

CONFIDENTIAL

### Incident Overview

244157	Closed	Spirit of British Columbia	Level 0	10-Mar-20 03:40 PM
Orca Sighting				

#### Incident Types and Subtypes

Type	Subtype	Subtype Descriptor
Environment	Other	

#### Overview EOC Required

##### Incident Details

Master reports that a whale watching company contacted them prior to entering Active Pass warning of a pod of orcas in the pass. Half way through transiting the pass the whales were observed 3 to 4 cables off the starboard beam near Sturdies Bay.

Shortly after the sighting, a whale watching vessel crossed the bow of the SOBC at a distance of half a cable. No evasive action was taken as the whale watching vessel had cleared our track. A DFO vessel witnessed this incident and reported it to Transport Canada.

CCTV to be captured.

UPDATE 2328 Attached CCTV does not capture the whale sighting but does capture the whale watching vessel crossing the bow.

##### Operational Impact

#### Incident Management Team

Full Name	Role
FOIPP Act, s. 22	Incident Commander
Grewal, Captain Hardeep	Incident Senior Manager
Mansley, Nick	OSC Response Lead

#### Incident Damages

Type	Magnitude	Description
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#### Recovery Personnel

Full Name	Role
Department of Fisheries	

#### Service Recovery Plan

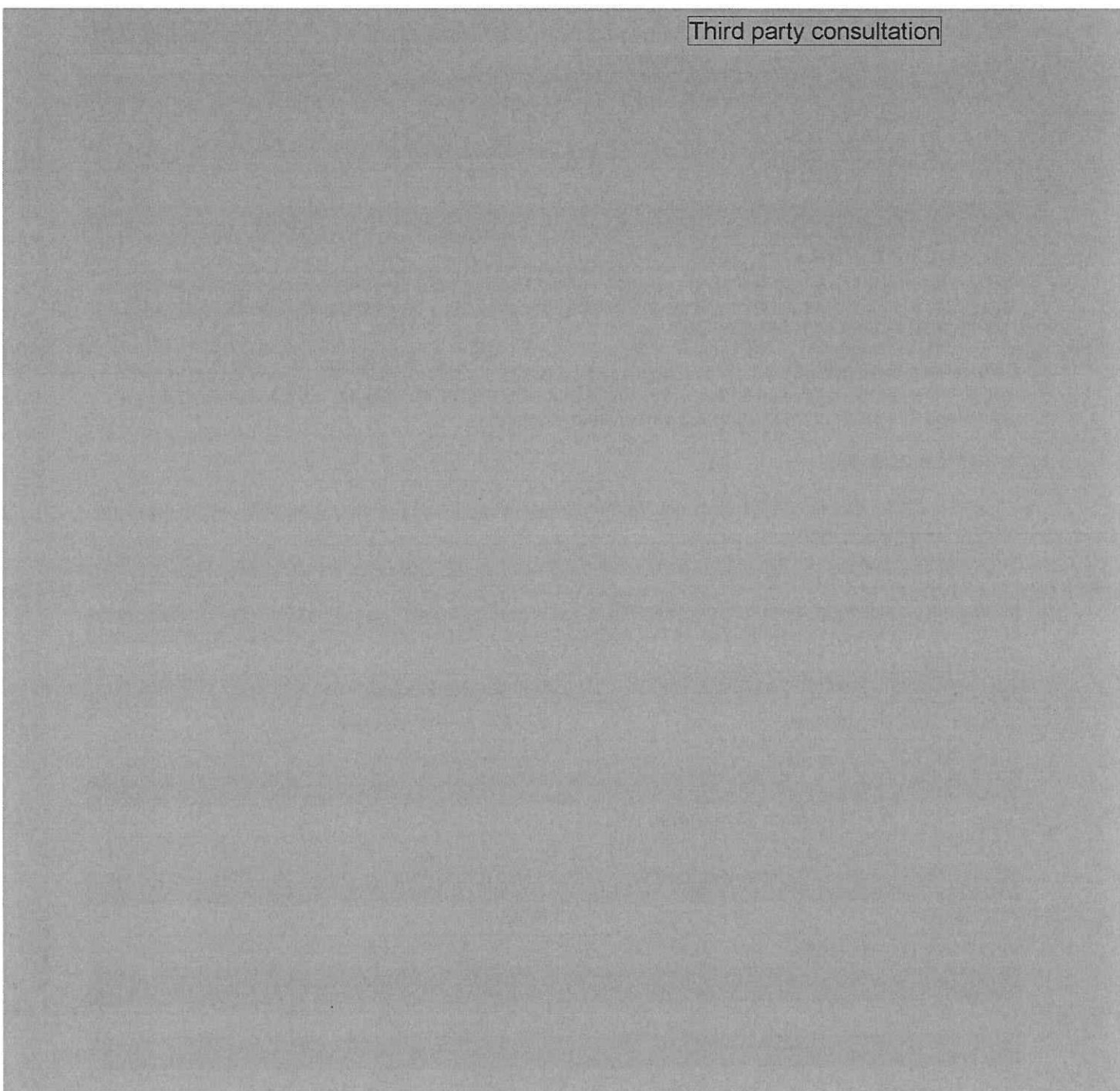
#### Operational Recovery

#### Customer Recovery

#### Incident Specific Action Items

Name	Status	Completed DateTime	Description	Mandatory
				<input type="checkbox"/>

Third party consultation



On Mon, Jul 20, 2020 at 3:14 PM Marshall, Deborah <[Deborah.Marshall@bcferries.com](mailto:Deborah.Marshall@bcferries.com)> wrote:

Can you refresh our memories and send us the current version of the story?

Deborah Marshall

Executive Director, Public Affairs

Marketing & Customer Experience

**British Columbia Ferry Services Inc.**

[REDACTED] FOIPP Act, ss. 15, 19 and 22

[deborah.marshall@bcferries.com](mailto:deborah.marshall@bcferries.com)

**From:** Babin, Janet [mailto:[REDACTED]] FOIPP Act, s. 22

**Sent:** July 20, 2020 11:39 AM

**To:** Marshall, Deborah

**Cc:** Casey Georgi

**Subject:** Re: BC Ferries Underwater Radiated Noise Plan, Orca slowdown, updated media request, WSJ

Ok thank you Deborah. It would be great to get an update as some of the things we discuss reference "coming up this summer" and "last summer."

Best,

Janet

On Mon, Jul 20, 2020 at 2:04 PM Marshall, Deborah <[Deborah.Marshall@bcferries.com](mailto:Deborah.Marshall@bcferries.com)> wrote:

Hello Janet. I'll have to check with Leslie to see if she is available. She is our in house expert.

Deborah Marshall

Executive Director, Public Affairs

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[deborah.marshall@bcferries.com](mailto:deborah.marshall@bcferries.com)

**From:** Babin, Janet [mailto: ] — FOIPP Act, s. 22

**Sent:** July 20, 2020 10:26 AM

**To:** Marshall, Deborah

**Cc:** Casey Georgi

**Subject:** BC Ferries Underwater Radiated Noise Plan, Orca slowdown, updated media request, WSJ

Hello:

Hope you are well, and Covid has not affected your team.

As I believe you know, this story was postponed due to Covid-19. But it will now publish in August. As such, the March interview I did with your organization is out of date and sounds old, with references to "New programs we will implement this summer."

I'd like to request a NEW INTERVIEW, and this time it would be wonderful if you could meet me on a google hangout or Zoom call - and also record your end of the conversation using a smartphone Voice Memo App. Numerous officials have had no problem recording themselves in this way - hoping you're open to it this time around.

Please let me know if you have time this week or next. I expect the interview would take 20 to 30 minutes of your time. I'm CC'ing our producer Casey Georgi.

Thanks so much.

Best,

Janet

On Wed, Mar 18, 2020 at 6:27 PM Marshall, Deborah <[Deborah.Marshall@bcferries.com](mailto:Deborah.Marshall@bcferries.com)> wrote:

Hi Janet

Thanks for taking the time to speak with Leslie James and me today regarding whales on the west coast.

Please have a read of our Underwater Radiated Noise Mitigation Plan:

<https://www.bcferries.com/files/AboutBCF/2019-bc-ferries-underwater-noise-mitigation-plan.pdf>

A couple of other points to note:

We are a global leader on the URN front, industry is looking to us and learning from us (this has been stated to us by IMO, and by several classification societies).

We are already been working with Ocean Wise and the WhaleReport Alert System (WRAS) is a mobile and desktop-based program which alerts commercial mariners (only not the general public) to the presence of whales so that they may take mitigation measures (slowing down, course diversion, etc).

Here is WIOW (open access), ours in in the SEA platform , this is a voluntary measure we adopted (not required by feds)

<https://echolearn.portvancouver.com/>

IR project

Article <https://www.who.edu/news-insights/content/can-thermal-cameras-prevent-ship-strikes/>

Can you please send us a link to your article once published? Thanks.s

Deborah Marshall

Executive Director, Public Affairs

Marketing & Customer Experience

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--

Janet Babin

Host - Senior Producer

WSJ's *The Future of Everything Podcast*

**THE WALL STREET JOURNAL**

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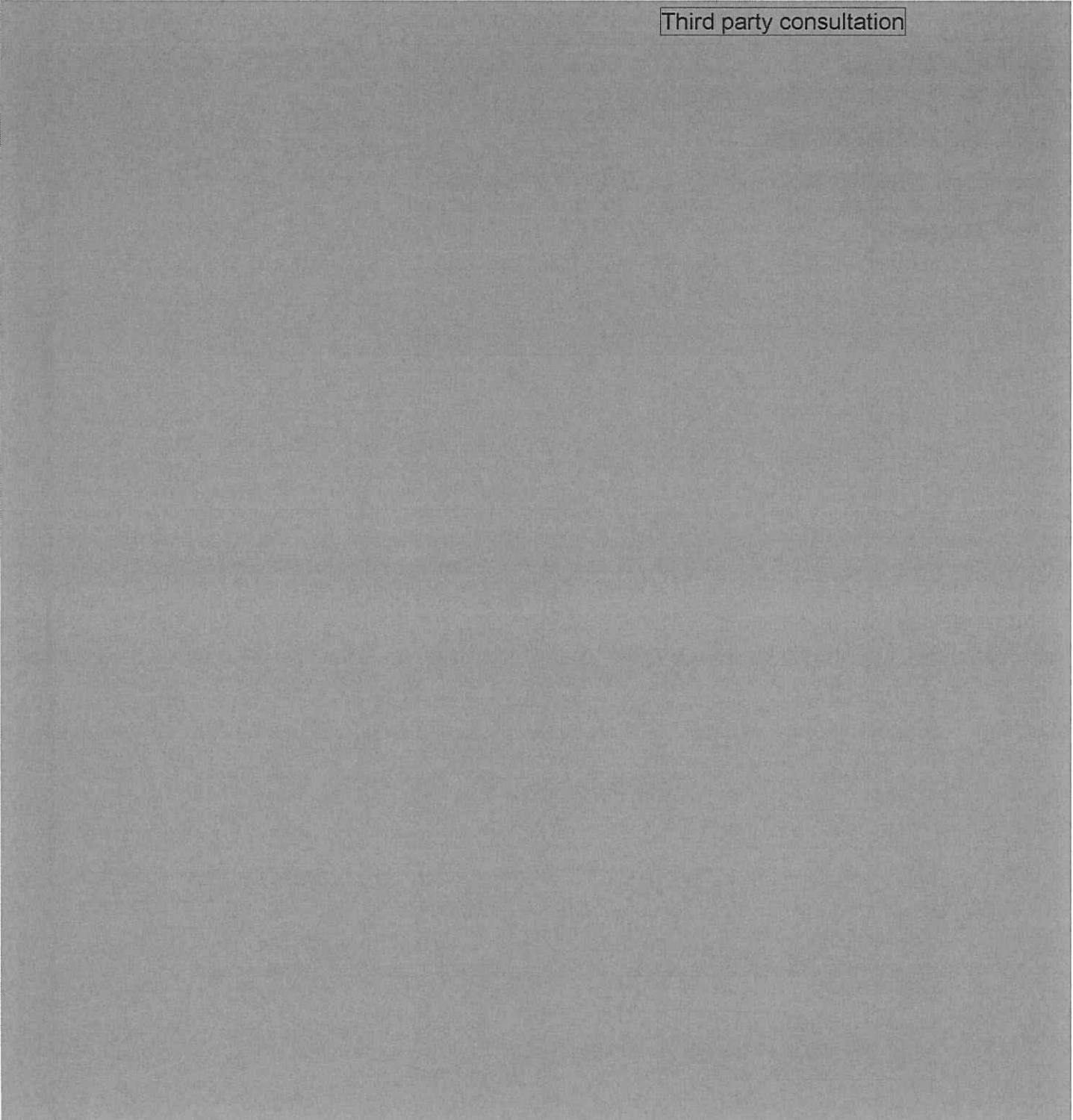
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**Marshall, Deborah**

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Third party consultation



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## Marshall, Deborah

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**From:** Babin, Janet <[REDACTED]> FOIPP Act, s. 22  
**Sent:** July 23, 2020 9:21 AM  
**To:** Marshall, Deborah  
**Subject:** Re: circling back

You had a one day window? We can extend the deadline for you until August 1st. It's your interview that's being updated - we already have one from March. If you can't accommodate another date, and only one day would have worked for you, we can simply use the old interview.

On Thu, Jul 23, 2020 at 11:31 AM Marshall, Deborah <[Deborah.Marshall@bcferries.com](mailto:Deborah.Marshall@bcferries.com)> wrote:

Hello Janet.

Yesterday was our window.

I can tell you that since April 1, we (BC Ferries) have seen six whales 3 of these were Killer Whales (unknown eco-type, could have been transients or Southern Resident Killer Whales), the remaining 3 were Humpback. For clarity last summer the SRKW were not around (transients certainly were).

Our team is extremely busy dealing with the impact of COVID-19. At the beginning of the pandemic, our traffic fell off by 75-80 per cent. Since restrictions are easing, we are currently down about 30 per cent. Info on our website about travelling with us during the pandemic.

[https://www.bcferries.com/current\\_conditions/travel-advisory.html](https://www.bcferries.com/current_conditions/travel-advisory.html)

Here's a link to our recently published Accountabilities Report. You'll find facts and figures in the document.

<https://www.bcferries.com/Investors/AR.html>

Here is a link that OceanWise issued yesterday regarding agencies reporting whale sightings.

<https://www.aquablog.ca/2020/07/ocean-wise-recognizes-top-whale-reporters-of-2019/>

You may wish to contact them.

Regards,

Deborah Marshall

Executive Director, Public Affairs

Marketing & Customer Experience

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[REDACTED] FOIPP Act, ss. 15, 19 and 22

[deborah.marshall@bcferries.com](mailto:deborah.marshall@bcferries.com)

**From:** Babin, Janet [mailto:[REDACTED]] FOIPP Act, s. 22  
**Sent:** July 22, 2020 11:45 AM  
**To:** Marshall, Deborah  
**Cc:** Casey Georgi  
**Subject:** circling back

Deborah - again so sorry we missed you today! We've had a series of meetings that ran late and we both somehow missed your email.

Please let us know of the next window for opportunity.

Again we'd just like to get an update about how the summer has gone, have orca been in the area, (I know last summer they were not around), has there been any other updates. We'd also like to confirm basic info, like ferry size and passenger data - has there been an uptick/downtick this summer, that kind of thing.

--

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## Marshall, Deborah

---

**From:** James, Leslie  
**Sent:** July 22, 2020 1:38 PM  
**To:** Marshall, Deborah  
**Subject:** RE: circling back

I don't get the information in real time but according to the isail notifications since April 1 we have seen whales 6x, 3 of these were KW (unknown eco-type, could have been transients or SRKW), the remaining 3 were humpback. For clarity last summer the SRKW were not around (transients certainly were).

---

**From:** Marshall, Deborah <Deborah.Marshall@bcferries.com>  
**Sent:** July 22, 2020 1:31 PM  
**To:** James, Leslie <Leslie.James@bcferries.com>  
**Subject:** FW: circling back

See note below. I will send her an email. Can you let me know if we have spotted many orcas this summer? How has the summer gone so far?  
Thanks,

**From:** Babin, Janet <[REDACTED]> FOIPP Act, s. 22  
**Sent:** Wednesday, July 22, 2020 11:45 AM  
**To:** Marshall, Deborah <Deborah.Marshall@bcferries.com>  
**Cc:** Casey Georgi <[REDACTED]> FOIPP Act, s. 22  
**Subject:** circling back

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Twitter: @jennababin

**From:** James, Leslie  
**To:** Sweet, Captain Derek  
**Cc:** MacKay, Captain Lewis  
**Subject:** RE: Active Pass vessel interactions  
**Date:** October 27, 2020 1:01:00 PM

---

Thanks Derek! And uhhh that's AWESOME you saw that new youngster!

Third party consultation

>  
> -----Original Message-----  
> From: Sweet, Captain Derek <Derek.Sweet@bcferries.com>  
> Sent: October 27, 2020 9:31 AM  
> To: James, Leslie <Leslie.James@bcferries.com>  
> Cc: MacKay, Captain Lewis <Lewis.MacKay@bcferries.com>  
> Subject: Re: Active Pass vessel interactions  
>  
> Good Morning Leslie,  
>  
> My apologies, this item fell off the side of my desk when things got super busy in the OSC last week. I had searched this item in isail using "whale watcher" as key phrase.  
>  
> I found six items that came up in total , that had anything to do with whale watchers/whale watching VL S. The

search involved our VLs serving rt 5/5a/9/9a/1.

>

> A few of these involved Active pass. But that's as far as I got, before I got side tracked with some other issues.

>

> In my experience most of the dealings with these whale watchers is routine. However, once in a while they do things that are a little unorthodox but more like a mosquito that is bothersome but not worth your effort, if that makes sense. Likely why they go unreported... not really reportable.

>

> Regards,

>

> Derek

>

> Sent from my iPhone

>

>> On Oct 27, 2020, at 8:55 AM, James, Leslie <Leslie.James@bcferries.com> wrote:

>>

>> Good Morning,

>>

>> Were there any more incidents you are able to share?

>>

>> -----Original Message-----

>> From: Sweet, Captain Derek <Derek.Sweet@bcferries.com>

>> Sent: October 13, 2020 4:52 PM

>> To: Brockhausen, Captain Jan <Jan.Brockhausen@bcferries.com>; James, Leslie

>> <Leslie.James@bcferries.com>; Grewal, Captain Hardeep <Hardeep.Grewal@bcferries.com>; MacKay, Captain

>> Lewis <Lewis.MacKay@bcferries.com>; Wetmore, Andrew <Andrew.Wetmore@bcferries.com>

>> Subject: RE: Active Pass vessel interactions

>>

>> Hi Jan,

>>

>> We'll look into that for you and let you know asap.

>>

>> Cheers,

>>

>> Derek

>>

>> Captain Derek Sweet

>> Acting Duty Marine Superintendent

>> Senior Master, Salish Class,

>> Operations, Southern Islands,

>> British Columbia Ferry Services Inc.

>> 1000 Long Harbour Rd., Saltspring Island, B.C., V8K2L8

>> [REDACTED] Email Address derek.sweet@bcferries.com | Facebook |

Twitter

>> Notice: FOIPP Act, ss. 15, 19 and 22

>> This message, including any attachments, is confidential and may contain information that is privileged or exempt from disclosure. It is intended only for the person to whom it is addressed unless expressly authorized otherwise by the sender. If you are not an authorized recipient, please notify the sender immediately and permanently destroy all copies of this message and any attachments.

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>>

>>

>> -----Original Message-----

>> From: Brockhausen, Captain Jan

>> Sent: October 13, 2020 4:11 PM

>> To: James, Leslie; Grewal, Captain Hardeep; MacKay, Captain Lewis; Sweet, Captain Derek; Wetmore, Andrew

>> Subject: RE: Active Pass vessel interactions

>>

>> Hi Derek,

>>

>> Could the OSC please search how many isail reported interactions there have been between ships in Active Pass and whale watchers?

>>

>> Thanks Jan

>>

>>

>> Captain Jan Brockhausen

>> Director, Nautical Standards

>> Fleet Operations

>> British Columbia Ferry Services Inc.

>>

>> jan.brockhausen@bcferries.com

>> bcferries.com | Facebook | Twitter

>>

>> Notice:

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>>

>>



Third party consultation

>> Sent from my iPhone