



March, 2010

Summary of Submission for the Development of a New Regulation and Regulatory Framework for the Management of Aquaculture in B.C.

This document summarizes the recommendations submitted by The SOS Marine Conservation Foundation in response to Fisheries and Oceans Canada's discussion document *Federal Regulation in British Columbia and National Strategic Action Plan Initiative for Aquaculture, Fisheries and Oceans Canada*.¹

1. Development of new regulation and regulatory framework for the management of aquaculture in B.C

- I. Recommendation: The principles guiding the development of the new federal regulatory regime should be revised to expressly prioritize the statutory obligation for DFO to protect fish and fish habitat over management objectives regarding growth of the aquaculture industry.
- II. Recommendation: To demonstrate a commitment to prioritizing protection of fish and fish habitat, mitigate the risk of conflicting mandates and build public confidence, DFO should create an independent Aquaculture Licensing Board and Aquaculture Practices Review Board.
- III. Recommendation: That DFO focus on the development of a core regulation which establishes science-based siting criteria, thresholds and limits for effects beneath and beyond the farm, including on wild salmon and other exposed marine life, and the related sampling, monitoring and remediation requirements. This is to include the monitoring of sea-lice on juvenile wild salmon. Thresholds and limits for release of substances in the water should be independently established, science-based and allow for stricter licence specific conditions depending on siting and risk management considerations, including cumulative effects. Core regulation should also address the prevention and monitoring of bycatch and impact on predators, on a basis consistent with the approaches used in the commercial and sports fisheries.
- IV. Recommendation: Immediate, mandatory reporting for pathogens, including Infectious Salmon Anemia (ISA) and Infectious Hematopietic Necrosis (IHN), should be established by regulation under the *Fisheries Act* or the *Health of Animals Act* and made reportable to the public. In addition, the core regulation

¹*Federal Regulation in British Columbia and National Strategic Action Plan Initiative for Aquaculture, Fisheries and Oceans Canada, November 2009.*

should address mandatory, regular public reporting of parasites, and mandatory, advance, public reporting requirements for therapeutants and chemicals used when they may enter into the marine environment.

- V. Recommendation: In addition to the creation of an Aquaculture Practices Review Board set out above, mechanisms should be undertaken to ensure public confidence in the inspection, audit and enforcement provisions of the regulations, including conducting a review to ensure that licensing authorities have the full range of regulatory tools for effective enforcement and the flexibility to respond to changing conditions and emerging scientific evidence; placing all salmon aquaculture-related enforcement actions and decisions on the public record using a single, accessible public registry website; and implementing a transparent and workable administrative enforcement framework that deals effectively and expeditiously with infractions in lieu of formal court proceedings.
- VI. Recommendation: Given the importance of the rapidly evolving land-based aquaculture grow-out facilities to the protection of wild salmon and the growth of the aquaculture sector, prioritize regulatory clarity for these land-based grow-out facilities.

2. The Need to Immediately Undertake Steps to Protect the Most Critical and Threatened Wild Salmon Stocks.

- I. Recommendation: Prior to the new regulatory regime coming into effect in B.C., we recommend DFO immediately undertake emergency risk management measures to protect the most critical and threatened wild salmon. The measures include continuing with the following strategy implemented in the Broughton Archipelago in 2009, and expanded measures to protect the next generation of Fraser River salmon migrating through a high density of open net-cage salmon farms in the northern Georgia Strait. The key farms for removal of adult farmed fish are believed to be Venture Point, Cyrus Rocks and Okisollo/Sonora, however, this is subject to confirmation of the current stocking of these farms. This information is not currently publicly available and is key to a risk management strategy. This measure is consistent with a statement from a Simon Fraser University Think Tank of scientists regarding the management of declining Fraser River Sockeye salmon productivity.²
- II. Recommendation: Emergency risk management measures should be accompanied by an independent sea lice monitoring program, modelled after the monitoring program implemented in the Broughton Archipelago in 2009.

² *Adapting to Change: Managing Fraser sockeye in the face of declining productivity and increasing uncertainty*. Statement of Think Tank of Scientists, SFU, Vancouver, December 9th, 2010. The Think Tank recommended “precautionary measures such as experimentally removing farmed salmon from sockeye migration routes in the short term, even before the federal judicial inquiry is completed”.²

3. A Note on DFO's National Exercise to Advance Environmentally and Socially Sustainable Aquaculture Development in Canada

- I. Recommendation: We support DFO's initiatives to advance environmentally and socially sustainable aquaculture development in Canada. In addition to the evolving regulatory regime, action is needed to create incentives for industry to embrace the technological innovation, focused on the development and adoption of closed containment technology that will lead to a sustainable aquaculture industry that can support the growth goals set out in DFO's *National Aquaculture Strategic Planning Initiative*. Tides Canada is working to provide incentives to catalyze this innovation through the creation of a Finfish Aquaculture Innovation Fund of +\$15 million. To date, \$5 million of philanthropic funding has been identified. We recommend DFO work with Tides Canada to source matching contributions from existing or proposed federal programs in order to move the Innovation Fund and qualifying demonstration projects forward.