Salmon farming lobbyists howled when the Liberal Party unveiled its platform promise: “In British Columbia, we will work with the province to develop a responsible plan to transition from open net pen salmon farming in coastal waters to closed containment systems by 2025.” The New Democratic and Green parties made similar commitments; and the Conservatives chimed in with a promise to ‘keep wild and farmed salmon apart’.

You’d think it might be a done deal; yet the morning after the election, there was Mowi’s CEO in Norway confidently predicting that Trudeau would “change his mind”.

Now, why would he do that when there’s so much to be gained by getting net-pens out of the water? And when the consequences of not getting them out of the water have been so sharply brought home to us by reports of failing fish runs, starving grizzly bears and struggling coastal communities?

Living Oceans will be working hard over the next years to help carve out a transition plan for the industry. Increasing open net-pen fees steeply, to reflect the true cost of pollution and damage to wild fish stocks, should be a first step toward incentivizing change. A seamless regulatory regime that protects wild fish and their habitats from the cumulative impacts of net-pens and streamlines the permitting process for new recirculating or closed aquaculture system (RAS) development must follow. Most importantly of all, we need a monitoring and enforcement regime with real teeth to ensure that the cost of non-compliance is high enough to hurt.

You know that the people who are profiting from business as usual are, right now, pouring money into lobbying and scary media threatening job loss and economic ruin for coastal communities. You also know that the wild salmon economy and ecosystems we fight to preserve and rebuild are worth orders of magnitude more than the existing net-pen industry. A closed containment industry would add jobs and economic activity; and by protecting wild salmon, help restore the ecosystem and traditional economy of the coast.

Please, join us in demanding that the federal government moves forward immediately with transition planning: www.safesalmon.ca. Help us to get the message out by donating today at www.livingoceans.org/donate.

Now What?
Living Oceans was appointed to two of the multi-stakeholder working groups hastily set up in August to make recommendations for B.C. salmon aquaculture. Terms of Reference put the groups to work immediately; reports are due in December although there are early indications that some of the four tables will seek extensions.

The Area-based Management Working Group has the potential to introduce ecosystem-based management approaches to net-pen aquaculture for the first time; but if it fails to produce practical recommendations for the short term, its work will have been largely wasted. There are wild salmon runs whose numbers are so precariously low that they will not survive if measures are not taken for next spring’s outmigration, to prevent lice infestation. And in the longer term, now that the farms are slated to go into closed containment by 2025, the potential for cumulative impacts (and the need for area-based management) will be greatly reduced.

We also sit on the Integrated Multi-Stakeholder Advisory Board (IMAB), which is charged with drawing together the work of three working groups into a final report. Chaired by DFO’s relatively new Deputy Minister Tim Sargent, the IMAB has yet to be consulted on any of the questions arising at the working group tables.

The Initiative is the brain child of former Fisheries Minister Jonathan Wilkinson, who was remarkably receptive to arguments that the management of salmon farming has to change in order to save the province’s wild salmon. Still, DFO staff do not seem to be able to come to grips with the precautionary principle (see DFO MIA on PRV, below) and, in the absence of a precautionary approach to the science, separating farms from wild ecosystems is the only possible way forward.

There is still the question of how best to preserve wild salmon during the transition phase from net-pens to closed containment. That is the question on which we’ve committed to work, but it remains to be seen (after two meetings) if the group can even address short term change.

Having denied all of that, you change the law so as not to be breaking it: you offload the responsibility for regulating the pathogen to the Canadian Food Inspection Agency, “to eliminate overlap in fish disease management responsibilities.”

When you do this in response to two court orders requiring you to develop a new policy on PRV that takes a precautionary approach to the disease agent, your behaviour can only be described as reckless disregard for the survival of wild salmon.

The decision on the new PRV policy was made by the Pacific Region Director General, Rebecca Reid, on the advice of DFO aquaculture scientists working in collaboration with the BC Salmon Farmers Association. We wouldn’t ordinarily name civil servants, but in this case, the court order was directed to the Minister of Fisheries and we thought it appropriate to make it clear that decision-making authority was delegated to Ms. Reid.
Closed Containment: on Land or at Sea?

In the same week that saw the Trudeau government returned to power, Europe’s largest agribusiness financier, RaboBank, published a report asserting that the recirculating or closed aquaculture system (RAS) is a technology that could disrupt global salmon aquaculture within the next decade “not only in terms of adding volumes to salmon production, but also by potentially disrupting trade flows, supply chains, and the marketing of salmon.”

In other words, it’s time to fish or cut bait: the markets for B.C. salmon are still largely in the U.S. and we could lose them, as well as developing Asian markets, to local producers of green-ranked RAS fish.

The B.C. industry may want to choose between land-based and ocean-based ‘closed’ systems. Most ocean-based systems currently in use are only semi-closed: they still depend on clean ocean water flushing away liquid waste that may be loaded with viruses and bacteria. These systems fail to address the concern that salmon farms are incubating and releasing vastly amplified loads of pathogens that can infect wild salmon.

Adding a fully recirculating system to an ocean-based farm may be cost-prohibitive and would certainly be carbon-intense, as most farms would have to depend on diesel-fuelled pumps. Another option would be treating the waste stream to kill pathogens; but again, this would require costly additions and diesel fuel to treat the enormous volume of water used in a flow-through system.

A report jointly commissioned by the Fisheries department and government of B.C. concludes that land-based RAS technology is “ready for commercial application in B.C.”, while floating containment technologies “still need five to ten years” of research and development.

The experience at Kuterra, the land-based project of ’Namgis First Nation, suggests that a recirculating system with biofilters is the only way to go to ensure that there are no harmful impacts on wild salmon ecosystems. Constant cleaning of the water means fewer pathogens are available to infect farmed fish, so the problems of virus amplification and mutation that can occur in net-pens are solved. The small amount of water that is not recirculated (1-2 percent) has been found virtually free of pathogens and is, in any case, discharged into an infiltration bed that allows soil to clean the water naturally.

Living Oceans will be working to ensure that the Liberal promise of “closed containment by 2025” is kept with fully closed technology.
Living Oceans is looking forward to action at both the provincial and federal levels on single-use plastics.

We commend the B.C. government on its public consultation on banning plastic packaging, but urge it to do more to control single-use plastics. Current plans rely heavily on individuals to return and recycle single-use plastics. But we know from recent media investigation by CBC’s Marketplace that recycling may not always be happening as we expect. Ever since China closed its doors to being the world’s major recycler of plastic, markets for our used plastics have become hard to find.

Although we’re generally held out to be one of the most successful provinces when it comes to recycling programs, it’s clear that a lot ends up in the waste stream. Far too much ends up carelessly discarded, eventually making its way to the ocean which, as you know, is downhill from everywhere!

Many municipalities have moved to control single-use plastic bags or other items, but the plastics industry is keen to see that stop. The City of Victoria found its plastic bag ban overturned in Court after an industry challenge, for the simple reason that they’d failed to obtain the consent of the Minister of the Environment, George Heyman, before implementing the law. Living Oceans joined with colleagues to urge the Minister to provide his consent, or to enact a province-wide ban on bags and other, non-essential single-use plastics.

At the federal level, we await action on a request made through Ecojustice on behalf of a number of organizations, requiring a decision to list certain plastics under the Canadian Environmental Protection Act. In August, Environment and Climate Change Minister Catherine McKenna replied to our request that single-use plastics, microplastics and microplastic fibre be added to the priority substances list for assessment and ultimately, regulation. Oddly, the reply failed to answer the question, ‘will you list this?’, but we continue to pursue the initiative through counsel.

Clear the Coast 2019

This year, we experienced remarkably different and difficult conditions on our major expedition, to Sea Otter Cove. Returning for our sixth consecutive year, we thought we knew what to expect but were instead treated to winter-pattern storms out of the southeast that reached hurricane force one day. Seas of five to seven meters were reported outside the Cove; inside, the wind created havoc in the campsite and caused three mooring lines on our boat to chafe clear through.

I’m proud to report that our crew of volunteers worked right through the weather, simply choosing to hike to the more western-oriented Lowrie Bay during the worst of it. They pitched in under the most challenging conditions and still claim they’re coming back next year!

Throughout the summer, teams of volunteers cleared beaches from Grant Bay north to Cape Scott. In all, we collected 1.4 tonnes of debris that was heli-lifted out on Labour Day, thanks to the Canadian Wildlife Service who provided funds for the lift. Thanks as well to Dan Carter of Port Hardy, who trucked it all to the landfill/recycling centre.

Living Oceans has removed 42.7 metric tonnes of plastic debris from North Vancouver Island beaches since we began doing regular habitat restoration work in 2008. In terms of volume, that’s enough plastic to cover 7 football fields nearly a full meter deep! Going back to the same beaches year after year, we can clearly see the difference our work is making: we find far less old, degraded plastic and a decreasing proportion of what we find is clearly attributable to the Tohoku tsunami of 2011.
Living Oceans is proceeding to the Supreme Court of Canada with an appeal of the approval for Trans Mountain pipeline and we’d like you to know why. It might not stop the project; the federal government has re-committed to building the line since the election and there is little that the combined strength of parties opposed to it can do in Parliament to stop that. Our appeal, if the Supreme Court grants us leave to bring it, will not occur for many months, while construction on approved portions of the line continues apace. So, why sue?

Our case raises a critically important issue about how we deal with endangered species in Canada. The Supreme Court has never decided a case on the Species at Risk Act and there has never been a clearer case of conflict between species protection and the assessment of a major project than our case: Southern Resident Killer Whales vs. Trans Mountain Pipeline.

The Species at Risk Act is designed to provide a legal framework for the protection and recovery of species that make it through the highly politicized process of listing. Once listed as “endangered”, as the Southern Residents are, the Act mandates the formulation of plans that identify the risks to the animals and take concrete, measurable and effective steps to remove or reduce those risks so that the population can rebuild.

Assessments of this whale population indicate that it’s poised on the brink of extinction; any further disturbance could push it into a decline from which there is no return. The specific risks identified include a lack of food; and physical displacement and noise disturbance from ship traffic that make it harder for them to hunt, communicate and raise their young.

Enter Trans Mountain, with a plan that involves displacing or destroying spawning habitat for Chinook salmon in the many interior rivers that it crosses, thereby further threatening the supply of the main food of the Killer Whale. Their plan also involves increasing the traffic of large crude oil tankers and their pilot tugs by some 1400 transits per year through the habitat that has been designated as critical to the survival of the Southern Residents.

It is not contested by any party to the litigation that this project will have adverse effects on Southern Resident Killer Whales. The Species at Risk Act says that in such circumstances, decision-makers “must ensure that measures are taken to avoid or lessen those effects and to monitor them.”

If those words are to have any meaning at all, then “ensure” must mean that legally binding conditions govern the approval or operation of the project; and “to avoid or lessen” must mean that the measures taken can actually be shown and measured to be effective at avoiding or lessening adverse effects.

A good deal of effort has been directed toward finding measures that might avoid or lessen adverse impacts. Ship traffic has been asked to slow down, to reduce noise levels (a voluntary measure) and setbacks for whale watching have been increased, while sanctuary areas allow the whales to escape their fans and the ships. These are all commendable measures that are long overdue for this endangered population.

None of the proposed measures can be shown to reduce the level of noise, or the number and duration of physical disturbances that the whales will have to contend with once the Trans Mountain project gets underway. None of the proposed measures safeguards the spawning habitat of Chinook salmon. There is not yet any evidence that reducing speed and thereby, increasing the duration of physical disturbance of the whales results in any net benefit for them. On a cumulative impacts basis, it’s impossible to say that any of the measures proposed would protect the whales from the massive increases in other ship traffic from concurrent and proposed developments in all of our southern ports, combined with the Trans Mountain tankers.

So, do we shrug and say, we’ve done all we can? Or do we say ‘no’ to a development that could send a listed endangered species into oblivion? If you, too, would like to see the Supreme Court’s opinion on that, please help us get there. Visit www.livingoceans.org/donate to help us with the costs of the appeal.
Living Oceans is working to help coastal communities plan for sea level rise not only because of our mandate to work on climate change, but also because of our commitment to sustainable fisheries. If that doesn’t make immediate sense to you, then you might be intrigued to learn about the complex relationships among fish, beaches, trees and other shoreline vegetation.

Sand and gravel beaches naturally shaped and washed by tides and waves are spawning grounds for sand lance and surf smelt. These two species are important to coho and Chinook: together with herring, they make up as much as half of the diet of these salmon. Shade provided by shoreline trees is essential to protect summer surf smelt eggs as they incubate.

Fish may not grow on trees, but they need them!

Ocean Exposures Photo Contest 2019 Results!

Every year, we invite the public to unleash their inner shutterbugs and let their creativity shine by sharing their favorite ocean photos with us. This helps Living Oceans to showcase the beauty of the ocean as we advocate for its protection, and once again, the many entries we received this year did not disappoint!

These are four of the winning photos – there are ten total, so please check the rest out on our website, and enjoy!

www.livingoceans.org/action/ocean-exposures-photo-contest-2019

Forage Fish Spawning Habitats

Coastal Wildlife Category 1st Prize - Wendy Davis

SeaHuggers Choice Prize - Tammy Tait

Work or Play on the Ocean Category 1st Prize - Jeff George
Living Oceans holds out hope that changes proposed for seafood labelling in Canada may yet be revisited, bringing us up to par with trading partners. Canada has the weakest seafood labelling regulations when compared to the European Union and the United States. Changes proposed by the Canadian Food Inspection Agency last summer missed the boat entirely, but a promise nestled among many in the Liberal election platform suggests more reform for traceability and labelling may be on the horizon.

Moreover, poor labelling can make it nearly impossible to choose Canadian seafood - because there is no requirement to label where a fish was caught or farmed. Current regulations only require that seafood is labelled with the country of last major transformation or processing. That means a wild salmon caught in B.C., processed into fillets in China, and reimported into Canada will bear a label that says, ‘product of China’.

The Canadian Food Inspection Agency (CFIA) announced its Food Labelling Modernization initiative six years ago. Living Oceans and SeaChoice submitted our check list of ‘modern labelling’ and asked for your help to convince the agency to require sea-to-fork traceability and labelling. Over 12,000 supporters told CFIA that seafood labels should include scientific name, geographic origin, production method (wild or farmed) and harvest method; and that the accuracy of these label claims should be supported by legally entrenched traceability requirements.

Despite the overwhelming support of Canadians for best practices, our submissions appeared to fall on deaf ears at CFIA. Their proposed changes would only require companies to indicate the common name of any seafood, and if imported, ‘the place of last major transformation’ (also called the “country of origin”). Last month, thousands of Canadians again sent messages to CFIA requesting they truly modernize our seafood labelling laws. It remains to be seen if the Food Labelling Modernization initiative will fulfil its objective to “develop a more modern food labelling system that responds to current and future challenges”. At this stage, it appears the agency has missed the boat.

However, perhaps a shiny new boat is on the horizon. During the election, the Liberal government pledged “more accurate labelling” for fish and seafood products. This includes “new rules for tracing and labelling” that are developed with industry and environmental representatives.

Help us make sure the federal government doesn’t miss the boat a second time: go to www.livingoceans.org/donate to contribute to our Sustainable Seafood program.

Poor labelling makes it challenging for environmentally conscious shoppers to choose sustainable seafood and to identify seafood associated with human rights abuses or illegal, unregulated, unreported (IUU) fisheries. ‘Seafood fraud’ (the intentional switching of a species for another) can also occur. The SeaChoice program’s DNA studies from 2017 and 2018, which sampled hundreds of seafood products purchased at numerous retailers across the country, found as many as 1 in 10 unique products were mislabelled. Other studies have found ‘fraud’ at higher rates when certain species are targeted for testing and/or when samples from restaurants were included (e.g. sushi).
Andy Garossino’s article in the National Observer is a must-read for anyone who, like us, is fed to the teeth with the “foreign-funded radicals” conspiracy theory behind Jason Kenney’s public inquiry into tarsands activism. Our favourite quote from the article: “No sooner did the premier release the terms of his foreign funding inquiry than he set off for New York, cap in hand, to raise more foreign money for the oil industry.”

What is most disturbing about the inquiry is that it purports to set up Commissioner Jackson Stephens Allan as the arbiter of fact in the whole tarsands debate. The Commissioner is charged with finding out if foreign funding was provided “to a Canadian organization that has disseminated misleading or false information about the Alberta oil and gas industry”.

Was it misleading to tell people that China pays less for heavy, bituminous oil than refineries in the Gulf, exploding the industry mantra about getting access to ‘world prices’? Did the experts we hired to review the Trans Mountain proposal provide ‘false’ information when they pointed to errors, omissions and unprofessional risk assessment in the application? At Living Oceans, we’ve had a lot to say about the inability to clean up a spill of toxic dilbit, too; and I doubt that any of that is a matter on which Jason Kenney would agree with us. But none of it was either false or misleading. Rather, it was part of an active debate on a matter of great public importance in a country that values free speech.

Commissioner Allan is a chartered accountant with an impressive record of community service in Calgary. Given his profession, we have no doubt he will excel at detailing the funding that has flowed across the border to non-profit organizations. It is not at all clear that he is equipped or entitled to determine what information about tarsands and pipelines is true and what is false or misleading.

Alberta’s Witch Hunt

Sandie: Juvenile salmon depend on insects and invertebrates that live in shoreline vegetation and seaweed wrack. When the salmon are larger, they will feed on herring that spawn a little deeper in the intertidal zone. In turn, the salmon will feed marine mammals.

That’s a quick and very simplified snapshot of relationships that are actually much more extensive and complex, affecting many species of plants and animals. Forage fish like sand lance, surf smelt and herring are the building blocks of ocean life, including seabirds. As sea levels rise more rapidly in response to a warming climate, these fish will be challenged to find suitable spawning habitat.

When humans mess with the interface between land and sea, the natural processes that feed beaches, vegetation and fish can be destroyed. That’s why we advocate for solutions to sea level rise that most closely approximate nature, rather than ‘hard-armoured’ approaches like seawalls and riprap. If we want to rebuild fish stocks, it’s vital that we take care of habitat for the smallest of them.