussions are open to the public, who can participate in the process by submitting their input in writing to Fisheries and Oceans Canada by December 31, 2004.

Project documentation and addresses for submitting feedback are posted on the Fisheries and Oceans Canada Web site at [www.qc.dfo-mpo.gc.ca/zpmestuaire/](http://www.qc.dfo-mpo.gc.ca/zpmestuaire/). Documentation is also available from:

Fisheries and Oceans Canada  
Maurice Lamontagne Institute  
Marine Protected Area Program  
850 Route de la Mer, P.O. box 1000  
Mont Joli, Quebec G5H 3Z4  
Telephone: (418) 775-0854  
Fax: (418) 775-0718  
E-mail: [zpmestuairedusaint-laurent@dfo-mpo.gc.ca](mailto:zpmestuairedusaint-laurent@dfo-mpo.gc.ca)

October 2004

## Appendix II. Communication activities and consultation methods

### Appendix III.

#### List of consultation sessions

Date	Time	Targeted Sectors	Municipality	Location
October 28, 2004	9:00 am to 5:00 pm	Education and research	Rimouski	Hôtel Rimouski 225 René-Lepage Blvd. East
November 15, 2004	7:00 pm to 10:00 pm	Recreational activities		
November 16, 2004	9:00 am to 5:00 pm	Tourism and economic development		
November 17, 2004	9:00 am to 5:00 pm	Environment		
November 18, 2004	9:00 am to 5:00 pm	Harvesting of living resources		
November 3, 2004	7:00 pm to 10:00 pm	Recreational activities	La Malbaie	Le Petit Manoir du Casino 525 Chemin des Falaises
November 4, 2004	9:00 am to 5:00 pm	Tourism and economic development		
November 8, 2004	7:00 pm to 10:00 pm	Recreational activities	Rivière-du-Loup	Universel Hotel 311 Hôtel de Ville Blvd.
November 9, 2004	9:00 am to 5:00 pm	Tourism and economic development		
November 10, 2004	9:00 am to 5:00 pm	Environment		
November 22, 2004	7:00 pm to 10:00 pm	Recreational activities	Forestville	Danube Bleu Econo Lodge 5 Highway 132 East
November 23, 2004	9:00 am to 5:00 pm	Harvesting of living resources		
November 24, 2004	9:00 am to 5:00 pm	Tourism and economic development		
November 30, 2004	9:00 am to 5:00 pm	Environment	Quebec City	Travelodge Hotel 3135 Chemin Saint-Louis
December 1, 2004	1:00 pm to 5:00 pm	Recreational activities		
December 2, 2004	9:00 am to 5:00 pm	Shipping		

## Appendix III. Participation statistics

### Participation

The data show a participation rate of 25% relative to the invitations issued (426). The majority of the organizations chose to express their comments directly at the public sessions and just over 20% also submitted written comments. The website set up for purposes of the consultation recorded 1,253 visits, some of which were of national and international origin, which indicates broader participation than the audience targeted by the sector tables.

### Consultation sessions participation rate

Of the 426 organizations or individuals invited to participate in one of the sector tables (Appendix I), 107 attended (see Table 4), representing 53% of the 203 organizations considered by DFO to be particularly concerned by the MPA project.

Table 4. Participation of the organizations invited by sector table

Table	Organizations invited		
	Invited	Confirmed	Present
Recreational activities	48	11 (23%)	8 (16%)
Tourism and economic development	171	68 (40%)	49 (29%)
Education and research	25	14 (56%)	11 (44%)
Environment	68	20 (29%)	16 (24%)
Harvesting of living resources*	50	17 (34%)	11 (22%)
Shipping	64	15 (23%)	12 (19%)
<b>Total</b>	<b>426</b>	<b>145 (34%)</b>	<b>107 (25%)</b>

\* Some of the participants were individual fishermen who were not representing associations.

### Participation in the consultation sessions by geographic area

For each sector table, two to five sessions were scheduled in the five geographic areas (see Appendix V for more details).

Table 5. Breakdown of the organizations, individuals, journalists and observers by geographic area

Town/City	Organizations	Individuals	Journalists	Observers	
				Number	Representing
Rimouski <sup>1</sup>	35	14	2	5	SSLMP, CED
La Malbaie <sup>1 2</sup>	14	0	4	4	SSLMP
Rivière-du-Loup <sup>1 2</sup>	16	1	1	4	SSLMP, CED
Forestville <sup>1</sup>	18	8	1	4	SSLMP
Quebec City	24	6	0	12	SSLMP, PWGSC, CED, NRCan
<b>Total</b>	<b>107</b>	<b>29</b>	<b>8</b>	<b>29</b>	<b>-</b>

<sup>1</sup>Combined session attended by representatives of several sectors. <sup>2</sup>No participants in the "Recreational activities" sector table.

## Appendix III. Participation statistics

### Consultation workbook and other handwritten comments

The public and the organizations invited could complete the questionnaire provided in the consultation workbook that was mailed out at least two weeks prior to the start of the consultation to the 145 organizations that confirmed

they would be attending and to 53 others considered “particularly concerned.” In total, 21 workbooks were completed. A few comments in the form of briefs, statements, letters and e-mails were also received (see Table 6).

**Table 6. Documents submitted in the context of the public consultation**

Tool	Number of documents received
Consultation workbooks	21
Statements	1
E-mails	1
Letters	2
Briefs	4

### Website visits

Between the time the site was launched, in October 2004, and the end of the public consultation on December 31, 2004, there were 1,253 visits by 704 different visitors. Thirty-eight percent of the visits originated from within Canada, while 36% were international and 26% unknown. Many visitors downloaded certain documents,

including the information booklet/backgrounder (731 times) and the consultation workbook (226 times). There were also 336 downloads of the transcripts of nine consultation sessions. Table 7 provides the breakdown of these 336 downloads by the transcripts consulted.

**Table 7. Breakdown of the transcripts downloaded by sector table**

Sector table	Town/City	Number
Recreational activities	Rimouski and Forestville	61
Tourism and economic development	La Malbaie, Rivière-du-Loup Rimouski	107
Education and research	Rimouski	57
Environment	Rivière-du-Loup and Rimouski	74
Harvesting of living resources	Rimouski	37
Shipping	Quebec City	0

## Appendix IV. Analysis of the participants' comments and input

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### Approach and method adopted to analyze the participants' comments and input

A uniform approach was used for the primarily qualitative analysis. This approach took into account the various sectors of activities of the participants in the sector tables and identified the issues specific to each group, without overlooking those issues common to all the groups. Other factors considered included the scope (local, national or international) and type of representation (business, group of individuals or organizations) of the stakeholders, the nature of their input (opinion, argument, data, question, proposal) and perceptions of the impacts of the measures on their activities. The full transcripts of all the comments and input were an effective tool for this purpose.

To facilitate the analysis of the consultations and the drafting of the public report, two analysts attending the consultation sessions summarized, using keywords, the comments, proposals, recommendations, opinions and views of the participants, then compiled them into two databases. The information obtained through the consultation workbooks or briefs submitted, as well as from the comments submitted by mail or by e-mail were also incorporated into these databases.





