



Cetaceans at the Vancouver Aquarium Referral Report Back

Special Park Board Meeting
March 8 , 2017
Reconvened March 9, 2017



To report back with more information about the process of holding a plebiscite, and to outline other options for the Board to consider.

THEREFORE BE IT RESOLVED THAT the Vancouver Park Board:

- A. Support inclusion of an assent question on the 2018 Municipal Election ballot to determine if Vancouver residents support keeping cetaceans at the Vancouver Aquarium Marine Science Centre;
- B. Request the City of Vancouver to add such an assent (plebiscite) question to the 2018 Municipal Election ballot per section 130 of the Vancouver Charter; and
- C. Write to the Vancouver Aquarium asking it consider not bringing cetaceans into the facility until after the results of the 2018 plebiscite are received.

REFERRED to staff to report back with further information and options

- The Park Board permits and regulates the Aquarium's activities in Stanley Park through a licence agreement
- Original Agreement dated January 1, 1999;
- Modified December 31, 2009 to approve expansion area and to extend to 2029;
- Modified September 7, 2011 to reflect reduced expansion area;
- Must comply with Park Board bylaws as per section 4(m) in the original agreement

Parks Control By-laws set the conditions under which cetaceans are kept :

9(e), the by-laws state that no person shall bring into any park, or otherwise keep or maintain in any park, any cetaceans, including baleen whales, narwhals, dolphins, porpoises, killer whales and beluga whales, which have been captured or taken from their wild habitat except:

- i) Captive cetaceans caught from the wild prior to September 16, 1996, and cetaceans born into captivity at any time;
- ii) Cetaceans which are already being kept or maintained in a park as of September 16, 1996;
- iii) A member of an endangered cetacean species, provided that approval for bringing it into a park has first been obtained from the Park Board; and
- iv) An animal that has been injured or is otherwise in distress and in need of assistance to survive or rehabilitation, whether or not the intention is to release it back into its natural wild habitat.

Background – History since 2014

April 2014

“Plebiscite on Phasing out Cetaceans in Captivity” motion does not pass at Vancouver City council



April 2014

Staff directed to prepare report on cetaceans in captivity; review of best practices at other aquariums



July 2014

Report presented; direction to staff to propose new bylaws restricting breeding and an oversight committee



August 2014

Aquarium launched legal action to challenge the authority of the Park Board; still on hold



November 2014

Proposed bylaw and TOR for committee presented however not passed due to election of new Park Board



Three cetaceans currently in captivity

- 1 Pacific White Sided Dolphin
- 1 Harbour Porpoise
- 1 False Killer Whale



Two recent Beluga deaths

Qila
Aurora
In Fall 2016



Expansion plans to build two beluga pools

\$100 Million Plan
Phase 2 Construction to begin Fall 2017



February 20 announcement
Return of loaned belugas late 2018 or early 2019
Non-breeding and discontinued by 2029

Staff reviewed the plebiscite process and 3 possible alternatives:

1. Call on City Council to include an assent questions (plebiscite) in the 2018 municipal election
2. Accept the Aquarium's February 20th announced plans
3. Amend the Parks Control By-laws
4. Maintain the status quo

Plebiscite:

- Council must approve the voting, timing and wording of the question by July 2018
- Results non-binding; limited to Vancouver voters only
- Decision would still come back to the Park Board for 2019 with the same or similar options available today.

Option 1: Plebiscite in 2018

Criteria	Assessment	Highlights:
Financial	Low-Med	<ul style="list-style-type: none">• Council must approve the voting, timing and wording of the question by July 2018• Results non-binding; limited to Vancouver voters only• Decision would still come back to the Park Board for 2019 with the same or similar options available today.
Time	Slow	
Complexity	Medium	
Public Engagement	High	

Slower path to resolution

Accept the Aquarium's Plan:

- Voluntarily agreed not to breed belugas and phase out display by 2029
- Does not address other cetaceans on display
- Additional actions could reinforce:
 - Implementation of previously recommended oversight committee
 - Update the bylaws to restrict breeding and also phase out belugas by 2029
 - Staff from both organizations could work collaboratively on implementing remaining recommendations from 2014

Option 2: Accept Aquarium's Plan

Criteria	Assessment	Highlights:
Financial	Low	<ul style="list-style-type: none">• Voluntarily agreed not to breed belugas and phase out display by 2029• Does not address other cetaceans on display• Additional actions such as bylaw changes could reinforce
Time	Immediate	
Complexity	Medium	
Public Engagement	Low	

Current plan doesn't address concerns of some public

Amend the Parks Control By-laws

- Could range from approval and enactment of 2014 bylaw changes to drafting new by-law changes
- Impact, timing and cost depends on level of change proposed
- Anticipate 2017 completion
- Enables high degree of public participation

Option 3: Amend Parks Control Bylaws

Criteria	Assessment	Highlights:
Financial	TBD	<ul style="list-style-type: none">• Could range from approval and enactment of 2014 bylaw changes to drafting new by-law changes• Impact, timing and cost depends on level of change proposed• Anticipate 2017 completion• Enables high degree of public participation
Time	Fast - TBD	
Complexity	TBD	
Public Engagement	High	

Degree of change drives financial and complexity considerations

Maintain Status Quo

- Does not address some of public sentiment
- Could ask staff to report back on 2014 active business: implement, amend, or rescind previous recommendations
- Allows the Aquarium to change it's plans over time
- By-law review may still be required if Bill S-203 becomes law

Option 4: Maintain the Status Quo

Criteria	Assessment	Highlights:
Financial	None	<ul style="list-style-type: none">• Does not address some of public sentiment• Could ask staff to report back on 2014 active business: implement, amend, or rescind previous recommendations• Allows the Aquarium to change its plans over time• By-law review may still be required if Bill S-203 becomes law
Time	None	
Complexity	None	
Public Engagement	Low	

Does not address the issue

- Three alternatives to a plebiscite were identified
- Not all options are mutually exclusive
- Some time sensitivity
- Staff obligation to inform Aquarium of any actions that may impact their operations

THAT the Vancouver Park Board direct staff to further report back on implementation of the Board's preferred option to address concerns regarding cetaceans at the Vancouver Aquarium, as outlined in this report.

- Option 1: Call on City Council to include an assent question (plebiscite) in the 2018 municipal election;
- Option 2: Accept the Vancouver Aquarium's February 20, 2017 announced plans;
- Option 3: Amend the Parks Control By-laws;
- Option 4: Maintain status quo.

Moved by Comr. Mackinnon:

THAT the Vancouver Board of Parks and Recreation directs staff to bring forward for enactment by the Board an amendment to the Parks Control By-law to prohibit the importation and display of live cetaceans in Vancouver parks and report back not later than May 15, 2017.

Carried Unanimously

