



Skwah First Nation
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Minister Dominic LeBlanc
Ministry of Fisheries and Oceans
House of Commons
Ottawa, Ontario
Canada K1A 0A6

October 17, 2016

Subject: Open Net Pen Fish Farms Pose a Threat to Indigenous Rights to a Salmon Fishery

The Skwah First Nation has long opposed the development and continued expansion of fish farms on the migration routes of wild Fraser River salmon. We have tracked the peer-reviewed science that shows evidence fish farms do harm to wild salmon and its habitat. This is worrisome as all this correlates with what we witness along the river. Our fishers catch farmed salmon that escaped open-net cages. Many wild salmon show signs of disease and weakness with lesions, and some have unnatural green and yellow coloring. We have witnessed too many pre-spawn deaths which is due to a virus, according to published research by DFO scientist, Dr. Kristi Miller, and yet five years have passed and we still don't know what virus it is and where it comes from. The Cohen Commission warned fish farms have the potential to do serious or irreversible harm to wild salmon and a recent scientific paper found DFO's own research supports this conclusion.

(<http://www.sciencedirect.com/science/article/pii/S0308597X16304390>)

More recently, we learned that Alexandra Morton and EcoJustice are suing you for breaking the law and putting wild salmon at risk by refusing to test farmed salmon for *Piscine reovirus*, a highly contagious pathogen that likely causes heart damage to salmon. In June 2015, the Federal Court struck down conditions of licence permitting Marine Harvest to transfer farmed salmon infected with disease into open net pens. The court ruled this activity was harmful to the protection of fish and unlawful according to Section 56 of the *Fisheries Act*. To date your response has been to join Marine Harvest in appealing this decision! It appears that your Ministry is not fulfilling its constitutional responsibility to protect wild salmon, and is willing to break Canadian law to benefit an industry that is perceived by many British Columbians, Indigenous people, the scientific community and people internationally, as harmful to wild salmon and its habitat. You can begin to restore a measure of credibility by dropping DFO's appeal to the June 2015 Federal Court decision.

We must not allow our West Coast salmon to go by the way of the buffalo and the cod. We are in solidarity with Musgamagw Dzawada'enuxw, a united Indigenous government that is determined to cleanse their territorial waters of fish farms. The Musgamagw Dzawada'enuxw Nation have made it clear they never gave their consent to have fish farms in their territory, nor have they ever signed an agreement with Marine Harvest or any of the salmon farmers that have operated or continue to operate in their territory. They have been consistent with letting your department know they oppose fish farms in their territory as these fish farms threaten wild salmon, local clam beds, as well as the herring and eulachon that swim near or through the open nets to become food fish for farmed salmon. Why has the Liberal government not intervened to rectify this situation, particularly given the precipitous decline of wild salmon stocks? It appears as though you and your Liberal government accept the loss of wild salmon and other species as collateral damage to the subsidized and aggressively expanding ocean aquaculture industry.

In honouring the Liberal government's commitment to nation-to-nation relationships and its endorsement of the Universal Declaration on the Rights of Indigenous People, we cannot overemphasize the importance of engaging with Musgamagw Dzawada'enuxw Nation to plan for the removal of fish farms from their territory as expeditiously as possible.

We not only stand in solidarity with the Nations that are trying to protect wild salmon from salmon farms, we view the industry as a threat to our Indigenous rights to a salmon fishery.

As Chief of the Skwah First Nation, my council and I work to safeguard what our people need to survive and so I am asking you to explain to me, leader-to-leader, why you appear to be breaking the law by refusing to test farmed salmon for piscine reovirus before issuing the salmon farming industry permits to transfer Atlantic salmon onto the migration routes of the wild salmon my people value highly?

Chief Bob Combes

CC Musgamagw Dzawada'enuxw
Dr. Alexandra Morton
First Nations Wild Salmon Alliance
Union of BC Indian Chiefs
Wild Salmon Defenders Alliance
Kwantlen First Nation
Matsqui First Nation
Sekw'e'l'wes First Nation
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Chawathil First Nation