

Opposition to renewal of Fish Farm licenses

MLA Meetings Background Package

Hi All,

This is a crucial month. We need to keep the pressure on BC MLAs to respect UNDRIP by not renewing the leases contested by First Nations. They need to demonstrate that the health of wild salmon comes before the demands of the fish farming industry.

On our last regional Chapter call, several Chapter contacts said they would set up meetings with their MLAs in this next month. I agreed to prepare and send around this background information. I know that the First Nations activists would welcome our support.

In May MLAs are most likely to be in their ridings on Fridays, or during the week of the 20th -25th.

What follows includes:

- Key Issues
- Background and Updates
- CofC Stand with Indigenous Salmon Defenders

Please let me know if you do meet with your MLA and what you learned anything about your MLA's or the government's position during the meeting.

- Alice de Wolff, Comox Chapter CofC, BC & Yukon Regional Rep.
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Key Issues To Raise With Your MLA

Respect the United Nations Declaration on the Rights of Indigenous People (UNDRIP). Your government has stated that it will adopt UNDRIP as a framework for reconciliation, and that you will respect First Nations' right to free and informed consent prior to approval of projects that affect their lands or territories. Your decision about the renewal of fin-fish aquaculture licenses in the Broughton Archipelago is the perfect opportunity to demonstrate to the whole country how these agreements should work. Kwakwaka'wakw First Nations in the Broughton Archipelago - Musgamagw Dzawada'enzw, Kwikwasut'inuxw Haxwa'mis, 'Namgis, Gwawaenuk, and Mamalilikala – have stated clearly that they do not now, and in several cases have never consented to fin-fish farms on their territories.

Start by not renewing the fish farm tenures in the Broughton Archipelago when they expire on June 20, 2018.

*** Adopt the precautionary principle.** Remove farms from wild salmon migration routes. Wild salmon are endangered. First Nations in the Broughton Archipelago and along the Fraser River have made it abundantly clear over many years that they have evidence that their food resources, wild salmon and herring, are collapsing around fish farms in their territorial waters.

B.C. is the only jurisdiction on the west coast that allows open net fin-fish aquaculture. Alaska, Oregon, California, and Washington State have outlawed/ are phasing out open net fin-fish aquaculture.

*** The BC government must recognize and take seriously the cumulative evidence, peer reviewed studies and observations made by First Nations, scientists and other local observers that there are serious problems with fin-fish aquaculture.** Some of these observations and studies include:

- It is impossible to quarantine farmed Atlantic salmon in Pacific waters during a contagious disease or virus outbreak.
- piscine reovirus, sea lice and Heart and Skeletal Muscle Inflammation (HSMI) in farm salmon constitute a threat of irreparable harm to wild species
- The industry leaves floodlights on at night, drawing wild salmon smolts and endangered herring into their nets to become food for farmed fish.
- blood water from fish processing plant pipes on migration routes have not been shut off as a precautionary measure. The blood water was found to have an enterococcus bacteria that may be harmful to humans.

- Drugs in fish pellets and disease treatments are a threat to all surrounding species. Cermaq recently applied for and received a permit from the BC government to dump 2 million liters of pesticide into Clayoquot Sound in order to treat their farmed salmon for sea lice. This practice must be stopped, and this permit must be revoked.

British Columbia's economy. The government cannot accomplish a healthy, sustainable economy by supporting one sector at the expense of others. Sectors that are reliant on wild salmon include: sports fisheries, commercial fisheries, eco-tourism and local food culture enterprises. They support more jobs than the open net pen fish farm industry. First Nations Food fisheries are critical to the informal economies and social survival of many communities.

Land-based salmon farming is an alternative. Salmon from Kuterra, the 'Namgis First Nation's land-based facility is now available in BC supermarkets. Another demonstration farm has been established in Belfast, Maine.

The BC government can choose to be a champion of wild salmon and not renew those fish farm tenures. While the federal government has 90% jurisdiction over fin-fish aquaculture, the B.C provincial government has 10% of the jurisdiction. That includes the power to renew fish farm tenures. Please know you will have the support backs of voters across the province, if fish farm tenures are not renewed.

- Recommendations in the [Federal Environment Commissioner's Report 1 – Fish Farms](#), April 2018.

BACKGROUND & UPDATE

BC Government faces June deadline on fish farm licenses

The licenses for 20 contested open net fin-fish farms are up for renewal on June 20th.

January 30: **Second meeting between First Nations and the Premier.** The FNs involved include Kwakwaka'wakw First Nations in the Broughton Archipelago - Musgamagw Dzawada'enxw, Kwikwasut'inuxw Haxwa'mis, 'Namgis, Gwawaenuk, and Mamalilikala. These FNs stated their opposition to 20 open pen-net farms in their territories. In the fall the new NDP government committed itself to respecting the United Nations Declaration on the Rights of Indigenous People, which includes the right to free, prior and informed consent on the part of First Nations

<https://news.gov.bc.ca/releases/2018FLNR0006-000128>

January 31: **Minister of Agriculture's Advisory Council of Finfish Aquaculture, Final Report and Recommendations.**

It is unclear whether this Report provides a blueprint for provincial policy. Its recommendations include that the government:

- keep the moratorium on new salmon farm tenures until a public feedback process is complete
- consider putting farms in areas where there is lower salinity to reduce sea lice infestations
- establish a cap on how many farmed fish are allowed in a certain area
- establish an independent science council to review "conflicting science" and fill information gaps about the farms.

Importantly, the Minister's Advisory Council also recommended that the government "*Acknowledge and incorporate First Nations' rights, title and stewardship responsibilities in all aspects of fish farm governance, including tenuring, licensing, management and monitoring in a manner consistent with the United Nations Declaration of Rights of Indigenous Peoples (UNDRIP).*" The industry has stated opposition to this recommendation.

https://www2.gov.bc.ca/assets/gov/farming-natural-resources-and-industry/agriculture-and-seafood/fisheries-and-aquaculture/minister-or-agriculture-s-advisory-council-on-finish-aquaculture/maacfa-2017-docs/minister_of_agricultures_advisory_council_on_finish_aquaculture_final_report_and_appendices.pdf

March 6: 'Namgis filed a notice of Application in the Federal Court seeking a judicial review of the Minister of Fisheries and Oceans' policy not to test farmed Atlantic salmon for piscine reovirus (PRV).

March 22: **Washington State** decided to phase out open net-pen farms of Atlantic salmon and other non-native species by 2025. (Note the possibility for a NAFTA ISDS challenge, mentioned in this article).

<http://www.timescolonist.com/news/local/washington-state-phases-out-atlantic-salmon-farming-1.23210896>

April 5: **50 of B.C.'s top Chefs** signed a letter urging the B.C. government to stop leases to open net salmon farms. Chef David Hawksworth stated: "It's clear that these salmon farms are bad for the fish and the environment and, as a result, our industry".

<http://vancouver.sun.com/news/local-news/b-c-chefs-pen-letter-to-government-to-stop-salmon-farming>

April 11: BC government approved a permit to dump over 2 million litres of pesticides (Paramove 50) into Clayoquot Sound UNESCO Biosphere Reserve.
<https://clayoquotaction.org/2018/04/clayoquot-pesticide-dump-approved/>

April 15: The **Association of Vancouver Island & Coastal Municipalities** supported two resolutions: the first opposed open net-pen fish farms, and the second supported protecting wild salmon. All BC Municipalities will further debate these motions at their meeting in the fall.

[file://localhost/. https://www.watershed-watch.org:2018:04:local-governments-pass-resolutions-against-open-net-pen-salmon-farms:](file://localhost/.https://www.watershed-watch.org:2018:04:local-governments-pass-resolutions-against-open-net-pen-salmon-farms:)

<p>Pressure is also on the Federal Government to tighten its regulation of open net fish farming.</p>
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April 24: Julie Gelfand, the Federal Environment Commissioner released her audit o **Report 1 – Salmon Farming**. It echoes many of the concerns of First Nations and environmentalists and concludes that the Department of Fisheries & Oceans Canada (DFO) is not adequately managing the risks salmon farms pose to wild fish. The report emphasizes the need for the government to address the conflict of interest within DFO's mandate between protecting wild salmon and promoting the salmon farming industry. It recommends that DFO:

- conduct disease risk assessments by 2020
- clarify its role in the prevention of disease in wild salmon, and apply the precautionary principle to managing aquaculture
- establish safe thresholds for the deposits of drugs and pesticides into net pens, and develop independent testing of these thresholds

- establish national standards for nets and other equipment to prevent fish escapes
- enforce compliance with regulations.

“The department is at risk of being seen to promote aquaculture over the protection of wild salmon,” Commissioner Gelfand.

http://www.oag-bvg.gc.ca/internet/English/att_e_42999.html

Who is involved in this movement

Five Kwakwaka'wakw First Nations in the Broughton Archipelago - Musgamagw Dzawada'enhw, Kwikwasut'inuxw Haxwa'mis, 'Namgis, Gwawaenuk, and Mamalilikala - are demanding that the federal and provincial governments not renew fish farm licenses in their territories. They have never agreed to the farms that are operating in their waters.

Occupations: While activists have been ordered by the courts to stay off the fish farms, Ernest Alfred and other observers are at a camp near a Marine Harvest farm on Swanson Island. Cleansing Our Water activists are regularly out on the water monitoring the industry's activities on 18 other contested farms. Activists at the Matriarch Camps in Victoria have been arrested twice, and over this past month have been with activists on Swanson Island.

Current information is available on the facebook pages of :

- Cleansing Our Waters (Midsummer Island camp)
- Ernest Alfred (Swanson Island camp)
- Fish Farms Out Now (Victoria Matriarch camp)
- Alexandra Morton

Wild Salmon Allies (not a comprehensive list):

Clayoquot Action
 Council of Canadians
 David Suzuki Foundation
 Fish Farms Out Now
 Gathering Allies Society
 Georgia Strait Alliance
 Living Oceans
 Wild Salmon Defenders Alliance -
 (see Eddie Gardiner in action at NDP Adrian Dix's office
<https://www.youtube.com/watch?v=FbPRTrbgRCg&feature=youtu.be>)
 Watershed Sentinel
 Watershed Watch Salmon Society

Council of Canadians Stand with Indigenous Salmon Defenders

November 2017

“The Council of Canadians stands in solidarity with the wild salmon defenders, water protectors and observers of the Musgamagw Dzawada’enuxw and Kwikwasut’inuxw Haxwa’mis First Nations. We honour the strength and the spirit of those who have been at Midsummer and Swanson islands since August.

We recognize that these islands in the Broughton Archipelago off the north-eastern tip of Vancouver Island are unceded territories. We hear the strong voices from these Indigenous communities who are sounding the alarm about the collapse of their food fishery, and the health of wild salmon and the ocean itself. This concerns all peoples and species on this coast, and across the country. We recognize that the presence of Norwegian-owned Marine Harvest fish farms on these territories is a violation of the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), notably the right to free, prior and informed consent.”

The Council of Canadians will be asking it’s chapters, members and allies to support the following demands and actions:

- Premier Horgan and Prime Minister Trudeau to engage in 'nation-to-nation' negotiations with the Musgamagw Dzawada'enuxw and Kwikwasut'inuxw Haxwa'mis nations who are united in their legitimate demand to have these Atlantic salmon farms removed from their territories.
- The federal government to support independent scientific reviews on the environmental impacts of farmed Atlantic salmon, to have their promise to implement UNDRIP at the forefront of their engagement in this issue, and to act responsibly within their jurisdiction over fish farms to stop the spread of disease and the impact of sea lice on wild migrating salmon.
- The British Columbia provincial government to respect UNDRIP and not renew the licences for these fish farms when they expire in June 2018.
- Marine Harvest to remove their Atlantic salmon farms from these territories.
- All supporters of indigenous rights and wild salmon to stop purchasing farmed salmon.

We stand united with wild salmon defenders to protect the waters of the Broughton Archipelago and the Fraser River.

Maude Barlow,
Honorary Chair, Council of Canadians