

A) What is your opinion of Parks Canada's overall policy objectives for NMCAs?

The Tourism Industry Association of Canada (TIAC) has long enjoyed a mutually beneficial and collaborative relationship with Parks Canada. We are pleased to provide our comments on the *"Protecting Canada's Marine Heritage"* discussion paper. First and foremost, TIAC notes that the policy objectives as described in the discussion paper clearly state that "NMCAs are established and managed to protect and conserve representative marine areas for the benefit, education and enjoyment of the people of Canada and the world. As such, the enjoyment, awareness and understanding of visitors is at the very core of NMCA development and sustainability as stated in the policy objectives, and TIAC supports the principles stated therein. With this in mind, the tourism industry is identified as a crucial stakeholder and is well represented in the policy objectives statement and we believe the policy objectives as asserted to be sound. Tour companies who often come with generations of institutional knowledge (i.e. family companies and locally owned and operated companies) must be provided appropriate opportunities for meaningful consultation and input during the planning, transition and implementation phases. Allowing visitor experiences with natural resources is key to building allies in their sustainability, and tourism and recreational businesses have long been the stewards in preservation efforts.

That said, we are concerned that there is often a significant difference between stated policy objectives and the impact of regulations that result from them. Even with the best policy intentions, unintended consequences can and have proved detrimental to established tourism businesses operating in protected areas. With this in mind, we believe that in order to meet the spirit and letter of policy objectives there must be rigorous research and data to support proposed changes and ongoing consultation with key stakeholders in the tourism industry. Both supporting research and consultations must be prioritized in all future regulatory movement for NMCAs. TIAC and other key tourism stakeholders look forward to continued dialogue during all phases of this process, including the establishment and implementation of any regulatory changes as well as in any transition

B) From your perspective, does the proposed zoning framework allow for appropriate management of activities and uses in an NMCA?

The discussion paper states that "each NMCA must have a 'fully protected zone'". In reviewing the proposed zoning guidelines, it is clear that commercial tourism and recreational activities would now be restricted in parts of each NMCA. TIAC is extremely concerned that some established tourism businesses who have long worked to provide enjoyable experiences for visitors - consistent with the policy objectives - in a responsible manner while protecting the sustainability of those areas, would now be prohibited or severely limited from continuing their operations. This could be detrimental to many tourism businesses and would impact visitor access to areas that have historically been accessible. In our view, the proposed zoning framework also seems arbitrarily strict by declaring that each NMCA would include restricted access areas in Zone 1. In fact, recreational activities, commercial tourism, recreational fishing and recreational hunting are all cited as activities that would be prohibited and/or significantly

restricted in zones 1 & 2. It is unclear to us how many businesses would be impacted and to what extent. We are also unsure how the new licensing regime might be implemented, including costs, timing, specific requirements, etc. and how this would impact existing and future tourism businesses. At a minimum, TIAC would urge Parks Canada to ensure that businesses currently operating in zones 1 & 2 whose commercial viability depends on operating in these areas, continue to be able to do so (under sustainable and Parks guided practices). In our view, it is vital that existing operations that support the policy objectives around visitor experience and education not be negatively impacted by new zoning rules. We further believe that more extensive discussion is required for the tourism industry to understand the full impact of the proposed zoning changes and would urge Parks Canada to undertake a robust consultation process with key tourism stakeholders, including the federal department overseeing tourism: Innovation, Science and Economic Development (ISED), before moving forward with proposed regulatory changes. We believe that these proposed changes could have far reaching consequences for the tourism industry at the very time when the Minister of Tourism, Official Languages and La Francophonie just unveiled a new tourism strategy designed in large part to encourage and promote tourism in rural and remote areas.

- C) From your perspective, what are the potential benefits and impacts of these proposed protection measures within NMCAs?

It would be difficult if not impossible for the tourism industry to appropriately comment on the potential benefits and impacts without understanding the full scope of the proposed changes. While we realize that most of these changes will flow from regulatory efforts in the next phase of development, we know that significant, sustained, and advanced consultation (greater than the scope of the consultation processes through the Canada Gazette), are critical for the industry to be able to understand, comment and adapt to regulatory changes.

For instance, with regards to protections around closures, we have concerns with the language around the ability for Parks Canada managers to close and restrict activities in NMCAs “on a case-by-case basis”. It appears that there is no consideration process outlined or specific criteria in which a closure would be considered, and unilateral decision-making on these matters without procedures and consultations in place could have detrimental impacts on tourism businesses and visitor enjoyment.

- D) From your perspective, what are some important considerations related to developing the land use permitting system?

As with other areas of the consultation, there is not enough specific information outlining what processes would be put into place with the new permitting system to authorize land use in NMCAs. While we find more general suggestions that new permits and licences will need to be issued, there are no details outlined such as costs to businesses, and whether these regulations will be in addition to, in place of, or superseding regulations governed by other Federal departments such as the Department of Fisheries and Oceans. We are also concerned that the transition to a new permitting system may cause additional demands and excessively burden

tourism businesses. In our view, greater clarification on how current licences would be impacted, including the possibility that existing businesses might not receive a permit under new regulations, or may be subject to significant costs, delays, etc., are all issues that should be discussed prior to implementation of any new licensing regime. Again, we believe that robust consultations with the industry will be vital to ensure current and future tourism stakeholders fully understand any changes and what a potential transition might entail.

- E) From your perspective, what are the potential benefits and impacts of protecting cultural resources through the types of regulations described above?

TIAC notes that the direct reference to ecotourism, diving, and fishing activities as ‘threats’ to cultural resources in the discussion paper is somewhat alarming, misleading, and contrary to the proposed policy objectives of NMCAs. In fact, these very activities are often crucial in the monitoring and conservation of natural areas and cultural resources. These activities should be viewed from a lens of partnership and mutual respect, rather than the suggestion that they pose a threat to the Parks Canada mandate.

We also believe that clarification is needed concerning the scope of potential regulatory changes to “restrict certain kinds of activities”, as this statement is extremely vague and does not provide any indication of the breadth and scope of those restrictions. The industry should have the opportunity to consult on the types of activities to be restricted, and have a better idea of what the consultation process will look like.

- F) From your perspective, what are some key considerations in developing regulations to manage marine tourism and recreation in NMCAs?

We believe that any future regulations should be based on meeting the core objectives stated at the outset of the consultation, including objectives 7, 8 and 9 which specifically support visitor experiences, promoting awareness and understanding of the natural and cultural heritage of NMCAs and advancing knowledge and understanding of marine environments in NMCAs”. It is our sincere hope that any new regulations will not result in measures that would be detrimental to the enjoyment of Canada’s natural resources for domestic and international visitors and the ability of tourism businesses to continue to provide world-class experiences that have become synonymous with Canada’s brand as a premier tourism destination.

While we appreciate the opportunity to provide comments on the proposed approach Parks Canada intends to pursue with regard to the regulation of NMCAs, the proposals are not fully explained in such a way that allows us to provide more specific comments. However, we believe that any new regulations should not unduly increase the regulatory burden on tourism businesses and existing regulatory requirements should be reviewed and taken into account before layering on additional ones. We further submit that any new regulatory regime should include a reasonable and clear transition plan, including published timelines and measures to help mitigate negative impacts on existing and future tourism businesses and visitors.

We also do not believe that consultations limited to the comment period provided in the Canada Gazette are sufficient. Since a robust regulatory regime already exists and is adhered to by tourism businesses within Parks and other natural areas across Canada, any new regulations must avoid putting the livelihood of those working in these businesses at risk. We recommend further collaborative and ongoing consultations during the process leading up to regulatory development, transition and implementation. We further submit that both the timing of such consultations and period for comments should take into account the fact that the summer period is the high season where most activities in NMCAs occur. As such, the very people who are at the forefront of this issue are operating during their busiest time of year at a time when their input is being sought. Further consultations should take this into account as tourism businesses are a key stakeholder operating in the NMCAs and should be given reasonable opportunity to be consulted, review and comment on any proposed changes that could ultimately impact their livelihoods. For TIAC's part, it is imperative for us to have adequate time to consult with our members and key stakeholders to ensure we are representing their interests in future consultations.

- G) From your perspective, what are some important considerations related to developing permits for scientific research?

We believe that ecotourism businesses and operators should have the opportunity to partner with Parks and other researchers, when appropriate, to further research and conservation efforts in NMCAs.