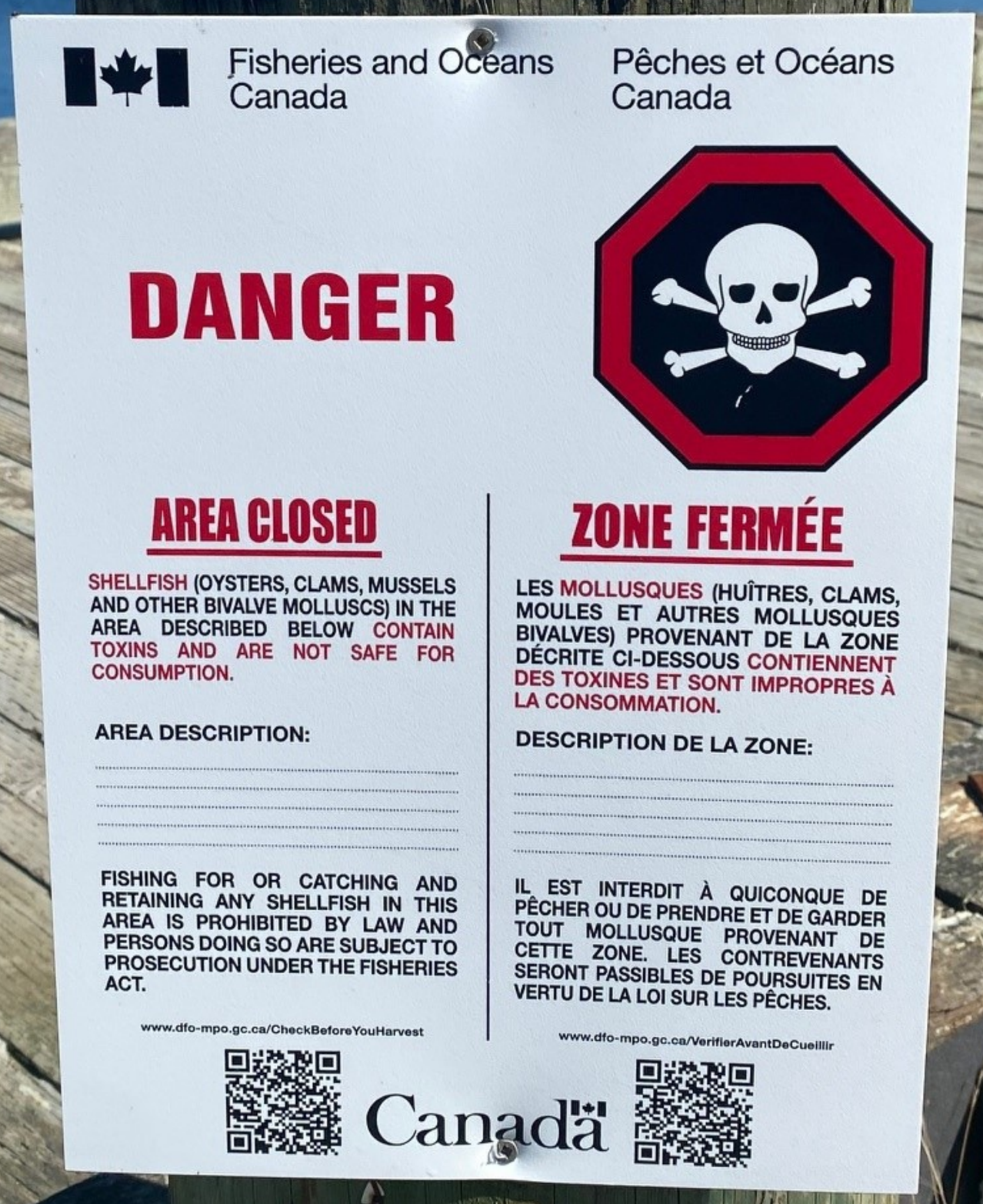
Preliminary Analysis of the Whale Sanctuary Project
Port Hilford Harbour, Barachois Cove, Nova Scotia
Within
The Wine Harbour Gold District
November 10, 2021
by
Marineland of Canada Inc.



By letter dated November 2, 2021 to Marineland of Canada Inc., Charles Vinick, on behalf of The Whale Sanctuary Project, stated: "We have found no environmental impediments to our planning for the whale sanctuary in Port Hilford Bay."

Introduction

The Whale Sanctuary Project ("WSP"), with a proposed site in Port Hilford Harbour, Barachois Cove, Nova Scotia, has stated publicly it hopes to open by the "end of 2022":

> "The goal right now is to start off with around eight belugas.
>
> Right now, the hope is the Whale Sanctuary Project could welcome its first Beluga by the end of 2022…"
>
> Halifax Today, June 14, 2021,"Progress Continues on Whale Sanctuary Project", Lori Marino, the WSP's "founder and president"

In a Toronto Star article dated April 28, 2021, it states,

> "Last month, WSP executive director Charles Vinick told the journal that after extensive community consultation, the organization had struck an agreement in principle for 110 acres of "water space" and 33 acres of land in the vicinity of Barachois Island."[Port Hilford Harbour, Barachois Cove, Nova Scotia] [underline added]

On October 23, 2020, the WSP posted to its website, "A Deep Dive into Environmental Analysis" in which the WSP states,

> "To ensure that the sanctuary can provide the quality of life that the whales deserve, we need to know as much as possible about the bay, the freshwater inlets and ponds nearby, and of the lands surrounding the bay. The results of the data analyses will be included in our permitting submission and will inform our engineering studies for construction of the sanctuary."[underline added]

In order to assess the viability of an anticipated request by the WSP for Beluga Whales from Marineland, Marineland conducted a preliminary analysis of:

1) The proposed sanctuary site;
2) The WSP membership and structure; and,
3) WSP funding and viability.

In conducting this preliminary analysis, Marineland reviewed or considered:

1) Statements by the WSP on their website;
2) IRS filings by the WSP;
3) Reported interviews with WSP members;
4) Scientific Reports and Studies;
5) Department of Fisheries Orders; and,
6) Physical observations at the Site and Information received from local fishermen at the Sanctuary Site.

Marineland conducted a preliminary on site review of the proposed Sanctuary Site in October of 2020.

The WSP holds to an ideological 'belief' that no animal should be kept in captivity. The ideological positions or "beliefs" of the WSP are not relevant to an analysis of the suitability of the proposed facility site, the viability of the WSP, and whether it is capable of funding its commitments to care for animals.

Marineland, therefore, takes no ideological position in its review or evaluation of the WSP Sanctuary.

To be clear, the term "sanctuary" is merely an emotive term for a "facility" housing marine mammals under human care for the duration of their lives. The use of the term "sanctuary" is not otherwise relevant to an objective analysis of any facility housing animals.

The WSP acknowledges that none of the marine mammals it intends to request from Marineland can or will be released into the "wild".

Consequently, Marineland's review is intended to be an objective evaluation of the state of the WSP project as of October 2021 and an assessment of whether the WSP Sanctuary Site may be ready to receive any marine mammals at the end of 2022.

The principal issues identified in this preliminary analysis were not disclosed by the WSP and were only discovered by Marineland in the context of performing this preliminary analysis.

As this is a preliminary analysis the depth of study and evaluation is necessarily limited. Facts and circumstances may change. If they do, the preliminary conclusions reached in this analysis may change.

Executive Summary

Primary Conclusion

1) The proposed site is, for the reasons set out herein, objectively unacceptable for a marine mammal facility, (without any further consideration of the WSP or its plans), for the following three principal reasons:
    a. The entire proposed sanctuary site is polluted, and closed for fishing as "contaminated" due to "pollution" by unrevoked issued Orders of the Department of Fisheries and Oceans Canada **[See Schedule 2, 8, 9 and 10]**;
    b. There are two large unremediated toxic gold mine tailing dump sites from two historic Stamp Mill sites in the sanctuary site itself or adjacent to it, one

is directly on the shore of the sanctuary the other one is situated on Barachois Brook, which drains directly into the sanctuary site **[See Schedule 2-6]**; and,

c. The site contains the unremediated wreck of a car ferry in Barachois Cove. **[See Schedule 2, 11, 12, 13 and 14]**

Discussion and further Issues of Concern

Toxic Tailing Dumps Sites

2) The proposed site is within the clearly delineated area (mapped and studied) of the historic Wine Harbour Gold District. **[See Schedule 3-5]**
3) Gold Mining processes used at the time, and presumably at the two Stamp Mills sites at the WSP Site, relied on mercury and then cyanide at a time (1860-1939) when there were no environmental regulations.
4) Huge volumes of arsenic and mercury were dumped into open mine tailings for decades throughout the Wine Harbour Gold District.
5) The safety and/or stability of the two tailings dumps sites are not known but it is believed they do not meet any modern environmental standards.
6) Dust from toxic tailing sites is dangerous to humans.
7) Accidental spillage from unremediated and improperly stored toxic tailing sites has caused significant environmental damage and loss of life worldwide and continues to pose a real threat to human and animal life.
8) Extensive independent scientific studies in and around the proposed site and related sites nearby demonstrates dangerous toxic levels of arsenic and mercury in the area of the proposed sanctuary site environment on land and in bivalve shellfish in the water.
9) The WSP has failed to disclose, on their website or in any media we are aware of, that the proposed sanctuary site contains toxic mine tailing dump sites.
10) The WSP has failed to publicly address the environmental issues noted above or disclose them to Marineland.

Contaminated Fisheries Prohibition Orders

11) The entire site is also subject to Contaminated Fisheries Prohibition Orders issued by Fisheries and Oceans Canada:

    Under the Fisheries Act Regulations SOR/90-35, Management of Contaminated Fisheries Regulations, section 2, "Contaminated" means "with respect to fish, means fish in or on which bacteria, toxins, chemical compounds or other substances are present to a degree that may constitute a danger to public health".

12) On July 10, 2017, February 8, and March 15, 2019, the Department of Fisheries and Oceans Canada issued Contaminated Fisheries Prohibition Orders for the area of the proposed sanctuary site on the grounds "fish of the species set out ...in the order, in the area(s) described in the schedule to the order, are contaminated **[See Schedule 8]**;
13) Details of the Order are provided by the Government of Canada website, which states as the "Reason", "Sanitary (water quality or sanitary pollution source)."
14) The Orders remain in force "unless otherwise revoked". The Orders have not been revoked.
15) The WSP has failed to disclose the Orders on their website or to the media.
16) It is without any debate that Beluga Whales eat the fish (Bivalve shellfish) identified as contaminated by the Order.
17) Scientific studies are unequivocal that bivalve shellfish are repositories of toxic metals, such as arsenic and mercury.

<u>The Car Ferry Wreck in Barachois Cove [See Schedule 1, 2, 11-14]</u>

18) The WSP has also failed to disclose that there is a large unremediated wreck of a ferry lying in shallow water adjacent to the main dock in Barachois Cove in the Sanctuary Site (the "Wreck").
19) The Wreck constitutes an unacceptable environmental hazard for any proposed sanctuary site.
20) The WSP make no mention of the Wreck on their website or in any media communications and no WSP photos or drawings reference the Wreck. The Wreck was only discovered by Marineland because Marineland attended at the WSP site in October 2021.
21) The apparently intentional public concealment by the WSP of such an obvious environmental hazard is very concerning.
22) The environmental studies done to date by the WSP appear to fail to include necessary studies on the Wreck or any of the contaminants contained in the bivalve shellfish at the proposed site. The WSP has not publicly disclosed the results of the studies of the proposed site it has undertaken to date.
23) Scientific studies and reports are clear that any environmental review of intertidal areas must include analysis of bivalve shellfish as they are sentinel species and store insoluble heavy metals in their tissues that will not otherwise be revealed water testing. It is unknown whether the WSP has undertaken any such studies.

No Services and No Construction

24) There are no water, electricity or sewage services on site.
25) No buildings or structures have been completed by the WSP or appear to be under construction at the site.
26) Disturbance of unremediated toxic tailing dump sites is dangerous and subject to Provincial and Federal laws and regulations. It is not clear what impact the proposed construction by WSP will have on the toxic tailing dump sites.

Funding Issues [See Schedule 15-20]

27) The WSP IRS returns from 2016 to 2020 indicate that the WSP had less than USD $658,000.00 in funds in total as of year-end 2020 and they lack, by their own estimate, the funds necessary to construct the facility, $15-$20 Million for construction, or to operate it, $2 Million annually. **[See Schedule 15 and 16]**
28) Based on its sixty years of experience and knowledge of other facilities, Marineland believes that the WSP's estimate of annual operating costs may be significantly underestimated.
29) Charles Vinick has stated that Beluga Whales can live 50 years. Assuming, as an estimate, a remaining 40 year life span of Beluga Whales (an average age of 10) at the time of transfer to the Sanctuary, the WSP requires at least $80 Million (NPV) from private donors to fund ongoing operational requirements, assuming their untested operational cost assumptions are realistic. **[See Schedule 15 and 16]**
30) On June 14, 2021, Lori Marino, WSP Founder and President, gave an interview in which it was reported,

> "Whales will not start arriving at the facility until they know they have the finances to take care of them for the rest of their lives. …."

31) The WSP state that all of its funding for construction and operation will come from private donations but reports materially insignificant funds raised by donation over the last five years. Funds on hand, as reported to the IRS, are declining year over year.
32) The 2016 IRS WSP Return ,page 2, "Strategic Planning" states that the WSP has a:

> "strategic plan for the next 12 years, which covers three phases of building: 1. Completing the necessary infrastructure…2. Development, administration infrastructure and further staffing 3. Development of a visitor centre and educational programs."

The 2016 WSP strategic plan estimate for operational opening is, therefore, 2028.

33) The estimate of operational opening by 2028 was based on selecting a sanctuary site by "Fall 2017", which did not occur. We have been unable to locate any update

to the strategic plan to reflect delays due to final selection of the sanctuary site in 2020.

34) A review of all progress to date does not provide an explanation or grounds for the reported estimate that the Sanctuary will be operational in 2022, six years earlier than originally estimated by the WSP.
35) The WSP IRS returns indicate that the WSP has not hired any staff, veterinarians, divers, operations staff, anyone at all, to operate the Sanctuary.
36) The single largest ongoing expense of the WSP appears to be the salary of Charles Vinick, executive director. Charles Vinick's reported annual salary as of 2020 is USD $166,667.00 or CDN $207,913.86. **[See Schedule 17]**
37) Of the total expenses by the WSP from 2016 to 2020 between 33% and 46% has been distributed as compensation to just two people, Charles Vinick and Lori Marino.
38) The WSP IRS returns indicate that the entire WSP membership are American citizens non-resident in Canada. Other than Vinick and Marino the IRS returns indicate virtually no weekly activity by any other members on behalf of the WSP.
39) WSP IRS Tax Returns report substantial efforts identified as "Whale Aid" unrelated to the objective of the proposed sanctuary. Commitment by the WSP to the primary objective of constructing and operating a sanctuary is suspect.

No Canadians – No Operational Experience – No Employees

40) The WSP only filed for status to operate in Canada in Nova Scotia in June of 2020. None of the individuals listed in the filling are believed to be Canadian other than local legal counsel.
41) Charles Vinick lives in Santa Barbara California and we understand is over 80 years of age. The President, Lori Marino, is an American and provides her residence as a canyon road in Utah.
42) None of the individuals identified as members of the WSP have any experience in the care of Beluga Whales and none have operated a Beluga Whale facility.
43) None of the individuals identified as members of the WSP are believed to be qualified under Canadian law to provide medical services to any animal, let alone a Beluga Whale.
44) There is no identified veterinary care staff, marine mammal veterinarian, veterinary facility or veterinary program.

No Permits – Contrary to Criminal Code

45) There is no information that any permits have been obtained by the WSP.
46) Presently it is a criminal offence under the Canadian Criminal Code for the WSP to take into their possession any Beluga Whales, Orcas or any other cetaceans in Canada.

Selection of the sanctuary site by the WSP appears to follow on the public rejection of multiple proposed sites to the west of this site closer to Halifax. Opposition by the public to this site appears to be low because the site is otherwise useless because of its polluted state and the unremediated toxic tailing dump sites on or adjacent to the site.

The failure by the WSP to disclose obvious, serious and dangerous levels of contamination and pollution at the proposed site is alarming and misleading to the public, the media, and Government.

Presently, the Whale Sanctuary Project is not physically or financially viable, is not constructed or operational, and is located at a site that is otherwise unacceptable for a marine mammal facility.

The following sets out the information gathered in support of the foregoing.

Statements by Whale Sanctuary Project

WSP IRS Tax Filings 2016-2020 [See Schedule 15-20]

Statements by the WSP are drawn from available WSP IRS Tax Filings from 2016 to 2020, statements on the WSP website, and news reports.

The WSP is a United States non-profit with no reported Canadian members.

WSP IRS Tax Return 2016

The first WSP IRS Tax Return, 2016, states the address for the WSP as 4100 Kanab Canyon Road, Utah, United States.

A google search shows no buildings or offices.

4100 Kanab Canyon Road is identified by the 2016 WSP Return, page 6, as the address of Ms. Marino, the declarant of the Return and the President of the WSP.

The 2016 WSP Return, page 2, states, under the Heading "Briefly describe the organization's mission" … "To establish a model seaside sanctuary where cetaceans (porpoises, dolphins and whales) can be rehabilitated and release into the ocean or can

live permanently in an environment that maximizes well-being and autonomy and is a close as possible to their natural habitat."

Under "Site review process and status" …"We expect the first sanctuary site to be chosen by Fall 2017…"

The 2016 WSP Return, page 2, "Strategic Planning" goes on to state the WSP has a "strategic plan for the next 12 years, which covers three phases of building: 1. Completing the necessary infrastructure…2. Development, administration infrastructure and further staffing3. Development of a visitor centre and educational programs".

Estimated operational viability is, therefore, 2028. This assumed selection of a site by Fall 2017, which did not occur. No revisions to the strategic plan can be found.

At the end of 2016, the WSP reported total revenues of USD $346,954.00 minus USD $271,964.00 in total expenses and a net balance at year end of USD $74,990.00.

WSP IRS Tax Return 2017

The 2017 WSP IRS Return, reports total contributions and grants for 2017 of USD $726,087.00 minus USD $365,952.00 in total expenses and a net balance at year end of USD $435,187.00.

In 2017 salaries paid to Charles Vinick USD $102,083.00 and Lori Marino, USD $56,000.00 plus other compensation and employee benefits were reported to be a total of USD $170,406.00.

Compensation in 2017 to two individuals, Vinick and Marino, represented 46.5% of total reported expenditures by the WSP.

It was reported that "our management team and consultants conducted on-site analysis of more than 30 prospective sanctuary sites in Washington State, British Columbia and Nova Scotia."

WSP IRS Tax Return 2018

The 2018 WSP IRS Tax Return, reported total contributions and grants for 2018 of USD $889,304.00 minus USD $600,516 in total expenses and a net balance at year end of USD $724,085.00.

In 2018 salaries paid to Charles Vinick USD $175,000.00 and Lori Marino, USD $84,000.00 plus other compensation and employee benefits were reported to be a total of USD $276,555.00.

Compensation in 2018 to two individuals, Vinick and Marino, represented 46% of total expenditures by the WSP.

In identical terms to the WSP IRS Tax Return of 2017, it was reported that "our management team and consultants conducted on-site analysis of more than 30 prospective sanctuary sites in Washington State, British Columbia and Nova Scotia."

WSP IRS Tax Return 2019

The 2019 WSP IRS Tax Return reported total contributions and grants for 2019 of USD $1,052,310.00 minus USD $830,032.00 in total expenses and a net balance at year end of USD $946,788.00.

In 2019 salaries paid to Charles Vinick USD $175,000.00 and Lori Marino, USD $84,000.00 plus other compensation and employee benefits were reported to be a total of USD $276,245.00.

Compensation in 2019 to two individuals, Vinick and Marino, represented 33% of total expenditures by the WSP.

The 2019 WSP Return page 2, program service accomplishments states that, Management initiated fundraising meetings and social media outreach to expand the base of support for the WSP…" and the WSP created "Whale Aid" in March 2019 and worked through the year "to assist 97 whales who had been captured illegally in Russia for proposed sale to marine parks in China." The whales were "released into ocean waters". This activity appears to be unrelated to the stated mission of the organization.

It is not clear how Whale Aid activity delayed work on the sanctuary site, if at all, or how it impacted finances intended for the sanctuary site construction and development. It is not clear how this work impacts the commitment of the WSP to the long term work of operating a facility.

The 2019 WSP Return also states, "Two finalist sites were identified" [for the Sanctuary].

WSP IRS Tax Return 2020

The 2020 WSP IRS Tax Return reported total contributions and grants for 2020 of USD $464,517.00 minus USD $753,349.00 in total expenses and a net balance at year end of USD $657,274.00.

This represents a decline in reported total contributions and grants year over year of 44%.

This resulted in a decline in the year-end balance of USD $289,514.00.

In 2020 salaries paid to Charles Vinick USD $166,667.00 and Lori Marino, USD $80,000.00 plus other compensation and employee benefits were reported to be a total of USD $262,773.00.

Compensation in 2020 to two individuals, Vinick and Marino, represented 34% of total expenditures by the WSP.

The 2020 WSP Return page 2 lists additional "Whale Aid" work unrelated to the stated mission of the organization including assistance to the Lummi Nation, and correspondence with the president of Kazakhstan. Again, as noted above, it is not clear what funds, work and commitments were diverted from the objective of constructing and operating as a whale sanctuary.

The 2020 WSP Return does report that 12 educational webinars were conducted and the organization "increased its social media reach". It also reported "Extensive marine and freshwater and sediment samples were collected seasonally [at the site] and tested by Bureau Veritas for nutrients, metals and coliform levels."

WSP IRS Tax Returns – Summary

At no time from 2016 to 2020 did total contributions or grants to the WSP exceed USD $1,053,000.00 on an annual basis.

As noted below, those amounts do not meet the WSP estimated annual operating costs of $2,000,000.00 or contribute in any way to capital construction, estimated by the WSP to be $15,000,000.00 to $20,000,000.00.

The WSP has yet to demonstrate it is financially capable of constructing or operating the proposed whale sanctuary for one year let alone the anticipated minimum 40 year life span of a Beluga Whale (assuming ten years of age on transfer) transferred to the Sanctuary site.

Media Reports and Public Statements by the WSP

On December 16, 2019, CTV News Atlantic reported "Meeting on whale sanctuary in Sheet Harbour gets heated as opponents list concerns", as follows, "The sanctuary would cost an estimated $20 million, which the committee says it will fundraise."

On Wednesday February 26, 2020, under the title "Whale Sanctuary Coming to Port Hilford", the WSP Press Release of February 25, 2020, was reprinted. The statement states in part,

> "The Whale Sanctuary Project announced today that it will …. create a seaside sanctuary in Port Hilford…"
>
> "Of the hundreds of locations that we've researched in British Columbia, Washington State and Nova Scotia, Port Hilford stands out as the premier location for a whale sanctuary," said Charles Vinick, Executive Director of the Whale Sanctuary Project."

> "Port Hilford offers an expansive area that can be netted off for the whales in a Bay that's open to the ocean but is sheltered from storms. It has access to necessary infrastructure and plenty of room along the shore for the facilities that will be needed to care for the animals…
>
> It's an ideal location for whales…," Vinick said…"
>
> "The Whale Sanctuary Project objective is to have the sanctuary ready to receive whales by the end of 2021."
>
> "Dozens of considerations went into selecting the best location for a seaside sanctuary…"
>
> "Funding for the creation and operation of the sanctuary will be through private donations. …"

On October 23, 2020, the WSP posted, "A Deep Dive into Environmental Analysis" in which the WSP states,

> "To ensure that the sanctuary can provide the quality of life that the whales deserve, we need to know as much as possible about the bay, the freshwater inlets and ponds nearby, and of the lands surrounding the bay. The results of the data analyses will be included in our permitting submission and will inform our engineering studies for construction of the sanctuary."
>
> "With water samples taken at a variety of locations in the bay, we are doing lab analyses for around 30 different metals and we're measuring nutrient levels to test for any contaminants in the water."
>
> "During the snowmelt we identified and measured all of the major freshwater sources that enter the bay…"

On March 18,2021, Charles Vinick posted under the title " A Major Update on the Creation of the Whale Sanctuary Project", that it had been "just over a year "since the WSP announced that "Port Hilford Bay Nova Scotia" as the site of the sanctuary.

Vinick states further that "after a year of site development work" the WSP has decided on the "specific placement of the sanctuary within this large bay".

Importantly Vinick states,

> "There have been two main elements to reaching this next stage. The first involved several months of gathering environmental data to understand as much as possible about every aspect of the bay and its surrounding land. That's because the 110 acres that will be the whales' home need to be in an environment that's interesting, varied and enriching, sage and healthy both for them and for all the other living creatures who inhabit the bay."…

> "the sanctuary will be located in 110 acres of ocean around the wharf near the mouth of Port Hilford Bay."
>
> "…. We must immediately be even more active in raising the funds necessary to build the sanctuary itself." **[See Schedule 1-14]**

On March 27, 2021, the CBC, under the title, "Reality Check" needed as N.S. whale sanctuary project coasts ahead", Charles Vinick is quoted in part,

> "It's a really enriching environment for them and much healthier than anything they've experienced before."
>
> "Since most whales in captivity do not have the skills to survive on their own in the wild, they would remain in the sanctuary for the rest of their lives, which in the case of the beluga can be 50 or 60 years, and even longer for orcas."
>
> "Vinick says all funding for the project will come from donations, and the group has already raised millions, though he declined to specify a number."
>
> "The group has already done studies of hydrodynamics, water chemistry and plankton, and is not aware of <u>any</u> potential negative environmental impact from the project, Vinick says."

In a Toronto Star article dated April 28, 2021, it states, "Last month, WSP executive director Charles Vinick told the journal that after extensive community consultation, the organization had struck an agreement in principle for 110 acres of "water space" and 33 acres of land in the vicinity of Barachois Island."

On June 2, 2021, the WSP posted "Sanctuary Operations Center to Open in July", which stated,

> "It's the first step in the physical creation of the whale sanctuary: the Operations Center. And … we're planning to open it by the end of July." **…** "Located in the nearby town of Sherbrooke, about 20 minutes from the Sanctuary Site, the Operations Center will be our home base for directing the design, engineering and construction of the sanctuary."

In October 2021 during the site inspection a visit was made to the proposed Operations Center. An individual on site stated that it was not yet open. A visual inspection confirmed that the interior was still under construction.

In an interview reported on June 2, 2021, "Eastern Shore whale sanctuary moving forward", Lori Marino is quoted, that we "Have done a lot of work on environmental analyses…", and,

> "Marino said they have so far raised "a few million" toward the estimated $15 Million construction costs and intend to soon begin a capital campaign that will also raise money for the anticipated $2 million annual operation expenses."
>
> "The goal is to have construction complete and to begin accepting beluga whales … by late next year."

In an interview with Halifax Today reported June 14, 2021,"Progress Continues on Whale Sanctuary Project", Lori Marino, the WSP's "founder and president" stated as follows:

> The is the right place for two reasons … One is the physical aspects. It just has the right topography, the right temperature range, the right protection, depth, etcetera. But it's also closer to Sherbrooke…".
>
> "By the end of the month, the Whale Sanctuary Project hopes to officially open its Operation Center…which will be its home base for planning, designing and consulting with expert advisors."
>
> "The facility will have a full-service veterinary clinic along with a focus on educational opportunities."
>
> "The project will be funded by donations and Marino estimates it will cost $12 to $15 million to get the sanctuary up and running, then another $1-to-$2 million a year after that for food, staff and everything else needed to generally keep the whales healthy and safe. … She said whales will not start arriving at the facility until they know they have the finances to take care of them for the rest of their lives. …. The goal right now is to start off with around eight belugas."
>
> "Right now, the hope is the Whale Sanctuary Project could welcome its first Beluga by the end of 2022…"

In "The Hard Sell of Whale Sanctuaries", Hakai magazine, July 20, 2021, it states,

> "A jaunt around Port Hilford is proof that there certainly used to be more. To get from the town to the sanctuary site requires navigating a pitted dirt lane that snakes around the west side of Port Hilford Bay. Once the main drag of a gold mining community settled around the time of the American Civil War, it's now overgrown by the encroaching woods."
>
> "At Port Hilford the risk of interference with wild animals is nearly zero, according to Vinick."
>
> "Extreme weather is a different story: the area has been hit by two post-tropical storms in the past two years alone. But Vinick is far from blithe about that…"
>
> "WSP has also hired a full-time fundraising director, and in December 2020 launched a new fundraising campaign…"

> "Before the pandemic, Vinick and Marino hoped their sanctuary would welcome whales this year. Vinick is now eying the end of 2022…"

In a Toronto Star article dated August 11, 2021, "First Orca proposed for whale sanctuary", it states,

> "The US based animal advocacy magazine One Green Planet is asking readers to urge the owners of Marineland in Niagara Falls Ont. To send its sole Orca to the Port Hilford refuge… which is … not expected to become operational until at least 2022.
>
> Charles Vinick is quoted, "Yes, we're not ready, we're not there yet… and… "Now, what we really want to have is an open dialogue with Marineland…".

The WSP did not contact Marineland.

On September 27, 2021, the WSP posted "Of Mice and Orcas" and Lori Marino stated, in part, in relation to Kiska the Orca housed at Marineland "People who have visited Marineland Canada recently have been commenting on the increasingly unusual behaviour of the lone, solitary orca Kiska." And then states, "These kind of repetitive abnormal behaviours are called stereotypies … That is what makes Kiska's behaviour so painful to watch… she deserves to recover in an environment…We expect Kiska will also blossom if she is allowed to go to sanctuary."

The WSP has not contacted Marineland regarding the foregoing. Lori Marino has not attended at Marineland or viewed Kiska directly.

A Marine Mammal "Sentinel" Species – The Beluga Whale **[See Schedule 1-14]**

Marine mammals, such as Beluga Whales, are "prime sentinel species because many species have long life spans, are long-term coastal residents, feed at a high trophic level, and have unique fat stores that can serve as depots for anthropogenic toxins." Marine Mammals as Sentinel Species for Oceans and Human Health, G.D. Bossart, December 15, 2010.

Sentinels are:

> "barometers for current or potential negative impacts on individual and population level animal health."
>
> Marine Mammals, such as Beluga Whales, "share the coastal environment with humans and consume the same food", and are exposed to the "anthropogenic contaminant burden" [Human caused Pollution]
>
> "Marine mammals are exposed to a variety of persistent organohalogen compounds (POCs) and inorganic pollutants that bioaccumulate in marine ecosystems, resulting in high tissue contaminant concentrations."

> "Persistent organohalogen compounds are resistant to environmental degradation and persist for long periods, becoming widely distributed geographically and accumulating in the fatty tissues of humans and wildlife."
>
> "The associations of adverse health effects with POCs in marine mammals have been arguably linked to increased infectious diseases susceptibility, immunosuppression, reproductive impairment, edocrine disruption, and neoplasia. In toxicology testing in laboratory species, convincing evidence exists for the toxicopathologic effects of many of these contaminants on endocrine, neurologic, reproductive, developmental, immunologic, and cellular systems."
>
> "Beluga Whales from the St. Lawrence region develop a wide variety of neoplasms, many of which are of similar types to those seen in domestic species and in humans. Exposure to carcinogenic contaminants such as POCs in the food chain is a speculated cause of the high prevalence of neoplasia in this population of whales."
>
> Marine Mammals as Sentinel Species for Oceans and Human Health, G.D. Bossart, December 15, 2010.

The Wine Harbour Gold Mining District [See Schedule 1-6]

A simple google search of the sanctuary area, "Sherbrooke, Wine Harbour, Port Hilford (formerly Indian Harbour), Barachois Cove") reveals that:

> "Gold was discovered in the area in 1861 and Sherbrooke entered a gold rush which lasted two decades. … The Community is the site of an open-air museum called "Sherbrooke Village" which depicts life in the later 1800s in the wake of the gold rush area."…a "Miners came from all over Canada and the United States to stake a claim in the gold of the Sherbrooke area." Wikipedia entry for "Sherbrooke"

Sherbrooke is the proposed site of the WSP Operations Center. See photo below of the WSP center in Sherbrooke.

A simple google search of gold mining and Sherbrooke, Wine Harbour and Port Hilford leads to the following public information.

The Government of Nova Scotia, Geoscience and Mines Branch, identifies the "Wine Harbour Gold District" and provides a copy of the Geological Survey of Canada Map 867, Wine Harbour Gold District, compiled by E.R. Faribault, 1905.

The proposed sanctuary site is clearly within the identified confines of the Wine Harbour Gold District.

A simple follow up google search leads to "Impact of historical gold mining activities on marine sediments in Wine Harbour, Nova Scotia, Canada", in Atlantic Geology, Little, Parsons, Law, Milligan, Smith, October 13, 2015. Authors include employees of Natural Resources Canada and Fisheries and Oceans Canada.

The Abstract to the article states, clearly,

> "Past investigation at historical gold (Au) districts in Nova Scotia, Canada have identified elevated concentrations of arsenic (As) and mercury (Hg) in nearby sediments and water. These metal(loids) are derived from erosion of mineralized bedrock, and the disposal of mine tailings into the environment during early operations. The Wine Harbour gold district is located along the eastern shore of Nova Scotia, and produced 1329 kg of Au from 75581 tons of crushed rock from 1862 to 1939. ... Historical maps document tailing deposits near former stamp mill sites; however, the extent to which these mine wastes influence environmental quality in the adjacent marine environment is uncertain.... In general the highest metal(loid) concentrations in sediments were recorded down-gradient of stamp mill sites."

Please see **Schedule 5**, which clearly identifies two historic stamp mill sites and associated tailings dumps in the location of the proposed sanctuary.

The first, Eureka Mill, and its associated tailing dump is located on Barachois Brook which drains directly into Barachois Cove, the WSP Sanctuary Site.

The second unnamed Stamp Mill and its associated tailing dump is on Sanctuary Site land and the tailings dump is on the shore of the Sanctuary Site, separated from the Ocean by a thin strip of land.

Schedule 5 identifies multiple mine shafts on the land forming part of the sanctuary site or adjacent to it.

The Article reports, in part, as follows:

> "early operations relied primarily on Hg [mercury] amalgamation to extract Ar from ore, and it is estimated that 10-25% of the initial Hg [mercury] added during milling was routinely lost to the environment."
>
> "Moreover, As (arsenic) occurs naturally in minerals ... associated with the auriferous host rock, and was concentrated in mine waste (tailings) through mineral processing activities."
>
> "In the absence of environmental regulations during historical operations, tailings were generally discharged directly onto the surrounding land and into receiving environments including wetlands, streams, lakes and the ocean."

> "Investigations dating back to the 1970's have identified elevated concentrations of As (arsenic) and Hg (mercury) in sediments, water, vegetation, and biota downstream of these gold districts."

> "The fate and effects of historical gold mine tailings disposal directly into the marine environment from coastal stamp mills are not well understood."

Seal Harbour is located to the East of the Sanctuary Site. The Article, page 345 reports,

> "Follow-up studies of soft-shelled clams collected from an intertidal tailings flat in Seal Harbour documented some of the highest concentrations of As (arsenic) in clam tissues ever reported in the scientific literature (up to 2300 ppm dry weight…) leading to the closure of this area for bivalve shellfish harvesting in May 2005" and … "much of the As (arsenic) in these edible species is in a highly toxic inorganic form …."

> "Studies have documented large volumes of unconfined tailings in many gold districts, with some deposits extending more than 2km from their source. Early results from these investigations led to the formation of the Provincial-Federal Historic Gold Mines Advisory Committee in 2005."

The Article clearly states that with respect to the sanctuary site within the Wine Harbour Gold Mine District, as of 2015" Since production ceased in 1939, there has been no environmental remediation within the district, and tailing deposits persist in the area." Page 346

The Article goes onto expressly state,

> "… most tailings are located in close proximity to old stamp mill structures (Glover et al 1983). Their observations suggest that the majority of tailings were located on land, with a lesser amount stretching out short distances into the harbour in areas where mills were adjacent to the shoreline. Tailings deposits were also documented in freshwater streams, particularly Barachois Brook, where the Eureka Mining Company had constructed a 10-stamp mill (fig, 3) (Glover et. Al.) Currently, the on-land tailings are heavily overgrown by spruce, fir, alders, and other mixed shrubs." Page 347

> "Field observations and geochemical results (discussed below) confirmed previous assumptions that four main tailings deposits occupy the terrestrial and marine environments at Wine Harbour. … Two deposits are located… a third accumulation is located down gradient of the Old Eureka mill, and a fourth is situated just east of this in a swampy area close to Barachois Cove."p350

> "Arsenic and Hg concentrations measured in subsamples from 10 on land tailing sites at Wine Harbour (Table 1) ….demonstrates that As [arsenic] burdens are exceedingly high." Page 350

> "The elevated As [arsenic] and Hg [mercury] burdens documented in the tailings and intertidal zone samples at Wine Harbour suggest that they could present a risk to human and ecosystem health (CCME 1999, 2001)." Page 351

> "Many contaminants in aquatic environments are associated with loosely packed aggregates of material called flocs …. That accumulate at the sediment-water interface. This reactive material has a high specific surface area and is ideally suited to accumulate and transport contaminants in the marine environment. The presence of this floc layer…may represent an important pathway for the uptake of contaminants by filter-feeding organisms…" page 356

> "bioaccumulation of As [arsenic] and Hg [mercury] by organisms living in direct contact with contaminated sediments is the primary risk to ecosystem and human health in the Wine Harbour gold district." Page 360

> "Mercury amalgamation techniques, unconfined tailings disposal, and post-depositional erosion of contaminated sediments are responsible for the release of high concentrations of naturally occurring As and anthropogenically derived Hg to the terrestrial and marine environments in the historical Wine Harbour gold district." Page 360.

In the Marine Pollution Bulletin (2016) "Biological effects of gold mine tailings on the intertidal marine environment in Nova Scotia, Canada", the results of studies conducted by Environment Canada in 2004 and 2005 to "measure the magnitude and distribution of arsenic and mercury in sediments, water, and bivalve molluscs" is reported. Page 2

Wine Harbour was included among nine former mine sites for the 2005 study. Page 2

The article states,

> "The results from this study identified … Wine Harbour… as areas highly contaminated by arsenic and mercury from gold mine tailings." Page 11

> "The results from this study on arsenic in clams were used by Health Canada and the Department of Fisheries and Oceans to close the area at Seal Harbour….to shellfish harvesting." Page 11

> In reference to gold mining from the 1860s to the mid 1900s the article states "The fine grained wastes from the milling process (tailings), were contaminated by mercury and arsenic and these contaminated tailings were generally deposited without any form of control into natural water bodies or into low lying areas next to water bodies." Page 1

> "Eisler (2004) suggested that mercury has no beneficial biological function. Instead, its presence in living organisms cause neurotoxicity, birth defects and other adverse effects. Its ability to transform to more toxic forms (methyl mercury) and biomagnify within the food chain poses risk of adverse biological effects in ecosystems, especially to organisms

in higher trophic levels (for example, fish eating mammals and birds), and in humans…" page 1

"Since arsenic is found abundantly in the gold ore, when disturbed and altered, it can have serious repercussions on the environment and human health. The World Health Organization (WHO, 1992) reported that inorganic arsenic is a documented human carcinogen….Environment Canada and Health Canada (1993) concluded that arsenic and its compounds are considered to be "toxic" to the environment and constitute a danger to human life or health." Page 2

"Gomez-Caminero et al (2001) found that marine biota tend to accumulate much higher concentrations of arsenic than freshwater species. Neff (1977) suggested that the highest concentration of arsenic are found in tissue of marine mammals … These species include planktonic crustaceans, bivalve molluscs, herbivorous snails, and some polychaete worms."

"Releases from gold mining operations pose potential risks to the ecosystem and human health either through direct exposure to tailings, or indirectly from contaminated air, water or through the consumption of arsenic or mercury contaminated organisms." Page 2

"Mollusc species can provide valuable insight on the availability of metal (oids) to the food web. Dixon and Wilson (2000) suggest that mussels are a good choice for the detection of pollution because they accumulate a variety of chemical substances due to their filtration capacity, their contact with sediments and the water column, and because of their low mobility." Page 2

On October 12, 2019, the CBC Nova Scotia reported, "How do you clean up a contaminated 150-year old gold mine?", in reference to mine tailings deposits at historic gold mines, including a gold mine near Sherbrooke within the Wine Harbour Gold mine district. The CNC reports "Arsenic levels at the two sites are astonishing".

The CBC reported that remediation involved "excavating the tailing within the greatest contamination to a depth of two metres and placing them in a lined containment cell."

A "containment cell is "made with a berm, an impermeable liner, a leachate collection system and an impermeable cover system."

The two sites, one within the district where the sanctuary is proposed, will "also require a water treatment system as well as a wall to prevent contaminated water from leaving the excavation zone."

The CBC reports "The sites are challenging to clean up, the reports note, because of the sheer size of the tailings areas and the fact some areas flood seasonally." The CBC goes on to note the cleanup will take place "over five years".

The CBC reports "Ingesting arsenic in moderate levels over a lifetime can cause cancer, according to the provincial government, while ingesting high concentrations over a short period of time can cause sickness. Daily exposure to dust from tailings can also cause health effects." … "and people are advised to avoid tailings."

Gold Production in Nova Scotia

"In the hard rock gold mines of Nova Scotia, the gold is extracted from the ore first by pulverizing the rock and then using chemicals to remove the gold from other minerals." The Virtual Museum of Canada, "Extracting the Gold"

The Ore is "crushed into fine sand by the Stamp Mills" The Virtual Museum of Canada, "Extracting the Gold"

Mercury was used in the gold extraction process. The sand left behind following the extraction process is called "tailings and dumped". The Virtual Museum of Canada, "Extracting the Gold"

"About 10-25% of all mercury used was lost in tailings." The Virtual Museum of Canada, "Extracting the Gold"

"In the late 1800s cyanide started to be used to concentrate and capture gold from ore in a similar process to the mercury extraction." The Virtual Museum of Canada, "Extracting the Gold"

"Toxic sodium cyanide has been used in gold mining since 1887". March 7, 2016, Mining Technology, "Should cyanide still be used in modern-day mining?"

"Cyanide is acutely toxic to humans, other mammals and aquatic species at relatively low dosages, as it interferes with oxygen utilization." March 7, 2016, Mining Technology, "Should cyanide still be used in modern-day mining?"

"Accidents and spills generally only occur when a company fails to design, build and operate a mine safely, especially in regards to the tailings dam."

"The major spills have nearly always been caused by the tailings dam – they might be old, not inspected frequently enough and by a good geotechnical engineer," Blackmore says. "The lining systems may not be installed correctly; there might be over topping."

"Other chemicals, such as mercury which is commonly used in artisan mining, is considered to be even more harmful than cyanide." March 7, 2016, Mining Technology, "Should cyanide still be used in modern-day mining?"

The current status and safety of the two toxic tailing dumps on the sanctuary site or adjacent to it are presently unknown.

Department of Fisheries Contaminated Fisheries Prohibition Orders **[See Schedule 7 and 8]**

The entire site is subject to Contaminated Fisheries Prohibition Orders issued by Fisheries and Oceans Canada.

Under the Fisheries Act Regulations SOR/90-35, Management of Contaminated Fisheries Regulations, section 2, "Contaminated" means "with respect to fish, means fish in or on which bacteria, toxins, chemical compounds or other substances are present to a degree that may constitute a danger to public health".

See the attached chart identifying the area under Order.

The fish identified in the Order include species that form part of the diet of Beluga Whales.

July 10, 2017, Contaminated Fisheries Prohibition Order No. MCH-2017-001

On July 10, 2017, the DFO issued Contaminated Fisheries Prohibition Order No. MCH-2017-001 for the area of the proposed sanctuary site on the grounds that the "Regional Director-General, Maritimes Region, Fisheries and Oceans for the Maritimes Region has reason to believe that fish of the species set out in section 2 of the annexed order, in the area described in the schedule to the Order, are contaminated:

The contaminated fish subject to the Order and described in the Order under the heading "Prohibition", "all species of clams, quahaugs, mussels, oysters, all whelks and Bay scallops."

The Order "remains in force unless otherwise revoked". The Order has not been revoked.

February 9, 2019, Contaminated Fisheries Prohibition Order No. MSN-2019-08

On February 8, 2019, the DFO issued Contaminated Fisheries Prohibition Order No. MSN-2019-08 for the area of the proposed sanctuary site on the grounds "fish of the species set out in section 2 of the annexed order, in the area(s) described in the schedule to the order, are contaminated;

Please see ITEM:1 below, forming part of Contaminated Fisheries Prohibition Order No. MSN-2019-08 identifying the proposed sanctuary site as "CLOSED" pursuant to the Order.

The contaminated fish subject to the Prohibition Order are "All bivalve shellfish including Atlantic razor clams, Atlantic surf clams, bay quahaugs, northern propeller clams, ocean quahaugs, Softshell clam, Stimpson's surf clams, bay mussels, blue mussel, Horse mussels, American oysters, bay scallops, Iceland scallops, Common periwinkles, Northern moon sails, Waved whelks, Stimpson's whelks, except sea scallops."

Details of the Order are provided by the Government of Canada website which states as the "Reason" "Sanitary (water quality or sanitary pollution source).

The Order remains in force "unless otherwise revoked". The Order has not been revoked.

March 15, 2019, Order Prohibiting Fishing for Contaminated Fish No. MSN-2019-157

On March 15, 2019, the DFO issued an Order Prohibiting Fishing for Contaminated Fish No. MSN-2019-157 for the area of the proposed sanctuary site on the grounds "fish of the species set out in section 2 of the annexed order, in the area(s) described in the schedule to the order, are contaminated;

The contaminated fish subject to the Prohibition Order are "All bivalve shellfish including Atlantic razor clams, Atlantic surf clams, bay quahaugs, northern propeller clams, ocean quahaugs, Softshell clam, Stimpson's surf clams, bay mussels, blue mussel, Horse mussels, American oysters, bay scallops, Iceland scallops, Common periwinkles, Northern moon sails, Waved whelks, Stimpson's whelks, except sea scallops."

The Order remains in force "unless otherwise revoked". The Order has not been revoked.

Wreck of Car Ferry in Site

SEE SCHEDULES 11-14

Schedules 11-14 are photos of the partially submerged wreck of a "ferry" sunk in the proposed sanctuary site and immediately adjacent to the Barachois Cove Dock.

In comparison the WSP website of the site does not disclose in any photos the wreck or mention its presence in the site.

It is apparent from a visual inspection of the wreck that it remains covered in paint, rust, old tires etc. It does not appear to have been cleaned in any way and poses an obvious and serious issue of environmental contamination to the site and a risk to any marine mammal.

Remediation and removal of this wreck is not addressed in any WSP IRS Return, the WSP website, or any public statements that could be located.

Status of Site Facilities – The WSP Plans

The WSP website sets out the plans for the proposed sanctuary site, including infrastructure, services, buildings, veterinary services, etc.

As of October 2020 there are no services at all at the site and nothing built or under construction at the site.

Electricity/Power Infrastructure

There is no electricity or power infrastructure at the site.

Local fisherman stated that the closest hydro line is approximately a kilometer away.

It is not known whether such a line has the capacity to provide electricity for the proposed sanctuary site. Based on descriptions by the WSP it does not seem that such a line could provide the necessary electricity for the site.

Water

There is no running fresh water at the site. There appears to be no well either.

The site contains a number of mine shaft sites. Their location, depth, and relation to the sanctuary site is not clear.

Any well drilling must take into account mining activity.

The site contains unremediated mine tailings with reported high levels of at least arsenic and mercury.

It is not clear that a freshwater well will contain safe freshwater free from arsenic and mercury contamination.

Waste Services

There are no municipal services and no waste treatment.

A full septic system must be installed.

It is not clear that a septic system may be installed on site due to unclear mine shaft locations and activities.

There is no garbage pickup at the site. All waste will have to be removed privately.

Gas

There is no gas station or other services nearby.

Medical

There are no medical facilities for people or animals in any close proximity.

Statements by the WSP regarding the Sanctuary Structure

The website for the Whale Sanctuary, under the heading "Sanctuary Structures- Sample Plans set out examples of "designs for the sanctuary perimeter nets and net structures, along with support building lay outs and floor plans."

The Enclosure

"The net, net structure, anchoring and cork line will establish and mark the perimeter of the sanctuary" and will provide "for a walkway" specified by "Poseidon Ocean Systems" and anchored and attached at "two small docks". The total net length is identified as "1,607" metres.

Poseidon Ocean Systems has independently and directly advised that the structure (not including nets) will cost approximately $4,000,000.00 CDN.

Poseidon Ocean Systems has also independently and directly advised that the estimated annual cost of net cleaning and basic repairs, absent any major repair, to be approximately $200,000.00 CDN annually.

No cost for the nets is provided.

Poseidon Ocean Systems advises that, as of October 2021, they have not entered into any contract for the provision of the structure to the Sanctuary.

Shade

Please see **Schedule 1**.

Due to the proposed design of the WSP sanctuary site there is NO SHADE available to any animal.

Regulations under the Provincial Animal Welfare Act, Ontario require the provision of shade to any marine mammal

Separation of Animals

The Canadian Council on Animal Care Guidelines on the care and use of marine mammals, Guideline 56, states, "Each institution should have the ability to separate any marine mammal for behavioural or management purposes."

The WSP sanctuary site is one single open area without any areas to separate out animals.

Storms

Local Fishermen report regular winter storm activity in the area. They report that the entire Barachois Cove dock was destroyed in a storm approximately twenty years ago.

Two major tropical depression storms have hit Nova Scotia this year alone.

The proposed site is exposed to the open North Atlantic.

During low tide the majority of the site is reported to be at six feet of depth or less.

There is a real and substantial risk that Beluga Whales contained in a net system during a storm at low tide will be driven into the nets and become entangled or driven onto the shore and injured or killed by a storm.

Single Net line

The current WSP plan proposes a single net line. It is a common occurrence in aquaculture for nets to be torn or breached. In the event of a single torn or breached net line at the sanctuary all of the Beluga Whales contained in the sanctuary could be released into the open Ocean.

Protected Feeding Area

There is no protected feeding area identified in the area. It is not clear how it is intended to feed Beluga Whales during storms or other inclement weather.

The Veterinary and Animal Care Building

The WSP website states that "The veterinary and animal care building will house state of the art equipment and will designed to used innovative and ecologically responsible technologies … and it … will be equipped with IT Hardware… meeting and office space… sterile lab…. And equipment storage for a full time veterinarian."

There is no building on site and no services for any building if built.

The estimated cost of such a facility is easily $10 to $20 Million.

Marine Operations, Security and Administration Building

The building is to include "administrative facilities, office, conference rooms, it area, kitchen, bunks, shower and ADA compliant restroom facilities, a specialized workshop for marine/dive operations, equipment storage, repair shop, security and observation facilities and research spaces."

There is no building on site and no services for any building if built.

The estimated cost of such a facility is easily $5 to $10 Million.

Net Loft and Generator Storage Building

This building is to consist of a "large workshop area, indoor boat and equipment storage, and an onsite generator."

There is no building on site, no nets, no boat, no vehicles, and no generator.

The estimated cost of this building, nets, boat, vehicles and generators is $5 to $10 Million.

The Observation Tower

The tower is to be a "two story construction on top of a multilevel ladder access platform."

There is no tower on site.

The estimated cost of foundation and construction is $1.5 to $2 Million.

Security

There is no fence at the site and the entire Sanctuary Site is currently open to the public from the land and ocean.

Proper fencing of the 33 acre land portion of the site is estimated to be in excess of $200,000.00.

Seal Habitat

Local fishermen report that there is a local seal population that frequents Barachois Cove and Barachois Island.

In "The Hard Sell of Whale Sanctuaries", Hakai magazine, July 20, 2021, it states,

> "At Port Hilford the risk of interference with wild animals is nearly zero, according to [Charles] Vinick."

Wild seals are carriers of many common diseases that can negatively impact Beluga Whales.

The Whale Sanctuary Project/Corporate Structure/Funding

Financial Disclosures by WSP- Executive Director Salary

The reported average total compensation of the Operations Department at the Shedd Aquarium is $104,826. The Shedd aquarium is a not-for profit tax exempt organization and an accredited member of the Association of Zoos and Aquariums.

The Director of Zoological Operations, animal training, pinnipeds, Georgia Aquarium reported base salary is $101, 046.

The foregoing salaries are paid in the context of fully operational facilities employing hundreds of staff and caring for hundreds of animals.

Charles Vinick reported salary at the WSP is currently USD 166,667.00 or CDN 207,913.86.

Icelandic Whale Sanctuary

The other proposed whale sanctuary site was also examined directly by Marineland. A full review of its issues is beyond the scope of this report.

That being said, by letter dated October 25, 2019, from Charles Vinick, Executive Director WSP he stated, "We are pleased to receive the information in your letter about the initiatives you have accomplished and have underway. These are all activities that speak to the kinds of cooperative research programs that we are interested in exploring with you. …I am also personally very familiar with the Icelandic beluga sanctuary site in Kettsvik Bay. Although we are not associated with the Icelandic sanctuary, my experience there, working with the Orca Keiko more than 15 years ago, led us to recommend against selecting it as a viable sanctuary site."

Ontario Marine Mammal Regulations and PAWS Regulatory Inspection Program

There are extensive marine mammal regulations in force in Ontario governing the care of marine mammals housed at Marineland.

Presently, no such regulations exist in Nova Scotia.

Compliance with mammal regulations in Ontario are overseen by a thorough regulatory inspection process undertaken by Inspectors from the Ministry of the Solicitor General.

Inspectors attend weekly or bi-weekly as part of their normal inspection process.

No such independent regulatory oversight of marine mammal care in the public interest is currently provided for under Nova Scotia law.

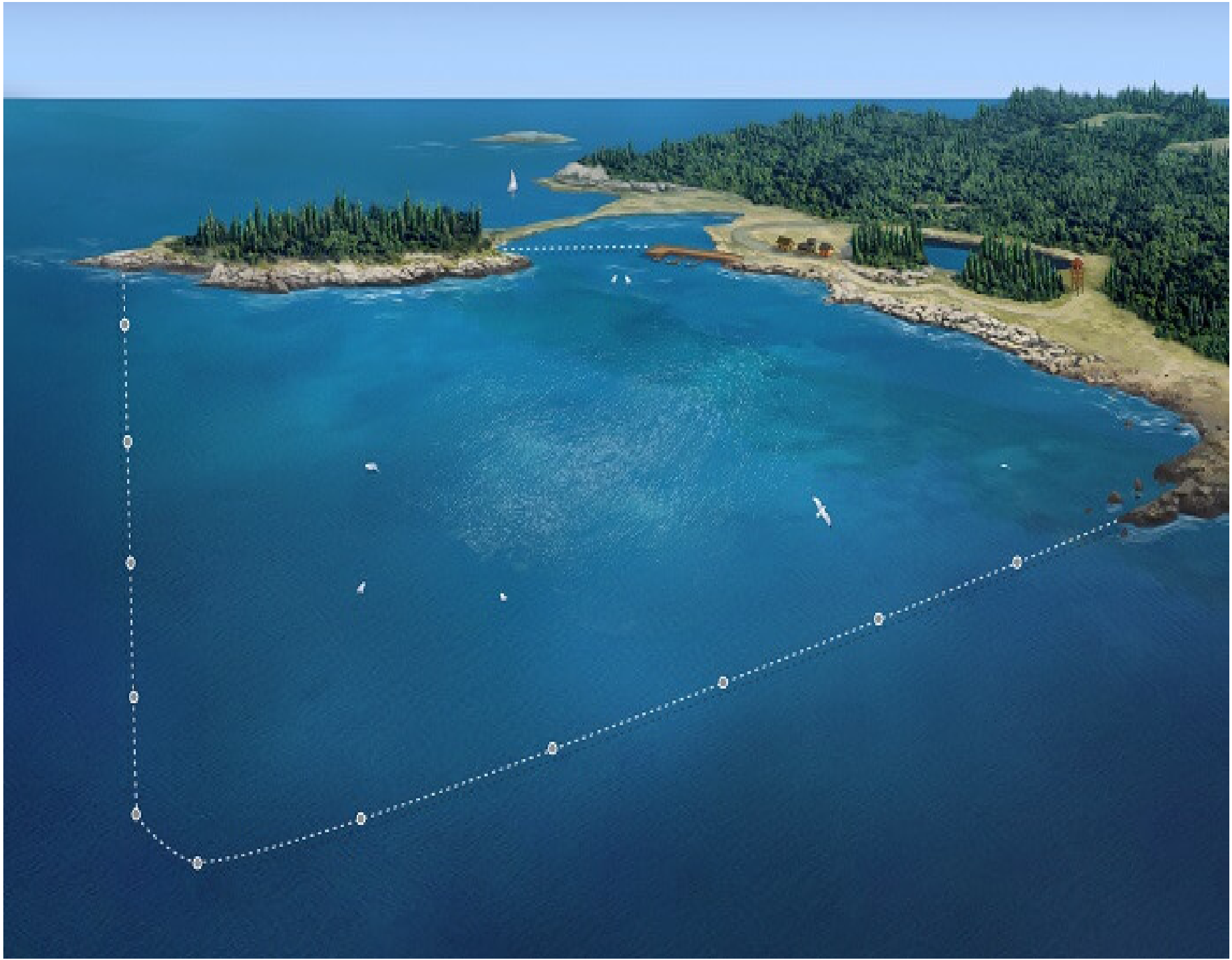
No assessment of the public cost of such regulatory oversight appears to have been made.

The WSP will effectively be operating without regulatory oversight pending future legislative changes.

Marineland is concerned that any failure by the WSP, financially or otherwise, will result in the assumption by the public of Nova Scotia of the significant financial costs associated with the operation of a marine mammal facility.

SCHEDULE 1

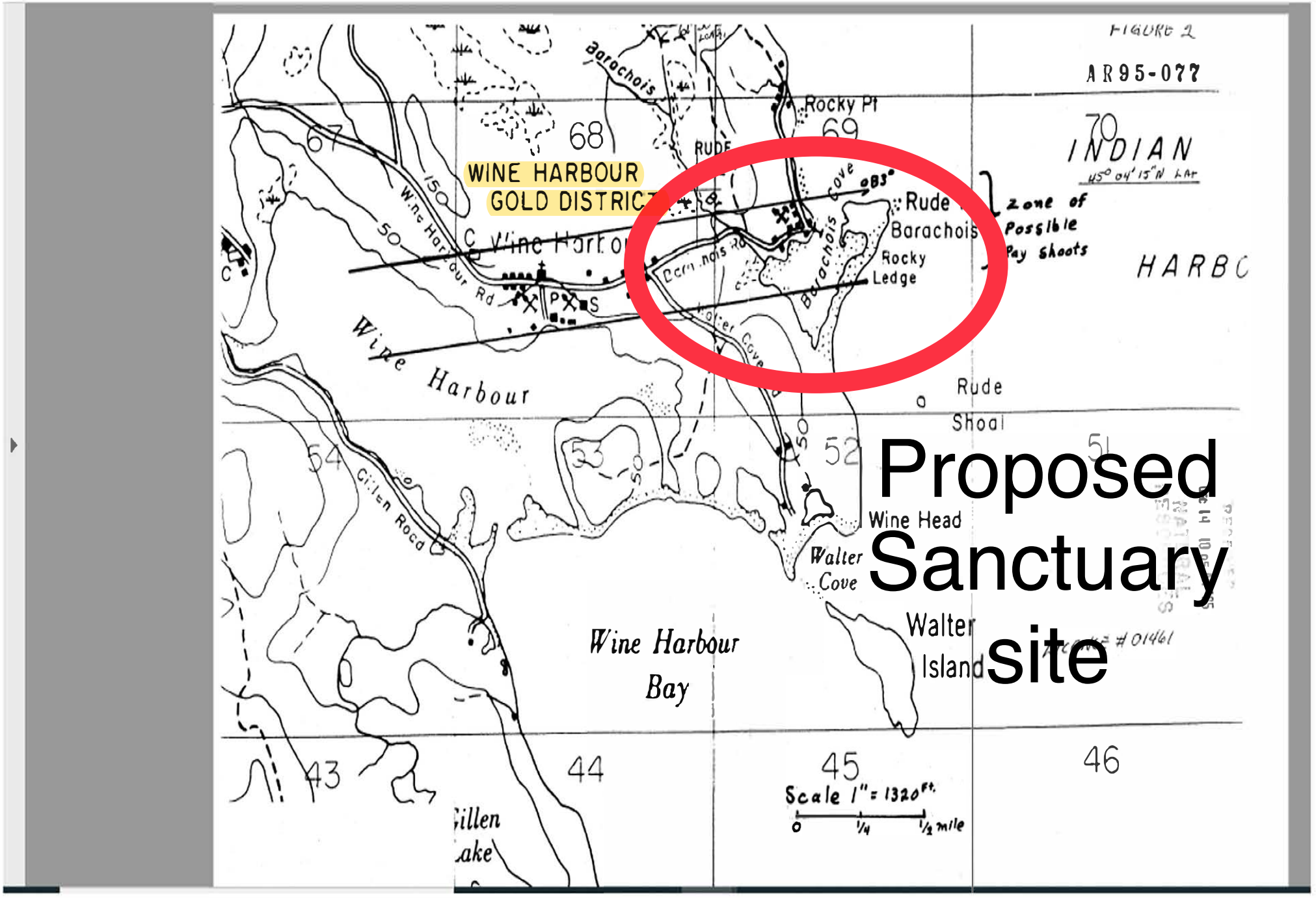
THE WHALE SANCTUARY PROJECT PROPOSED SITE
https://whalesanctuaryproject.org/the-sanctuary/



SCHEDULE 2

THE WHALE SANCTUARY PROJECT PROPOSED SITE
https://whalesanctuaryproject.org/the-sanctuary/

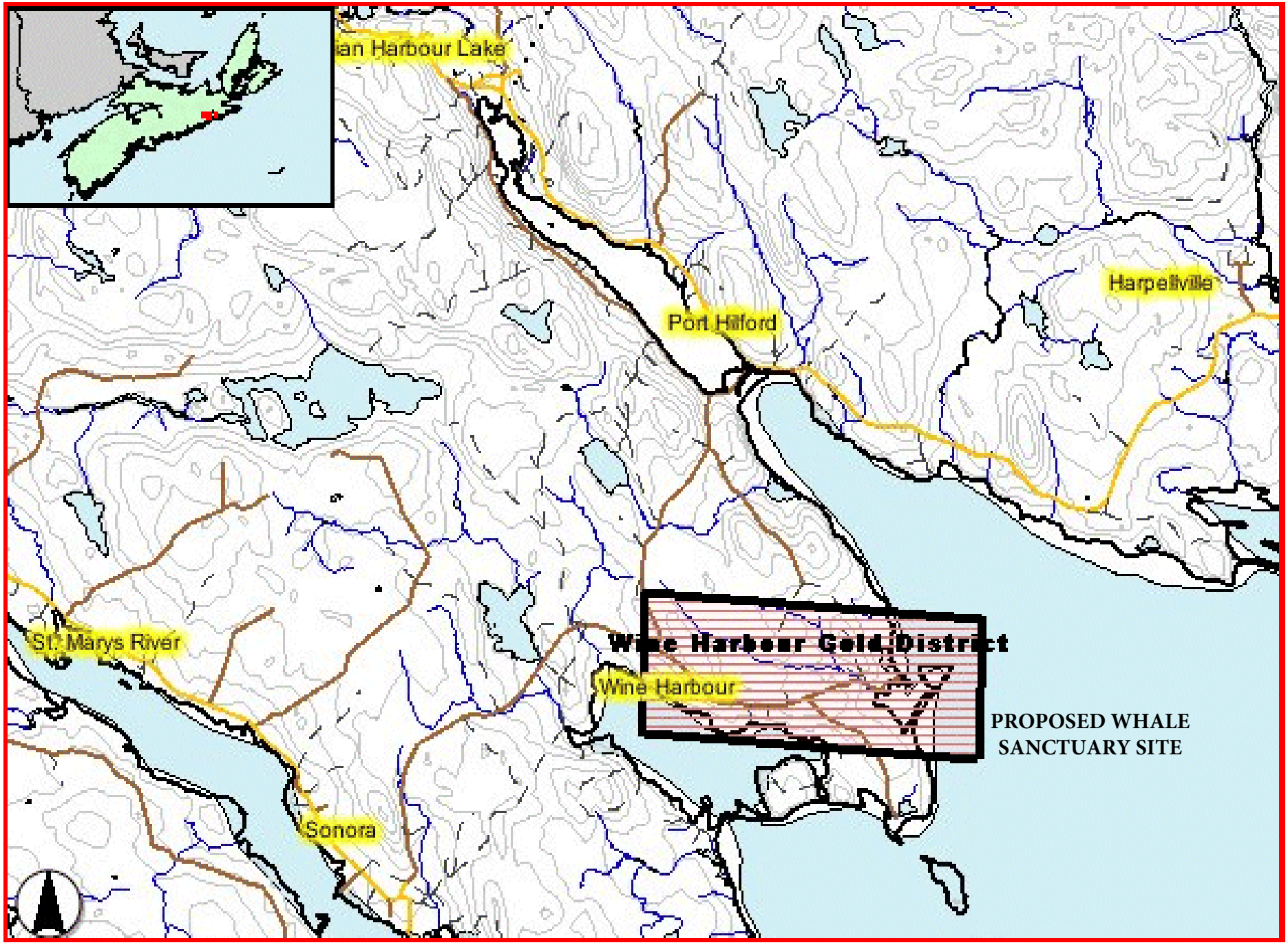
WINE HARBOUR GOLDMINES, GUYSBOROUGH COUNTY, NOVA SCOTIA,
BY TED MACNAUGHTON, 18TH SEPTEMBER, 1995



https://novascotia.ca/natr/meb/data/ar/1995/ar_me_1995-077.pdf

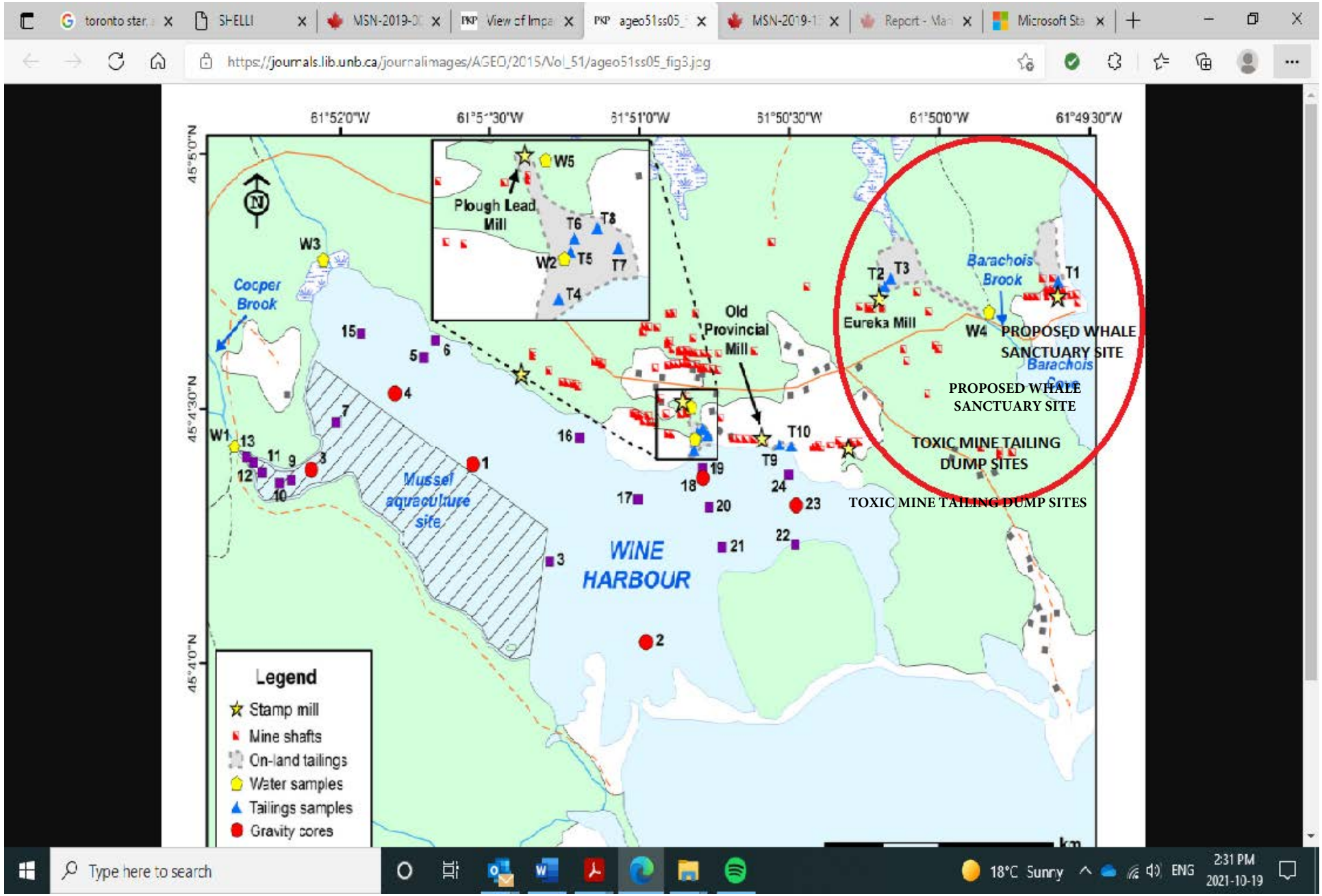
SCHEDULE 4

NOVA SCOTIA CANADA - WINE HARBOUR GOLD DISTRICT
https://novascotia.ca/natr/meb/download/dp327.asp



SCHEDULE 5

Impact of historical gold mining activities on marine sediments in Wine Harbour, Nova Scotia, Canada - Article in Atlantic Geology · December 2015



https://www.researchgate.net/publication/286048557_Impact_of_historical_gold_mining_activities_on_marine_sediments_in_Wine_Harbour_Nova_Scotia_Canada

Impact of historical gold mining activities on marine sediments in Wine Harbour, Nova Scotia, Canada - Article in Atlantic Geology December 2015

Table 1. Selected geochemical results for tailings samples collected on-land and within the intertidal zone at Wine Harbour. Bolded numbers indicate exceedances of one or both of the CCME guidelines listed at the end of the table. These guidelines include sediment quality guidelines for the protection of aquatic life, and soil quality guidelines for the protection of environmental and human health (CCME 2012).

	Site ID	Depth cm	Ag µg/kg	As mg/kg	Au µg/kg	Cr mg/kg	Cu mg/kg	Hg µg/kg	Mn mg/kg	Na mg/kg	Pb mg/kg	S mg/kg	Sb mg/kg	Zn mg/kg	TOC % dry wt.
Terrestrial tailings	T1A	5–10	104	**2460**	701	8.5	18.0	**10 900**	96	310	**34.1**	**1400**	8.0	48.8	0.74
	T2A	5–10	136	**3420**	220	7.1	**18.9**	**7450**	599	10	25.8	**2100**	4.7	51.2	0.58
	T3A	19–21	174	**13 100**	537	6.6	**33.7**	**11 900**	567	20	**56.4**	**1000**	10.1	49.1	0.08
	T3B	34–36	105	**4600**	274	6.3	**20.9**	**16 200**	391	10	30.1	**2500**	9.3	59.0	0.41
	T4A	19–21	384	**7690**	3760	4.4	**24.3**	**15 800**	58	20	**78.9**	**6200**	19.8	24.2	0.07
	T4B	30–41	161	**4690**	1990	4.9	8.41	**7130**	95	10	**34.3**	**4300**	9.6	20.8	0.06
	T5A	11–13	368	**8100**	1720	6.3	**19.9**	**11 800**	69	30	**103**	**7500**	**28.2**	55.5	0.83
	T5B	26–28	6060	**196 000**	29 800	2.6	**355**	**320 000**	27	10	**2090**	**92 000**	**472**	63.5	0.09
	T6A	7–9	100	**200**	762	6.2	8.5	4930	53	20	**69.5**	100	4.0	23.7	0.85
	T6B	24–26	408	**5070**	3700	3.9	7.9	**7750**	83	30	**64.6**	100	10.9	21.7	0.07
Intertidal tailings	T7A	4–6	97	**185**	33.3	26.2	**23.6**	600	394	2420	18.2	**1900**	0.60	48.7	0.20
	T8A	2–3	63	**511**	199	28.3	13.5	1240	382	3280	15.3	300	0.57	37.2	1.63
	T9A	2–3	149	**1550**	1210	20.3	**18.9**	**9510**	332	1170	**54.5**	**3000**	3.6	71.3	0.32
	T10A	2–3	13	**86**	30	4.8	**20.5**	444	70	1270	2.0	**1000**	0.16	14.3	0.22
CCME Guidelines	sediment		na	7.24	na	52.3	18.7	130	na	na	30.2	na	na	124	na
	soil		20	31*	na	64	63	6600	na	na	70	500	20	200	na

* Nova Scotia Environment Pathway Specific Standard for As in residential soils (Nova Scotia Environment 2014).

https://www.researchgate.net/publication/286048557_Impact_of_historical_gold_mining_activities_on_marine_sediments_in_Wine_Harbour_Nova_Scotia_Canada

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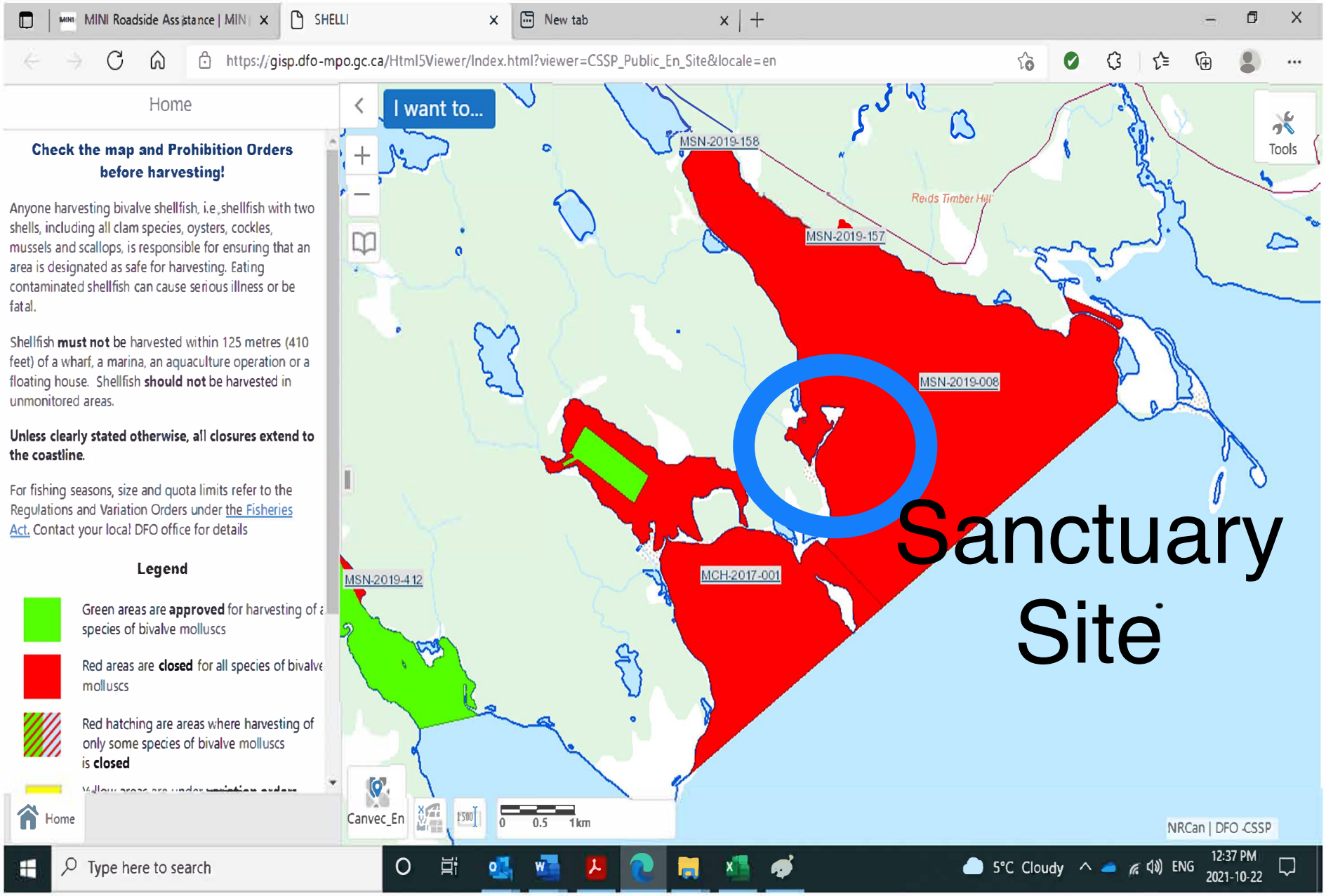
SCHEDULE 7

DFO MAP AND PROHIBITION ORDERS



https://gisp.dfo-mpo.gc.ca/Html5Viewer/Index.html?viewer=CSSP_Public_En_Site&locale=en

Fisheries and Oceans Canada | Pêches et Océans Canada

FISHERIES ACT

Prohibition Order / Ordonnance d'interdiction

MSN-2019-008

WHEREAS the Regional Director General of the Department of Fisheries and Oceans for the Maritimes Region has reason to believe that fish of the species set out in section 2 of the annexed Order, in the area(s) described in the schedule to that order, are contaminated;

THEREFORE, the Regional Director General of the Department of Fisheries and Oceans for the Maritimes Region pursuant to subsection 3(1) of the *Management of Contaminated Fisheries Regulations*, made by Order in Council P.C. 1990-1121 of June 14, 1990*, hereby issues Contaminated Fisheries Prohibition Order:

MSN-2019-008

Issued at Dartmouth, Nova Scotia on February 8, 2019.

Doug Wentzell
Associate Regional Director General
Maritimes Region

* SOR/90-351, *Canada Gazette* Part II, 1990, p. 2489

Prohibition Order / Ordonnance d'interdiction

MSN-2019-008

ORDER PROHIBITING FISHING FOR CONTAMINATED FISH

Short Title

1. This order may be cited as the *Contaminated Fisheries Prohibition Order No.*

MSN-2019-008

Prohibition

2. Subject to subsection 3(2) of the *Management of Contaminated Fisheries Regulations*, no person shall, in the area described in the schedule fish for:

All bivalve shellfish including Atlantic razor clams, Atlantic surf clams, bay quahaugs, northern propeller clams, ocean quahaugs, Softshell clam, Stimpson's surf clams, bay mussels, blue mussel, Horse mussels, American oysters, bay scallops, Iceland scallops, Common periwinkles, Northern moon snails, Waved whelks, Stimpson's whelks, except sea scallops.

Coming into Force

3. This Order shall come into force on the following date and remains in force unless otherwise revoked.

February 8, 2019

CONTAMINATED FISHERIES PROHIBITION ORDER NO.

MSN-2019-008

SCHEDULE

(Section 2)

AREA

Place Name:	Indian Harbour, Guysborough County

- That portion of Indian Harbour inside of a line from Wine Head at 45.06425° north latitud 61.82216° west longitude then to 45.05776° north latitude, 61.81171° west longitude then to Bull Bank at 45.07922° north latitude, 61.76997° west longitude and a line drawn between 45.08794° north latitude, 61.77818° west longitude to 45.08657° north latitude, 61.76992° west longitude.

NOTE: Unless otherwise specified, the coordinates are expressed using the World Geodetic System 1984 (WGS84) datum.

Fisheries and Oceans Canada | Pêches et Océans Canada

Prohibition Order / Ordonnance d'interdiction

MSN-2019-008

NOTICE

The Regional Director General of the Department of Fisheries and Oceans, Maritimes Region, issues Contaminated Fisheries Prohibition Order No.:

MSN-2019-008

closing the following area:

Place Name:	Indian Harbour, Guysborough County

- That portion of Indian Harbour inside of a line from Wine Head at 45.06425° north latitude, 61.82216° west longitude then to 45.05776° north latitude, 61.81171° west longitude then to Bull Bank at 45.07922° north latitude, 61.76997° west longitude and a line drawn between 45.08794° north latitude, 61.77818° west longitude to 45.08657° north latitude, 61.76992° west longitude.

Note: The coordinates are expressed using the datum World Geodetic System 1984 (WGS84).

For further information contact your local Fishery Officer and refer to Contaminated Fisheries Prohibition Order No.:

MSN-2019-008

Issued at Dartmouth, Nova Scotia on February 8, 2019.

Doug Wentzell
Associate Regional Director General
Maritimes Region

Pêches et Océans Canada | Fisheries and Oceans Canada

LOI SUR LES PÊCHES

Prohibition Order / Ordonnance d'interdiction

MSN-2019-008

Attendu que le directeur général régional de la région des Maritimes du ministère des Pêches et des Océans a lieu de croire que le poisson de l'espèce visée à l'article 2 de l'ordonnance ci -après, provenant des zones décrites à l'annexe de cette ordonnance, est contaminé;

À ces causes, en vertu du paragraphe 3(1) du *Règlement sur la gestion de la pêche du poisson contaminé*, pris par le décret C.P. 1990-1121 du 14 juin 1990*, le directeur général régional de la région des Maritimes des Pêches et des Océans : entre en vigueur *l'Ordonnance d'interdiction visant à interdire la pêche du poisson contaminé*

MSN-2019-008

FAIT à Dartmouth, Nouvelle-Écosse, le 8 Février 2019.

Doug Wentzell
Directeur général régional associé
Région des Maritimes

* DORS/90-351, *Gazette du Canada* Partie II, 1990, p. 2489

Prohibition Order / Ordonnance d'interdiction

MSN-2019-008

ORDONNANCE VISANT À INTERDIRE LA PÊCHE DU POISSON CONTAMINÉ

Titre abrégé

1. La présente ordonnance peut être citée comme *Ordonnance interdiction de la pêche du poisson contaminé* n°

MSN-2019-008

Interdiction

2. Sous réserve du paragraphe 3(2) du Règlement sur la gestion de la pêche du poisson contaminé, il est interdit dans la zone décrite à l'annexe, de pêcher :

Tous les mollusques bivalves, y compris Couteau de l'Atlantique, Mactre d'Amérique, Palourde de baie, Couteau de Banks, Quahog nordique, Mye commune, Mactre de Stimpson, Moule bleue commune, Moule bleue, Modiole, Huître américaine, Pétoncle de baie, Pétoncle d'Islande, Bigorneau, Lunatie de l'Atlantique, Buccin commun du Nord, Colus de Stimpson, sauf Pétoncle géant.

Entrée en vigueur

3. L'ordonnace sera en vigueure à compter la date ci-après et demeure en vigueur jusqu'à abrogation ultérieure.

Le 8 Février 2019

Prohibition Order / Ordonnance d'interdiction

MSN-2019-008

ANNEXE

(article 2)

ZONE

Nom secteur:	Indian Harbour, Guysborough County

- La portion de Indian Harbour à l'intérieur d'une ligne tracée à partir de Wine Head à 45.06425° latitude nord, 61.82216° longitude ouest puis à 45.05776° latitude nord, 61.81171° longitude ouest puis jusqu'à Bull Bank à 45.07922° latitude nord, 61.76997° longitude ouest et une ligne tracée depuis un point à 45.08794° latitude nord, 61.77818° longitude ouest jusqu'à un point à 45.08657° latitude nord, 61.76992° longitude ouest.

REMARQUE : les coordonnées sont exprimées selon le datum de system de géodesique mondial de 1984 (WGS84).

Pêches et Océans Canada | Fisheries and Oceans Canada

Prohibition Order / Ordonnance d'interdiction

MSN-2019-008

AVIS

Le directeur général régional, de la région des Maritimes, du ministère des Pêches et des Océans, prend l'ordonnance interdisant la pêche du poisson contaminé n°:

MSN-2019-008

donne avis que les domaines énumérés ci-dessous:

Nom secteur:	Indian Harbour, Guysborough County

- La portion de Indian Harbour à l'intérieur d'une ligne tracée à partir de Wine Head à 45.06425° latitude nord, 61.82216° longitude ouest puis à 45.05776° latitude nord, 61.81171° longitude ouest puis jusqu'à Bull Bank à 45.07922° latitude nord, 61.76997° longitude ouest et une ligne tracée depuis un point à 45.08794° latitude nord, 61.77818° longitude ouest jusqu'à un point à 45.08657° latitude nord, 61.76992° longitude ouest.

REMARQUE: les coordonnées sont exprimées selon le datum de system de géodesique mondial de 1984 (WGS84).

Pour tout renseignement complémentaire, veuillez communiquer avec votre agent des pêches local ou consulter l'ordonnance interdisant la pêche du poisson contaminé

MSN-2019-008

FAIT à Dartmouth, Nouvelle-Écosse, le 8 Février 2019.

Doug Wentzell
Directeur général régional associé
Région des Maritimes

Prohibition Order Number:
Numéro d'Ordonnance d'Interdiction:

MSN-2019-008

ITEM: 1

CLOSED / FERMÉ

Date: 2/6/2019

Scale / échelle 1:87,171.34

Fisheries and Oceans Canada Pêches et Océans Canada

FISHERIES ACT

Prohibition Order / Ordonnance d'interdiction

MSN-2019-157

WHEREAS the Regional Director General of the Department of Fisheries and Oceans for the Maritimes Region has reason to believe that fish of the species set out in section 2 of the annexed Order, in the area(s) described in the schedule to that order, are contaminated;

THEREFORE, the Regional Director General of the Department of Fisheries and Oceans for the Maritimes Region pursuant to subsection 3(1) of the *Management of Contaminated Fisheries Regulations*, made by Order in Council P.C. 1990-1121 of June 14, 1990*, hereby issues Contaminated Fisheries Prohibition Order:

MSN-2019-157

Issued at Dartmouth, Nova Scotia on March 15, 2019.

Doug Wentzell
Associate Regional Director General
Maritimes Region

* SOR/90-351, *Canada Gazette* Part II, 1990, p. 2489

Prohibition Order / Ordonnance d'interdiction

MSN-2019-157

ORDER PROHIBITING FISHING FOR CONTAMINATED FISH

Short Title

1. This order may be cited as the *Contaminated Fisheries Prohibition Order No.*

MSN-2019-157

Prohibition

2. Subject to subsection 3(2) of the *Management of Contaminated Fisheries Regulations*, no person shall, in the area described in the schedule fish for:

All bivalve shellfish including Atlantic razor clams, Atlantic surf clams, bay quahaugs, northern propeller clams, ocean quahaugs, Softshell clam, Stimpson's surf clams, bay mussels, blue mussel, Horse mussels, American oysters, bay scallops, Iceland scallops, Common periwinkles, Northern moon snails, Waved whelks, Stimpson's whelks, except sea scallops.

Coming into Force

3. This Order shall come into force on the following date and remains in force unless otherwise revoked.

March 15, 2019

CONTAMINATED FISHERIES PROHIBITION ORDER NO.

MSN-2019-157

SCHEDULE

(Section 2)

AREA

Place Name:	Indian Harbour (Triford Cove), Guysborough County

- That portion of Indian Harbour (Triford Cove) inside a line drawn from a point at 45.09671° north latitude, 61.82211° west longitude on Triford Head to a point at 45.09525° north latitude, 61.81237° west longitude.

NOTE: Unless otherwise specified, the coordinates are expressed using the World Geodetic System 1984 (WGS84) datum.

Fisheries and Oceans Canada | Pêches et Océans Canada

Prohibition Order / Ordonnance d'interdiction

MSN-2019-157

NOTICE

The Regional Director General of the Department of Fisheries and Oceans, Maritimes Region, issues Contaminated Fisheries Prohibition Order No.:

MSN-2019-157

closing the following area:

Place Name:	Indian Harbour (Triford Cove), Guysborough County

- That portion of Indian Harbour (Triford Cove) inside a line drawn from a point at 45.09671° north latitude, 61.82211° west longitude on Triford Head to a point at 45.09525° north latitude, 61.81237° west longitude.

Note: The coordinates are expressed using the datum World Geodetic System 1984 (WGS84).

For further information contact your local Fishery Officer and refer to Contaminated Fisheries Prohibition Order No.:

MSN-2019-157

Issued at Dartmouth, Nova Scotia on March 15, 2019.

Doug Wentzell
Associate Regional Director General
Maritimes Region

Pêches et Océans Canada | Fisheries and Oceans Canada

LOI SUR LES PÊCHES

Prohibition Order / Ordonnance d'interdiction

MSN-2019-157

Attendu que le directeur général régional de la région des Maritimes du ministère des Pêches et des Océans a lieu de croire que le poisson de l'espèce visée à l'article 2 de l'ordonnance ci -après, provenant des zones décrites à l'annexe de cette ordonnance, est contaminé;

À ces causes, en vertu du paragraphe 3(1) du *Règlement sur la gestion de la pêche du poisson contaminé*, pris par le décret C.P. 1990-1121 du 14 juin 1990*, le directeur général régional de la région des Maritimes des Pêches et des Océans : entre en vigueur *l'Ordonnance d'interdiction visant à interdire la pêche du poisson contaminé*

MSN-2019-157

FAIT à Dartmouth, Nouvelle-Écosse, le 15 Mars 2019.

Doug Wentzell
Directeur général régional associé
Région des Maritimes

* DORS/90-351, *Gazette du Canada* Partie II, 1990, p. 2489

Prohibition Order / Ordonnance d'interdiction

MSN-2019-157

ORDONNANCE VISANT À INTERDIRE LA PÊCHE DU POISSON CONTAMINÉ

Titre abrégé

1. La présente ordonnance peut être citée comme *Ordonnance interdiction de la pêche du poisson contaminé* n°

MSN-2019-157

Interdiction

2. Sous réserve du paragraphe 3(2) du Règlement sur la gestion de la pêche du poisson contaminé, il est interdit dans la zone décrite à l'annexe, de pêcher :

Tous les mollusques bivalves, y compris Couteau de l'Atlantique, Mactre d'Amérique, Palourde de baie, Couteau de Banks, Quahog nordique, Mye commune, Mactre de Stimpson, Moule bleue commune, Moule bleue, Modiole, Huître américaine, Pétoncle de baie, Pétoncle d'Islande, Bigorneau, Lunatie de l'Atlantique, Buccin commun du Nord, Colus de Stimpson, sauf Pétoncle géant.

Entrée en vigueur

3. L'ordonnace sera en vigueure à compter la date ci-après et demeure en vigueur jusqu'à abrogation ultérieure.

Le 15 Mars 2019

Prohibition Order / Ordonnance d'interdiction

MSN-2019-157

ANNEXE

(article 2)

ZONE

Nom secteur:	Havre d'Indian (anse Triford), comté de Guysborough

- La partie du havre d'Indian située en deçà d'une ligne tirée à partir d'un point aux coordonnées 45.09671° de latitude nord et 61.82211° de longitude ouest jusqu'à un point aux coordonnées 45.09525° de latitude nord et 61.81237° de longitude ouest.

REMARQUE : les coordonnées sont exprimées selon le datum de system de géodesique mondial de 1984 (WGS84).

Pêches et Océans Canada | Fisheries and Oceans Canada

Prohibition Order / Ordonnance d'interdiction

MSN-2019-157

AVIS

Le directeur général régional, de la région des Maritimes, du ministère des Pêches et des Océans, prend l'ordonnance interdisant la pêche du poisson contaminé n°:

MSN-2019-157

donne avis que les domaines énumérés ci-dessous:

Nom secteur:	Havre d'Indian (anse Triford), comté de Guysborough

- La partie du havre d'Indian située en deçà d'une ligne tirée à partir d'un point aux coordonnées 45.09671° de latitude nord et 61.82211° de longitude ouest jusqu'à un point aux coordonnées 45.09525° de latitude nord et 61.81237° de longitude ouest.

REMARQUE: les coordonnées sont exprimées selon le datum de system de géodesique mondial de 1984 (WGS84).

Pour tout renseignement complémentaire, veuillez communiquer avec votre agent des pêches local ou consulter l'ordonnance interdisant la pêche du poisson contaminé

MSN-2019-157

FAIT à Dartmouth, Nouvelle-Écosse, le 15 Mars 2019.

Doug Wentzell
Directeur général régional associé
Région des Maritimes

Fisheries and Oceans Canada Pêches et Océans Canada

Prohibition Order / Ordonnance d'interdiction

CONTAMINATED FISHERIES PROHIBITION ORDER NO.

MCH-2017-001

WHEREAS the Regional Director-General, Maritimes Region, Fisheries and Oceans for the Maritimes Region has reason to believe that fish of the species set out in section 2 of the annexed order, in the area described in the schedule to that order, are contaminated;

THEREFORE, the Regional Director-General, of the Department of Fisheries and Oceans for the Maritimes Region pursuant to subsection 3.(1) of the ***Management of Contaminated Fisheries Regulations***, made by Order in Council P.C. 1990-1121 of June 14, 1990*, hereby issues the *Contaminated Fisheries Prohibition Order No.* MCH-2017-001.

Issued at Dartmouth, N.S., on 10 July, 2017.

Rhea King
Acting/Associate Regional Director General
Maritimes Region

*SOR/90-351, 1990 Canada Gazette part II, p. 2489

CONTAMINATED FISHERIES PROHIBITION ORDER NO. MCH-2017-001

ORDER PROHIBITING FISHING FOR CONTAMINATED FISH

Short Title

1. This Order may be cited as the *Contaminated Fisheries Prohibition Order No.* MCH-2017-001.

Prohibition

2. Subject to subsection 3.(2) of the **Management of Contaminated Fisheries Regulations**, no person shall, in the area described in the schedule, fish for all species of clams, quahaugs, mussels, oysters, all whelks and Bay scallops.

Coming into Force

3. This Order shall come into force on the date of signature and remains in force unless otherwise revoked.

*SOR/90-351, 1990 Canada Gazette part II, p. 2489

CONTAMINATED FISHERIES PROHIBITION ORDER NO. MCH-2017-001

SCHEDULE
(Section 2)

AREA

A portion of Clam Harvest Area 5 namely Wine Harbour, Nova Scotia and described as:

All the waters inside a line drawn from 45.040391N 61.846100W (on Cape St. Marys) to 45.056208N 61.818895W (Walter Island) then along the shore to 45.061074N 61.823723W (Walter Island) then to 45.062416N 61.826427W except the waters within lease #0075 within the following coordinates: from 45.076808N 61.864916W to 45.283488N 61.853466W to 45.068647N 61.856119W to 45.073252N 61.866144W to 45.072475N 61.868427W to 45.072858N 61.868838W to 45.073561N 61.866813W to 45.073911N 61.867572W to 45.076808N 61.864916W.

NOTE: The coordinates are expressed using the datum World Geographic Coordinate System 1984 (WGS84).

* SOR/90-351, Canada Gazette Part II, 1990, p. 2489

NOTICE

The Regional Director General Department of Fisheries and Oceans, Maritimes Region, issues Contaminated Fisheries Prohibition Order No. MCH-2017-001, closing the following area to fishing for all species of clams, quahaugs, mussels, oysters, all whelks and bay scallops:

A portion of Clam Harvest Area 5 namely Wine Harbour, Nova Scotia and described as:

All the waters inside a line drawn from 45.040391N 61.846100W (on Cape St. Marys) to 45.056208N 61.818895W (Walter Island) then along the shore to 45.061074N 61.823723W (Walter Island) then to 45.062416N 61.826427W except the waters within lease #0075 within the following coordinates: from 45.076808N 61.864916W to 45.283488N 61.853466W to 45.068647N 61.856119W to 45.073252N 61.866144W to 45.072475N 61.868427W to 45.072858N 61.868838W to 45.073561N 61.866813W to 45.073911N 61.867572W to 45.076808N 61.864916W.

NOTE: The coordinates are expressed using the datum World Geographic Coordinate System 1984 (WGS84).

For further information contact your local Fishery Officer and refer to Contaminated Fisheries Prohibition Order MCH-2017-001 signed on July 10, 2017.

Rhea King
Acting/Associate Regional Director General
Maritimes Region

ORDONNANCE D'INTERDICTION DE LA PÊCHE DU POISSON CONTAMINÉ NO. MCH-2017-001

Attendu que la directrice générale régionale de la région des maritimes du ministère des Pêches et des Océans a lieu de croire que le poisson de l'espèce visée à l'article 2 de l'ordonnance ci-après, provenant des zones décrites à l'annexe de cette ordonnance, est contaminé;

À ces causes, en vertu du paragraphe 3.(1) du Règlement sur la gestion de la pêche du poisson contaminé, pris par le décret C.P. 1990-1121 du 14 juin 1990*, la directrice générale régionale de la région des maritimes du ministère des Pêches et des Océans: entre en vigueur l'Ordonnance d'interdiction n°MCH-2017-001 visant à interdire la pêche du poisson contaminé.

Fait à Dartmouth (Nouvelle-Écosse), le 10 juillet 2017.

Rhea King
Directrice générale régionale délégué par intérim
Région des maritimes

*DORS/90-351, 1990, Gazette du Canada, partie II, p. 2489

ORDONNANCE D'INTERDICTION DE LA PÊCHE DU POISSON CONTAMINÉ NO. MCH-2017-001

ORDONNANCE VISANT À INTERDIRE LA PÊCHE DU POISSON CONTAMINÉ

Titre abrégé

1. La présente ordonnace peut être citée comme Ordonnance interdication de la pêche du poisson contaminé n° *MCH-2017-001*

Interdiction

2. Sous réserve du paragraphe 3.(2) du **Règlement sur la gestion de la pêche du poisson contaminé**, il est interdit à quiconque de pêcher toutes les espèces de palourdes, de palourdes américaines, de moules, d'huîtres, de buccins et de pétoncles de baie dans la zone décrite à l'annexe des présentes.

Entrée en vigueur

3. L'Ordonnance sera en vigueur à compter de la date de signature et demeure en vigueur sauf abrogation ultérieure.

*DORS/90-351, 1990, Gazette du Canada, partie II, p. 2489

ORDONNANCE D'INTERDICTION DE LA PÊCHE DU POISSON CONTAMINÉ NO. MCH-2017-001

ANNEXE
(article 2)

ZONE

Une partie de la zone de cueillette de palourdes 5, à savoir Wine Harbour, Nouvelle-Ecosse, décrite comme suit:

L'ensemble des eaux se trouvant entre une ligne tirée des 45.040391N 61.846100W (cap St. Marys) aux 45.056208N 61.818895W (île Walter), puis le long de la côte jusqu'aux 45.061074N 61.823723W (île Walter) et jusqu'aux 45.062416N 61.826427W, à l'exception des eaux continentales se trouvant entre une ligne tirée des 45.076808N 61.864916W aux 45.283488N 61.853466W aux 45.068647N 61.856119W aux 45.073252N 61.866144W aux 45.072475N 61.868427W aux 45.072858N 61.868838W aux 45.073561N 61.866813W aux 45.073911N 61.867572W aux 45.076808N 61.864916W.

REMARQUE : les coordonnées sont exprimées selon le datum de system de coordonnée géographic mondial de 1984 (WGS84).

*DORS/90-351, 1990, Gazette du Canada, partie II, p. 2489

AVIS

La directrice générale régionale du ministère des Pêches et des Océans, de la région des Maritimes prend l'ordonnance interdisant la pêche du poisson contaminé n° MCH-2017-001, entraînant la fermeture de la pêche de toutes les espèces de palourdes, de palourdes américaines, de moules, d'huîtres, de buccins et de pétoncles de baie dans la zone suivante:

Une partie de la zone de cueillette de palourdes 5, à savoir Wine Harbour, Nouvelle-Ecosse, décrite comme suit:

L'ensemble des eaux se trouvant entre une ligne tirée des 45.040391N 61.846100W (cap St. Marys) aux 45.056208N 61.818895W (île Walter), puis le long de la côte jusqu'aux 45.061074N 61.823723W (île Walter) et jusqu'aux 45.062416N 61.826427W, à l'exception des eaux continentales se trouvant entre une ligne tirée des 45.076808N 61.864916W aux 45.283488N 61.853466W aux 45.068647N 61.856119W aux 45.073252N 61.866144W aux 45.072475N 61.868427W aux 45.072858N 61.868838W aux 45.073561N 61.866813W aux 45.073911N 61.867572W aux 45.076808N 61.864916W.

Remarque : les coordonnées sont exprimées selon le datum de system de coordonnée géographic mondial de 1984 (WGS84).

Pour tout renseignement complémentaire, veuillez communiquer avec votre agent des pêches local ou consulter l'ordonnance interdisant la pêche du poisson contaminé n° MCH-2017-001 signée le 10 juillet 2017.

Rhea King
Directrice générale régionale délégué par intérim
Région des Maritimes

SCHEDULE 9

THE WHALE SANCTUARY PROJECT DOCK

SCHEDULE 10

THE WHALE SANCTUARY PROJECT
DOCK

SCHEDULE 11

THE WHALE SANCTUARY PROJECT
WRECK SITE

SCHEDULE 12

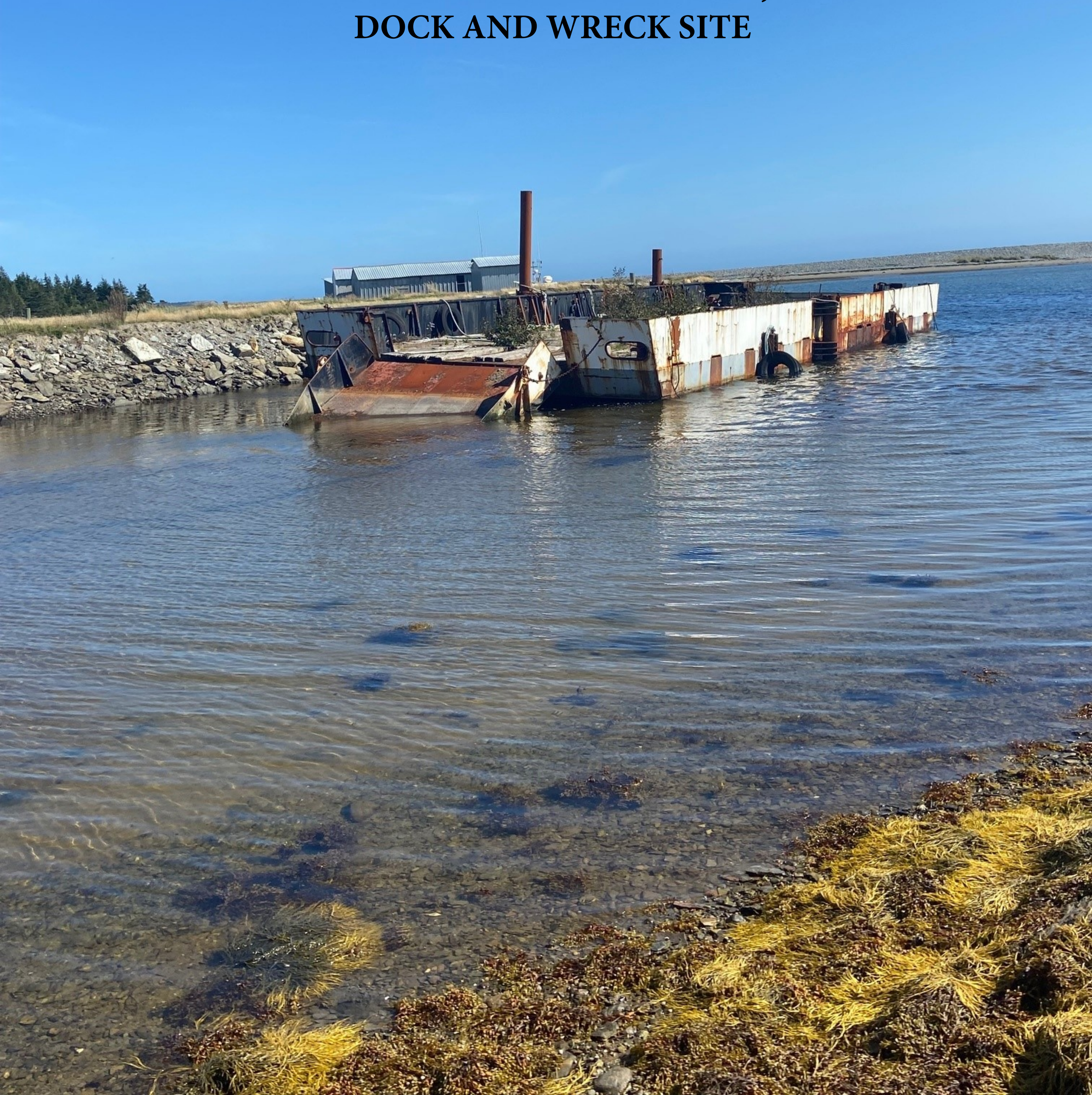
THE WHALE SANCTUARY PROJECT
DOCK AND WRECK SITE

SCHEDULE 13

THE WHALE SANCTUARY PROJECT
WRECK SITE

SCHEDULE 14

THE WHALE SANCTUARY PROJECT
DOCK AND WRECK SITE



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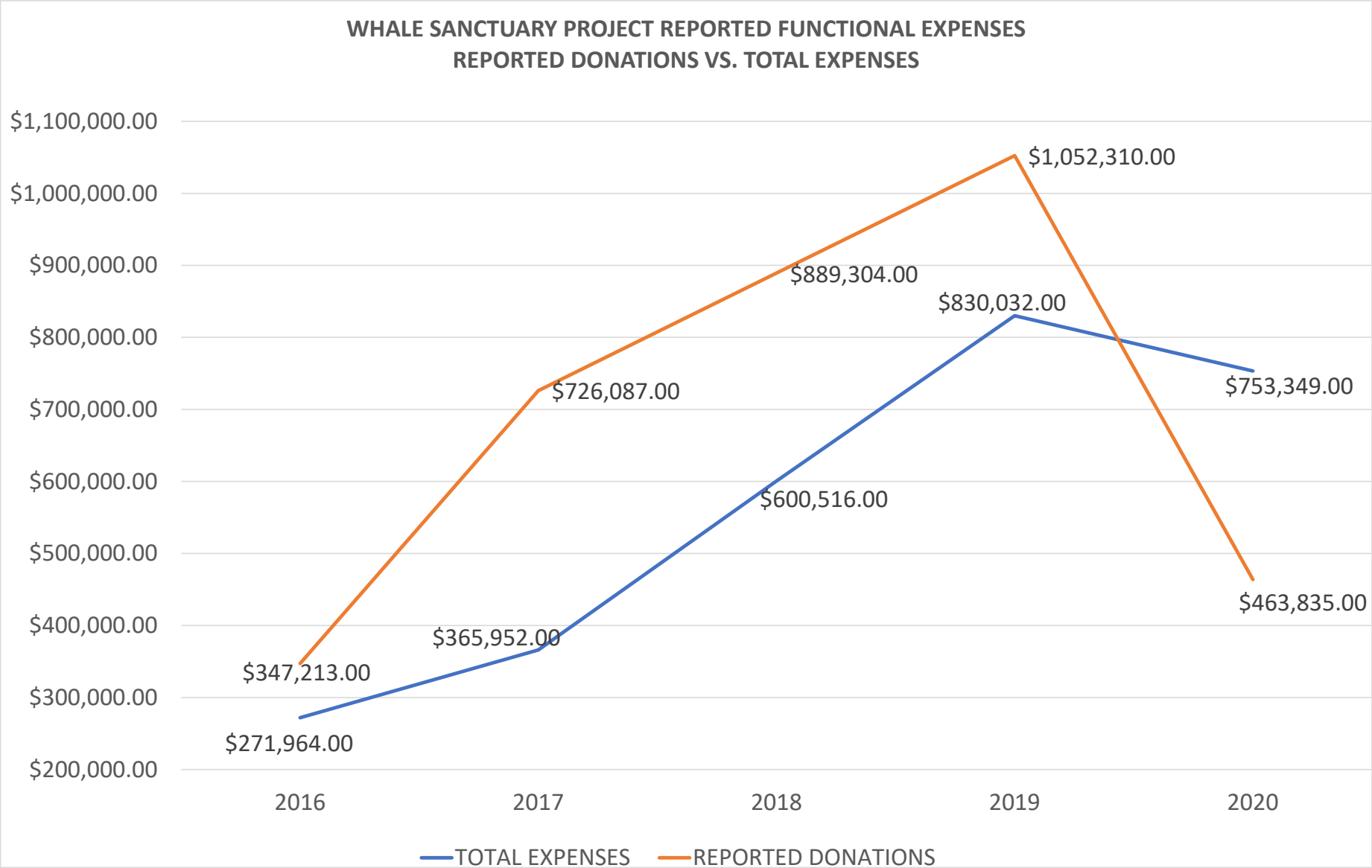

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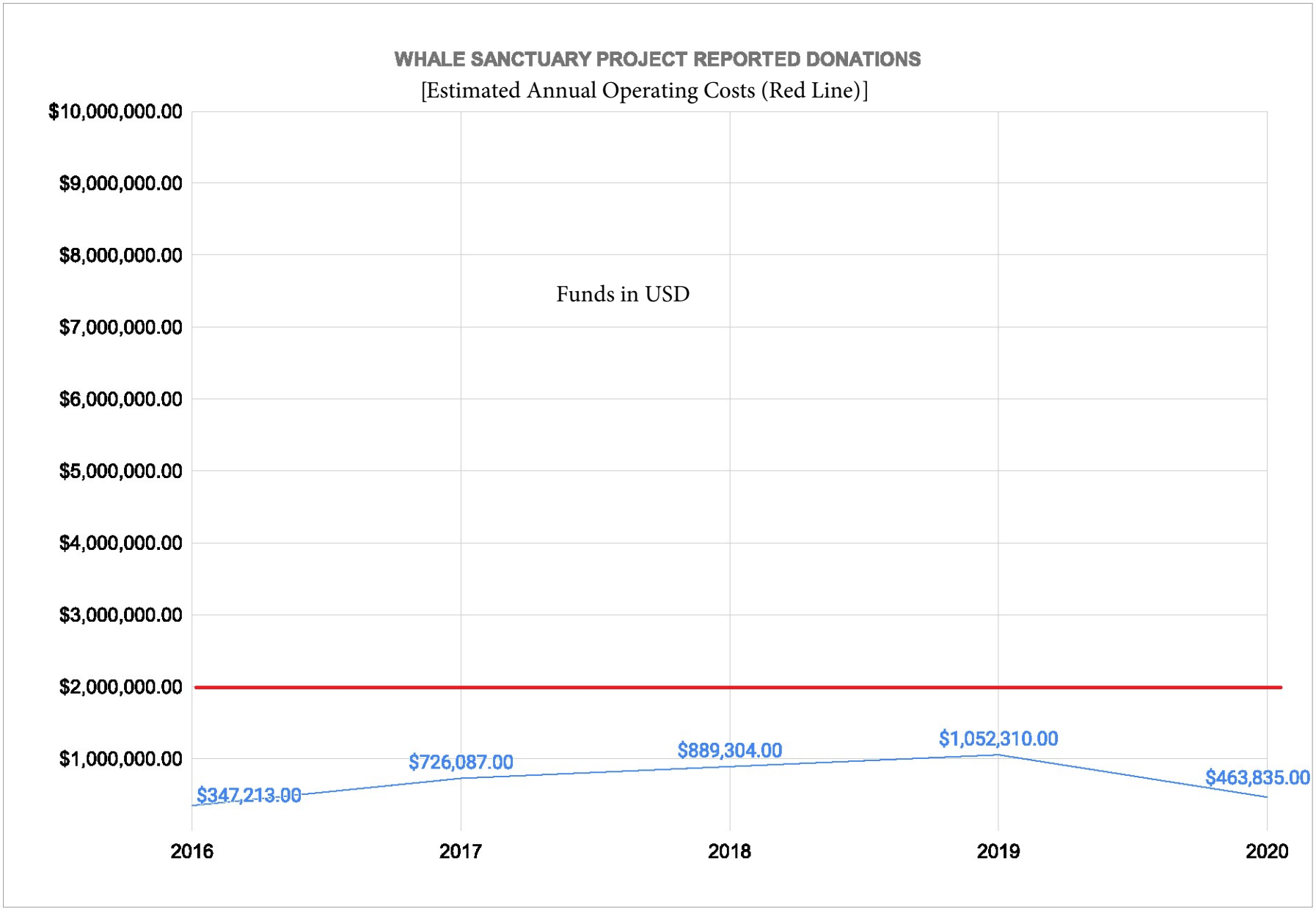

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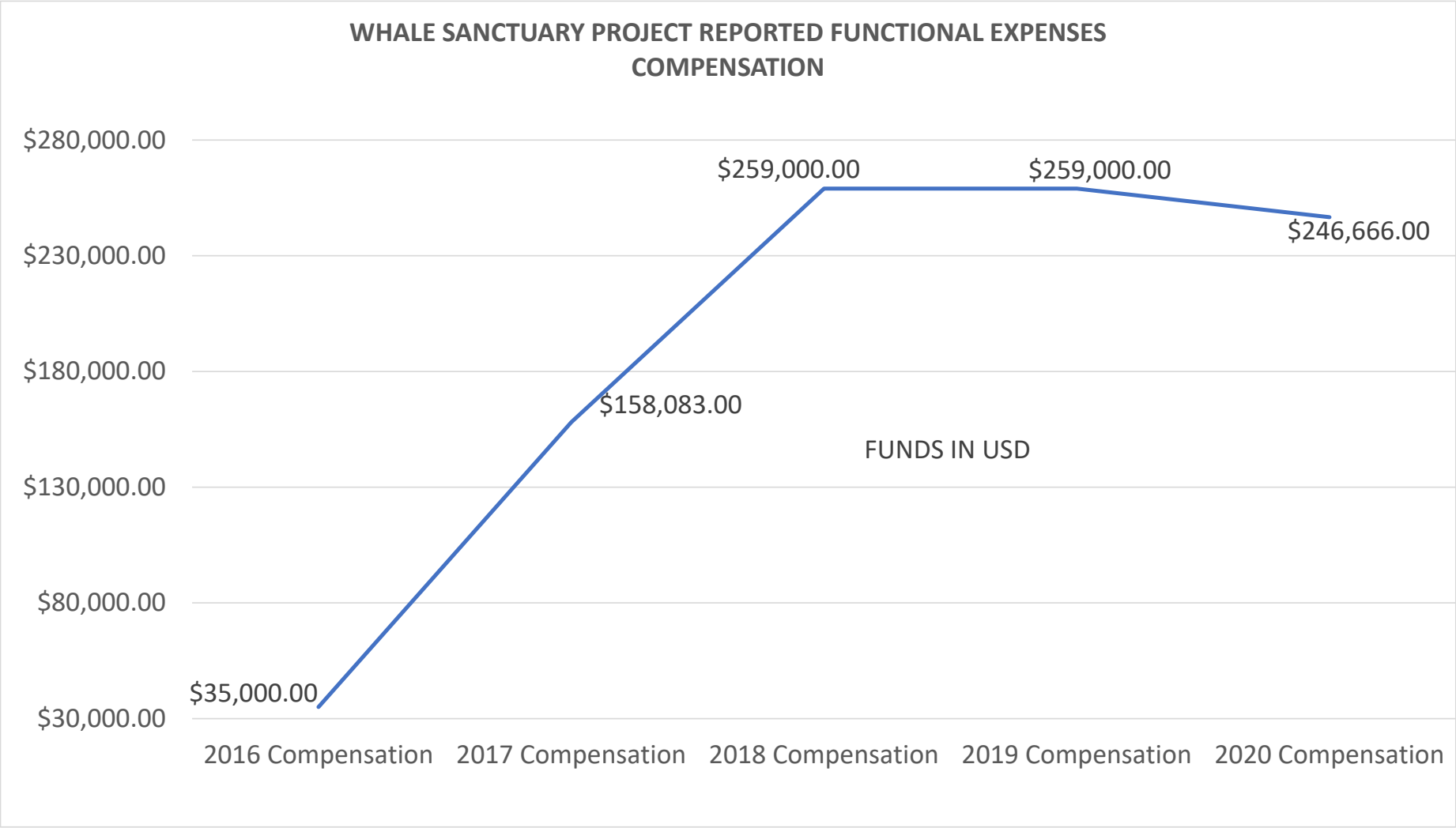

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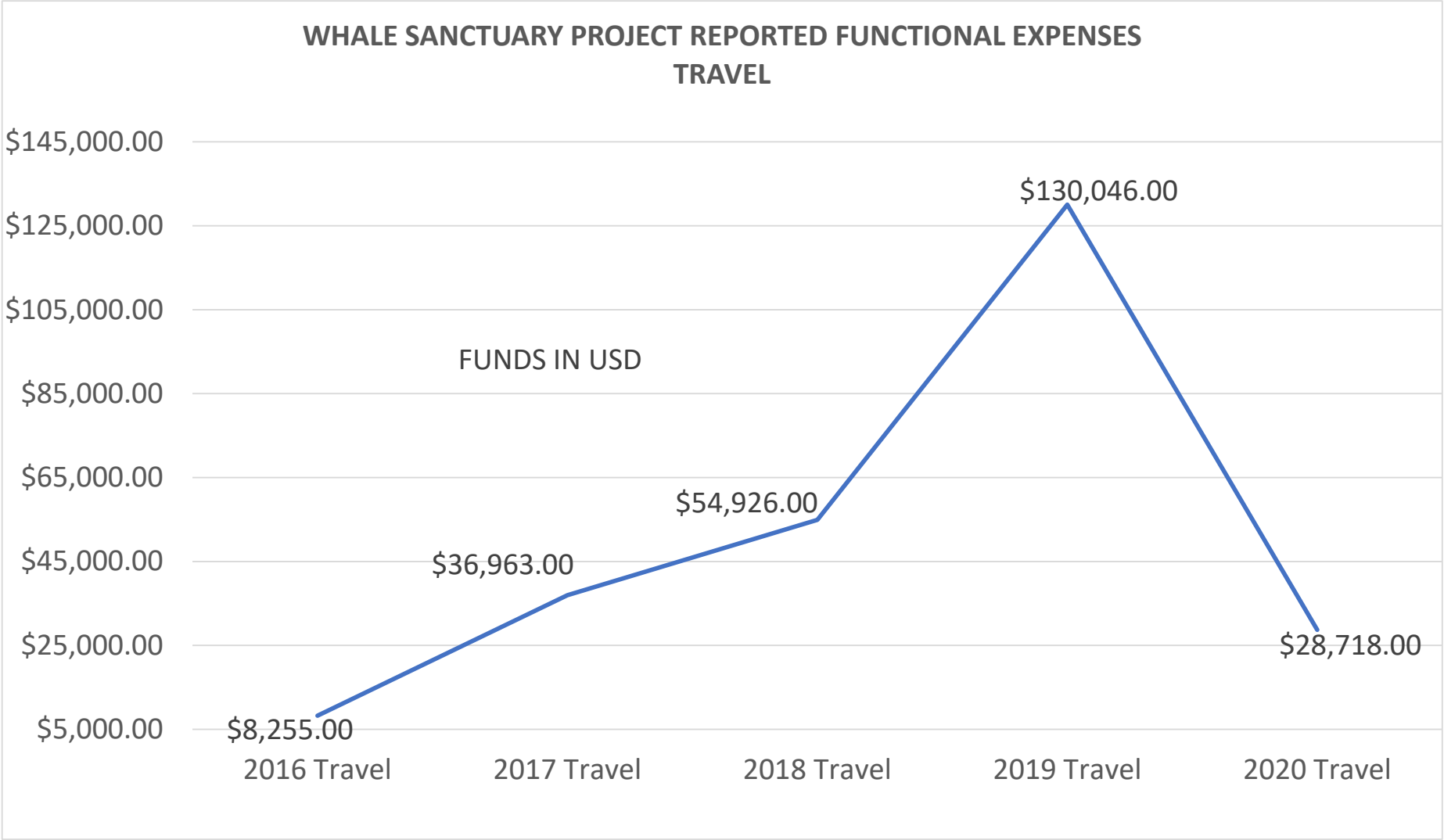

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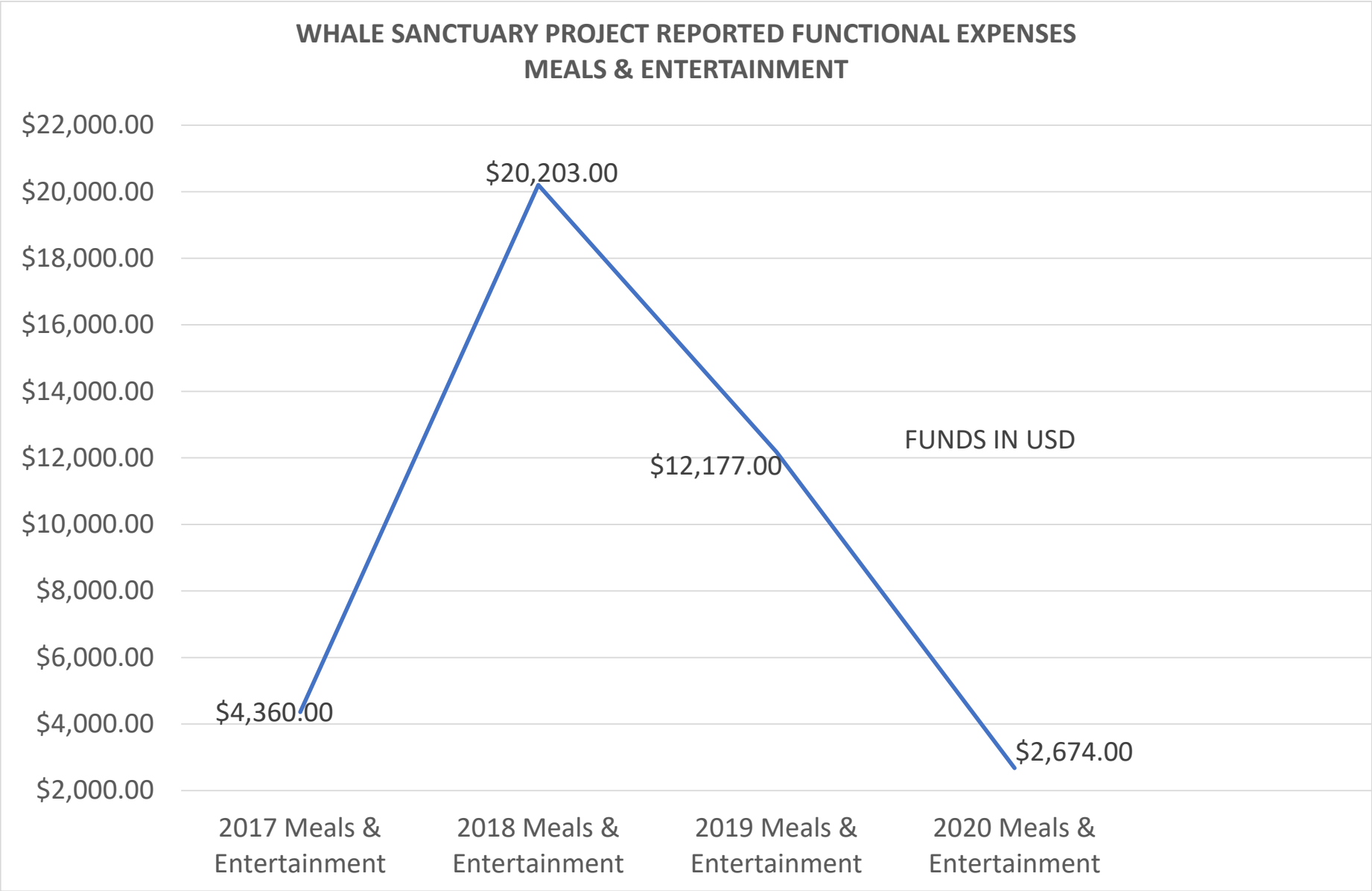
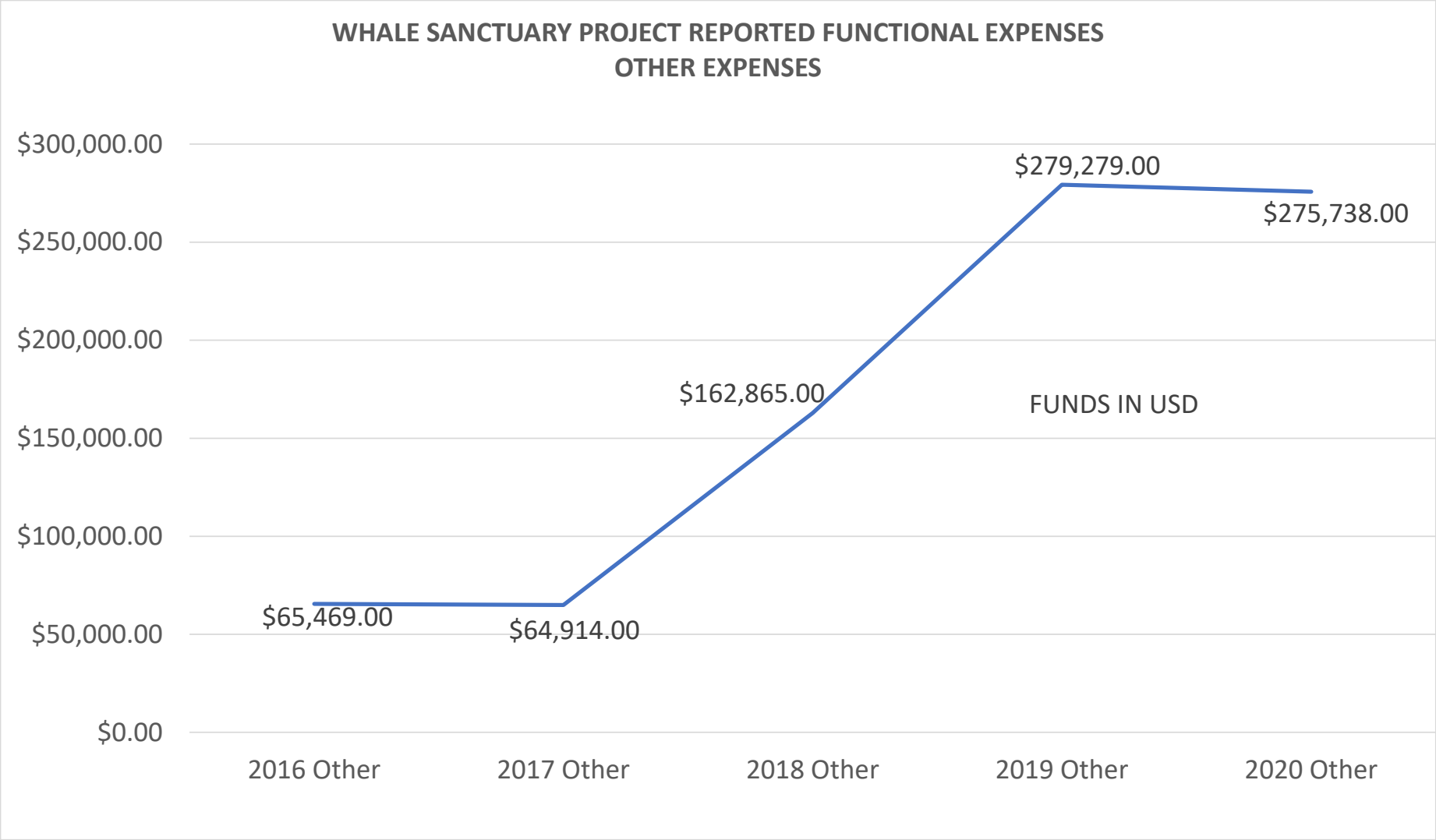
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