



Wild Salmon Defenders Alliance
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March 14, 2017

The Honourable Dominic LeBlanc
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Ottawa, Ontario K1A 0E6
Delivered via email: Dominic.LeBlanc@dfo-mpo.gc.ca;

The Honourable Jody Wilson-Raybould
Minister of Justice and Attorney General of Canada
284 Wellington Street
Ottawa, Ontario K1A 0H8
Delivered via email: mcu@justice.gc.ca

Dear Dominic LeBlanc,

Thank you for your letter of February 14, 2017 confirming that the Crown and Marine Harvest have discontinued appeals of the Federal Court decision in *Alexandra Morton v. Minister of Fisheries and Oceans and Marine Harvest Canada Inc.*, and that this court case has reached an end. There is now growing public awareness that DFO has found that the piscine reovirus is occurring in BC farmed salmon. It is now established that the piscine reovirus not only appears to cause heart and skeletal muscle inflammation, but also that it infects the red blood cells and this is going to make it harder for salmon to breathe. We also know that it can spread from farmed salmon to wild salmon. This makes it more imperative than ever before to abide by *Section 56* of the *Fisheries Act*, and test farmed salmon for the piscine reovirus and all other salmon farm pathogens before they are put into open net pens. For Indigenous people who depended on wild salmon for thousands of years, this would be an act of reconciliation as DFO would prevent European viruses from threatening to bring wild pacific salmon stocks to extinction. It would be hard to understand why Canada would not do this.

Regarding consultations on the implementation of *Canada's Policy for Conservation of Wild Salmon*, it is paramount that this policy be maintained as it was written, with resources to enforce the policy. Most importantly, this policy must not be aligned with the *Fisheries Act* until all the protective measures for salmon and its habitat that were taken away by the former Harper conservatives are put back in place. It is imperative that you and your governing colleagues bear in mind the following contained in this important policy:

"This policy will foster a healthy, diverse, and abundant salmon resource for future generations of Canadians. It will support sustainable fisheries to meet the needs of First Nations and contribute to the current and future prosperity of Canadians."

The policy for conservation of wild salmon also establishes that resource management processes and decisions will honour Canada's obligations to First Nations. Under *Canada's Policy for Conservation of Wild Salmon*, Musgamagw Dzawada'enuxw would have a decisive voice in resource management decisions that affect them as a means of honouring Canada's obligations to this First Nation. Musgamagw Dzawada'enuxw First Nation has never given their consent, nor have they signed any agreements to have open net pen fish farms take up space in their territorial waters. Cermaq and Marine Harvest trespassed on Musgamagw Dzawada'enuxw territory by placing fish farms in their territorial waters, and represents approximately one third of the fish farms on the BC coast. We ask you to collaborate with Musgamagw Dzawada'enuxw in evicting those fish farms.

Besides the recent diesel spill at a fish farm in their territory that is down-played by the industry as a minor spill, Musgamagw Dzawada'enuxw, have their own evidence that open net pen fish farms could cause irreversible harm to their clam beds, herring, eulachons and wild salmon. Please let us know if you will personally to take the time to meet with the political and hereditary leaders of Musgamagw Dzawada'enuxw to review all the reasons why they issued an eviction notice to open net pen fish farms in their territorial waters. This would provide you and your departmental staff evidence needed to regulate the

aquaculture industry as per the needs of First Nations. The technology used by the ocean aquaculture industry is fundamentally flawed as open net pens cannot be a barrier between farmed salmon and wild salmon, herring, clam beds and eulachons. Sea lice, vectors for diseases, and viruses can too easily spread from farmed salmon to wild salmon, and the worldwide evidence is that this causes irreversible harm. The only way the aquaculture industry could be sustainable is to have them moved onto land in containment.

We look forward to your decision on whether or not you will meet with the political leadership of the Musgamagw Dzawada'enuxw with whom we are in solidarity on the need to remove open net pen fish farms from their territory.

We must warn you that it is dangerous to introduce a national aquaculture act that would give the aquaculture industry using open net pens ownership of the fish in their pens. It is established international law that no one can own the fish in the ocean. It is necessary that this be maintained in any consideration of governing the aquaculture industry. Corporate ownership of fish in the ocean would open up corporate lawyers to protecting their farmed fish from any transference of pathogens and sea lice from wild salmon and a host of other issues that would compromise federal responsibilities to protect wild fish and their habitat from farmed salmon. Wild salmon are one of the greatest threats to farmed salmon, both biologically and in the market place. If you allow ownership of farmed salmon in marine waters, you break 801 years of international law since the Magna Carta and put corporate lawyers between wild salmon and the open ocean. Are you sure you want this legacy?

Yours sincerely,

Eddie Gardner
President, Wild Salmon Defenders Alliance

CC Willie Moon, Musgamagw Dzawada'enuxw
Bob Chamberlin, First Nations Wild Salmon Alliance
Stewart Phillip, Union of BC Indian Chiefs
The Honorable Jody Wilson-Raybould, Minister of Justice
The Honourable Tom Mulcair, NDP
Fin Donnelly, NDP MP
Elizabeth May, Green Party of Canada
George Quocksister
Aaron Hill, Executive Director, Watershed Watch Salmon Society
Dawn Morrison, Wild Salmon Caravan
Chief Michelle Lee Edwards, Sek'wel'was (Cayoos Creek Band)
Chief Judy Wilson, Neskonlith First Nation
Chief Bob Combes, Skwah First Nation
Ernest Alfred, Musgamagw Dzawada'enuxw First Nation
Chief Ernie Crey, Cheam First Nation
Chief Bob Pasco, Nlakap'mux Nation Tribal Council
Chief Marilyn Gabriel, Kwantlen First Nation
Chief Robin Billy, Adams Lake Indian Band
Chief Alice McKay, Matsqui First Nation
Chief Rhoda Peters, Chawathil First Nation
Dean Werk, President, Fraser Valley Salmon Society
Dr. Alexandra Morton, Marine Biologist
Chief Janet Webster, Lytton First Nation
Chief Darrell Bob, Xaxli'p First Nation
Don Bain, Executive Director Union of BC Indian Chiefs
Chief Ryan Day, Bonaparte Indian Band