#### Jager, Brenda CSNR:EX

From: Sheldrake, Jeff FLNR:EX

**Sent:** Tuesday, August 29, 2017 10:49 AM

To: Ashford, Andrew FLNR:EX; Short, Charles J FLNR:EX

Subject: RE: Update Re: Marine Harvest (Swanson) Fish Farm Occupation

Thanks Andrew.

Passing this to Charlie, as I know that this issue is live on his A/ADM plate this morning.

Jeff

Jeff Sheldrake, Executive Director Regional Operations - Coast Area, FLNRORD Phone: 250-356-7723 Mobile: 250-812-0924

From: Ashford, Andrew FLNR:EX

Sent: Tuesday, August 29, 2017 10:47 AM

To: Gage, Greg P FLNR:EX; Grimes, Melissa ABR:EX; Poland, Peter ABR:EX; Coster, Jessica FLNR:EX; DesRochers, Kathy

A FLNR:EX; Sheldrake, Jeff FLNR:EX

Subject: FW: Update Re: Marine Harvest (Swanson) Fish Farm Occupation

FYI – update this morning.

Andrew

From: Garrick, Jessica FLNR:EX

Sent: Tuesday, August 29, 2017 10:34 AM

To: Ashford, Andrew FLNR:EX

Subject: Update Re: Marine Harvest (Swanson) Fish Farm Occupation

...there is a specific FaceBook page for this occupation called **Swanson Occupation**. They posted just three hours ago (Day 6).

They also put out a 'wish' list yesterday of items they require going forward (if anyone wants to contribute) including a generator, a bucket toilet with seat, a lantern, headlamps, a cooler of ice, and folding chairs.

They also have a GoFundMe page is 22 for monetary contributions.



#### Jessica Garrick

Senior Advisor, First Nations Relations

North Island - Central Coast Natural Resource District

Ministry of Forests, Lands, Natural Resource Operations and Rural Development

Phone: 250-956-5008 • Facsimile: 250-956-5079

Email: Jessica.Garrick@gov.bc.ca

#### FW: First Nations and salmon farms

Friday, March 2, 2018 8:38 AM

Subject	FW: First Nations and salmon farms			
From	Sutherland, Craig FLNR:EX			
То	Short, Charles J FLNR:EX			
Sent	Wednesday, August 30, 2017 11:20 PM			
Attachments	Salmon Fa			
	ATT00001			
	Salmon Fa			
	ATT00002			

From: Sheldan, Tim FLNR:EX

Sent: August-30-17 11:20:58 PM (UTC-08:00) Pacific Time (US &

Canada)

To: Sutherland, Craig FLNR:EX; Ethier, Tom FLNR:EX; Hadway, Sharon L

FLNR:EX; Jones, Lisa FLNR:EX

Subject: Fwd: First Nations and salmon farms

Sharon, I assume you had input to this note. It was not vetted by me prior to submission.

Sent from Tim Sheldan's iPad Begin forwarded message:

From: "Shoemaker, Wes AGRI:EX" < Wes.Shoemaker@gov.bc.ca>

Date: August 30, 2017 at 10:59:25 PM PDT

To: "Wright, Don J. PREM:EX" < Don.J.Wright@gov.bc.ca > Cc: "Sheldan, Tim FLNR:EX" < Tim.Sheldan@gov.bc.ca >, "Caul, Doug D ABR:EX" < Doug.Caul@gov.bc.ca >, "Zacharias, Mark ENV:EX" < Mark.Zacharias@gov.bc.ca >, "Lloyd, Evan GCPE:EX" < Evan.Lloyd@gov.bc.ca >

**Subject: Fwd: First Nations and salmon farms** 

#### Don,

 normal occurrences of emaciated and abnormal fish that you typically find in any population. There is also public reporting on any bycatch in fish pens (herring, wild salmon, etc.) as well public reporting on fish escapes. In BC, escapes do happen albeit they are rare occurrences and typically involve only minimal numbers of fish. Finally, AGRI has dedicated fish pathologists (veterinarians) and one of the few certified laboratories to be able to monitor and report on fish health results (we provide this as a service to DFO who has responsibility for fish health). We are significantly more advanced than is the state of the industry in the LIS

At the same time the pause on any future salmon aquaculture was initiated, government announced it was reviewing the salmon farm approval framework to ensure aquaculture operations are socially and ecologically sustainable and could coexist with BC's wild fishery. Government also committed to: forming an Advisory Council on Finfish Aquaculutre; looking at the use of Aquaculture Stewardship Council certification for BC Salmon Farms; and the Strategic Salmon Health Research Initiative (BC is funding some of the research s.22 references). We are expecting to receive the Final report from the Advisory Council before December 31,2017. All of these initiatives will inform how we proceed with Finfish Aquaculture in the future.

Finally, we have included a table that lists all of the locations of current tenures and the First Nations whose territory is in or close proximity to the site. It is important to note that the list is not an assessment whether a particular First Nation "supports" aquaculture or not - instead it simply indicates whether a company has an agreement in place with the First Nation for that site - green says agreement in place, yellow indicates under discussion, pink/red means they oppose the site. We need to be careful about how this table gets used and interpreted, especially since the numbers and situation are so dynamic.

Hopefully this is helpful. My staff and I, along with my colleagues are happy to provide any further details or briefings that may be required.

Wes

W.H. (Wes) Shoemaker, MBA Deputy Minister Ministry of Agriculture 5th Floor, 808 Douglas Street Victoria, BC V8W 9B4

Tel: 250.356.1803 | Cell: 250.516.6892 | Fax: 250.387.6003

E-mail: wes.shoemaker@gov.bc.ca

\*\*Please note: This email is intended for the addressee(s) only and may contain legally privileged information. Any unauthorized use, disclosure or reproduction is strictly prohibited.\*\*

Sent from my iPad

Begin forwarded message:

From: "Hrycuik, Lorie AGRI:EX" < Lorie. Hrycuik@gov.bc.ca>

Date: August 30, 2017 at 5:43:42 PM PDT

To: "Shoemaker, Wes AGRI:EX"

<<u>Wes.Shoemaker@gov.bc.ca</u>>, "Mack, James AGRI:EX" <<u>James.Mack@gov.bc.ca</u>>

**Cc:** "Scott, Melissa AGRI:EX" < Melissa.Scott@gov.bc.ca>,
"Fair, Susan P AGRI:EX" < Susan.Fair@gov.bc.ca>, "Mayers,
Neil A AGRI:EX" < Neil.Mayers@gov.bc.ca>, "Travia, David V
AGRI:EX" < David.Travia@gov.bc.ca>, "Warren, Jennifer

AGRI:EX" < <u>Jennifer.Warren@gov.bc.ca</u>>

**Subject: First Nations and salmon farms** 

Wes and James,

Please find attached the final the note on First Nations and

salmon farms and the engagement overview document. Lorie Lorie Hrycuik Executive Director, Corporate Governance, Policy and Legislation Ministry of Agriculture

Ph: 250-356-8299

Email: Lorie.hrycuik@gov.bc.ca

Ref: #186665 Date: August 29, 2017

Issue: Some First Nations requesting Atlantic salmon farms be removed from their traditional territories

#### Background:

#### **Industry Statistics**:

The B.C. salmon farming sector has been operating for more than three decades. Farm-raised salmon is B.C.'s highest valued seafood product (93,000 metric tonnes worth \$797 million in 2016) and the number one agricultural export. About seventy per cent of the harvest is exported, primarily to the U.S., followed by Japan, China and Hong Kong. Salmon aquaculture is a major employer in rural and remote coastal and First Nations communities. The industry has identified that the industry generated 5,000 jobs, paying roughly 30 per cent more than the provincial median. Between 20 and 30 per cent of salmon farm workers in B.C. are First Nations.

As of July 2017, there were 126 existing salmon farm tenures and of these 65 were operating with salmon on site. There are 20 fish farm tenures (in the Broughton Archipelago) due to expire in June 2018. Typically the client would apply for a tenure replacement several months in advance of the expiry.

#### Roles and Responsibilities:

Fisheries and Oceans Canada (DFO) is the lead for aquaculture management including:

- Proper management and control of aquaculture including licensing, and management of pollution measures including conservation and protection of wild fish and fish habitat;
- Aquatic animal health including disease prevention, detection and control; feed, medication, and biologics;
- Scientific research and monitoring, data collection on industry performance; and,
- Protection of public rights of navigation in relation to placement of aquaculture operations.

Key provincial responsibilities broken down by Ministry are summarized in the table below:

Key provincial responsibilities broken down by winnistry are summarized in the table below.				
Ministry of Agriculture	B.C.'s lead for seafood industry development			
	B.C.'s lead for strategic aquaculture policy			
	Aquaculture Industry Specialist on staff			
	Maintains Animal Health Laboratory in Abbotsford			
Ministry of Forests Lands and Natural Resource	• Issue tenures authorizing the use of the land, foreshore and marine areas for finfish and shellfish aquaculture ( <i>Land Act</i> )			
Operations and Rural	Issue freshwater licences (Water Sustainability Act).			
Economic Development	Marine Use Planning			
Ministry of Environment	Issues permits for sewage discharge (Environmental			
and Climate Change	Management Act)			
Strategy	Issue permits for pesticide use (Integrated Pest Management Act)			

#### First Nations and Crown Land Tenures:

There are mixed perspectives from First Nations related to aquaculture in B.C. Some First Nations are seeking to have salmon farms removed from their traditional territories where they have been established in their territories, in some cases many years ago. This issue has gained profile because of the new government's commitment related to marine based aquaculture and to the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).

Salmon farms may also operate on sites claimed as traditional territory by more than one First Nation, with differing views on the industry. For the majority of the tenures for finfish aquaculture considered to be in the Broughton Archipelago, the Gwawaenuk Tribe; Dzawada'enuxw First Nation; Kwickwasut'inuwx/Haxwa'mis First Nations have historically been opposed to aquaculture in their territory. The Namgis First Nations has also raised their opposition to open net aquaculture and have received government funding to support the land-based recirculating aquaculture system that is occurring in their territory (Kuterra Project). Some Interior First Nations may also oppose salmon farming because of their concerns on its potential to impact wild salmon spawning upstream in their territories.

Other First Nations have become active participants in the salmon aquaculture sector with 20 economic and social partnership agreements in place between companies and coastal First Nations accounting for approximately 80% of total production in the sector. First Nations who have chosen to actively participate in salmon aquaculture do so in a variety of ways ranging from: employment in hatcheries, farms and processing plants; providing contracted services and local environmental monitoring; to ownership of site tenures or full business ownership.

The Province is legally obligated to consult and (where required) accommodate First Nations on land and resource decisions that could impact their Aboriginal interests. To date, meeting the consultation obligations has not required the consent of First Nations. In many cases, First Nations are partners or receiving benefits from fish farm companies. In some cases, there are overlapping traditional territories with First Nations who may be interested in access to economic benefits, and First Nations who actively oppose marine-based salmon aquaculture within their traditional territories due to the potential risk to wild salmon, with its cultural and environmental significance.

Fish farms located in the traditional territories of First Nations opposed to marine-based salmon aquaculture pose challenges for the Province. If existing farms are to be relocated or closed over time, alternate priority development sites would need to be identified to ensure continued production opportunities. Marine planning processes undertaken on the coast may be helpful to inform this work. However, any termination or relocation of the land tenures would have significant economic impact on the affected businesses and could also set broader precedence for other sectors operating on crown land with First Nations opposition. \$5.14

s.14

Cohen Commission of Inquiry into the Decline of Sockeye Salmon in the Fraser River:

The Commission was established in 2009 to examine the potential causes of the Fraser River sockeye salmon decline. The report includes 75 recommendations regarding the policies, practices and procedures, DFO, eight of which directly or indirectly reference the Province of British Columbia. Although the Commission could not find a "smoking gun" for decline in Fraser River

2

sockeye, the report did recommend that DFO not issue any new licenses for salmon farms or allow increases in existing farm production in the Discovery Islands until at least 2020. In 2013, the B.C. government accepted the intent of each of the eight Cohen Commission recommendations that directly reference the Province and have implemented them. In 2016, the Minister responsible for DFO issued a progress report on implementation of the Cohen Commission recommendations. The main outstanding issues relate to Canada's Wild Salmon Policy and DFO has decided to undertake consultations on how to address them.

#### Research and transparent monitoring to minimize risk to wild salmon:

Fish health monitoring is a joint responsibility of the salmon farm operators, DFO and independent veterinarians. DFO, the Canadian Food Inspection Agency and AGRI also have important regulatory, research and diagnostic roles with respect to managing disease risk. DFO has primary regulatory oversight and is responsible for the aquaculture audit program including sea lice management. B.C. provides salmon health diagnostics services to DFO through AGRI's Animal Health Centre (AHC). It is the only institution in North America with two board-certified veterinary pathologists who work exclusively with fish.

The Strategic Salmon Health Initiative (SSHI), funded by DFO, Pacific Salmon Foundation, and Genome B.C., is conducting large-scale assessments of microbes carried by farmed and wild salmon (sockeye, chinook and coho) and examining their potential for impacting the health and condition of salmon. The Province is also engaged in and monitoring the progress of the SSHI and other related salmon health research as part of the MAACFA process.

#### Tenure Moratoriums and the "Pause":

The Province has established two moratoriums on expansion of the finfish aquaculture industry. The first was established through a provincial Order in Council under the *Environmental and Land Use Act* in 2008, covering all coastal areas north of Klemtu. The second was implemented in 2013 in response to a recommendation of the Cohen Commission that no new salmon farms be approved in the Discovery Islands area until at least September 30, 2020 pending additional research and completion of a disease risk assessment process.

In 2015, the Province announced a "pause" on approvals for any new salmon aquaculture tenures and restrictions on amendments to existing tenures. The "pause" is in place to allow for an examination to ensure that aquaculture operations are socially and ecologically sustainable and can co-exist with B.C.'s wild fishery resource. On September 30, 2015, B.C. also clarified that it would review applications to amend or to relocate tenures for specific purposes such as health and safety.

As part of the pause, government committed to:

- Establish a Minister of Agriculture's Advisory Council on Finfish Aquaculture (MAACFA) to provide strategic advice about the future of marine-based salmon aquaculture. The members of MAACFA include representation from the aquaculture industry, academia, non-governmental organizations, First Nations and senior government officials. MAACFA is expected to submit a final report with recommendations by the end of 2017;
- Examine establishing a protocol relating to use of Aquaculture Stewardship Certification;
- Examine feasibility of improved microbe protection coming out of the Strategic Salmon Health Research Initiative.

#### **New Government Commitments:**

The new government's commitments relate to marine based aquaculture are as follows:

- 1) Ensure that the salmon farming industry does not endanger wild salmon by:
  - a. implementing the recommendations of the Cohen Commission;
  - b. keeping farm sites out of important salmon migration routes; and,
  - supporting research and transparent monitoring to minimize the risk of disease transfer from captive to wild fish.
- 2) Provide incentives to help the aquaculture industry transition to closed containment where possible.
- B.C. is working with DFO on how to meaningfully move forward on outstanding Cohen Commission recommendations. This will likely be focused on investments to improve the health of the wild salmon population as part of DFO's wild salmon policy.
- B.C. has provided funding previously to support closed containment research. B.C. is in discussions with DFO about a potential new Clean Tech Fund for Fisheries and Aquaculture that could support further work in this area.

Conta	ct: Dave Travia,	Corporate	Governance,	Policy	and Legislati	on, 250-356-7640	)
ED		ADM		DM			

#### Key Messages on Finfish Aquaculture

- B.C. is closely watching the recent escape of Atlantic salmon in the State of Washington.
  - DFO has been monitoring the fish farms and publicly reporting escapes for years
  - BC had 22 Atlantic salmon escape in the last year and only 10 total escapes over the previous four years.
- DFO has an audit program that regularly monitors the aquaculture industry in BC
  - The program audits and publicly reports on conditions of licence including:
    - ✓ Escapes
    - ✓ Biomass on site
    - ✓ Fish health (including sea lice)
    - ✓ Benthic monitoring
    - ✓ Unusual Mortality events
    - ✓ Veterinary drug and pest control products
    - ✓ Marine mammal interaction
    - ✓ Net testing (maintenance, net strength testing)
- B.C. provides salmon health diagnostics services to DFO through Ministry of Agriculture's Animal Health Centre.
  - It is the only institution in North America with two board-certified veterinary pathologists who work exclusively with fish.
- June 2015, the B.C. government announced it was going to examine the salmon aquaculture
  application and approval framework to ensure the operations are socially and ecologically
  sustainable, and could coexist with B.C.'s wild fishery resources. The announcement also
  clarified that while it was being undertaken, the Province will not consider any further
  approvals for new salmon aquaculture tenures.
- The review included the commitment to form Minister of Agriculture's Advisory Council on Finfish Aquaculture with members from the aquaculture industry, non-governmental organizations, First Nations and provincial government employees.
- B.C. is also looking at the use of Aquaculture Stewardship Council Certification for B.C. salmon farms, as well as the Strategic Salmon Health Research Initiative.
- The Council has met and discussed a range of matters related to salmon aquaculture and is anticipated will provide their report with recommendations in the fall or winter of 2017.
- The B.C. government looks forward to receiving and reviewing the report and any recommendations it includes.
- The B.C. government is open to hearing from First Nations and stakeholders with their concerns and ideas about aquaculture operations.
- The Federal Department of Fisheries and Oceans is responsible for the conservation and management of wild fisheries and has oversight of aquaculture operations in Canada, and as such, the B.C. government works in collaboration with them in all areas involving their jurisdiction.

Page 10 to/à Page 11

Withheld pursuant to/removed as

s.16

### FW: ALERT 3: New Fish Farm Occupation - Swanson Island

Friday, March 2, 2018 8:48 AM

Subject	FW: ALERT 3: New Fish Farm Occupation - Swanson Island
From	Hadway, Sharon L FLNR:EX
То	Short, Charles J FLNR:EX; Thomas, Vivian P GCPE:EX
Sent	Thursday, August 31, 2017 11:21 AM

fyi

#### **Sharon Hadway**

Regional Executive Director | West Coast Region Ministry of Forests, Lands, Natural Resource Operations and Rural Development 2100 Labieux Road Nanaimo, BC., V9T-6E9

Phone: <u>250.</u> 751-7161 | Fax: <u>250.</u> 751-7196

Mailto:Sharon.Hadway@gov.bc.ca From: Coster, Jessica FLNR:EX

Sent: Thursday, August 31, 2017 10:57 AM

**To:** Hadway, Sharon L FLNR:EX

Subject: FW: ALERT 3: New Fish Farm Occupation - Swanson Island

s.13

Jessica Coster | Director, Regional First Nations Initiatives

West Coast Region

Ministry of Forests, Lands & Natural Resource Operations and Rural Development

Suite 142 - 2080 Labieux Rd, Nanaimo BC, V9T 6J9

Tel(Nanaimo): 250 751-7323 Tel(CLRS): 250 749 - 6811 ex.43 Email: Jessica.Coster@gov.bc.ca

From: s.15, s.19

**Sent:** Thursday, August 31, 2017 10:41 AM

To: Caul, Doug D ABR:EX; Mayhew, Neilane ABR:EX; Scott, Douglas S ABR:EX; Balcaen, Trish L

ABR:EX; Nash, Laurel ABR:EX

Cc: ABR Critical Incidents and Emergency Management Branch; GCPE Communications - Indigenous Relations & Reconciliation; Poland, Peter ABR:EX; Crockford, Dennis ABR:EX; Fettes, Lesley FLNR:EX; Neilson, Larry AGRI:EX; DesRochers, Kathy A FLNR:EX; Ashford, Andrew FLNR:EX; Johnson, Jim FLNR:EX; Lizee, Yvette ABR:EX; Phillips, Keith J JAG:EX; MacDowell, Karen R ABR:EX; Travia, David V AGRI:EX; Gage, Greg P FLNR:EX; Banford, Alexandra R ABR:EX; Coster, Jessica FLNR:EX; Toledo, Ricardo M ABR:EX; French, Shawna ABR:EX; Farmer, Leila PREM:EX; Dyck, Heinz ABR:EX; Lizee, Yvette ABR:EX; Toledo, Ricardo M ABR:EX

Subject: ALERT 3: New Fish Farm Occupation - Swanson Island

Please be advised of the following update regarding construction of a structure on board the Swanson Island fish farm:

#### **UPDATE**

- Media reports indicate lumber was delivered to the fish farm yesterday and the construction of a house structure is underway by protesters.
- Additional hereditary chiefs from 'Namgis and Mamalilikala have arrived to support the occupation.
- Protesters have indicated they plan on remaining long-term at the fish farm until the Province revokes the Swanson Island License of Occupation (LOO). Those involved with Operation Virus Hunter II have identified that BC can revoke the LOO if the project is found to be not in the Province's best interest.
- Representatives from Operation Virus Hunter II have started collecting information regarding

the capture of any Atlantic salmon in Pacific waters.

**RESPONSE** 

s.15

s.15,s.16

Thank you, s.15,s.19

Ministry of Indigenous Relations and Reconciliation s.15,s.19

From: s.15,s.19

Sent: Friday, August 25, 2017 9:40 AM

**To:** Caul, Doug D ABR:EX; Mayhew, Neilane ABR:EX; Scott, Douglas S ABR:EX; Holmes, Rachel ABR:EX; Balcaen, Trish L ABR:EX; Nash, Laurel ABR:EX

**Cc:** ABR Critical Incidents and Emergency Management Branch; GCPE Communications - Indigenous Relations & Reconciliation; Poland, Peter ABR:EX; Crockford, Dennis ABR:EX; Fettes, Lesley FLNR:EX; Neilson, Larry AGRI:EX; DesRochers, Kathy A FLNR:EX; Ashford, Andrew FLNR:EX; Johnson, Jim FLNR:EX; Lizee, Yvette ABR:EX; Phillips, Keith J JAG:EX; MacDowell, Karen R ABR:EX; Travia, David V AGRI:EX; Gage, Greg P FLNR:EX; Banford, Alexandra R ABR:EX; Coster, Jessica FLNR:EX; Toledo, Ricardo M ABR:EX; French, Shawna ABR:EX

Subject: ALERT 2: New Fish Farm Occupation - Swanson Island

Update on the current fish farm occupation at Swanson Island:

- Representatives from the 'Namgis First Nation and supporters continue to peacefully occupy
  the Swanson Island fish farm. There are two small tents erected on board the farm.
- s.15

Please contact me directly should you require more information.

Thank you,

s.15,s.19

Ministry of Indigenous Relations and Reconciliation

s.15,s.19

From: Franklin, Janice ABR:EX

**Sent:** Thursday, August 24, 2017 5:16 PM

**To:** Caul, Doug D ABR:EX; Mayhew, Neilane ABR:EX; Scott, Douglas S ABR:EX; Holmes, Rachel ABR:EX; Balcaen, Trish L ABR:EX; Nash, Laurel ABR:EX

**Cc:** ABR Critical Incidents and Emergency Management Branch; GCPE Communications - Indigenous Relations & Reconciliation; Poland, Peter ABR:EX; Crockford, Dennis ABR:EX; Fettes, Lesley FLNR:EX; Neilson, Larry AGRI:EX; DesRochers, Kathy A FLNR:EX; Ashford, Andrew FLNR:EX; Johnson, Jim FLNR:EX; Lizee, Yvette ABR:EX; Phillips, Keith J JAG:EX; MacDowell, Karen R ABR:EX; Travia, David V AGRI:EX; Gage, Greg P FLNR:EX; Banford, Alexandra R ABR:EX; Coster, Jessica FLNR:EX

Subject: ALERT: New Fish Farm Occupation

Importance: High

CIEM Branch has confirmed that an additional fish farm occupation has begun at the Marine Harvest location on Swanson Island, 17 km east of Alert Bay.

- Four people s.22 are at the site, and they have erected a tent and brought luggage. The individuals have indicated they will not leave the fish farm until the Province agrees not to renew the tenures.
- The issue is receiving media attention, as the News Release attached below has been shared with APTN and CBC.
- The 'Namgis News Release indicates an NDP and Green Party campaign commitment to work with First Nations to remove unwanted fish farms.

s.15,s.16

s.15,s.19 will have more info to share as it becomes available.

Janice Franklin

Ph: 250-356-9332 | BB: 778-679-1921

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## First Nations Occupy Salmon Farm Until BC Government Cancels Licence of Occupation

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