



September 15, 2015

Re: Comments on July 9, 2015 draft of DFO Siting Guidelines for Marine Finfish Aquaculture in the Pacific Region

I write on behalf of Watershed Watch Salmon Society, the Pacific Salmon Foundation, David Suzuki Foundation and Living Oceans Society, to provide comments on the July 9, 2015 draft of DFO Siting Guidelines for Marine Finfish Aquaculture in Pacific Region (the "Siting Guidelines")

In summary, as currently developed and written, the Siting Guidelines fail completely to consider the best available scientific and other information available, they do not fulfill DFO's stated objective of "creating a strong regulatory framework for aquaculture in British Columbia", and do not achieve its stated broader strategy "to support an environmentally sustainable and economically prosperous aquaculture sector in Canada."

Importantly, we note that in this iteration, what have previously been set out as "siting criteria", and referenced as "conditions of licence" have now been reframed as "guidelines." This illustrates further degradation of the already weak previous siting criteria developed in 1997.

The proposed Siting Guidelines are stated to be developed to be consistent with current science knowledge and advice regarding aquaculture and potential interactions with the environment **only where applicable**. Many of the guidelines do not have a science-based linkage. They are "policy based" or "legal requirements", less designed to be protective of the environment than they are to promote and grow the industry first and foremost.

The siting criteria appear to be developed with complete disregard for the current state of scientific knowledge and fail to demonstrate the most minimal regard for impacts on wild fish and fisheries. As an example, the word "science" is largely left out of the equation and replaced with the word "information," as highlighted in their bold statement: "This guidance is based on the most current available information." No information is cited, no supporting references are provided. Rather, science is only referenced in the context of its deficiencies (e.g., "The department recognizes that information gaps continue to exist ... "). These are the same deficiencies that were identified over two decades ago in the Salmon Aquaculture Review and instead of taking the precautionary approach to developing this industry in light of those deficiencies, DFO continues to rely on a policy vs. science driven management approach in the proposed Siting Guidelines.

Illustrative examples of these concerns are provided below.

- 1) The following are noticeably absent from the proposed Siting Guidelines:

- The need for set distances from important habitats, such as herring spawning areas, shellfish beds, etc.
 - Minimum distance between farms. While previous criteria were not adequate, they at least provided a minimum 3 km distance between farms unless both are owned by the same company, in which case a 1 km minimum applied. Now the 1 km minimum is gone. No definition of how the distance will be measured i.e., edge of tenure or edge of intensive use area.
 - A definition of how DFO defines critical or important habitats other than a minimal reference to “consideration” of impacts to SARA-listed species.
 - Recognition of marine plans other than marine protected areas (MPA) designated by a federal agency, without naming Rockfish Conservation Areas specifically. The document then goes on to say DFO will still consider applications that lie within federal MPA's.
- 2) On page 5 of the Siting Guidelines it states: “Potential impacts to existing CRA fisheries resulting from the operation of the proposed aquaculture facility will be evaluated.” There is no stated process, objective or criteria for this evaluation, or indication of how the evaluation might impact the siting decision. Moreover, the proposed guideline goes on to state: “Impacts to existing CRA fisheries may arise as a consequence of the removal of access to a specific location/area following the placement of farm infrastructure and/or alterations in the suitability of the seafloor conditions to support fishery activities. Additionally, the requirement to establish a CSSP “prohibited area” around the proposed farm structure may impact bivalve shellfish harvest.” As written, this appears to legitimize, rather than seek to avoid negative impacts to CRA fisheries.
- 3) On page 6 it states: “Where the proposed aquaculture facility is located within 3 kilometres of an existing facility or facilities, the mandatory Health Management Plans for each facility should include detailed plans that will be implemented should a fish health event occur.” This implies farms only need a “detailed plan” to be located within 3km of another site. This is an example of weakening the siting criteria from past years. Previously, locating farms within this distance was disallowed. Proximity to important habitats and wild salmon migrations routes should also be a factor triggering the need for a Health Management Plan.

Overall, we are very frustrated with DFO’s continual cycle of “consultation” on aquaculture policy with no demonstration of genuine consideration of the feedback that is provided. We reiterate our request for a science-based process that considers the best science available from both DFO and non-DFO sources, as well as gaps in existing research, to develop draft siting criteria for broader consultation. Without the critical step of examining the best available science, we do not believe appropriate siting criteria can be developed, nor can DFO’s objective of creating a strong regulatory framework for aquaculture in British Columbia be met. We stand by willing to help design and participate in such a process.

We would also like to take this opportunity to request a more transparent and accountable process for communicating decisions that will be based upon the new guidelines or criteria. In our respective opinions, the opportunities for public involvement and accountability in government decision making regarding aquaculture licensing are at an all-time low, particularly since changes to the *Canadian*

Environmental Assessment Act came into effect. Further, we find the information on decisions to approve or deny marine finfish licence applications is utterly meaningless. See for example two recent decisions posted on FrontCounter BC's website:

- <http://www.arfd.gov.bc.ca/ApplicationPosting/getdecisionfile.jsp?DecisionID=43295&DecisionFileID=37734&action=view>
- <http://www.arfd.gov.bc.ca/ApplicationPosting/getdecisionfile.jsp?DecisionID=43294&DecisionFileID=37733&action=view>

Requiring interested parties to file requests under the Access to Information legislation to obtain information on how these decisions were arrived at is the antithesis of transparency and accountability, and an insult to the public.

Sincerely,

Stan Proboszcz
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Watershed Watch Salmon Society

cc:

Norm Letnick, BC Minister of Agriculture
Rebecca Reid, Fisheries and Oceans Canada
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Terry Tebb, Pacific Salmon Foundation
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