

## Kamloops Public Forum Summaries

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Date: October 21, 2010  
Time: 6:35 p.m. – 9:00 p.m. (approximately)  
Venue: Hotel 540  
Presentations: 12

### Welcome

Cliff Arnouse, an Adams Lake Band Councillor, welcomed the Commissioner to the traditional territory of the Secwepemc people. He said that the forum's discussions would be of great importance, and emphasized the central role of salmon to First Nations history and culture.

### Chief Judy Wilson (Neskonlith Band)

Chief Judy Wilson explained that salmon are critical to her people. She discussed the history of her band, noting the size and location of their communities and emphasizing the vastness of their territory. She said that her people hold inherent title and rights to their territory, which includes the Adams River sockeye salmon run and the Salmon River, an important salmon-bearing stream that is among the last unregulated deltas in the Shuswap Lake watershed. Chief Wilson said that the Salmon River delta (near Salmon Arm) is threatened by a shopping centre proposed by SmartCentres, a real estate development company. She emphasized to the Commissioner that the Neskonlith Band is committed to working with other citizens, including Wetland Alliance: The Ecological Response, to protect the delta. The band is also working to build a cultural and ecological centre in honour of Elder Mary Thomas and to have the delta declared a bird sanctuary. Citing the federal government's fiduciary duty to protect aboriginal title, the UN Declaration on the Rights of Indigenous Peoples, and the Convention on Biological Diversity, Chief Wilson argued that the SmartCentre development requires the prior informed consent of the Secwepemc people.

In response to a question from the audience, Chief Wilson and Cliff Arnouse discussed the possibility of a commercial fishery on Shuswap Lake, noting that in the past, the Secwepemc would trade fish with other nations or harvest fish on their behalf.

### Michelle Nickerson

Michelle Nickerson presented a shell to the Commissioner, which she said represented her support for his work as well as her hope that he will speak on her behalf. Ms. Nickerson identified anthropogenic climate change as a critical habitat issue facing Fraser sockeye. She described her experience as a research scientist for an independent power producer project, emphasizing that her models showed that climate change will cause dramatic hydrograph changes, increasingly erratic winds, plankton blooms, and warmer temperatures and lower water levels in the Fraser River. She called on the Commissioner to recommend that Canada meet its obligations under the Kyoto Protocol. Ms. Nickerson said that human population growth and bad decisions made at all levels of society are the biggest threat to salmon habitat. She described both the "No Net Loss" and professional reliance models as

inadequate. Ms. Nickerson also pointed to fish farms, which she said have been subject to international censure, as a potential cause of the decline of Fraser sockeye, and called for the feedlots on wild salmon migration routes to be fallowed. She also called for greater cooperation between government and citizens, and for further support for hatcheries, whose volunteers she said have important knowledge and experience. Ms. Nickerson said that urban development is affecting the permeability of watersheds by preventing rainwater from being absorbed into aquifers and that construction companies must be prevented from dumping silt into rivers. She concluded by describing how the community of Lumby serves as example of how citizens can participate in the recovery of Fraser sockeye.

### **Bernadette Keenan**

Bernadette Keenan responded to the first question posed by the commission: 'What is your vision for the sustainability of Fraser sockeye?' She explained that her vision was in fact a nightmare caused by the proposed South Fraser Perimeter Road project, which she said will destroy sensitive salmon habitat. Ms. Keenan predicted that should the project go ahead, it will cause creeks to be paved over, trees to be cut down, and toxic runoff to spill into the river. She pointed to a problem with a Manson Canal holding pond during the 2008 spawning season as an example of how ongoing preparations for the project are already damaging salmon habitat. Ms. Keenan said that no cumulative environmental assessment of the project's impacts was conducted, and she called on the Commissioner to recommend that the project be cancelled and that its funding be diverted to other transportation solutions, such as rail and short sea shipping.

### **Jim Prudhomme (Lonely Loon Fly Fishers Society)**

Jim Prudhomme said that anglers understand that wild Pacific salmon are vital to the heritage and character of British Columbia. He explained that anglers are concerned by the steady decline of all species of Pacific salmon. He said that it is clear that many factors are contributing to the decline, including climate change, overfishing, pollution, obstruction of migration routes, destruction of spawning habitats, and salmon farming. Mr. Prudhomme argued that while many of these factors lie beyond the mandate of the commission, salmon farming – which he described as a clear and present danger to wild Pacific salmon – is clearly within the commission's scope. Mr. Prudhomme said that the evidence that parasites and diseases from salmon feedlots are harmful to wild salmon is increasingly undeniable. He accused the salmon farming industry and the B.C. government of refusing to share their data on parasites and diseases with the scientific community and the public, and he concluded by calling on the Commissioner to direct that all information relating to diseases and parasites on salmon farms since 1988 be released to the public.

### **Warren Bell and Hugh Tyson (Wetland Alliance: The Ecological Response)**

Warren Bell and Hugh Tyson presented on attempts by the Wetland Alliance: The Ecological Response (WA:TER) to protect salmon habitat in the Salmon River delta near Salmon Arm from development. They outlined how the company SmartCentres has sought to build a shopping centre in the delta, which they said would damage some of the richest and most productive salmon habitat in the Salmon River floodplain. They displayed images of the development's proposed footprint and of the results of earlier habitat restoration efforts by local volunteers. They described the formation of WA:TER, noting that its

purpose is to create a detailed profile of the Salmon River delta using comprehensive science and traditional First Nations knowledge. Mr. Bell and Mr. Tyson said that despite a detailed analysis by WA:TER that contradicted the environmental assessment of SmartCentres' consultant, Stantec, and proof that fill deposited in the area was done so illegally, Salmon Arm City Council voted in favour of SmartCentres' request for a change in the City's plan and bylaws, an important step towards constructing the shopping centre.

Mr. Bell and Mr. Tyson highlighted the lessons learned by WA:TER as a result of this experience. They concluded by presenting six recommendations for improving the protection of fish habitat that: 1) habitat restoration and protection be recognized as a key to the future of Fraser sockeye; 2) the professional reliance model be abandoned; 3) one level of government assume responsibility for protecting habitat; 4) communities throughout B.C. take responsibility for protecting habitat through community-centered processes; 5) habitat protection be made the explicitly dominant priority over economic development; and 6) Fraser sockeye be recognized as sustainable if realistic management practices are implemented.

### **Priscilla Judd**

Priscilla Judd presented on the language and implementation of legislation and regulations affecting salmon. She said that in order to sustain wild salmon, the difference between salmon and the language of salmon must be recognized. She explained that the language of salmon refers to the abstract exercise of regulating the natural environment, which she said occurs on paper and does not exist in the physical world. She further explained that regulations are inherently reactionary, since they only take effect after a violation has occurred.

Ms. Judd argued that regulations must be balanced with common sense, which she said is the tool by which citizens participate in the complex challenges facing society. She provided several examples of regulatory agencies acting in a manner contrary to common sense, such as the BC Farm Industry Review Board, which she said prevents citizens from using legal processes to stop pollution. Ms. Judd identified the engineering model as a more sensible approach to environmental regulation, noting that a bridge design, for example, is not accepted if there are no data to prove it is not safe. She called on the Commissioner to review the language of regulation and to consider the needs of sockeye salmon and the public. Ms. Judd concluded by requesting that the Commissioner recommend the implementation of natural and affordable waste management systems, such as vegetative sand beds, and that he thoroughly investigate the *Farm Practices Protection (Right to Farm Act)*, R.S.B.C. 1996, c. 131, which she said undermines salmon habitat protection efforts.

### **Jerry Jensen**

Jerry Jensen said that synthetic net fisheries are archaic and, because they are indiscriminate, pose a danger to protected fish stocks. He recommended that the commercial fishery be conducted using traps placed along the Fraser River and staffed by First Nations fishers and marine biologists. He said that fish caught in the Lower Fraser could be transported throughout the province. Mr. Jensen also called for the construction of fish ladders on the Coquitlam, Alouette, and Stave rivers, which he said would permit

the recovery of their sockeye salmon runs and reduce pressure on the Adams River, Shuswap, and Stuart runs.

**Cliff Arnouse** (Councillor, Adams Lake Band)

Cliff Arnouse said that DFO decisions on factors that affect sockeye, such as development, habitat, and sport and commercial fishers, are often made without First Nations input. Mr. Arnouse said that his people have stories of a time when sockeye were so plentiful that a person could walk across the Adams River on the backs of fish. Mr. Arnouse emphasized the importance of adopting a holistic, ecosystem-based perspective when considering Fraser sockeye, noting that all species are interconnected. He argued that habitat protection is key to conserving sockeye, and said that the public must cut back on waste and stop flushing pharmaceuticals down drains and dumping plastics, chemicals, and other pollutants into the watershed. He also cited logging, fish farming and overfishing by both commercial and recreational fishers as potential causes of the decline of Fraser sockeye. Mr. Arnouse reiterated that salmon are integral to First Nations, noting that testing on human remains recently discovered in his people's territory revealed that his ancestors relied on fish for 85 to 90% of their diet. He concluded by emphasizing the need for stakeholders to work cooperatively and to adopt a holistic perspective.

**Calvin Wrench**

Calvin Wrench said that the hundreds of houseboats that ply Shuswap Lake every summer discharge grey water directly into the lake, which he said contravenes provincial law. Mr. Wrench also argued that scientific evidence, including an exhaustive study by scientists from the University of Alberta and the University of British Columbia, shows a direct link between fish farms and the death of salmon smolts. He said that despite this evidence, DFO denies the existence of SLICE-resistant sea lice and continues to provide funding to the aquaculture industry. Mr. Wrench made two recommendations that: 1) industry and government be required to fully disclosure fish health data ;and 3) feedlots be moved out of the ocean and into land-based systems.

**Ruth Madsen**

Ruth Madsen explained that a recent visit to the Adams River run compelled her to speak at the commission's public forum. She described how her mother learned to speak English from the Roderick Haig-Brown book *Return to the River*. Ms. Madsen explained that she has worked on behalf of salmon for 25 years: as a founding member of the Fraser Basin Council, as a member of the National Pollutant Release Inventory, and in co-operation with the Tl'azt'en Nation in the Carrier Sekani Tribal Council's court action against the BC Utilities Commission, BC Hydro, and Alcan over the Crown's duty to consult First Nations. Ms. Madsen argued that foreign-owned aquaculture corporations operate in B.C. because open-net fish farming is prohibited in their home countries. She said that the proposed Prosperity Mine represents a threat to fish habitat, as do run-of-river power projects. She concluded by emphasizing that coordinated action is necessary to ensure the conservation of salmon.

**Wilfred Robbins**

Wilfred Robbins explained that in 2002, his people, the Alkali Lake Band, were told not to fish the Early Stuart run and that eight years later they continue to wait for permission to resume fishing. He said that his people's biggest concern is the proposed Prosperity Mine project. Specifically, he said that his people are worried that the mine's tailings pond will leak into the Chilko River, harming Chilko sockeye stocks. Mr. Robbins said that four nations – the Shuswap, the Tsilhqot'in, the St'at'imc, and the Carrier – oppose the mine, and that during consultation sessions last summer, every community except for Williams Lake rejected the proposed plans. Mr. Robbins concluded by quoting an ancient saying that only after the last tree is cut down and the last lake poisoned will people realize that money cannot be eaten.

**Fred Fortier**

Fred Fortier presented his views on the results of past public inquiries, Fraser sockeye sustainability and habitat issues, effective harvesting methods, and citizen-based recovery efforts. Mr. Fortier said that the Cohen Commission is the third inquiry into Fraser sockeye, and that if the Commissioner fails to make new and persuasive recommendations the inquiry will have been a waste of time and money. Mr. Fortier explained that First Nations require access to stock-specific salmon in their respective territories, and that salmon are integral to First Nations culture, language, and spirituality. He said that the implementation of a selective fishery policy is key to ensuring the sustainability of Fraser salmon. He pointed to the weirs used historically by First Nations as an example of a harvesting method that permits the identification and release of threatened stocks.

Mr. Fortier argued that DFO must pursue a three-tiered management process that permits First Nations to sign treaties amongst themselves and facilitates cooperation between First Nations and other stakeholders, such as recreational fishers, commercial fishers, and environmental organizations. Mr. Fortier also suggested that a new fisheries management plan be implemented that meets the needs of First Nations and adopts a holistic view of the Fraser River.

On the issue of habitat, Mr. Fortier said that everyone has a responsibility to protect salmon habitat, that enforcement and management must occur at the local level, and that the federal government must commit to implementing the Wild Salmon Policy. Regarding harvesting, Mr. Fortier argued that traditional ecological knowledge must be combined with Western science to determine when, where, and how to harvest salmon. He also recommended restricting the fishery to terminal areas, which he said would have economic benefits for rural communities. He said that it is the responsibility of all citizens to participate in the recovery of Fraser sockeye, and that the public cannot rely on DFO to lead the way. Mr. Fortier identified hatcheries, climate change, fish farms, and the failure of the coded wire tag system as further issues that need to be addressed. He concluded by calling for funding for First Nations to build scientific and technical capacity to interact with DFO on an equal footing.