

**Principal  
Researcher(s) &  
Affiliation(s)**

Elena Khan

Advisor: Claire  
Yeung**Research Field:**Legislation and the  
impact on marine life**Student Involvement**

N/A

**Partners &  
Collaboration**

N/A

**Funding Sources**N/A: Course-based  
Project.**Project Period**

From: January 2019

To: April 2019

- Funded	\$0.00
- In Kind	\$0.00
- Total	\$0.00

**Failure to Properly Administer the Oceans Act, 1996 and the Fisheries Act, 1985 Has Created A Negative Impact on Marine Life in British Columbia.**

April 30 2019

**Introduction**

The Oceans Act, 1996 and the Fisheries Act, 1985 provide policies and regulations to ensure the safety and wellbeing of all marine mammals. British Columbia has an internationally important role in conservation, because many of the species and ecosystems are found nowhere else in Canada or in the world (Fisheries & Oceans, 2017). An expert panel investigating the state of Canadian marine biodiversity has stated, that the government is failing to protect the country's oceans, leaving marine life threatened, and the nation's ocean species at risk (Bangs, 2012). The aim of this research is to address how the government applies the legislation when it comes to protecting marine life and what are the impacts as a result of it.

**Methods**

The study looked into the secondary sources available on the JIBC EBSCO using the following keywords: marine, mammal and legislation. Using these keywords produced 4,218 hits, the search was then refined to show only peer-reviewed articles and journals with a publication date set from 2010- 2019, which resulted in 1,304 hits. The rationale was based on the credibility of authors, relevance to themes, currency and issues addressed. The compiled information was then analyzed using the grounded theory and a qualitative research method.

**Results**

After reviewing the literature, the following themes became apparent:

- Implementation of marine protected areas;
- Contaminants and noise disturbance;
- Lack of recovery strategies and action plans;
- Lack of ocean science.

Within the outlined themes above, the following issues were identified:

- Currently, there is not enough data that would prove that marine protected areas are beneficial to marine life, and the ones that have been established so far are in the wrong areas and have little positive impact.

- The difficulty balancing a healthy environment and preventing damage caused by the oil industry and Canada's economy, which depends on the oil industry (Lake, 2018).

- Slow progress of creating recovery strategies and action plans, either to respond to present toxic spills or the potential future environmental incidents.

-Currently, due to insufficient funds and lack of science libraries, marine scientists are limited in their abilities to do research, advise and help create programs that help reduce the negative impacts on marine life.

### **Discussion**

The literature presented evidence addressed by the different researchers related to the government and their administration of the Oceans Act and the Fisheries Act. Some researchers argued that implementing marine protected areas should be the number one priority to address the fragile state of BC marine life, specifically marine mammals. However, others implicated those marine protected areas to be contradictory, claiming there is no proof they are beneficial. Fisheries and Oceans Canada is responsible for preparing recovery strategy plans for marine mammals, but they can only do so much with the funds available, and ultimately it is the government responsibility to ensure the responsible agencies have sufficient budget to develop those recovery action plans.

### **Limitations**

Due to the subject matter of the research topic and the importance of utilizing the most current data available, this research was limited to only few academic studies that have been conducted in recent years. This research also utilized various newspaper articles to support the academics, although they tend to be biased in their reporting as some of them were written or consulted by different environmental groups.

### **Conclusion and recommendations**

The findings of the research indicate that Canada has an elaborate legislation in place to protect its oceans and marine life they support. However, the issues arise when it comes to balancing between the needs of humans, restrictions on various human activities, designating proper budgets to responsible agencies and providing the necessary tools to manage the protection of marine life. Based on the research done the following recommendations may improve the current state of BC marine life: collaboration with the First Nations and other international organizations to implement marine protected areas; all responsible agencies should report its achievements and contribution toward meeting the global commitment of protecting marine life; Fisheries and Oceans Canada, including the Canadian Coast Guard should work together and implement measures to decrease threats to marine life from commercial vessels.

### **Key References**

- Fisheries and Oceans Canada. (2017). Canada's oceans strategy. Retrieved from <http://www.dfo-mpo.gc.ca/oceans/publications/cos-soc/page4-eng.html>
- Lake, H. (2018). Is oil sinking efforts to protect marine areas? Retrieved from <https://ipolitics.ca/article/doing-more-for-canadas-marine-protected-areas/>