



Association of Denman Island Marine Stewards (ADIMS)

In conjunction with Denman Island Residents Association Marine Guardians Committee

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Canadian Environmental Assessment Review-CEAA.EARreview-ExamenEE.ACEE@ceaa-acee.gc.ca.

July 18, 2016

Re: Protection of Fish Habitat and changes to the Fisheries Act (2014) Government of Canada Review of Environmental and Regulatory Process Draft Terms of Reference

To Whom It May Concern:

Thank you for the opportunity to comment upon the Environmental Assessment Panel's Draft Terms of Reference.

I am writing on behalf of the Association of Denman Island Marine Stewards (ADIMS) in a statement complementary to the submission by the Denman Island Residents Association Marine Guardians. We are located on the East Coast of Vancouver Island in British Columbia. The validity of our submission and request to be a stakeholder in this review process arises from the facts that:

- The waters of Baynes Sound and Lambert Channel surrounding our island are considered by scientists to be the most important marine ecosystem on the Pacific Coast of Canada.
- Baynes Sound has been designated by international standards to be an Ecologically and Biologically Significant Area (EBSA), Important Area (IA), and Important Bird Area (IBA).
- The waters of Baynes Sound and Lambert Channel have been proposed as a candidate for designation as a Marine Protected Area (MPA) as part of a network of MPAs in the Strait of Georgia.
- These waters host the largest herring spawn and nursery on the Pacific coast (38% of total spawn), therefore comprising an essential and irreplaceable cornerstone of the Pacific marine food chain.
- Baynes Sound is home to important salmonid spawning and nursery grounds with 15 salmonid streams draining into it within a very small geographical area.
- The marine ecosystem of Baynes Sound is under great threat from anthropogenic and industrial forces.

In addition, over the last 18 years ADIMS has:

- Provided research and submissions to many levels of government related to aquaculture practices,
- Worked with and consulted with researchers from the Simon Fraser University (SFU) dept. of Marine Ecology and Toxicology, the BCIT and SFU departments of Ecological Restoration, and the Vancouver Aquarium,
- Board members have presented to the Island Trust Council, The Salish Sea Conference as well as multiple lectures to island communities.
- Participated in the DFO Shellfish Aquaculture Advisory Committee (SAMAC).
- Consulted with the BC Provincial government in creation of the Baynes Sound Action Plan.

- Dialogued with ENGOs related to marine protection around Baynes Sound and the Province.
- Presented at and participated in the World Wildlife Fund Mollusc dialogues.
- Sat on the steering committee, co-organized and presented at the Simon Fraser University international Conference: Management of Sensitive Marine Ecosystems: Lessons from case studies to identify solutions for Baynes Sound 2014.
- Consulted and Collaborated on an ongoing basis with World Wildlife Fund, Sea Legacy, and Pacific Wild.

The threats to our marine environment

Our goal in advocating for a comprehensive, independent, ecosystem- based environmental assessment and management approach specific to fisheries and fish habitat arises from the facts that Baynes Sound and Lambert Channel, the most important marine ecosystem in BC :

- Are home to 50% of all shellfish cultivated in British Columbia;
- Have experienced significant marine environmental degradation since industrial level shellfish productions began in the early 2000s.
- Each year, on our small island, we collect 3-5tons of aquaculture debris from our shoreline, during a one week period of our annual beach clean-up. 90% of this debris is plastic that has broken free from tenures.
- Has been designated by researchers to be “the hot spot for micro-plastic contamination” on the BC Coast.
- Our waters have experienced significant degradation as a result of destructive practices sanctioned by DFO and BC’s FLNRO, that are contrary to the Oceans Act as well as to DFO Fisheries guidelines for habitat protection.
- In May 2016, despite Trudeau’s current mandate to better protect the environment, DFO made retrograde changes to the Shellfish Aquaculture Conditions of License so that it no longer prohibits some of the most destructive practice that threaten the marine environment (ie. Dredging, disturbance of forage fish spawning grounds, and disturbance or destruction of herring eggs, eelgrass beds, and other fish habitat).
- In addition, these waters have been targeted by DFO for future massive geoduck tenures, that threaten to use materials and procedures that would be extremely destructive to this ecosystem, the herring spawn and thus consequently the Pacific marine ecosystem.
- At this time there is no evidence that new tenures, or modification of tenures will be required to have an independent environmental assessment performed to ascertain if the impact of their practices will cause harm to Fish habitat and the marine ecosystem.
- The shellfish aquaculture management plans seems to leave it to the individual producers to assess and self-regulate in regards to potential harm to the environment.

And please note that the DFO website viewed July 2016 titled “ Anew Ecosystem Science Framework in Support of Integrated Management “ acknowledges that this region, the Strait of Georgia is “the most at-risk natural environment in Canada” stating amongst other suggestions that :

“More than two-thirds of the population of British Columbia is concentrated on the lower mainland and on southern Vancouver Island, on either side of the Strait of Georgia. In the next 20 years, this population of just over 2.7 million people (2001 Census) is forecast to grow 30 percent or more. Already a heavily used waterway, the Strait of Georgia is “the most at-risk natural environment in Canada,” according to Parks Canada.

Our recent experience with DFO and environmental stewardship

Unfortunately our experience with the Department of Fisheries and Oceans has caused us great concern. Our experience is that within the structure of this ministry, there exist goals and actions that are diametrically opposed one to the other. DFO’s original mandate was to protect the Marine Ecosystem and its creatures for all time. The Fisheries Act and the Oceans Act continue to reflect this commitment to the health of our oceans. Consequently DFO scientists and ecologists have signed on to UN and International agreements, pledging to protect biodiversity, increase the Marine Protected Areas, to protect migrating birds, and to honor the importance of EBSA’s to the survival of the marine ecosystems and the planet. The DFO website reflects these values. CPAWS has been consulted on various marine protection initiatives, and on ecosystem based plans and guidelines. However, those of

us who experience the reality of the rapid, and mostly irreversible degradation of our most important marine ecosystems see a very different reality on the shorelines.

In contrast to the commitments and Acts, the arm of DFO that has been given the right and responsibility to promote fisheries and aquaculture practices is allowing practices that are destroying the very marine environment that these industries (and the planet) depend upon. We, as a community, along with eminent scientists, have written letter after letter, and provided multiple submissions to regional managers of DFO and our province in order to provide independent scientific research to demonstrate and warn of the ecosystem problems that will be, or have been a result of their management plans. Such submissions and scientific research have been ignored. As a result our critically important EBSA continues to be at ever greater risk. It is our experience that industry, no matter how small, whether local or foreign, always wins out in the short term and the environment loses in the long term. Reports of detrimental practices are either supported by management or ignored. It is our experience that the only consequences to practices that are destructive of fish habitat are rather impotent letters. The few fisheries officers available to monitor, explain that there is no mechanism for sanctioning the company that damages the environment, nor are there mechanisms for stopping such practices. Environmental regulations have no power if there is no monitoring, and if there are no consequences or responsibility to repair damage.

Indeed a recent interim report by the Standing Senate Committee on Fisheries reflected these same concerns saying:

"The DFO's mandate, for both the promotion of aquaculture development and the protection of wild fish stocks and habitat, obviously puts the Department in a difficult situation. Committee members were often told that there is an inherent and growing conflict of interest between the two, that there is a "lack of balance," and that the Department has assumed an advocacy (or "cheerleading") role in support of fish farming at the expense of its responsibility for wild fish and their habitat."

For all the above reasons, we place great expectations for your environmental review process. We consider this process to be one of the most important exercises that this new government can engage in. We ask that the process of improving environmental assessment, specifically in relation to fisheries, the marine environment and the anthropogenic factors placing it at great risk be taken very seriously and addressed urgently. We ask that this be done with an awareness of the overwhelming risks that face our planet, our health, and the very survival of the vulnerable people of this world. Our oceans are the lungs of our planet and provide every second breath we take and feed a large proportion of our planet. Current scientific literature documents the multiple, overwhelming risks that face the survival of the world's marine environment. We ask you to act decisively to promote real, effective and science-based methods of Eco-System -Based Environmental Assessment and Protection as the primary driving goal for this panel and review.

Feedback related to Current Environmental Assessment processes related to Fish Habitat Protection

We would welcome a plan to initiate a comprehensive and independent environmental process related to projects, industry, fisheries and aquaculture that threaten to further compromise the marine environment. Because all pollution and impacts of industry ultimately follows gravity to the sea, this could be a very broad array of environmental assessment targets including:

- Kill fisheries that unnecessarily destroy critical elements of the marine food web.
- Industrial aquaculture leases that use toxic substances such as PVC pipes that break down into microplastics, and leach toxins into the marine ecosystem.
- Industrial aquaculture that use netting that trap fish, mammals, and prevent bird, fish and mammals from accessing food sources.
- Practices that disturb spawning and the life cycle development of creatures critical to the marine food web.
- Clear cuts that are not re-forested, thus producing run-off that increases toxins into the sea, or create more acidity to the water.
- Waste management systems that fail to filter out pharmaceuticals and microplastics, that are scientifically proven to disrupt the life cycle and viability of marine organisms.
- Industry and agriculture whose toxic by-products eventually end up in the ocean.

To protect fish habitat and to sustain our already severely compromised ocean, relevant environmental assessment and goals for restoration would target all of the above within an overarching framework of Ecosystem- Based Assessment and Management protocols. For now our feedback will focus on the objectives of the Environmental

Assessment Review panel related to fisheries specifically.

The Contextual Issues effecting feedback

In our recent experience, DFO- promoted industrial aquaculture has systematically and incrementally compromised the health of this the most important marine ecosystem on the Pacific Coast; at the same time it has (in print) been promoting EBSA's, MPAs, and biodiversity. The ethical statements, standards and Acts that govern Fisheries and Oceans, have indeed been polar opposites to the reality of practice. It appears that promotion of industry has taken a higher priority than environmental protection. We believe that there is no point in assessing the environmental assessment standards and process, as long as contradictory set of priorities remain. We contend that this earth and this ocean cannot survive if such priorities continue.

We also believe that it is possible to establish fisheries and aquaculture that are environmentally responsible, and closely monitored by a committed Department of Fisheries and Oceans and/or by the Ministry of the environment. However the current incompatible dichotomy, creates a conflict of interest in which the environment and the planet are the losers, and industry only achieves very short term gains, given that the ecosystem that supports it cannot be sustained under such circumstances.

The other contextual Issue is that despite the fact that BC has the longest coastline in the country, and has recently been assigned the largest numbers of FTE's by DFO, our actual representation of BC MP's on the DFO Parliamentary standing committee does not reflect this. We note that none the three BC MP's on the Fisheries and Oceans standing committee represent coastal communities. Thus we are concerned that our complex issues may not be entirely understood or properly represented, when the committee receives the feedback from the expert panel

What we ask

We are appreciative of having the opportunity of commenting on the Environmental Assessment Review process. We see a tremendous need for environmental assessment of fisheries and aquaculture. We applaud your commitment to the protecting the environment and fish habitat and to preventing further climate change.

We ask however for a number of changes to this process, specifically in relation to DFO and protection of Fish Habitat. We ask that:

1. DFO return to its original role of protecting our oceans and marine ecosystems, and ask that the number of DFO officers be restored to levels that can actually achieve the purpose of monitoring, enforcing and protection of an environment at great risk.
2. The task of promoting of industries such as aquaculture be transferred to another Federal Ministry so that there is no conflict of interest in the roles and loyalties of scientist and management.
3. That the representation on the Parliamentary Standing Committee for Fisheries and Oceans be re-configured to better represent British Columbia and its coastal communities.
4. In relations to Fisheries and habitat protection, we ask that experts assigned to this panel specifically have experience and expertise in Ecosystem Based Assessment and Management of the Marine Environment. DFO has used many of the eminent experts in this area to develop the CPAWS guidelines for Marine Protected Areas. Many of the advisors were former DFO scientists (Such as Doug Hay and Glen Jamieson) or expert University professors from Simon Fraser University, University of Victoria, and UBC.
5. And finally we request that ADIMS be one of the delegations asked to present to your review panel in the fall, on behalf of Baynes Sound and Lambert Channel, the most important marine ecosystem and EBSA on the Pacific Coast.

Thank you for your kind attention to this matter.

Barbara Mills and Shelley McKeachie

Edina Johnston

Co-Chairs of the Denman Island Marine Stewards.

Co-Chair of Denman Island Resident Ass'n Marine Guardians

