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REPORT OF PROCEEDINGS
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SPECIAL COMMITTEE ON
SUSTAINABLE AQUACULTURE

Alert Bay
Monday, June 26, 2006
Issue No. 16

ROBIN AUSTIN, MLA, CHAIR

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**SPECIAL COMMITTEE ON
SUSTAINABLE AQUACULTURE**

Alert Bay
Monday, June 26, 2006

Chair:

* Robin Austin (Skeena NDP)

Deputy Chair:

* Ron Cantelon (Nanaimo-Parksville L)

Members:

Gordon Hogg (Surrey-White Rock L)
* Daniel Jarvis (North Vancouver-Seymour L)
* John Yap (Richmond-Steveston L)
* Gary Coons (North Coast NDP)
* Scott Fraser (Alberni-Qualicum NDP)
* Gregor Robertson (Vancouver-Fairview NDP)
* Shane Simpson (Vancouver-Hastings NDP)
* Claire Trevena (North Island NDP)

**denotes member present*

Clerk:

Craig James

Committee Staff:

Brant Felker (Committee Research Analyst)

Witnesses:

Pat Alfred
Chief Bob Chamberlin (Kwicksutaineuk/Ah-kwa-mish First Nation)
Chief Bill Cranmer ('Namgis First Nation)
Roy Cranmer
Chief Art Dick ('Namgis First Nation; Manalilikulla Band)
Stanley Hunt
Chief Eric Joseph (Tsawataineuk First Nation)
Robert Mountain (Musgamagw Tsawataineuk Tribal Council)
Dr. Marty Weinstein ('Namgis First Nation)

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MINUTES

SPECIAL COMMITTEE ON SUSTAINABLE AQUACULTURE



Monday, June 26, 2006
4 p.m.
Alert Bay Community Hall
185 Cedar Street, Alert Bay, BC

Present: Robin Austin, MLA (Chair); Ron Cantelon, MLA (Deputy Chair); Gary Coons, MLA; Scott Fraser, MLA; Daniel Jarvis, MLA; Gregor Robertson, MLA; Shane Simpson, MLA; Claire Trevena, MLA; John Yap, MLA

Unavoidably Absent: Gordon Hogg, MLA

Others Present: Brant Felker, Committee Research Analyst

1. The Chair called the committee to order at 4:03 p.m.
2. Opening statement by the Chair, Robin Austin, MLA
3. The following witnesses appeared before the Committee and answered questions:
 - 1) 'Namgis First Nation
 - 2) Kwicksutaineuk/Ah-kwa-mish First Nation
 - 3) Musgamagw Tsawataineuk Tribal Council
 - 4) 'Namgis First Nation
 - 5) 'Namgis First Nation/Mamalilikulla Band
 - 6) Roy Cranmer
 - 7) Tsawataineuk First Nation
 - 8) Pat Alfred
 - 9) Stanley Hunt

Chief Bill Cranmer
Chief Bob Chamberlin
Robert Mountain
Dr. Marty Weinstein
Chief Art Dick
Chief Eric Joseph
4. The Committee adjourned to the call of the Chair at 9:39 p.m.

Robin Austin, MLA
Chair

Craig James
Clerk Assistant and
Clerk of Committees

MONDAY, JUNE 26, 2006

The committee met at 4:03 p.m.

[R. Austin in the chair.]

R. Austin (Chair): Good afternoon. My name is Robin Austin. I'm the Chair of the Special Committee on Sustainable Aquaculture, and I'd like to call this meeting to order.

Prior to beginning the public hearings, I would like to acknowledge that we are in the traditional territory, here in Alert Bay, of the 'Namgis.

I would like to invite Chief Bill Cranmer up to say a few words as an introduction.

Opening Statements

B. Cranmer: I'll say a few words in our own language to welcome you here in our community.

[Kwak'wala spoken.] I'm really happy to welcome you into our territory. I've said in our language that we're glad that you have come to listen to our concerns and that we hope you will understand why we are so concerned.

Gilakas'la. Thank you.

R. Austin (Chair): I would like to take this opportunity to welcome you to the Aquaculture Committee's public hearing here in Alert Bay. It is a real pleasure for us to be in your community and hear directly from you about this important topic.

For your information, today's meeting is a public meeting which will be recorded and transcribed by Hansard Services. A copy of this transcript, along with the minutes of this meeting, will be printed and will be made available on the committees website at www.leg.bc.ca/cmt/aquaculture.

In addition to the meeting transcript, a live audio webcast of this meeting is also produced and available on the committees website to enable interested listeners to hear the proceedings as they occur. An archived copy of the audio broadcast will also be retained on the committees website.

[1605]

Let me also, for the benefit of the presenters, read out the mandate this committee has. The Special Committee on Sustainable Aquaculture was reissued the following terms of reference by the Legislative Assembly on February 20, 2006: that the committee be empowered to examine, inquire into and make recommendations with respect to sustainable aquaculture in British Columbia and in particular, without limiting the generality of the foregoing, to consider the economic and environmental impacts of the aquaculture industry in B.C.; the economic impact of aquaculture on B.C.'s coastal and isolated communities; sustainable options for aquaculture in B.C. that balance economic goals with environmental imperatives, focusing on the interaction between aquaculture, wild fish and the marine environment; and finally, to take a look at B.C.'s regulatory regime as it compares to other jurisdictions.

This committee is to report to the House no later than May 31, 2007.

Today we have a number of people working with us. Adam Wang and Wendy Collisson, on my left, are here from Hansard Services. They record what is said during the hearing, and as I've already told you, that is posted on the Internet.

We also have staff here from the Office of the Clerk of Committees. To my left, immediately, is Craig James, Clerk of Committees. Our researcher Brant Felker is at the information table at the front of the room.

I would now like to invite the members of the committee to introduce themselves, starting on my right.

J. Yap: Good afternoon. I'm John Yap, representing Richmond-Steveston.

D. Jarvis: Good afternoon. Daniel Jarvis. I'm from North Vancouver-Seymour area.

R. Cantelon (Deputy Chair): I'm Ron Cantelon. I'm MLA for Nanaimo-Parksville.

C. Trevena: Claire Trevena, representative for North Island.

G. Coons: Gary Coons, from the North Coast.

G. Robertson: Gregor Robertson, Vancouver-Fairview.

S. Simpson: Shane Simpson, Vancouver-Hastings.

S. Fraser: Scott Fraser, Alberni-Qualicum.

R. Austin (Chair): Thank you, members. Now I would like to encourage presenters to throw as much light as they can on the mandate of this committee to help us in our work.

Our first witness today is Chief Bill Cranmer, so please, Chief, go ahead.

Presentations

B. Cranmer: My presentation today is very short.

Again, welcome to our community. It is our hope that your special committee is not too late to save some of our wild salmon. We know that returns to our mainland rivers, with the exception of the Glendale system, are dangerously low, even to the point of extinction.

We know that sea lice are killing the salmon fry as they are migrating from the river to the ocean. We also know that the cumulative effect of dumping millions of tons of feed mixed with chemicals into the Broughton Archipelago and surrounding waters is severely affecting our environment and, in particular, our clams.

We know that our herring stock has not increased, even without a commercial herring fishery, for over 20 years. We know that some of the open-net fish farms are adjacent to the herring spawn areas.

We also know that there have been little or no meaningful consultations with the first nations prior to

approving these sites in our territories by either the provincial or federal ministries responsible.

We also know that there must be, by law, meaningful consultations and accommodations if our rights are affected. We see our rights are being affected.

Along the same lines, what kind of accommodations are governments willing or able to meet with the loss of a species of fish?

We know that escaped Atlantic salmon has successfully spawned in our rivers. We were told by regulatory agencies that this could not happen, and now it seems to be an accepted fact of life.

We know that when you bring a strange species with its own particular immune system to diseases that they carry, at some point in time it will infect wild salmon, which has no immunity to such diseases. This is what first raised very serious concerns for the 'Namgis in the early 1980s when we read reports from Norway that the Norwegian government had to poison complete river systems to kill a disease outbreak caused by Atlantic salmon.

The 'Namgis could have been in the forefront of the salmon farm industry if our concerns were satisfied with proper peer-reviewed science. Instead we were presented with other serious concerns, including sea lice, cumulative damage to the environment and escaped spawning Atlantic salmon. What makes these recent developments even more unacceptable is that the experience had already happened in Norway, Scotland and Ireland.

[1610]

The scientific information was available to our own federal and provincial scientists, and yet they chose to join their ministries in supporting and promoting this environmentally irresponsible industry. At this time I think you should be very specific when discussing this very destructive, unsustainable industry and call it what it is: open-net fish farming.

There are other aquaculture activities that could take place in our coastal communities, including closed containment systems for all species of fish. Shellfish aquaculture is another opportunity.

Looking at your committee's mandate, this can be achieved by changing the word "aquaculture" in mandates one, two and three to "open-net fish farms." Under mandate four there should be a very detailed review on how the regulatory agencies have not kept the public aware of all the dangers from this open-net fish farm industry.

I understand that you have already experienced the need-to-know attitude of some of the senior bureaucrats. I just recently read a good example of how they have been operating, especially with us.

There was this guy that was heading home after work and stopped at a bar. At the bar he lost his house in a card game. When he got home, his wife asked him why he was late. He told her he'd stopped at a bar. He was telling the truth but the least important part of the truth. So let's get some accountability from those that are working for us.

Gilakas'la. Thank you.

R. Austin (Chair): Thank you, Chief.

I would now like to invite members of the committee to ask any questions.

S. Simpson: Thank you very much, Chief, and thank you for your presentation.

You talked about the lack of meaningful consultation with your people. Could you talk a little bit more about what levels of consultation you have been afforded in some of the discussions around the development of farms in this territory?

B. Cranmer: First, what'll happen is that we will get a letter stating that somebody has made application for a specific site. We would answer that this site is not suitable and give them the reasons why. They would come back and say, "Well, you have to identify some specific use for that specific site only," and that they weren't worried about any of the other surrounding areas, which really goes against what happened with the aquaculture review. They had definite siting requirements that were, again, just simply ignored.

J. Yap: Thank you, Chief, for your presentation and for welcoming us here to your territory.

A couple of questions. First of all, one of the arguments in favour of looking at aquaculture is to provide potential economic development opportunities for communities, including first nations communities, where employment is a concern. In our travels we have come across a few first nations who have expressed the view that they want to have fish farms and are willing to participate. I'd be interested in your thoughts on this dilemma that we seem to be facing — some in the communities saying that it's a problem and others saying: "We see economic benefits."

B. Cranmer: I guess the tribal council which we belong to is really interested in economic development, and this would be a perfect vehicle to provide economic development, but not at the cost of our wild salmon and of damage to the environment. There are some members of our language group that support aquaculture, but they don't live in their communities. They live in Campbell River and in other areas. They don't actually live here and see the effects of this industry.

We've said, also, that we would be willing to joint-venture with a company that would want to try a pilot closed containment system.

[1615]

J. Yap: With regard to first nations who are interested in exploring this and in participating... I'm thinking of the Kitkatla First Nation as an example. Their view is that it's their traditional territory and that they have the right to engage in looking at this as a potential economic generator.

What is your view on the right of a first nation to consider this, even if other first nations may not have the same view?

B. Cranmer: We've said, too, that there may be some areas on the coast that can handle open-net fish

farms, and the Kitkatla have indicated that they are willing to work.... I understand they only have two farms in their territory, whereas we have something like 26, with approximately a million fish in each pen site. That's increased, I think, from the original application. They've not been allowed to expand to different sites, but they've increased their production in that particular site. There may be areas where fish farm activity is all right and won't affect the area, but it's certainly not the archipelago.

J. Yap: Thank you.

C. Trevena: Thank you very much for welcoming us here today.

I wanted to pick up on Shane's question about consultation. The most recent farm that's been approved was at Bennett Point, and I wondered what sort of consultation the ministry had with the 'Namgis about the siting of this particular farm.

B. Cranmer: What happened with Bennett Point, of course, is.... It was part of a plan that was agreed to by the CAAR group and the company on alternating routes, but we honestly didn't see that an alternating fallow route was going to do any good, and we were very reluctant to be part of that agreement.

What we have been doing, and the tribal council has been doing, is trying to get a separate MOU with the province on working together, doing the science that we feel needs to be done. They keep referring to the alternating fallow route as a solution, but I think all that's doing is delaying the inevitable.

C. Trevena: Might I ask: why wouldn't that work? What's the impact that that's going to have?

B. Cranmer: The fallow routes, in our opinion, won't work because the whole of the archipelago is in the area where all the little fish are swimming around and trying to grow before they head out to the ocean. The tide brings them in and out, and even if one fallow route was working and it cleared the fish, these other fish will be affected. Once they meet up at the other area, they'll be affected too. It's really scary.

C. Trevena: On the issue of consultation, you mentioned there are 26 farms in the area, in your territory. Have you ever agreed to the siting of any of these 26 farms?

B. Cranmer: I don't think there's one farm that we agreed to. Along with other members of our tribal council, we even filed a writ, but because we couldn't afford to carry through with it.... We did get some information by court order that the fish farmers and the government had to share more information with us. Other than that, we definitely didn't agree to these farms because, as I said, we have some very serious concerns about what these farms are doing to our territory.

G. Coons: Thank you, Chief, for having us on your traditional territory and going out on some of the site visits today. You talked about the sites. I'm just wondering how long some of the sites have been in your territory.

[1620]

B. Cranmer: In our combined tribal council territory, they started in probably 20 years ago. Some are fairly new. The Burdwood Group only went in, I think, three years ago, and that's right smack in the middle of where the inlets converge, right there. They all come together at the Burdwood Group. When we toured the Burdwood Group, we went around the pens in our canoe and saw all the dead kelp. The kelp was all dead around the pens, yet they said it would be nothing to worry about.

One of the other things we just recently became aware of is what's called an environmental bank, where these companies — for instance, the one that's operating in Englewood.... When they put the fish processing plant there, they cleaned up the environment around that plant, and they gave them an environmental bank. That allowed them to go and pollute some other place in the archipelago, which is really strange to us.

G. Coons: Yeah, okay. I've asked other questions about the habitat banking that is required under DFO regulations, and I'm trying to put that into perspective. Are you saying there's some habitat banking done outside of your territory after they've come into your territory and done some, say, environmental damage?

B. Cranmer: As I say, we just recently became aware of the environmental bank. When we asked about the damage they're doing to this one particular site, it was: "Oh, they can do that, because they have a bank over in Englewood. They've cleaned up the area, so they're allowed to go and damage this other area." This, to us, doesn't make sense.

G. Coons: One last question. In our tour today we heard quite often about this area being the breadbasket for quite a bit of the territories and the sharing of the territories. I'm just wondering what else. You mentioned kelp, and I'm wondering what other effects you might have noticed, say, in any shellfish or clam beds or seaweed. What other effects have you noticed?

B. Cranmer: Clam beds. Also, the herring spawn. Our people used to go harvest the spawn on the branches of trees, and we've seen very little herring come back. I'm not sure if you've noticed any of the groundfish that are swimming around those pens. They've got strange growths on them. That's a very serious concern to us. The damage that's being done on a particular site just doesn't stay there. It's dispersed, depending on the tides.

G. Coons: One last comment. What is your definition...? I've heard quite often about it being the breadbasket. Could you expand on that, please?

B. Cranmer: In the early days our people used to go from site to site in different parts of the seasons to harvest and smoke salmon, to gather clams and smoke the clams, barbecue the clams. Another serious concern we've got is when it's going to affect the oolichan runs up to Knight Inlet. That's a very serious concern of ours, because it's a staple of our diet — oolichan oil.

G. Coons: Thank you.

S. Fraser: Thank you very much, Chief, and thanks for inviting us in the traditional territory. And thanks for the weather. That fog cleared up nicely.

You've mentioned the potential loss of use of clam beds that were traditionally used and that you no longer feel you're able to use. Has there ever been any mention of compensation for those losses?

B. Cranmer: No. As I said in my statement, I'm not sure whether the pockets of government are deep enough to compensate for that particular loss, because it's lost forever. How are you going to calculate that loss?

S. Fraser: I wouldn't know how to do that. I just wanted to clarify that. Thank you.

Sort of along the same line, obviously, if you get an application forwarded to you for consultation from government, there's a cost associated with that. There's an administrative cost, then there are scientific costs and that. I don't know; is that a substantial cost?

B. Cranmer: It is a substantial cost, especially of the tribal council's. As you might know, the tribal council is there to administer the DIA programs and provide services to our communities. None of that is budgeted for consulting with governments about fish farms.

[1625]

Any of the moneys we spend in this work is money that we have to find somewhere else, usually at the loss of some other part of our administration.

The 'Namgis, because they're in a treaty process, can more readily afford to do that. We're quite far into the treaty process, and we do have resources to do that that government says we're borrowing.

S. Fraser: Yeah, I understand.

Just to finish off, considering the court cases we've seen with Delgamuukw, Haida.... Obviously, the courts have agreed there's a need for meaningful consultation. There's a cost to consultation, which we've established. There has been no attempt or offer from any level of government to help offset those costs for the tribal council?

B. Cranmer: No. I guess the direction that we're trying to go with our MOU is to identify those kinds of costs, if we're going to be doing further work with the aquaculture industry.

S. Fraser: Thank you.

R. Austin (Chair): Thank you, Chief Cranmer, for your presentation.

At this time I'd like to invite Chief Bob Chamberlin to come up to the witness table, please.

B. Chamberlin: Good afternoon.

[Kwak'wala spoken.] I'm the elected Chief [Kwak'wala spoken] of the Kwicksutaineuk/Ah-kwa-mish First Nation. I've asked you to please hear my words today. I'm speaking from my heart on behalf of my tribe that's unable to be here today to speak to this.

It's an incredibly important issue to our people. It's one that bears a lot of frustration, a lot of anger, and provides a lot of difficulty for us in terms of relating with government and speaking in a good way about the frustrations our people tell us to speak to.

I want to touch on the historic reliance on the territory and foods. Our people have from time immemorial relied upon the resources that are found there — a rich wealth of resources, every manner of marine resource you can imagine, be it salmon, crabs, clams and on and on.

The food and the territory is the basis of our wealth. It is the basis of our identity, and it is the basis of our culture. I can't express that strongly enough. I really need you to know that we don't just simply like seafood. Simply going to the Overwaitea for replacement food is not acceptable. When it comes to our cultural practices, it is all based on feeding our guests that come to bear witness to what we're doing, and in that process are food staples of our people that are presented in great wealth for the witnesses that come.

The question that was just posed about compensation for the loss of these resources.... How could you? There is no compensation that would be adequate enough. I agree with what Chief Bill Cranmer said: government doesn't have pockets deep enough. How can you pay for a culture that's lost? How can you pay for a huge component of it that is no longer available to our people?

This is something that bears out the test of time. As you saw today, when we went to Gwayasdums, the village on Gilford Island, I pointed out what we call [Kwak'wala spoken]. It's the broken clamshell beach that you find. I guess archaeologists might call it a midden. I can't even begin to imagine how deep that is. These [Kwak'wala spoken] are found throughout our whole territories, and it demonstrates the reliance we have on these things called clams. What we are witnessing as a result of this industry — the aquaculture, open-net farms — is contamination and decimation of our clam stocks.

[1630]

I want to talk about the problems I see with the provincial and federal environmental monitoring of this industry. Essentially, it is nonexistent. When we talk to one department from one ministry or one federal department, they point at each other. DFO, with their zero-net-loss interpretation and how they action that today.... It was just touched on earlier how they'll rehabilitate a marine environment far removed from the territory where these fish farms are damaging.

And whatever this is, this environmental bank, which I think is absolutely ridiculous.... By creating a

bank of several hundred thousand cubic metres of restored marine environment, they're able to destroy an equal amount in our territory, yet the work of reparation is done elsewhere. It's unacceptable.

The provincial government wants.... The only focus would be the benthic area below the pens, maybe extending to the area of the tenure, which is unacceptable. We have DFO, and in their wisdom they've come, and we've met with them. They talked about a fish farm where they videotaped underneath — it had a foot and a half of sludge — and said, "When we went back a week and a half later, it was all gone," like a magic wand had appeared and taken it all away.

They spoke about better siting of fish farms today versus when they were first sited. Where do you think that sludge went? The tide took it, and it deposited it down the way. We talk about the far-field effect that this industry has. The government's insistence on just focusing on the benthic areas is irresponsible and is reckless.

I've spoken to media, and I've mentioned that even if the average British Columbian may not endorse or support the notion of aboriginal title and rights, they need to be aware of how this government is neglecting their responsibilities in the monitoring of this industry and the impact it's having on the environment. I think it's laughable that the provincial government can establish a marine ecological park in the Broughton and then the next day turn and allow this industry to lay waste to large stretches of the beach.

You mentioned the consultative process. It's horribly inadequate. My Uncle Peter, [Kwak'wala spoken], was one of the chiefs that they spoke to when this industry first arrived 25 years ago. I've been told he provided a map of where not to put the fish farms, but the fish farms were put where they told them not to.

As far as I understand the consultative process historically, it is nonexistent. This industry keeps coming in and coming in. Even today, under present-day consultative process, pre-Haida and the Taku Tlingit case, that is horribly inadequate, and it is what the government is still relying on today. When Gordon Campbell gets miles and miles and miles out of this New Relationship, I just shake my head.

We've had dealings with the Ministry of Agriculture and Lands for the past ten months, trying to develop an MOU addressing our environmental concerns about what this industry is doing to our territory and what this industry is doing to our traditional resources, which are the basis of our title and rights.

If this province is engaging in a treaty process, it's acknowledging that the title and rights are still alive, and that very fact.... There needs to be something done about what's happening in our territories. This industry is just running roughshod, and government officials shuffle papers and find other things to do, other than address what's really happening.

A large focus environmentally has been on the sea lice, and that's an acknowledged problem. It's acknowledged worldwide — except British Columbia. I recently had the good fortune of travelling to Oslo, Norway, about three weeks ago, where I got to address

Pan Fish and the shareholders at the AGM. I talked about the environmental contamination that's going on and the impact it's having on our clam beaches.

During that week we also met with the equivalent of DFO in Norway. We met with the director general, one down from the minister. In that meeting he had his lawyer and his marine biologist there. I asked them specifically about open-net-cage fish farms and sea lice.

They openly and freely admitted and acknowledged that they know beyond any doubt that this type of industry introduces large amounts of sea lice to a region — no question. I wish you could have seen the look on that marine biologist's face when I said our provincial government is studying it. He almost laughed at us.

In other information I gathered from that meeting, they talked about eight fjords in Norway where they do not let the industry in, out of respect for outward-migrating salmon smolts, the wild stocks.

[1635]

They have 34 additional fjords where they are retiring the licences, phasing them out, again out of respect for the wild outward-migrating salmon smolts.

For this government, both federally and provincially, to let this industry come in here and not bring their best understanding and best practices of what they do into our country is laughable. It's nothing short of predatory and exploitive. This is Canada, and we're allowing it to happen.

When I step back and look at what this Norwegian industry is doing, it is what I term now as "the new Viking plunder" in the world. This is what they're doing worldwide, and governments like ours are turning a blind eye and looking to economic opportunities. I find it offensive that you ask us about the other nations that are supportive of this industry.

Is that your agenda here? Because if you want to look at a very small minority of first nations that are supportive of this, you'll find it, but if you would open your eyes and your ears, you would also find there is a larger number that are opposed to it. I didn't like that question you asked — offensive.

During our trip today into our territories, I heard the words "framework for dialogue" come up, and the Coastal Alliance for Aquaculture Reform. I had an opportunity to show some of you on the map what exactly that means. It's about a single agreement with one company operating in our territory. It's Marine Harvest.

It's around an effort to create a fallow route in order to let the outward smolts have a chance to get out to sea and maybe return. I've said this at our tribal council. I've said this to CAAR, and I've said it to as many people who will listen: what it does is create one-third of one-half of a fallow route.

When we talk about the Fife-Tribune Channel, that's where Marine Harvest is located. The river systems that are most at risk right now within our traditional territory are Embley, Wakeman, Kingcome, Kakweiken and the Ahta. Their outward migratory route takes them past main stream. It takes them out Sulej Channel and out Wells Passage. That's a different company not involved at all with this framework for dialogue.

I'm not surprised to know that you're aware of this. In any dealings we've had with the ministry, it's what first gets trotted out to us. As we make good effort in a consultative process trying to define a memorandum of understanding, to have our concerns addressed in a meaningful way in order to have.... I mean, we simply wanted a joint scientific panel to do environmental assessment, because as you're aware, there is our science, their science and the government's science, and none of them are acknowledged by one another.

We've tried to use this consultative process of the transfer of licences from Stolt Sea Farm to Marine Harvest as a way to accommodate that and a way to reach this goal for our people so that we can all have science we agree on and can do something meaningful. It has been a ten-month process. It's been very tiring. It's been very exhaustive.

It has taken up every bit of resources we've got, and each time it has been a joke what we get back from the provincial government. Each letter we've got mentions the framework for dialogue, and the way this framework for dialogue is being misinterpreted by government and industry is appalling.

I want to talk about one action item that occurred in that. It was the movement of the stocks from Glacier Falls to Midsummer. You want to talk about consultative process? Here's the snapshot. We received a letter from Marine Harvest on February 7 asking us how we felt about this proposed expansion at Midsummer, which was going to receive the Glacier Falls stock.

We responded within the 45-day window that the provincial government sets for consultative process, which is freely acknowledged by the ones that we deal with as inadequate. It doesn't give enough time, given the resourcing difficulties that we as first nations face. We set up a meeting one on one, face to face, to explain the difficulties and to categorically explain why we didn't want Midsummer to be expanded by two pens. We set that for later in March.

By the time we had the meeting.... By the time they sent us the original letter they had already put the two pens in. By the time we went to meet with them in Campbell River they had already accomplished the movement of stock.

When we approached the provincial government a gentleman, and I use that term loosely — Duncan Williams, Al Castledine....

[1640]

When I spoke with Duncan he said to me: "You're not going to like my answer." When I asked him how did this arrive without any consultation with the provincial government he said: "We looked back at the consultative process of three years previous."

Our chief wrote a letter stating that we rejected the notion of Midsummer. The Tsawataineuk had done the same. They used the okay given by an absent first nation who is exerting his claim to be our representative. His name is Bobby Sewid. We have made great efforts, each time we have a meeting with the provincial government, to let them know who is the actual person you consult with when it comes to the

Kwicksutaineuk/Ah-kwa-mish First Nation, and that is our council. It is not someone that has a family tie into our village and claims to be a chief of our village. That would be much like the deputy minister's assistant making decisions for the minister.

When I think of consultation, I can't help but think of the New Relationship. Where is the best environmental standard? Where is the best fishery, bar none, that Campbell keeps talking about? We met with Minister Christensen and met with Minister Pat Bell in concert, and we asked them to bring those principles of the New Relationship to the Broughton Archipelago. Our needs would be addressed, the politicians would get the mileage they require out of the New Relationship, and we might actually get something done that makes sense. The response was the granting of the licence at Bennett Point. The meeting we had with these two ministers wasn't our target. We tried to meet with Campbell, and he ditched us off to his ministers.

As a result of the lack of consultative process on the expansion of the Marine Harvest activities at Midsummer, we again wrote to Campbell. No response. Where is the New Relationship? I ask all of you: where is it? You've got everyone focused on \$100 million, and that isn't going to be worth a pinch of shit if the output of that effort isn't going to be included in the decision-making process on resources in our territory. What's the sense of doing it?

It's extremely frustrating to have to spend so much time on this, knowing that our concerns are forever falling on deaf ears. I was called an angry man today by Ron Cantelon, when we were on the boat. I'm not. I'm not displaying the anger that I have. I'm trying to be as subtle and firm as possible so that maybe my words will be heard and understood.

We talked about Bennett Point. We submitted a letter asking for some sampling, some DNA testing of the migratory smolts that go by there, to determine whether the smolts are going to die as they go by that site. And they will die. Are our stocks not being affected by this decision made for a neighbouring first nation? The response that we got from them was: "Oh, you guys took too long." They pointed towards one of the member tribes of our tribal council, who just happened to attend an open house. That was enough consultation to dismiss our request.

Yet when we look north to Strouts Point, it was established that a neighbouring first nation's outward-migrating smolts went by that site, so it caused things to pause a little bit. But that wasn't what happened in our territory. When we started to work through the memorandum of understanding, and in the conversations we had with the statutory decision-makers, they had difficulty in accomplishing some of the things we wanted to see in this MOU. They make the claim that they cannot fetter business. So you can't fetter business, but you can infringe on our title and rights.

Every time an outward-migrating smolt dies as a result of sea lice because of the aquaculture industry, that's an infringement on our title and rights. Every time we cannot eat a second helping of cod that's caught around the fish farms because of elevated

mercury, which is a peer-reviewed science paper, that's an infringement on our rights. Every time another clam beach dies, it's another infringement on our rights. Every time we go to a beach and find black clams instead of pink ones, that's another infringement on our rights. Every time the salmon stocks do not return to the abundant levels that were once here, and our commercial fishermen cannot go and make a set in a bay because there's a fish farm there, that's another infringement on our rights.

I'll speak directly to the Liberals here. Campbell says that the New Relationship, when there's a significant infringement on our title and rights, will give extra weight to the consultation and accommodation process. We're waiting, and while we're waiting our resources are dying.

[1645]

As our resources are dying, we're watching a way of life disappear. There isn't enough money in the world to pay for that. When will our concerns be addressed?

I had an interview with the *Vancouver Sun*. I talked to them about the problems we're having — a long interview. I said that the only time I think we're going to be listened to is if we resort to direct action, and then the government and the media and the public will characterize us as a bunch of crazy Indians. They won't report on the frustrations of the good-faith participation we've done in this consultative process, which amounted to nothing but a waste of our time.

I'm here to tell you these things. I'm here to speak for my family and for a village that can't be here to speak about this topic. All they can say is that it's b.s. and that we've got to get this industry out of here. They see what's happening in the territory.

When we see repetitive and constant infringement on our rights, what are we to do — keep coming to meetings, talking into microphones, being recorded? You guys get a nice paper and report to submit to a government that may dismiss it anyway.

I'm under no illusion. I know the makeup of this panel. I think it was an incredibly smart move politically. That way, if this panel has a negative output about this industry, your government can walk away from it and still get points.

I don't for a minute believe this New Relationship is going to amount to anything. When Campbell was asked at the summit meeting about how this is such an incredible paradigm shift from the referendum about treaty that he put to British Columbians, and now he's got this complete about-face about recognizing title and rights and which one he's going to march to.... He said: "Well, I still can't walk away from the voices of British Columbians." I think this New Relationship is nothing more than a way to try and get the first nations in this province to calm down.

The world is coming in 2010, and I'm talking about the Olympics. Unless we see something meaningful from the provincial government in terms of this industry's activity in our territories, the world will know — specifically and loudly — what this government does and doesn't do for first nations people in their territories, how they turn their back and let the environment

be contaminated. It won't be a rosy 2010; it simply won't be.

We've been working with the Homalco First Nation, networking — talking about the common difficulties we have with this industry — and find out our struggles are the same. They went the court route. They won, and they were told to go talk with the company. They spent a lot of money to arrive at that.

We struck a first nations strategic alliance on aquaculture. At the First Nations Summit we had 16 first nations join us. We represent seven nations already. So when you think about the first nations that are supportive of this industry, already we double them. I could almost list them by name, the ones that are supportive. None of them have the level of presence that industry has on our territory, when 80 percent of this industry is located within our territory and the Homalco. We're the ones who see the impacts.

It was mentioned about first nations environmental standards. When the visitors came off the ships way back in the day, they found a pristine environment abundant with resources. Those are the efforts that first nations management has on resources and industry. We go out there today and see that your government and your regulations and everything else allow this industry to do what it's doing. It is incredible.

When you talk with supportive first nations about this industry, you'll find a lot of them are absent from their village sites. When you talk about Bobby Sewid of the Mamalilikulla band.... He and his entire family live in Campbell River. You talk of the Tlowitsis people. They no longer live in their village site. The ones who are openly supportive of this live in an urban centre called Campbell River. These people have the luxury of going to the Overwaitea.

You come to Gilford. You've been to my village. Did you see Overwaitea there? You travelled on it when you came. Our grocery store is at the end of our dock.

[1650]

Our first nation is no different than a lot of other first nations — economically challenged, living in poverty, very few opportunities for employment. Those resources at the end of the dock represent survival. When we go out there and find the black clams, it's extremely troubling.

I hope you hear what I've said. I hope that the report you put together is going to be effective enough to reach Campbell and whoever else sits in that inner circle. I'm finding the efforts that we're putting forward aren't.

I mentioned this on our little trip here today: it doesn't matter what we meet to talk about at the tribal council level; it comes back to the fish farm industry every time. I would gather that 80 percent of our efforts at the tribal council are related to this industry and the frustrations and the damage that we see.

I'll take any questions you've got.

R. Austin (Chair): Thank you, Chief. Before inviting members to pose questions, I just want to clarify that our final report won't be sent to the Premier or to a

minister. It will be delivered to the Legislature — just to clarify that.

Scott would like to ask a question.

S. Fraser: Thank you, Chief Chamberlin. You mentioned the term "cannot fetter business." For my clarification, was that from the statutory decision-makers?

B. Chamberlin: That statement came in response to.... Within our MOU discussions, we wanted to see a freeze on tenured location until the joint scientific panel could conduct the work. At that point we would have jointly agreed-upon science that could then steer the government in policy- and decision-making on this industry. When we talked about no more additional fish farms and freezing locations: "We cannot fetter business."

S. Fraser: Okay. Thanks.

In any of these deliberations, where there's consultation.... You mentioned that there's science and that there are different sides in science. In any discussions with government post-New Relationship, has there been any acknowledgment of traditional knowledge?

B. Chamberlin: As I mentioned, the consultative process we're experiencing doesn't have anything to do with the New Relationship. When we speak to the folks we deal with at the ministry, every one of them.... I guess they have a script. Maybe that came from Gordon's office: "You know more about this than we do." We hear that again and again.

I say to you: what choice do we have? When it comes to knowing that there's supposed to be some sort of greater level of consultation and accommodation coming, why would we agree to anything today? I think our job now turns to slowing industry down in every aspect and every possible way until the new way of doing business shows up. It would be like buying a car today for ten grand when you know it's on sale next week for five.

S. Fraser: Thanks, Chief.

Just finally, you mentioned the map that was done in the '80s about where not to put fish farm tenures. I was involved in a process in Clayoquot Sound with shellfish tenuring, where all the Nuu-chah-nulth in the Clayoquot region were involved in mapping based on sacred sites, traditional sites, that sort of thing. Was it a similar basis for that mapping, for the sites not to be placed?

B. Chamberlin: This is one of those rare occasions where I can say that I was pretty young back then, so I didn't get to see the map. I just know the story that was passed down through our community is that they were asked: "Where do you not want to see the farms?" The map was produced where not to put them, and that's where they landed.

S. Fraser: To your knowledge, those sacred sites, those traditional sites were not omitted?

B. Chamberlin: No, that's where these farms landed. They put them where we.... After asking us where not to put them, that's exactly where they were placed. That's known within our community. It's known within the leadership that sits at the tribal council.

S. Fraser: Thank you.

C. Trevena: Thank you very much for taking us around this morning. It was very good. Thank you so much for that.

I just want to ask about the MOU, a couple of things. What is the current status of your discussions with the government? Is there any status at all?

[1655]

B. Chamberlin: When we sent the MOU across the table we asked for a written response. We set up a date. We asked for the response to be given to us ahead of time so we could be aware and maybe make better use of our time when we got there. We arrived at the meeting in Courtenay, and the lame excuse was: "We faxed it. Didn't you get it?"

Then they gave us a letter, a page-and-a-half response to a very comprehensive document, and it was up to us to look at this letter and try to figure out: "If they say this, which section are they talking about?" It was very clear when we submitted it that we wanted a response that was categorical so that we could understand very clearly what parts of it they had difficulty with. They did not provide that to us.

They asked for another couple of weeks, after we waited almost two months. They asked for another couple of weeks to actually do the work that was supposed to be started back in the early part of this calendar year.

When we finally did get the response, the cover letter also made reference to this framework for dialogue. In our point of view, the framework for dialogue keeps getting in the way of progress on our MOU, because we're signatories to it. Yet what it actually accomplishes is nothing.

There's an agreement in there to do joint science. When we spoke with Craig Orr, when we met with Marine Harvest, it was like they were fighting to get sea lice samples from their plant. They didn't want to give them. This is the jewel, if you like, in this agreement.

This fallow route.... We only moved one farm. As you were told today on the tour, even in catching these smolts up in the north Tribune Channel, they still had sea lice on them. They got rid of the farm in the middle of the channel, and the ones at each end are still producing sea lice so that they go by.

I'm sorry. I got sidetracked. To answer your question, we at the tribal council have had this response for about a week and a half. We haven't been able to have a chance to sit down and formulate a response to it.

I can tell you how I feel about it. I think it's been a big waste of effort. The response just rips everything out. If it was a meat sandwich, they took all the meat out and threw us the bread for a second time — worried about not fettering business.

C. Trevena: Is the MOU looking at the science? What's included in the MOU? What do you hope to get out of it?

B. Chamberlin: We were wanting to have a joint scientific panel — one appointed by industry, one appointed by us and one jointly agreed upon — and adequate funding to go do an assessment on all previous and existing fish farm sites, and write a prescription in order to have them rehabilitated.

We're looking to have Marine Harvest, who has taken on the assets and liabilities of Stolt Sea Farm, be intimately aware of the level of environmental damage they are now becoming liable for.

That was what we wanted to do. As we talked today, when we went to the one site, Larsen Island, when you got to see where we went and got the clams.... Knowing the fish farm was around the way, that's the better siting. That's the off-loading from the benthic area to the far field.

How do we get the government to acknowledge that that happens? You can't put two and a half tonnes of food a day into each pen over 27 farms. Each of them has ten pens — that's 25 tonnes a day times 27 farms. That's a lot of feed. Even if a very small percentage of that goes into the environment, travels along and plugs up the beaches.... You could probably fill this room really quickly with what's getting put into the environment. But because you can't see it, and because it's not some farm activity in the Fraser Valley, where there are people who actually have backyards there that mean something.... I mean non-First Nations people, because any time that First Nations step forward with concerns we're dismissed.

C. Trevena: Just taking that on. With 26 or 27 farms in the Broughton, do you see that there's any way to mitigate the far-field effects and other effects of these farms?

B. Chamberlin: We've been discussing the notion of closed containment. I know that there is.... I'm sorry, I can't remember the name of the person specifically right now, but he's in Campbell River. He's looking for a certain level of funding from the federal government in order to further develop this technology he's put together in closed containment. We want to see this industry become 100-percent responsible for their activities. That's not true today.

[1700]

We had lots of discussion on the boat today, but I know I spoke with one of you. We talked about: what are they going to do with the waste they collect? What are they going to do with it? They don't have an answer. Doesn't that concern you?

If they don't know what to do with it on land.... They're pumping it into the ocean. If we have a concern for it on land, we should have that same concern for what it's doing to the marine environment. We've got beaches that have now become anoxic, devoid of oxygen. Oxygen is what keeps the proteins and the nutrients in the soil. Once that's happened, how productive

do you think that's going to be if we reseed it with clams? It's got no value to the dirt or soil, and nothing is going to grow anymore.

We've got places like Carrie Bay. We talked about it today. Upper Retreat, Blunden Pass — these are places that have been.... The original sitings, where there was poor tidal flow, not deep enough.... That equals disaster, and they've never been fixed up. They just walked away. Your government has allowed this industry to walk away from places it has killed, and it's okay. We've got 4,000 jobs. But it's our territory. It's our people that wear it.

C. Trevena: I have one last question, if I might. It's separate, and it's a question equally for Chief Cranmer. Maybe I should have asked him.

When you are having discussions about the MOU or having consultation with the government, are you treated as a government or as another stakeholder?

B. Chamberlin: I think we're treated more as a nuisance.

It seems to me that the third parties and business have a greater ear of the government than first nations do. If you were to have a really long and hard investigative look as to how this industry has arrived in our territory, you would see that it's true.

In the very beginning, when they asked us where not to put the farms, they put them there. If you were to do a judicial review over the whole setup of this industry and the consultative process, it would be very clear and arrived at very soon — how inadequate it's been, how nonexistent it's been, and how aboriginal title and rights have been the doormat for this industry to walk on.

G. Robertson: Thank you, Chief, for your words and for your tour of the territory today. It was great to be out.

I have a question about the state of the wild salmon in your territory here. I understand that the populations are significantly threatened in a great majority of your rivers and creeks. I'm curious if there has been any investment from the federal or provincial government in restoration — anything to regain the population of your wild stocks here.

B. Chamberlin: That's an easy one. No.

G. Robertson: Nothing. Has there been any investment in...?

B. Chamberlin: What stock assessment that occurs on the rivers within our traditional territories.... They have a fixed plane that flies up the valley and looks into the river. Then they do a guess and extrapolate that over X amount of miles of the river system.

When it comes to DFO's participation and rehabilitation or stock assessment stuff, they're the ones that will be telling you time and again about budget restraints, budget cutbacks.

I was having a discussion with one of our band members not an hour ago, about how we are going to prioritize these aboriginal fish strategy dollars. We want stock assessment. We want habitat rehabilitation. We want a clam beach stock assessment. We want crab stock....

I mean, there are all these things we rely on, which DFO has no baseline on. It's to their benefit that they have no baseline, because they can then say to us: "Oh well, the data is not there to prove that the clams are dying." Then it gets down to anecdotal stories, which is local history.

G. Robertson: My other question was related to the shellfish in the area and whether there has been a baseline or stock assessment in terms of shellfish, in terms of shrimp, and whether there has been any work done or investment in restoring or maintaining the health of those populations.

B. Chamberlin: With the clam beach, I know there was some baseline work done a number of years back. But that data sits with an organization that we're no longer a part of, which is the Kwakiutl Territorial Fisheries Commission. They're somewhat possessive of data, even though it doesn't pertain to their territory.

[1705]

This past year, with what little AFS dollars we had, we went out and conducted our own clam beach stock assessment. We're looking for as many dollars as we can to demonstrate that we are more than willing and capable to take on management of our resources and our territory.

In the initial marine resource management plan that we developed here at the tribal council, I think that the bare minimum was about \$700,000 a year. We're lucky to get \$150,000 of that from DFO. We have to then go shopping around to try to find others to take on the stock assessments we need. We understand we need stock assessments. We understand we need baseline data to demonstrate and to affect the policy changes at the provincial level of this industry.

Again, part and parcel of why we wanted the funding, and this MOU.... I didn't mention that. The MOU. They offered \$150,000 for a year to have three scientists, field work, lab work, report development, community consultation — for a hundred and fifty grand. When Marine Harvest needed money to move that stock from Glacier Falls to Midsummer — \$500,000.

G. Robertson: You mentioned, I think we've heard, 26 or 27 farms in your territory here. Approximately what number of band members are employed in the industry here?

B. Chamberlin: None of our first nation.

G. Robertson: None.

B. Chamberlin: None. When we talk about employment opportunities, I'll echo what Bill had mentioned earlier. No matter what accommodation we

might get from industry and government for this particular activity or employment, it's not enough. It's not enough when we watch our way of life disappearing and the foodstuffs that are the basis of our culture.

S. Simpson: A couple of quick questions. On the MOU that you've worked on, could you tell us the...? You said that you got a response from government to the document a week or ten days ago. Is that document your proposal on the content of the MOU, or has this been part of a discussion that had been ongoing with government officials?

B. Chamberlin: Nothing that arrived in the text document we sent to them was any different than what we discussed at our meetings with them. We didn't try to pull a fast one. Everything we spoke of at the meetings.... They're well aware of what we were hoping, and we were played along until we submitted it in writing. It was just offensive.

S. Simpson: How long did you go through that process?

B. Chamberlin: We started the MOU discussion in August, I believe it was. No, we started around August, and that was around the consultation process for the transfer of licences and tenure to Marine Harvest. The second meeting we started to talk about what we wanted to see, and they suggested an MOU. Then we started developing one throughout late fall, submitted it and waited and waited and waited. We finally got a response. I believe it was the second week of January.

We reworked it, sent it back and waited and waited and waited. Two months later we got a letter, the day we were supposed to meet with them instead of a week ahead of time like we had requested and they had agreed to. It was only after this senseless meeting that we got the categorical response, which was actually an effective tool because then we could really see where it is that they stand.

S. Simpson: I understand that there may be reasons why it can't be made available, but I would ask if it was possible to have the document made available to the committee. That might be very helpful. I understand that there may be reasons why that can or can't happen.

B. Chamberlin: I don't have a problem with it.

S. Simpson: That'd be great. Thank you.

Moving to a related question on the question of the New Relationship. You referenced the discussions around the New Relationship and the frustrations you feel that those principles that were announced around the New Relationship aren't being reflected in what's going on around this industry, and the effect on you. Have you had those discussions with Minister Christensen?

[1710]

B. Chamberlin: Absolutely. We as a tribal council, the chiefs that are on the board, went down and met

with Tom Christensen and Pat Bell together. We requested to bring these principles into the Broughton.

As I mentioned before, their response.... They're very friendly. They're decent men, I guess, but their response was the issuance of the licence in Clio Channel. And there was no action at all about trying to bring the principles of the New Relationship into the Broughton.

S. Simpson: The last question. As you mentioned earlier, you were a part of the delegation of first nations leaders who went to Oslo to make representation at Pan Fish's annual general meeting. Could you maybe just tell us a little bit — just for the record, around this transcript — about what it is that your delegation went and specifically asked Pan Fish to do, and what the result of that was?

B. Chamberlin: Twofold. Myself and a representative from Lax Kw'alaams, which is a group of nine first nations around the Port Simpson area, went to attend the AGM for the shareholders, and I'm really happy we did. I had a look at their year-end document that said their operations internationally do not contaminate the environment.

We pulled up the picture of the black clam. I explained to them what impacts it's having on our territory and our resources.

Eugene Bryant was the gentleman's name that came with us. He spoke on behalf of his first nation collective about how they're not welcome up in the territory of the Lax Kw'alaams people.

The main part was to come and explain that we wish to see them take this industry and evolve it into a closed containment system operation. We tried to implore them to become 100-percent responsible for their industry's activities and to know that when....

As I read further into their year-end report, in the environmental discussions that they put forward, it was about the environment within the pen. The first sentence led you to believe that there might be some concern for the broader environment, but it was all about the environment within the pen.

In Norway the Norwegian government has the companies responsible for repair work in the tenure area. It's not something that's banked somewhere else, where it's convenient to work on.

This banking thing. We talk about Grieg Seafood and the Bennett Point application. Shortly after it was announced, there was a story that ran in one of the local papers in Campbell River. They had devised, I think it was, a multi- or four- or five-year strategy to do marine environmental repair in the Campbell River estuary.

It doesn't take very much figuring out to see the great distance between Clio Channel over here and Campbell River. But they're going to kill that area. And as was said today when we spoke to the fishermen there prawn fishing, that stretch dead centre where that farm was located is a stretch that — I think he said — the red shrimp come and spawn.

Again, here's a government decision to allow this industry to come in at the expense of every last prawn

that's going to come there. Because even if you look specifically at the tenure area, it's going to lay waste to the spawning area of that particular species.

R. Austin (Chair): Thank you, Chief Chamberlin, for your presentation.

At this time I would like to invite Robert Mountain from the MTTC to come up to the witness table, please.

R. Mountain: Thanks for allowing me to speak in front of you guys. I was glad to welcome whoever went out onto the boat today. It was a good trip.

It was an honour to have you, because we've been fighting up here long and hard to try to get any politicians to come to look and see what we've seen for over 20 years. You guys coming up here, and whoever did go on the beach: thank you. To actually come see what we see — thanks for being there.

It's about time we had somebody up there to actually see what we see, and that's just the tip of the iceberg. I mean, we looked at one beach out of the whole territory. The whole territory is like that, just to let you guys know.

[1715]

I work on the ground. Just a little background and my history of what I've been doing in this territory. I've been working in the fisheries industry since I graduated in '76. I've been a commercial fisherman. I worked in a hatchery. I worked in an oyster farm. I worked in the 'Namgis band for quite a few jobs, and right now I'm working for the Musgamagw Tribal Council, which consists of the three bands in this territory.

I work as a local steward coordinator. My job is basically fish farms and referrals, amendments and applications. I look after all that, coordinating everything for everybody up here, all the bands — coordinating meetings with government people, environment people, you name it. Basically my job is fish farms.

I don't know if Chief Bob Chamberlin mentioned it, but I think we eat, sleep — and you name it — fish farms up here. That's basically our job. I have been involved from the groundwork, and I've been out in that territory for the past 30 years. I see the degradation that's out there. What's happening out there on the beaches that we were at — I've never seen it like that before. It's appalling. It really is.

I've seen everything getting worse, especially since the expansion of the fish farms, which I told somebody out on the boat. When the expansion started, when the fish farms are four times the size they used to.... Each farm used to have 120,000. Now they've got over a million fish in there, so the capacity of the waste has increased that much too.

The first time I was ever involved in my job on a fish farm was in 1992-1993. We as a dive group for the now-defunct KTFC — Kwakiutl Territorial Fisheries Commission — actually worked with the fish farm industry. They allowed us on their sites. We were allowed to dive-survey, take dive video underneath the fish farms. They allowed us to take sediment samples underneath the fish farms. They allowed us to take

water samples. The only thing they didn't give us was fish samples. I still don't understand why. Today they won't give us fish samples.

We were involved with that. There was no problem back then with the industry allowing us on their farms, at their sites, and to work with them. We did that for over a year, a year and a half. But once all these results went into the province and DFO and everything like that — the video and the sediment samples — and the results came back, we were shut down.

We weren't allowed on the fish farms anymore. We weren't allowed to go take videos or sediment samples or anything anymore. We never got those results back. We weren't told what the results were or what happened to them. We'd like to know. Still we'd like to find out what those results were — where they are or what happened to them. They were never made public. They were never returned to us either.

That was one of the parts of the work we did, working with the fish farms. Like I said, I was working on the ground. I actually worked with the DFO. I was a fisheries guardian for three years, myself — actual DFO fishery guardian. I worked with them doing some monitoring out on the fish farms.

The monitoring is a farce. They go out there and look at their books, and they don't actually do anything. They look at it, and they say: "It's all in order." There is actually no testing, sampling, monitoring — real monitoring, which should be done daily, instead of a spot check once a year, which is ridiculous to me. I told them that. "Why aren't we out there every day monitoring these guys?" "That's not our job." "What do you mean, that's not our job? You're DFO."

I was working as a guardian. I said: "I'll do it." They said no — not allowed to. That was a real shame.

[1720]

I had to quit that job and go work for the band as a fisheries guardian — still working in the same capacity. But we worked along DFO. They allowed us to work for DFO when they acquired their ROV. They had an aquaculture department up here in Port Hardy, where the fisheries guardian, Bryce Gillard.... That was his main job up there.

We were invited along to help him with the ROV and to do some of the studies under the farms, and we did. We were out there. We were viewing a lot of the footage of these fish farms. This was up in Port Hardy.

The devastation underneath the fish farm was appalling. I couldn't believe it was that bad. I heard it was bad, but when I actually saw it — the ROV underneath there — it was bad. Then I reported back to everybody what we saw. We were never allowed to work with DFO again because we reported what we saw, and DFO never sent any of those reports out about what they saw.

Like I said, I worked with Bryce Gillard, the DFO officer up there; Todd Johansson; and Cam Blacklock. Off the record they would tell me that what's in their reports would come out blacked out 90 percent. They weren't allowed to report that about fish farms. They showed us. Everything was blacked out. Two or three sentences per page were allowed to stay.

They tell us that it's management that says they're not allowed to report this. Their DFO management says they're not allowed to report this. I'd like to see what their actual report that was sent in, which was blacked out, said.

This is the information that needs to be brought out to the public, because it's not being presented honestly, truthfully, the way it should be brought out, because management is shutting it down. They still have the report on their e-mails. They tell me it's still there.

I think you need to meet with the ground people at DFO. They're the ones that are concerned too. The people that I work with say they're concerned, but their upper management says: "You're not allowed to talk about it. You're not allowed to complain about it. You're not allowed to say this and this."

I feel sad for those DFO officers, because they're friends of mine. I worked with them. This is really appalling, the way the government does this to their own people. I worked with the DFO officers for years, and I really feel sorry for those people who have to work in those types of conditions. I don't like it.

To continue on, Chief Robert Chamberlin mentioned something about doing a clam survey and that out in the territory. We did do a survey, but it was just a small survey that we did. We only had about \$100,000, so that didn't go very far.

It didn't do any studies or sampling. It just found out the capacity of a certain few beaches. There were no sediment samples taken of the clams to identify any chemicals or pesticides or anything in them. That report is there, but it had nothing to do with the fish farms. It was just to identify the capacity of the beach. That's all it was.

When I was in KTFC, we started to work at the B.C. Ab Fish. We sent in a letter to get a clam study started that would identify samples taken at or near farms. It took an over two-year process to get anybody to look at it, until we finally actually got a clam study done.

At MTTC we are in our third year of a clam study, now in process. The first two years are already completed, but none of the samples are in because there were so many samples done — clam samples, sediment samples, rockfish samples, shrimp samples, and all that kind of stuff. The testing that needs to be done takes so long, and it's an expensive process. I think they said \$600 per sample, so it's really expensive.

We're involved in that study, and it was funded by Health Canada, the Assembly of First Nations and B.C. Ab Fish and UVic. UVic is doing most of the sampling being done now.

[1725]

We needed to do more comprehensive samples. They could only test for a few chemicals that they thought might have been at that site, like mercury, arsenic, zinc, copper and that type of stuff — what they figured might be in there. We were trying to work with the fish farm company to get samples of their feed, samples of their fish, so we could identify what's in them and what we can sample in the samples. We needed baseline data so we could figure out what to

test for in our samples to see what other kinds of chemicals or pesticides and stuff like that were in them. But they wouldn't give us any feed samples, fish samples or anything. We, basically, had to guess what we had to look for in these samples. So that's still going on right now.

Out at UVic, Azit Mazumder, who works down there.... I think you guys should talk to him. He has all the data, and he knows what's going on. He was trying to expand the chemicals that they need to look for in there, even if they didn't have the other samples to look for.

Out of this clam study, we already have one peer-reviewed paper that's out there. It's a mercury paper. I don't know if any of you have heard about it yet. We took samples of rockfish that were close to fish farms and rockfish that weren't even near fish farms, and the mercury contamination in the rockfish was more prevalent in the rockfish closer to the fish farms. This paper is peer-reviewed, and it's out there. I will get you all the documents and papers that we have on our clam study — mercury paper and all that stuff. I'll get it to you guys if you haven't seen it yet.

We are, like I say, in our third year of doing that now, and we want to do more sampling. Instead of just clams and the sediment and the rockfish, we want to expand to halibut, cod, shrimp, prawns and everything that lives underneath or near the fish farms. We want to do more comprehensive studies, more in-depth studies to test the isotopes.

I don't know what that is, but they keep saying "isotopes this" and "isotopes that" when they're talking. It's a process where they can actually identify where these rockfish, shrimp and everything else have got their feed. If they get a sample of the stuff that's underneath the pens, they can identify if they ate what came from underneath the pens. They can identify it somehow. I'm not sure how that works, but like I said, you have to meet Azit Mazumder. I don't know if he was in your Victoria meeting or not; I'm not sure. But he was down there.

That's one of the studies that we're doing, and we need to do a lot more. One of the other projects that we wish to put together is getting all our traditional knowledge-gatherers together — specifically the clam diggers, the halibut fishermen, rockfish fishermen — and compiling all the data that we know over the years of what's happening in and around fish farms and throughout the whole territory. We need to identify which beaches were productive before, which are dead beaches now, and all that has to do with the clams.

I work in the office, where everybody comes to tell me all this information, but it's not really compiled properly. I haven't done that, because it's not part of my job. But I hear the horror stories from all the clam diggers whenever they come in, and they say this, this and this about all these beaches. They say, "Last year we were digging on this beach, and we got this many thousand pounds out of it," and then they go next year and it's dead, and it's growing mussels or that green algae or seaweed on it, and there's nothing there anymore. We're hearing a lot of these problems about dead beaches near fish farms.

[1730]

The people from Gilford, the ones that were on a boat today, are clam diggers. That's all they do. That's their life. They say that — since we were at Gwa'yas-dams, Gilford village — they have to go farther and farther away now just to get food, because the clam beaches in that area are all contaminated. They're afraid to eat it. I wouldn't eat it either.

That's one of the projects we want to do. We want to put together and identify all these problems for our traditional knowledge and have it all mapped out so everybody will know. "This is what once was, and this is what is now." There are so many problems to talk about. It's really hard to put them all together.

I'm sure somebody mentioned about the capacity of the first nations, about doing referrals. That's my job. That's one of the most time-consuming jobs I've had. You're limited to 30 or 45 days to turn over a referral that's sent in by the province. It's very difficult, because they send in seven, eight, nine, ten referrals at a time, and they've all got the same time line of 45 days in there.

I have to research each site individually. I have to get in touch with that first nation, with their techie or their biologist or whatever. I have to find out what's wrong with their territory, why they can't be there — why and what's wrong with this.

That's just a start. Then I have to contact the elders and the chiefs. That's all proper protocol for first nations. I cannot just go into any territory and do anything I want around here. We have to follow our own protocols and get in touch with everybody before we decide to do anything in anybody else's territory. That's such a long process. It'll take forever to do that for each referral.

That's just compiling the information. Then I have to put all this information together for each individual site. Then I send it in to the statutory decision-makers up in MAL. One question we asked the statutory decision-makers about all this information that we sent in was whether it was circulated to everybody — DFO, Transport Canada and the Minister of Environment. They couldn't answer us. "We'll get back to you." That's what their words were.

When we send all the information that we have, it should be simple. Yeah, DFO got it. Yeah, Transport Canada got it. Yeah, the Minister of Environment got it. But they said: "No. We'll get back to you." They didn't know if they got it or not. They never answered us. They never, ever got back to us on that question. That's ridiculous, in my eyes. We're doing all that work. Where does it go? Thrown underneath somebody's table, and that's it? It shouldn't happen that way. It shouldn't.

Now, after finding out all this information and passing it on to the statutory decision-makers, I made the decision for myself — and getting permission from my bosses — that I will now circulate this information to DFO, Transport Canada and everybody else. So I make sure they get it.

I'm not going to rely on the statutory decision-makers to give it to everybody anymore. I will give it to them, to make sure that everybody knows and that not just one person has that information.

All this has to be followed up on and gone through in the process. It's so time-consuming. I need more help. So please find money for me. Please. I need help. It's really difficult for me, working with all these agencies and stuff like that. I always get pushed off from one agency to another. I go the full circle on stuff like that too, so it's kind of ridiculous.

Like I say, most of my job is working with fish farms. I gather all the information that's out there and give it to the chiefs and the politicians and let them deal with it. But I'm the groundworker and, basically, the one that looks after what's going on out there. Most of the stuff that needs to be done isn't being done — the science work and stuff like that. It's a shame.

[1735]

It took this long to get politicians up here, but nobody wants to fund the scientists to come up here to do work. We've asked DFO, the Minister of Environment and Transport Canada. Same answer: no money.

I think all those agencies should get together and pool their money. They're all involved. They're all regulatory bodies. Why not? What's so hard about that? It's because they don't want to. That's the bottom line.

I have one concern. I really wish I could go over to Port McNeill or Port Hardy and be part of those presentations over there. I know they're all for the fish farms, because they have a processing plant and jobs over there. It doesn't bother me. I'm glad they've got jobs.

I put this to you. I hope the mayors of Campbell River, Port McNeill and Port Hardy read this. You guys are all for farms? We've got 27 farms here. Take them. Put them in your harbour now. We don't want them. They want them. Give it to them. Get them out of our territory. They want them. Telegraph Cove wants them. Beaver Cove wants them. Campbell River wants them. Klemtu wants them. Put them where people want them, not where we don't want them.

G. Coons: Thank you, Robert, and thank you for the tour today.

You mentioned that in the whole territory, with the bands, there are 27 farms.

R. Mountain: Yes.

G. Coons: And in the whole territory the number of first nations employed is?

R. Mountain: I know of only two that are from this village who are working out there.

G. Coons: One thing. I couldn't make it out to the beach because of the incident I had with my foot. Some buckets were brought back from the beach. You talked about what has been seen with the green algae and the dead beach. I couldn't see the beach. Was that a green algae beach yet?

R. Mountain: It was green algae. That comes from all the nutrients from the feed and the feces that are coming from the farms. I've never seen it like that be-

fore. It was never on the sandy part. It was always on the rocky parts of the beach. It has been getting worse in the last four or five years, ever since the expansion of the fish farms.

G. Coons: I think it's quite appropriate that when we saw the buckets and what was brought back to the boat.... Perhaps you could explain on record what we saw in the buckets.

R. Mountain: The one bucket, which had sand and broken shells in it.... That's basically what most of the beaches should look like. Some of them are more sandy than have shells on them. Over the years there's a buildup of clamshells being dumped on the beach, because there were so many clams eaten back then.

Then a second bucket was all this grey sludge, mucky stuff. You walk on the beach and sink in six to eight inches. That was in the second bucket. This is all from the feces and food and everything getting transported from the fish farms. We see this wherever there's a fish farm in the area.

We've gone to all these other beaches in the clam area, and they're all like the first bucket — shells and sand. They don't have all that mucky, slimy stuff on top of it, which smells like a sewer. I've been told that it's sulphuric acid or something from all the contamination stuff on there. That's what I've been told, anyway.

G. Coons: What distance was the closest farm from that?

R. Mountain: It was more than two kilometres away from the Larsen Island farm, and that is quite a distance away. That farm has been there for a good 25 years.

G. Coons: My last question. In the one bucket that had the sand and the shells, there were also some worms in there. Is that normal?

R. Mountain: I haven't seen worms like that before. When we went there over two weeks ago, when we were looking at that beach, Dr. Marty Weinstein pointed it out to me. I've never seen it like that before. He had them examined, and they only grow where there's environmental contamination or waste hazard — or however he explained it. Maybe you should ask Dr. Marty Weinstein when he's up here.

[1740]

I've never seen it. I've been clam digging, and I've gotten samples. That's basically my job. I get a lot of samples for everybody. I've never seen it like that before — worms in the sediment like that.

G. Coons: Thank you.

G. Robertson: Thanks, Robert. Just following up on Gary's comments, I had the great benefit of travelling through your territory here six and seven years ago and visiting some of the same areas where we were

today. I have very clear memories of digging clams with my kids at low tide, looking around and seeing little white and golden beaches everywhere at low tide.

Today as we walked to some of those spots, it was a shock to see them covered with eelgrass, sea lettuce, just more marine plant life and algae than I've ever seen on a substrate like that, living on the coast most of my life.

I'm curious, though. You said that you have seen changes in some of those beaches, depending on the density. Again, I was here seven years ago, and in that time the number of fish at each of those sites has gone up four times or something. The actual amount of feed and fecal waste is significantly higher.

You have mentioned that at the site near where we were today, that density had changed and you'd seen a difference on the beaches that has followed that. Could you describe that a little more?

R. Mountain: Before that site expanded, there were probably 120,000 or 160,000 at that site. That beach was sandy and shelly like that first bucket we brought aboard. Then, over the years we never checked it, but when we finally decided to go back — I think it was in 2001, 2002 when we finally decided to try to document a lot of this stuff — I was shocked, jumping off at that beach, when we sunk in that deep with that much sludge and stuff and waste on the beach. It was a shock to see, and it hurt my nose, jumping on that beach, because of the sulphuric acid that was coming up. It was a shock to me to see that because of the expansion and because that site....

It's a poorly sited site. It's close to the clam beaches. It's really shallow where it is, so a lot of the feces and feed and that will fall to the bottom, but with the tidal flow, it gets so pushed in, coming out through Blackfish Sound, straight in and out. It gets to travel a long distance, so a lot of those feces and waste don't stay right underneath their site. It gets transported a long way. The tidal flow in there could get quite strong at times, so it's transported a long way.

G. Robertson: I would just note for the committee: most of what we've heard from researchers and from government officials has been related to the near-field benthic impact of the farms, and there have been much more vague references to the far-field effects. Today seemed to be a really, really significant example of what looked to be far-field effects of putting a million pounds of feed a day into the local environment in a concentrated area and what that does.

We should know more about this. Are you aware of studies or any research or papers that have been published on this issue?

R. Mountain: Just the clam study that I mentioned. We did take sediment samples and clam samples near farms, but not that far away. Like I said, that clam study will be expanded, and I'll mention to look at that far-field effect — from close to as far as where we were today, to compare samples.

[1745]

R. Austin (Chair): Thank you, Robert, for your presentation.

I would now like to call Dr. Marty Weinstein to the witness table, please.

M. Weinstein: Good afternoon to the committee members. I really appreciate the chance to be able to sit and do a presentation to you. I did a written presentation, and I'm going to read it. I beg your forgiveness. I hope I don't put too many people to sleep with this.

First I would like to introduce myself. I'm outlining my qualifications to explain the training and experience that I've applied to this presentation about salmon aquaculture. I am an environmental scientist with a PhD in marine sciences. I live in Alert Bay, where I've been a 'Namgis First Nation's staff member since 2001, working as the 'Namgis aquatic resources coordinator.

Prior to that I operated a consulting service for 20-or-so years. The primary purpose of my consulting practice was assessing environmental impacts to aboriginal land, water and resource use. My consulting work extended across northern Canada, from Labrador to the Yukon, and throughout British Columbia. I have written and co-authored a long list of publications dealing with aboriginal rights, environmental assessment, fisheries management, aboriginal resource use, and more.

With regard to the aquaculture issue at hand, I gave a keynote paper at the 2001 AquaNet AGM dealing with aquaculture as possible community economic development opportunities for first nations. In 2003 I chaired the panel on aboriginal title and rights issues in aquaculture at the AquaNet Canadian aquaculture law & policy workshop in Halifax. I'm currently an adjunct professor at the SFU school of resource and environment management and was formerly an adjunct professor at the UBC Fisheries Centre. I've very recently been nominated for a Pew Fellowship in Marine Conservation. In my capacity as the 'Namgis aquatic resources coordinator, my responsibilities include keeping abreast of issues about fish and fisheries. I sit on the 'Namgis treaty negotiation team in this capacity.

The theme from my presentation is exactly what Alex Morton said in Echo Bay. The theme is not either-or. For the 'Namgis and the other MTTC first nations, sustainability means healthy, wild resources. I think you've heard a lot about that today from Bob Chamberlain in particular. What Bob didn't include.... He was talking about food primarily, but food also has an economic aspect to it. If you don't harvest your wild food, you have to replace it. So there's an economic aspect of a consequence to the loss of an ability to harvest the food that you should have as part of your aboriginal right. So there's a potential economic competition issue in this concern.

This issue is not either-or: either salmon farming or wild salmon. Healthy marine resources are a foundation condition for any development that requires environmental change. That's the theme of this presentation. If salmon farming is to continue, it must be regulated so that it is in a form that is compatible with wild fish and wild fish ecosystems.

[1750]

Disease issues, particularly sea lice and pollution, are two of the major concerns. They must be dealt with quickly because the resources are already in a sorry state in this area of the B.C. coast. The primary resources are renewable, but they have not been well treated during the 100 or so years since they were used commercially. The fish and trees in the northern straits region, once globally renowned for their abundance and quality, are now depleted.

In your consideration you need to take into account that many of the local resources — local salmon stocks, in particular — are essentially in a conservation mode. They need care and help if they're going to recover to a harvestable state. That's essentially the conclusion of my presentation, and I'm serving it first before the main course.

Now for the details. The territories of the four MTTC first nations are located on northern Vancouver Island and the adjacent mainland. The territories include the Broughton Archipelago, an island chain that has been globally recognized for its beauty and productive fisheries resources. There are problems in these territories.

Some of these problems have to do with the depletion of local salmon stocks. A primary example of this is the Nimpkish River on Vancouver Island, which is the heartland of the 'Namgis traditional territory. Nimpkish salmon crashed in the 1970s almost to the point of extinction. The 'Namgis have been struggling for more than 30 years, which is a human generation, to bring Nimpkish salmon back to the point where they can once again be harvested.

There have been some improvements but not yet to a point where there has been a fishable surplus. The same sorry story of local salmon depletion is true of all the 100-plus salmon streams on the north Island within Fisheries statistical Area 12. Very few of them have produced a surplus to their own spawning needs over the last ten years.

Fraser salmon swim through this area, giving an appearance of great salmon abundance, but the local salmon-producing streams have been in a conservation mode for some time. This regional salmon collapse is part of the context of conflict over salmon farming.

The Kwakwaka'wakw, including the MTTC nations, are a maritime people. Another sorry story within this region is how the MTTC nations lost their fishing livelihoods, largely due to government fisheries policies. A succession of fishing fleet reduction programs starting in the 1960s did not take into account the role that small boats play for general transportation and for food fishing. When fishermen lost the ability to sell small quantities of fish to pay for boat maintenance, the fleets largely disappeared or were hauled out in the way that you saw on Gilford today. The loss of vessels is still continuing year by year.

Still another part of this story is the virtual exclusion of the MTTC first nations from some very lucrative fisheries that have developed in their home waters over the last decade or so, including crabs, prawns and the dive fisheries. No first nations in this region, to my

knowledge, have any licences to commercially harvest those resources. They belong to other people, mostly down-Island or in Vancouver.

The one exception to these losses is clams. Aboriginal fishermen hold almost all the clam-harvest permits within Area G, the north Island clam grounds. Clams have a great historical importance in the Broughton. That they were a staple in the aboriginal economy can be seen from the abundance of clam gardens that were constructed in the region. At one point a local fisherman summed up the salmon farm conflict as: "Please remove these farms from our clam farms."

At present the clams are an important food staple, and they are the last way that cash-poor aboriginal fishermen can legally earn an income from fisheries. Through centuries of living with clams, the Kwakwaka'wakw fishermen have learned a great deal about this staple. They have developed their own indicators for clam quality and, further, for the marine environmental health of clam beaches.

[1755]

I want to focus the rest of my presentation on clam beaches and potential ecological impacts to this habitat. Shortly after I began working for the 'Namgis, some community members began telling me — Robert among them — about changes they'd been noticing to clam beaches in the Broughton. They felt these changes were due to the effects of salmon farming.

For me, it has been an interesting and revealing adventure to get scientists and regulators to pay attention to these observations. At the start of my collaboration with Robert and with Art and Arnie, I thought that it would be a simple task to get scientists out on the clam grounds with community members to observe clams and the beaches and to talk about the issues. MTT staff tried to get the DFO clam scientist out on the beaches last year but could never get a schedule for the visit, so he never showed up.

Clams and intertidal health appear to have slipped beneath the surface of DFO interest. As the result of the apparent indifference of government agencies to aboriginal rights, the level of community concern often has the feeling of conspiracy paranoia. But in some instances, these kinds of characterizations might be right on the nose.

I've had many discussions with government environmental scientists about these concerns. Interestingly, they all take a similar pattern. The pattern is something like: what would be the possible causes for changes that the diggers are reporting? Why would you attribute these changes to salmon farms? Where is the evidence, the smoking gun, that changes are due to salmon farming? How would you differentiate the changes from the effects of logging, climate warming and damages done by the clam diggers themselves?

When I suggested that the largest volume of material being brought into the Broughton by the salmon farms is the feed, I got several types of response, among them that the wastes settle below the farms so the transport of wastes remains directly within the vicinity of the farms.

When I suggested that the very large tidal currents may be an issue and that a portion of the wastes were soluble nutrients that may be acting as regional fertilizer, the replies were along the line of, "The volumes would be too low to result in observable change" and "The Pacific coast is not nutrient-limited, and consequently, the plant organisms, the phytoplankton and benthic algae could quite effectively metabolize the additional nutrients."

When I asked why there were no longer-distance transects, survey lines monitoring waste that may be transported away from the farms, I was given a variety of answers which I admit to not really understanding. They ranged between, "Oh the depot monitoring does that" to "That type of monitoring falls outside of the finfish aquaculture waste control regulations." On checking about these regulations, I was surprised to find that the regulations apply to "the wastes within a tenure." This presumably means that the area beyond the tenures is neither regulated nor monitored.

There was such a regular pattern to these exchanges that I've come to think of them as a kind of administrative agency-science party line. When I was taught the theory of science back in university days, the core activity was observation. Theory followed on observation, but in all cases, observation overrode theory. Clam diggers and other fishermen, in this case, appear to be following the letter of science far better than the administrative technicians.

Over the last couple of decades people who live in fishing communities have been recognized and well-appreciated by social scientists around the world as holders of local and traditional knowledge. It is only common sense that people who have lived with and depended on local resources have built up over centuries a body of ecological understanding.

[1800]

The recognition of traditional ecological knowledge, abbreviated as TEK, and local ecological knowledge, similarly abbreviated as LEK, does not make any changes to the nature of knowledge. This is just a simple validation within a world with a high and frequently exclusive regard for scientific knowledge. Local and traditional knowledge now have their own recognition.

People who study knowledge as a subject now recognize that both science knowledge and local, traditional knowledge have their own types of limitations and that each excels in very different ways. For example, traditional and local knowledge excel in their observations of environmental change over time — long periods of time in some cases. When diggers tell about novel changes to clam beaches that they and their families have been harvesting from time immemorial, I believe that people who are charged with public administrative and regulatory responsibilities should pay attention.

I have been personally dismayed that people charged with these responsibilities did not respond to the queries that the diggers made with: "Get some of the diggers, and let's go out and have a look at the clam

grounds." The absence of this kind of response, combined with Canada and B.C. government mandates to develop and promote an aquaculture industry, creates suspicion that the cards are stacked against wild fish and the communities who have historically relied on them.

This dismal story about observed environmental change and governmental absence changed somewhat for me last year. In February of 2005 I attended a DFO Canadian Science Advisory Secretariat meeting at the Institute of Ocean Sciences in Sidney, dealing with the current state of scientific knowledge about finfish cage aquaculture in the marine environment. There was a discussion of an important new vocabulary, which has just been mentioned — near-field versus far-field effects — at that meeting.

From the oral presentation and the draft papers, I learned that a significant body of research had been done within Canada about the dispersal of pollutants from salmon farms well beyond the perimeter of aquaculture tenures. I also learned that there might be methods for tracing the deposition of salmon farm pollutants on clam beaches or elsewhere, using advanced chemical methods — the smoking gun.

Some of the papers presented at the workshop spoke very powerfully about the far-field dispersal of pollutants and about potential baywide ecological effects. However, by the time that this advisory was distilled down into the official DFO science advisory report, the power of the words was greatly circumscribed. The wording in the official DFO document is very cautious, but it is instructive nonetheless.

If you will allow me, I will quote very selectively from some of the findings, because I think they are particularly useful for your deliberations. On page 8 they stated:

Eutrophication is defined here as an increase in the energy flow in and nutrient cycling by an ecosystem. The nature of eutrophication, and both its causes and consequences in specific areas, has been debated with regard to the regulation of many marine industries which affect coastal and estuarine ecosystems. Recently the debate has extended to include the possibility that under some conditions intensive finfish cage aquaculture may contribute to eutrophication in areas from hundreds of metres to as much as a few kilometres from the concentrations of culture facilities.

[1805]

On page 8 and 9 they state:

Under some circumstances finfish aquaculture has the potential to alter the trophic status of inlets on far-field scales.

Different coastal regions may be more or less nutrient-limited, and ecological responses to nutrient enrichment will therefore not be the same in all areas. Variations in farm density and the distribution of farms and other sources will also influence the probability of far-field eutrophication effects from all sources.

On page 9 they state that sites where fine particles accumulate — this is sediment — may be regions where ecological effects from nutrient and organic matter enrichment from all sources can be observed. The

intertidal zones and their algal communities and deep-water sinks may be such sites.

The overall conclusion section of this DFO report, which is page 15 to 16, is also very instructive, including in its use of language. At times there is a very skilled use of multiple modifiers. Nonetheless, the report is crucial to your deliberations. I'm not going to go through their recommendations, but I have included as an appendix and as an endnote to this section their conclusions in total.

Given the care with which the words are constructed in the DFO report, it's very difficult for me to select parts of their conclusion without distorting the careful modifiers. I'm going to do that anyway, but I wanted to be able to give you the section so that you can do the comparison.

In the rest of my presentation I want to pay attention to some of the report's conclusions within the context of aboriginal rights; the depletion of local salmon; the significance of clam beaches and clams; the concerns of traditional knowledge-holders to ecological change they've been seeing on the beaches; the absence of scientific baseline data about the clam beaches; and finally, the present uncertainties about the ecosystem effects of salmon farming. I think it's the latter that you really need to be thinking about — the ecosystemic effects of salmon farming.

The conclusions state: "The scientific foundations for management of the ecosystem effects" — again, this is a DFO report — "of aquaculture are currently incomplete. However" — in general — "the tools and approaches used by DFO's Habitat Management for site-specific management are consistent with the scientific information that is available."

With regard to regulatory arrangements, the conclusions found that the current tools and approaches are focused in areas within 50 metres of individual farms. The report concludes that the regulations lack attention to cumulative effects — that is, to effects of regional aquaculture development. So the tools are appropriate to near-field, and they're absent from far-field. This is what it states, again, from the conclusions in this DFO report. This is, again, a DFO state-of-science report: "Currently there is no comprehensive program to manage these far-field effects. Accurately quantifying and managing them will require new or modified approaches and tools."

The report's authors caution that in their view, the science is separate from societal values and consequently, that it is the responsibility of those setting the overall management approach to define the ecosystem properties that have social, cultural and/or economic priorities.

I think the report lays out the task for your committee. I think that these areas are really your responsibility. In particular, the task of balancing the social, cultural and economic priorities falls squarely on the shoulders of the provincial government.

In this presentation I've tried to sketch the imbalance that the MTTC first nations and their clam diggers have experienced. I can also provide you with a sheaf of letters that the 'Namgis have written to various gov-

ernment officials about the broader regional and ecosystemic issues, and MTTC staff can provide you with a similar set of letters.

[1810]

My conclusion about the replies I received from government parties at all levels is that the officials didn't know how to deal with anything other than the site-specific issues or concerns. I now understand that that is the way salmon farm monitoring and management has been set up. It is regulated and monitored on a site-specific basis. The frustration that the communities have experienced results from having to deal with officials who have been deaf to anything other than site-specific issues.

I am personally puzzled by how this tunnel vision developed. Certainly, the larger issues, such as how to determine the regional carrying capacity for salmon farms, were raised during the salmon aquaculture review in the mid-1990s. We have raised this issue of carrying capacity again and again in our letters, but we have been systematically ignored.

I think this would be a rich area for an investigative journalist or an academic researcher to examine. I've had a quick look at some of the history that led to the finfish aquaculture waste control regulations. I do not fault the scientists who were charged with making the recommendations. I think the problem lies with the setting of the terms of reference that defined their task — something that people may want to have a look at.

The important story for me is how the observations of aboriginal clam diggers have been ignored and denied. This is clearly wrong, both ethically and legally. The MTTC first nations have a very large complex of aboriginal rights to their traditional territories and to the resources of their territories. The most well-established of these rights is the harvest of marine resources for food.

There are also what might be considered subsidiary rights — that is, conditions on which the enjoyment of those rights depends. Habitat and ecosystem health would certainly be one of those conditions. The Kwakwaka'wakw members of the MTTC have their own standards for clam food quality. They also have indicators for clam beach environmental health.

After a recent trip to an impacted clam beach — I wrote this before we went out today — I identified some worms, and we found them again, that had been pointed out by a clam digger as unusual. Of great interest, I found a scientific paper that spoke about ranges of habitat disturbance. The pollution effects can range from ecological collapse, a disaster, to stressed environments, an indicator.

The genus of *polychaete* worms, which we dug up today from the beach, was noted as one of the indicators for ecological stress. I have found this concept of range of effects, or impacts, enormously helpful in trying to understand the controversy in my experience with government scientists and administrators. They have been managing collapse or catastrophic effects and ignoring the issue of stressed environments, which are clearly meaningful to the MTTC clam diggers and their ability to enjoy their aboriginal rights.

When I look at the model that the government has for salmon farm waste management, I find it very

puzzling. As I understand it, the entire focus is that waste deposits under salmon farms will bury the benthos and result in an anoxic — that is, unoxygenated — environment. Recovery then amounts to an area becoming reoxygenated through biological processes.

This is a very gross and limited model of ecological dynamics, and particularly of ecological variation. It does not take into account ecological stress and the consequences of these effects on fish resources at some distance from what is essentially an ecological wasteland.

First nation harvesters have traditional ecological knowledge about their historical environments and resources. That knowledge is the basis for their ability to bring wild food home to their tables. Resource quality standards are an important part of that knowledge. I believe that, from a legal point of view, the standards are linked to the aboriginal right to fish and harvest resources.

[1815]

Of key importance here is the range of variation within environmental effects or change. Changes that may appear subtle to outsiders may be gross and profound to people who have lived in a given environment since time immemorial. This is nothing mysterious. It is well-recognized within pollution science that the measurable effects of pollution range from collapse to ecologically stressed environments. These changes can be monitored in measures. As discussed earlier, there may even be opportunities for identifying the smoking gun that links change to fish farms.

There is a dialogue that has not happened yet between the traditional knowledge-holders and the science knowledge-holders. The need, however, is not for an academic exchange but for a shift in regulatory priorities that recognizes a priority to accommodate MTTC first nations standards for intertidal marine environmental health and resource quality.

Recently I was trying to track down information on how, in an area of such extreme tidal currents, the finfish waste regulations could have ignored the issue of waste dispersal and, consequently, the impact of far-field or baywide ecosystem effects. A colleague suggested that the new standard for ecosystem-based management developed for forest ecosystems could be well used here. Indeed, I think this is the second missing piece that your committee could help put in place — that is, again, ecosystem-based management perspectives on finfish aquaculture. That's the second missing piece.

The first of these missing pieces is the recognition of the importance of aboriginal knowledge and standards within salmon farm management and regulation. Again, the second is starting the ball rolling so that ecosystem-based management could be the platform for monitoring, managing and decision-making for salmon farms in the Broughton and other B.C. waters.

I would like to thank you for the opportunity for making this presentation.

R. Austin (Chair): Thanks, Marty. Do members have questions?

G. Coons: Thank you, Marty. You mentioned at the beginning of your presentation that it must be regulated so it's compatible with wild fish and the wild-fish ecosystem. Then you mentioned that you had done a bit of history with the finfish aquaculture waste control regulations when they were brought into effect, I think in September 2002, and you talked about the scientists who were making recommendations. Who were those scientists?

M. Weinstein: This was something called a CSAS panel. DFO has a body which is called the DFO Canadian Science Advisory Secretariat. The acronym is CSAS. They sit on a whole variety of issues from stock assessment to habitat management across the country. They come up with a three- or four-page CSAS state-of-the-art of science knowledge on particular issues.

In February of 2005, for the first time, a Canada-wide, CSAS state-of-the-science process was held at the Institute of Ocean Sciences in Sidney. It was largely DFO scientists and some provincial regulators and scientists. I was classified as an industry representative. I think I was probably the only first nation rep at that body.

[1820]

I came across it purely by accident as I was Web surfing, looking for information about habitat effects of salmon farming. I decided to see if I could push my way into a process that has tended to be largely technical. I think it's changing now, but at that point this process was scientists only. I thought that I could push my way through.

Since that time, I think they're opening up that process for the non-technical industry as well as first nation members. They produced a body of material that I think is very important for your panel to have a look at.

At the time there were about five or six draft discussion papers tabled and discussed, with the objective of trying to come to a consensus of the participants in that process for final versions of those papers and also a CSAS state-of-the-art four-pager. Those are available on the Internet, and it pays to have a good look at them.

G. Coons: I think I was looking at the British Columbia one. I thought you made reference to it, to the finfish aquaculture waste control regulation for British Columbia, and you didn't fault the scientists for that. I think it's a science advisory group that made some recommendations. I have been looking at this, because it came across my table somewhere along the line.

They recommended that since September 2002, the effectiveness and considerations of amendments to this need to be done within the next three to five years. They had quite a few concerns about the cumulative effects versus the single effects of a single farm. What are your comments on that?

M. Weinstein: I'm in 100-percent agreement with that. I think that whole area needs to be reviewed. I was late in the stage of looking at those regulations. Somebody pointed out to me that I should look at the

details of how those regulations apply. When I did that, to my dismay, the regulations applied to the area within the tenures as opposed to areas outside of the tenures. At that point I became interested in trying to understand how in the world a regulation could be set on that kind of limited basis?

In a similar way, as I mentioned in the paper, the DEPOMOD model, which is very much in your field and focuses on anoxic conditions and sulphurated conditions — hydrogen disulphide conditions — without paying attention to anything at a greater distance from the salmon farms, is really a mystery to me.

I was at a conference, and there was a B.C. government regulator in a panel. I asked him if they did transacts. Transacts are where you simply do a line of samples out from a source at a distance, and you look for a particular type of chemical. You look to see how far it travels. The explanation that he gave me I couldn't understand at all. It was along the line of: "Gee, that's not necessary."

What I would like to see is somebody going out there as a scientist and just looking at the effects in an open-minded kind of way, either joining first nations out on the clam grounds or even doing it themselves. But we have had no ecosystemic-type observations at all on the clam grounds.

[1825]

The study that Robert discussed, which we're very appreciative of — collaborating on a clam and contaminant study — is a very limited kind of science. It's focusing on contaminants and pollutants — persistent organic pollutants, for example, hydrocarbons — that are available in very, very small quantities — heavy metals. Whereas the largest quantity of deposition in the Broughton is the feed. The feed residue has a profound potential for ecological effects in terms of deposition of sediment that can vary — clam beaches, for example — and also shift the trophic level, as the paper said. It can shift the algal dynamics on those beaches.

There is an absence of science on those beaches. There is a lack of baseline studies, but there is also an absence of investment in the admittedly costly science that needs to be done on those beaches in order to have a look and see what is going on there in relation to the fish farms.

R. Cantelon (Deputy Chair): You covered a lot of my questions already with your answer. Thank you for an excellent, well-considered and, I thought, very informative report. I thank you, Dr. Weinstein. I appreciate that the theme is not either-or.

I'd like to ask you a question — my clarification. You would envision a study that would be broader on a regional basis, and also specific to a region. Are you saying that you can't develop empirical standards that would operate across the coast? You would probably have regional regulations that would have to be in place to address these concerns? Is that what you're saying in the second part of your conclusion? Is that what you anticipate coming back from the studies, assuming...?

M. Weinstein: No. I think in the paper that was being raised here, they were talking about the difference between the east coast and the west coast. I think the issue is really regional dynamics as they exist. The ecology on the north coast, on the key ecosystem variables that people are paying attention to, may be a bit different. We just don't have good science.

Certainly, the best example of the lack of science to me is really the clam beaches. The clam beaches could very well be very different on the north coast, and the dynamics — the ecological dynamics — could be very different on the north coast.

R. Cantelon (Deputy Chair): Just a second question. You mentioned the failure of the salmon in the Nimpkish River. Do you have any comment on the possible effects of global warming on all of this?

M. Weinstein: On the Nimpkish?

R. Cantelon (Deputy Chair): Not on the Nimpkish, but on the clams as well, and perhaps the different levels of nutrients and reacting to food. Do you think that might be a factor?

M. Weinstein: You know, honestly, I don't. What I want to see is the science developed. I don't want to see global warming being used as an easy way to kind of push back.

That's the encounter that I've had. I don't accuse you of doing that. I don't know what is going on right now with regard to the effects of logging, the effects of global warming. You might even say that there is an increased fragility in the area because of these other kinds of influences.

My feeling is that you've got to do the homework. You've got to have a look at what is going on, on these beaches. What we have right now is an enormous opportunity for case studies, because there are beaches that have been affected for a long time. There are beaches that have been affected for a short time. There are beaches that are at some distance from salmon farms.

There is no science going on here. That science-as-case-studies needs to be developed, certainly, for a regulatory purpose. In my experience, what I've encountered is a kind of administrative — and to an extent — scientific set of blinders. I think we're all quite familiar with the absence of baseline studies for the original salmon farm development.

[1830]

What I feel is that because there is not a useful and comprehensive model of impact, or environmental change, with regard to the development of a regional salmon farm industry in this area, the regulatory regime is really hampered. So what you're getting, and what you got before, was a kind of off-the-cuff, this-is-the-way-we're-going-to-deal-with-waste scheme. We need — you guys need and the province needs — a full scientific model of effects that would then have a potential for guiding a monitoring process and also a regulatory process. The homework is absent.

R. Cantelon (Deputy Chair): Something much more comprehensive.

M. Weinstein: Absolutely.

R. Cantelon (Deputy Chair): Do you have any idea, as a scientist, how long it would take to put such a model together — to gather all that information, put it together and draw conclusions?

M. Weinstein: You heard from Bob Chamberlin just now about the MOU that we were negotiating. One of the things that we wanted to incorporate into that MOU was a full-scale planning process. That's what's absent right now.

We wanted to bring in blue-ribbon scientists, and there are some notable — even Canadian — blue-ribbon scientists who, amazingly, work for the DFO — people who identified the far-field effect. They don't live in British Columbia. Maybe one of them does. They're globally renowned scientists who have this kind of knowledge, based out of the Atlantic. We want to bring them here. We want to fund them.

There are all kinds of possibilities for doing the science. That CSAS meeting and the papers that came out of that meeting are very, very important for your group. I caution you, however, that the three- or four-pager that was put together as a summary statement is very, very carefully worded.

Where I recommend highly that you go is to the individual papers, especially the papers dealing with the pollution issues. The people who wrote those papers have some of the best far-field and pollution, fin-fish aquaculture knowledge anywhere in the world.

R. Austin (Chair): Thank you very much for your presentation, Dr. Weinstein. At this time I'd like to recess the committee for 40 minutes while we go and grab something to eat, and then we will continue after supper.

The committee recessed from 6:33 p.m. to 7:43 p.m.

[R. Austin in the chair.]

R. Austin (Chair): Good evening once again. I'd like to call the committee to order. I'd like to apologize for taking a little bit longer there at the dinner break, but we didn't quite realize that the place where we were having supper was a nice ten-minute walk each way.

At this time I'd like to invite Brian Wadhams to the witness table, if Brian is here. He's not? Is Chief Art Dick here?

Would you like to come to the table, Chief Dick?

A. Dick: [Kwak'wala spoken.] My name is Arthur Dick. That's my name in your world. My name is [Kwak'wala spoken], society of the Big House, and I have standing with the Mamalilikulla people. I speak on behalf of the families who live in [Kwak'wala spoken], which is the Starfish house from the Village

Island people. I'm an elected councillor for the people of my mother, the 'Namgis people.

My experience with the fish-farming industry started in '92. I got hired to work with the Kwakiutl Territorial Fisheries Commission. One of the standing orders that was put in front of me as an aboriginal fishery guardian was to look into the pros and cons of the said industry. The only con that the industry came up with was to put food on the table.

[1945]

I'd like to change gears a little bit here. What I found out during my work there was that I'm not a citizen of Canada because of the wardship that we are under, under the Department of Indian Affairs. I am a ward of the government. Therefore, I have no voice. The federal government speaks on my behalf, and the only time I get to have a voice is if I get some kind of a degree from some sort of institute. My guardian degree expired in 2004, so I'm speaking here as a ward of the government and not as a citizen.

I'd like to refer to your little document here with submissions and hearings. Well, we've had them before, and nobody's heard us. The whole thing about the Special Committee on Sustainable Aquaculture.... As it stands today, there's no sustainability in this aquaculture industry. There's absolutely nothing here that you can point to that makes it a sustainable industry. Everything that's happening in the Broughton Archipelago is spelling disaster, as everybody saw on the boat today, and what's happening with the fry and Alexandra Morton's explanation on the grounds....

I've seen more in the past, on that very same boat, from the other government that came up here and did a lot of looking-into. Nobody heard us at any point in time. I'm just wondering how serious this is when the people on this end here don't seem to be paying attention to anybody that's saying anything here. The body language that was on the boat and the lack of communication from anybody on this end of the table.... Everybody on this end here was talking and asking questions.

It really is a slap in the face to us people who belong here. We've never ceded, signed any documents or gone to war for our territory, and now we've got a treaty that's going to say: "Yes, you do own 90 percent of our country, and we're only taking what's rightfully ours — the 10 percent that the governments may give us."

I'm here because I know that in my lifetime nothing's going to change. But I'm fighting like hell for my grandchildren to have a life — not something that's controlled by the world trade order, which this end of the table seems to represent. They don't really seem to want to listen.

The whole consultation that my nephew Mr. Chamberlin was talking about — or the lack of — and being asked about whether you were recognized as a government.... Yeah, in our circles we are recognized as the government of our people. Anywhere else it doesn't seem to matter, because it's quite obvious that the wardship is still in place.

The industry and the governments did their job really well when they came to our territories looking

for who was going to sign on the dotted line, because the wrong people are sitting at the table representing the Mamalilikulla people. Chief Bobby Sewid changed the name of the Mamaleleqala people, who Robert Mountain and I represent. Robert's father is one of the other chiefs from Village Island.

They changed it to many different forms — Mamalilikulla-Qwe'Qwa'Sot'Em, Mamalilikulla Qwe'Qwa'Sot'Enox. He spells Mamaleleqala Qwe'Qwa'Sot'Enox with a "Q" instead of a "K," but it refers to the same group of people that Mr. Chamberlin comes from.

The only voice that's being heard in the industry circles is Bobby Sewid's and none of the real people's. If you go to the Tlowitsis, which used to be Tlowitsis-Mumtagila, the Mumtagila people own 95 percent of the territory out there that the Tlowitsis now claim. The Tlowitsis dropped Mumtagila off the title years ago.

[1950]

The Mumtagila people who own that country — the Wadhams family, the Joseph family and all those people who are out there — don't have a voice at this table. There are no hereditary chiefs being recognized in any way, shape or form anywhere that this whole process has been done, and this is our government. The elected system came in with Chief James Sewid, who was Bobby Sewid's father, and he convinced the elders of our community that Ottawa wanted him to represent our people as a government.

From there, government mandates started going into chief in council and the elected system, so the consultation process that the industries and the two levels of government are looking at is a farce — a total, absolute farce that does not address any of our real governments. There's nobody who really, really owns the land who is being consulted or even mentioned. It's still happening today. You've got the wrong people at the table.

I wrote a letter to that effect when the last group of consultations came in for Humphrey Rock. We had many of our chiefs from Village Island sign this paper, disowning Bobby Sewid as the chief of the Mamalilikulla people. He wrote a letter back and attacked the chief of Gilford Island, Henry Scow. In the second to the last paragraph of his letter, cc'd to the province and the feds — this is where it was sent to, and it was sent to industry — he stated that he never has been Mamalilikulla and he never will be.

But I understand he has already signed off on Dinner Point. Once it's been put to the public that there's some consultation, or whatever it's called on that side of the fence.... When Dinner Point gets put back on the table with Bobby Sewid's signature on it, I think the letter from Humphrey Rock would be legal enough to take you people to court, if you recognize the signature, when he disclaimed ever being Mamalilikulla.

I'm looking into the legalities of Bobby Sewid's signature on behalf of the Mamalilikulla people when Dinner Point comes to the table, and I'm putting you on notice now that I am looking for some legal advice. When he says he's never been and never will be and sends it to two levels of government, and the Depart-

ment of Indian Affairs still send him Mamalilikulla funding, there's something wrong with that picture.

There's something terribly wrong with that picture when such a nepotistic entity as the Sewid family get to control an entire band's funding and none of the real Mamalilikulla people are being recognized in any way. They don't get any of the funding for the schooling and all this other stuff that happens. This is not just what's happening here with the fish farms. It's a much broader scope, and sooner or later the real people are going to stand up to be noticed.

At previous meetings it was quite obvious that it was business as usual with Duncan Williams at the helm. It doesn't matter who's elected. It's the bureaucracy that's running this whole show. At the aquaculture exchange forum in Campbell River a few of us went down there and — lo and behold — we had to pay \$150 to get into it. Chief Cranmer, myself, Brian Wadhams and Connie McIvor were there.

The outreach coordinators at the time were Connie and Brian and the Chief, and they decided to send me in, in the morning. I listened to van Dongen make some outrageous statements. I listened to the representative of the Malaspina College make some statements, and that fellow should have been jailed for what he was saying about the native people.

[1955]

He did have a website where you could get the disk of his presentation that he made at that forum. Their main concern was to be able to fight the negative press releases that were being done by the NGOs. Their big game plan was to attack anything within 24 hours; otherwise, they've lost their credibility. Well, they lost their credibility anyway.

What we heard from Alex Morton today is just verifying more and more of what we've been saying all along — and all the other science that's out there. Some of the science that John Fraser is doing right now is a total farce. I mean, if you're spending \$650,000 on an industry that, I don't know.... It doesn't deserve to be looked at with that intensity and concentrating just on sea lice.

At that conference they had different people doing different studies on different aspects of sea lice and their population and life span. They were talking about DNA and all this other scientific stuff, and they were telling us: "We'll know the grandparents and the children and the mothers, and whatever else."

But out of that \$650,000 that has been spent out there as we talk, there's not one penny geared to say: "Okay, this is what we're going to do about this problem." The same thing is going on with this committee here. You're not the first ones here. What the hell happened to the last committee and all our concerns? Why is there a new bunch of people up here?

Ten years ago we would have been dealing with the NDP. Nothing is being done. We're not being heard. You guys aren't listening. This is full of shit.

You know, at previous meetings they used to send Duncan Williams out, and that was pre-Haida-Taku, where he basically had run of the show. Once the name

of the site was put out to the public, a foregone conclusion that it was going to go in.... Bennett Point is an example after Haida-Taku came down the line that it's still business as usual.

The Supreme Court of Canada, when it comes to native dealings, doesn't have any weight or authority when it comes to governments dealing with the native people. There are guidelines clearly set out by the Supreme Court judges on how you're supposed to conduct consultation and accommodation. Those two words are stapled together. They don't come separate from each other. It's consultation and accommodation.

If we had the wherewithal or the money to take you to court and to speed up the court process, do you think we'd be sitting here? We'd be in court every day — every day — because there's something out of the ordinary happening within that industry that nobody is paying attention to.

I'm very, very proud of my nephews, Eric and Bobby, because they've gotten it to a point where they're now opening the doors and opening the ears of the people. You're an example of what they've done. In the past nobody has listened to us. The boardrooms were shut.

When we went out there and videoed — Robert Mountain, myself, Connie McIvor and Brian Wadhams — the emptying of the farms in Fife Bay and the IHN outbreak, we took some samples off a boat. A fellow that all of us who were out there grew up with, except Connie, let us go and take some samples, and the next day we were phoned up by the industry. We were deemed radicals at first.

[2000]

Then they told us they were going to slap a lawsuit on us for trespassing because the boat was under charter to them, and they basically owned it while he was working for them. But nothing came of it.

We had three industries, two levels of government and the native people in three forums over in Burrard Inlet, and the B.C. aboriginal fisheries association decided there was nothing changing on either side. So we just quit having them because, really, nobody was moving anything anywhere. One of the members of the fish aquaculture association told us: "If you're against fish farming, get out of our way; we're going to steamroll right over you." Those were his very words.

I challenged Stan Hagen at that table. When van Dongen was found to do something wrong, I asked him a question. I said: "Mr. Hagen, how much chance do you think a man like me, a minority group member, has in this world of yours when the lawmakers become the lawbreakers?"

He said, "Those are pretty heavy-duty allegations," and I said: "Yeah, they are." "What type of evidence do you have?" I said: "Well, you, for instance. You come here with the portfolio of John van Dongen, and he's been found to be doing something that's contrary to the law." He says: "Yeah. Well, we've got a special prosecutor looking into it." Well, it just so happened that the prosecutor at the time was Gordon Campbell's brother-in-law, so you know where that went.

The industry and the two levels of government always prayed in front of us. Klemtu and the industry that they put in there and the scientific studies that are being done in Klemtu.... I just point out to you: Klemtu has three farms. There are 30 farms in the Broughton Archipelago. Those numbers don't match. They don't jibe. The same environmental issues are not there, because the density in the Klemtu area could hardly ever be indicative of what's happening out here.

I'd like to elaborate a little bit on the clam beaches that we were at this morning. The beach that we went to and dug clams on — the black bucket where everything was black and rotten.... That entire beach looked like that four years ago, and there were no clams on that beach.

Larsen Island. Industry changed their operational techniques on Larsen Island. They don't have half a million fish out there anymore. They're rearing from fry to smolts. When they become smolts they move them to another site, so there's not that heavy impact of feed and droppings coming off the animals. That beach is proof positive that it will come back to its normal state, because three years ago that entire beach was knee-deep in mud. It was black, and it smelled like a sewer. I didn't have a camera when I went there.

That is a beach that used to be set aside by the people of Village Island for their home use, and we never dug that beach commercially. What you see there now is what's left of it after the farming industry got through with it. If you had come four years ago you would have seen a much different picture.

The first beach that we crossed.... The substrate of that particular beach has changed to grow eelgrass. That used to be a living, viable clam beach, but it's now so muddy that it's a real good environment for eelgrass.

[2005]

When you see the blackness in the substrate of any beach, that only tells you there's oxygen depletion happening out there. That's straight from Azit Mazumder and his crew, who were out here doing a clam survey. When you have a black beach, it's due to oxygen depletion.

One of the things that really, really worries me about this industry is the constant way that they have of changing the laws to accommodate the industry. The one that's most profound in the recent history, just last year, is the use of malachite green. Malachite green was banned in '94 worldwide. There's no tolerance for it. Wherever malachite green shows up, it's a carcinogen. It causes cancer.

We stopped using it in our hatchery long before it was legally outlawed. But now the two levels of government and the industry say there is a parts-per-billion tolerance. The only other country that has that is Japan. Industry was told to go sell its fish in Japan. The only time that malachite green will ever show up in any fish is when it's applied at the hatchery level. These fish that are ingesting this stuff are carrying it out to the population of this world. If you guys think it's okay, I'd ask you to try and eat it yourselves and find out what happens to you within a couple of months.

There are tribes that have voted their governments out because they're against fish farming. I think that

Kitkatla is a prime example of that, where the family of people decided they were going to go to bed with the fish farms. More than 85 percent of the population didn't want it, but they went ahead anyway. The governments are going along with that kind of tactic to get their way into the new territories. I don't know what you call breaking the law. I'm not a lawyer.

I read an article in *Reader's Digest* about these super farms that are across Canada — the super cow farms, the super pig farms and the threat to the water supply of our entire nation and the amount of shit that's being sprayed onto the fields out across our country. They've just taken that policy and moved it to the marine environment.

Pre-expansion to the sites, I worked on a fish farm at Smith Rock where there were 90,000 pieces. Then the moratorium came in for no more sites, but what they did was to allow the sites to expand. David Suzuki did a study back then about how many feces were being dumped into the ocean and the Broughton Archipelago. It was comparable to the city of Campbell River at that time. Nobody has done any more studies to that effect since the expansion of the site size from 23 hectares to 104 and to 205, and of the amount of fish that goes into these sites.

I had an opportunity to visit Doctor Islets when I was still with the KTFC, and a man on that system was quite proud of his accomplishments. At Smith Rock we were dumping seven tonnes of feed a week for 90,000 pieces. That's a week. At Doctor Islets — or Island, whatever it is — they were dumping five tonnes a day, 35 tonnes a week, 140 tonnes a month, at that particular site, and it's not that deep. I'm just wondering if there's anybody recording the oxygen levels in the water out there for that amount of feed and feces to be dumped into the ocean.

[2010]

When that thousand tonnes of fish were dying on the west coast, that's another example of how the governments go to protect the industry. You're not allowed to pollute, and you're not allowed to dispose of hazardous waste material out there, but over 990 tonnes of IHN-infested farm fish were dumped into the open ocean during the summer. With the trade winds that happen at that time of year, everything got washed up to the beach, and the crows, the seagulls and everybody that eats that kind of stuff was being poisoned by the IHN.

The sea lice that are happening out there.... I'd really like to get someone to look into Dick Beamish's studies in Japan. According to some of the people that I talked to, the sea lice population used to be out in the middle of the Pacific, where their normal environment is. Our fish swim through it on their way in and out, and they return to our waters with adult sea lice about that big and long. That's all we ever used to see: the adult sea lice.

It wasn't until the farms were introduced to our territories that these young sea lice started appearing on our fish. All I have is the process of elimination. I don't have millions of dollars to spend on studying sea lice under a microscope. I don't have the time or pa-

tience to do that either. But the population out there is no longer good enough for the sea lice, so they've moved onshore.

You can compare it to one of the *Exorcist* movies, when there were clouds and clouds of locusts — unending clouds of locusts — on the movie screen. That's what I compare it to when I think about the population of sea lice that normally used to live out in the middle of the Pacific Ocean and is now on the shores of British Columbia. I think somebody around this table should be tasked to go and look, even if you need to use the Freedom of Information Act, and find out what Dick Beamish found out there.

Mr. Chamberlin is quite right. We're just suspiciously finger-pointing right now. If you could come back and say, "Art, this industry is okay. It's due to global warming," as you referred to earlier.... But my question to you is: why is global warming so profound only in the Broughton Archipelago? Why isn't this kind of stuff happening elsewhere on the coast of B.C.?

Why are the Broughton Archipelago pinks disappearing when everywhere else in B.C. the healthy pink stocks are returning? Why are there so many sea lice here when elsewhere there are none? All I have is the process of elimination. I'm visual. I know what it looked like when I was 14 years old, 43 years ago. With that process of elimination, until fish farms came, we had none of the above.

If you're really serious about what you're doing, I want you guys to go to the industry and get their information and not allow them to bullshit at the table. Get DFO's information on the table, and don't allow them to bullshit at the table. Come to us with a straight face and a straight tongue, and tell me that farming is okay. If you can't do that, don't bother coming back.

We're sick and tired of this, and some of our people are ready to go to war. I've had three people come up to me and say: "I'll throw the first Molotov cocktail." This is what it's getting to. This is coming from our people. I'm only the messenger. Thank you.

[2015]

R. Austin (Chair): Thank you very much. Does anybody have any questions? It would appear that your words have spoken for themselves. Thank you very much, Chief Dick.

I would now like to call George Alfred. Is George Alfred here? How about Roy Cranmer?

R. Cranmer: My name's Roy Cranmer, and I belong to the 'Namgis First Nation. I've been a commercial fisherman for 42 years of my 64 years here.

Quite a few of those years, while I was fishing, I fished in the mainland where we went this morning. That's only part of where we went, where we fished from — I don't know if you guys looked at your charts that they were handing out — right from Embley Lagoon up to Knight Inlet. We only went through about one-third of where we usually fished in there.

During those years before the fish farms arrived.... I'd just like to kind of straighten out the story that Bob

was telling you about Chief Peter Smith, because I was working in Gilford then. He was concerned enough, when he heard about the fish farms moving into this area, that he wanted to go the Department of Fisheries and tell them he didn't want them here — but if they had to be here, he pointed out where they shouldn't go. These were halibut-fishing grounds, cod-fishing grounds, salmon-bearing streams, clam beds, crabs — anything to do with the marine food source. But the very first farm that came in went where they used to get clams.

In every one of those areas where he said not to go, two years later there was a farm, and he wasn't consulted by anybody. He was concerned enough to come to Alert Bay to the Department of Fisheries, while they still had an office here, to tell them. He wasn't invited. He just decided it was important enough for him to come here and tell the people that he didn't want those fish farms here. I just wanted to kind of straighten that out.

Something that hasn't really been talked about is the other resource we used to have here, which is the herring. Some of us had an idea that the fish farms had some kind of an impact on it. We didn't find that out for sure until five years ago. They had a bad outbreak of IHN disease in one of the pens at one of the farms, and they hired one of our local guys to go on their boat and pump it out. To give you an idea of, I guess, how bad things are within those pens, they travelled around for three or four days trying to get rid of those fish. Nobody would let them dump them anywhere.

Anyway, the point about this is.... What we were told was that one-third of what they pumped out of those pens was young herring. I don't know if that means anything to you guys, but a third of one of those big pens they have now, that's an awful lot of herring. And you multiply that by 27 pens, and you kind of wonder where our herring has gone.

We used to have a fairly valuable herring fishery here back in the '60s and '70s, when it used to be the reduction herring. We used to have anywhere from a 50,000-tonne to a 100,000-tonne quota here. That herring has gone somewhere. We just don't know where. I know for a fact that where some of those fish farms were located — the earlier ones — was either in the mouth of a bay where herring used to spawn....

[2020]

To give you an example, there's Claydon Bay, toward Hoptown. There were a couple of fish farms that were put there, and the herring have kind of disappeared from there. There's another area — it's called [Kwak'wala spoken] — where the herring used to spawn. They located a fish farm right at the mouth of that bay. Now there are no more herring in it.

The other areas that used to have herring and don't have it any more: Kingcome, Wakeman, Knight Inlet. I mean, we passed some of those areas this morning. It's just too bad that I didn't get your attention, to point out where these things were while we were passing them. We went past all of them.

The thing that I wanted to talk a little bit about is this consultation business that I kept hearing earlier

and how that works. Most of what you heard from the guys that have said it: it's a farce — definitely a farce. Just as an example, this whole business about consultation. Before they lifted the moratorium, we had van Dongen here in our big house. We had a meeting with him, talking about the fish farm issue. Their statement was: "We're going to come back and talk to you guys some more before we do anything about lifting the moratorium." We never heard a word from him again. They lifted the moratorium.

We had a meeting with Clare Backman here in this hall with DFO representatives and a provincial representative, talking about Humphrey Rock. They said the same thing: "We'll come back and talk to you guys before any decision is made on Humphrey Rock." Very funny, but six months later they approved Humphrey Rock. We never heard from them again.

I mean, this is the kind of consultation.... I guess they think it's consultation, but as far as I'm concerned, they're almost like Fisheries: they tend to bend the truth. I guess some of you guys saw the shirt I was wearing today. Well, that's how much I think about Fisheries — and quite a few other people.

The business with the clams. Hopefully, some of those beaches are going to come back. It's going to be kind of a miracle if some of them do come back. We only went to one beach today. There are probably a dozen other beaches we could have gone to, to show you the same thing: how those farms have affected those beaches.

Probably the worst one is around Betty Cove. We were only about half an hour away from there when we went to Gilford Island. That beach is dead. It used to be a pretty productive clam beach at one time, but there's nothing there now.

Art mentioned this business about the different groups that have come here to talk of our concerns about the fish farms. You know, this has been going on for 20 years, and nobody's listening. I do kind of agree with him that three guys down your end don't seem to listen too well. I noticed that on the boat also.

I'm not too sure if your committee is still going to be together by the time this is all over. Hopefully, you guys will be listening to what we've said, and you'll make another trip up here — a little longer trip.

That Bennett Point thing. I think you'll find out next year how it's already going to affect the environment around there. I think those guys that were doing the shrimp fishing there already know. That happened in the retreat, when they had the fish farms there. They're no longer there, but they're still affecting the environment.

I heard the name of Dick Beamish being thrown around here a little while ago. I didn't care too much for him. He doesn't think we have a sea lice problem. They spent \$750,000 two years ago to prove that point. They did everything ass-backwards, as usual. That's DFO for you.

[2025]

It's not really in the archipelago, but people are going to learn one day that it's not only the archipelago that these farms are affecting. You heard earlier about the far-reaching part of this thing. I mean, we've got

fish farms up in Port Hardy. Once those little fish come out of here, they have to go through those things up there too. Some of us do have the suspicion that that's affecting our fish in the Nimpkish. We don't know because we can't prove it, but what we've seen those farms do in the archipelago.... There's something wrong.

I just want to kind of pass on to you what we've lost on the mainland due to logging — Marty touched on it a little earlier — about how many streams we had that at one time produced fish. We had 144 producing streams in this area up until the '50s and '60s. That dropped to 20. Now we have probably six that produce any amount of fish. In 1990 there was probably the best run of pinks on that whole mainland. We weren't talking 100,000; we were talking millions. If you ask Fisheries about that, it could either be six million or ten million, but that whole mainland was plugged with pinks. Now you're lucky to get 100,000 on the whole mainland. That's how bad it is, but apparently DFO thinks that's quite all right.

I guess the thing to tell you about DFO.... They've kind of written off this area, not only for the fish but also for the clams. Two years ago we had a clam meeting with the guys that look after their shellfish thing, and they just came out and said: "You guys are on your own with the clams." DFO just wiped their hands of it; they couldn't care less what happened to it. Obviously, the province doesn't either because, you know, this is not the first time that we've talked about the effects that we think those fish farms are having on the beaches and the clams — and everything else, for that matter.

I'm not really too sure, like I say, if you guys are going to be together by the time this is all finished. Hopefully, you guys are listening. I'm kind of biting my tongue, but I think everybody else covered pretty well everything else. I just thought I'd give you that little thing about what we've already lost and what we could possibly lose, if something isn't done about these farms.

R. Austin (Chair): Thank you, Roy. Scott has a question for you.

S. Fraser: The question: you referred to the IHN breakout and the herring that were affected. You thought a third of the pens were filled with herring, a third of the weight....

R. Cranmer: This is what we were told by the guys that pumped it out.

S. Fraser: Okay. I'm just trying to get some understanding of that. The herring were there, presumably attracted by the feed?

R. Cranmer: Probably.

S. Fraser: Okay. Do you know if they were infected?

Interjection.

R. Cranmer: Oh, and the lights. That's probably what affected them more because they banned.... Well, we used to call it pit-lamping when we were on the reduction herring. That's how we used to attract the herring: by using big lights at night. They're still doing that here. They banned that from the commercial herring fishery, but these farms are allowed to still use it. They attract everything.

S. Fraser: So presumably, the same effect would happen: it would attract the herring into the nets. The herring fishery — is there one here?

R. Cranmer: They haven't had a commercial fishery here since '75, and that was a roe fishery. Since then there's been nothing, and nobody's really been keeping an eye on where our stocks are. All I and some of us know is that there are places where herring used to spawn, and they don't spawn there anymore. That did have something to do with logging, but not all of it.

[2030]

R. Austin (Chair): Thank you very much for your presentation.

Chief Eric Joseph, would you like to come up and speak to us?

E. Joseph: First of all, I'd like to thank the 'Namgis Nation for allowing this forum to happen in their traditional territory.

My name is Eric Joseph. I'm the chairman of the Tsawataineuk First Nation in Kingcome Inlet. We're part of the Musgamagw Tsawataineuk Tribal Council.

This is my fifth term as the Chief and chairman councillor. Since I've been involved, I guess in the past five terms, the mandate of the tribal council and their collective nations has always been the same. My father is a Musgamagw member. He is from Hopetown and Wakeman and Gilford Island, and grew up in Kingcome Inlet. He grew up in a lot of areas that we travelled through today. My mother is also from this territory. Her ancestry also goes further up the coast in 'Nakwaxda'xw territory. That's in Blunden Harbour. My father's mother also was down the coast toward the Cape Mudge area.

In these total areas of my ancestry groupings, the primary food source for us has always been salmon and different marine resources. Part of my mandate has been to work towards removing the fish farms from our territory, at least with the current practices that have been happening over the past 20 years. My responsibility is also as a caretaker in a traditional sense to my family, to my community and to my territory.

The mandate of the tribal council, which was reaffirmed most recently in 2002 at an AGM in Kingcome Inlet, includes political strategies. In the past few weeks we've stepped it up. We've started a first nations alliance for sustainable aquaculture as well. In the past few weeks over 20 first nations have joined our four tribes in the tribal council as well as the Homalco First

Nation, who have been part of initiating this coastal first nations alliance against aquaculture.

The other strategies that we've worked at.... You've probably heard recently about Bob's return from Norway and talking with the shareholders in the global corporations such as Pan.... I can't remember the name. They're from Norway. We recently met with the president and CEO of Safeway Canada to ask them to talk to the industries that they buy farmed fish from and to change their practices, at least in our territory. We realize that other first nations rely on economic opportunities. They have that right to choose, according to Delgamuukw.

If they're not going to change their practices, we've asked Safeway Canada to stop purchasing their products. Those are some of the strategies that were mandated and are written in our mandate. These mandates have been passed by resolution by elders from our community.

I just want to mention that, because it is our elders and our hereditary leaders who have supported this mandate. It includes public strategies. As you know, our tribal council has done a lot of press releases every time there are new findings that are detrimental to our way of life or to our ecosystem.

[2035]

Our strategies also include public demonstrations. We had some public demonstrations last year with Greenpeace in the Broughton Archipelago. I think in the past 12 months we've really stepped up these strategies.

One of the things I wanted to mention is.... Claire asked a question earlier about how we feel we're being consulted, whether we're being treated like stakeholders or another government. From my experience, even since the New Relationship agreement.... Unfortunately, we hear the nice words from the Premier regarding the principles of the New Relationship agreement, but I guess in regard to the on-the-ground bureaucracies that we unfortunately still consult with without a consultation protocol, which we agreed to.... To put it bluntly, my feelings are that the consultation we've had of late has been fairly dishonourable and hasn't been true consultation, so that needs to improve.

Our nation has recently adopted a consultation policy, which I'd like to read just a few excerpts from, as it does relate to some of the previous discussions that we've had with regard to the memorandum of understanding between our tribal council and your provincial government. It is a document which we've forwarded to your provincial government agencies as well as the federal government this year. We feel this document is consistent with the principles and the spirit of the New Relationship agreement. This document is also consistent with the recent Supreme Court decisions of Haida and Taku.

We've been informed from your ministries that they've received this and it's under review, so we hope to get a response soon, otherwise it's pretty difficult for us to consult with you if there is no framework to consult. We believe that the previous consultation policy of your province is.... It's been stated to you in probably a lot of different areas. It's been unilaterally developed by just your government.

I'd just like to read a few things from our consultation policy.

These guidelines do not acknowledge the scope or content of any jurisdiction of the Crown. The Crown and third parties must come to the table with the willingness and mandate to be flexible. Negotiations must be in good faith, and all alternative options must be on the table, including a no-activity option if this is the approach to accommodating Tsawataineuk First Nation title and rights required by Tsawataineuk First Nation signatories.

Decisions about activities shall be made on a government-to-government basis with the formal involvement of the Tsawataineuk First Nation signatories. The norm shall be that the Crown does not make decisions about activities or undertake any activities without the full participation and approval of the Tsawataineuk First Nation signatories and that agreement is reached on legal policy and strategic-level decisions — example: land use plans, allowable annual cut tenuring — before operational or site-level proposals are considered.

That is our policy that we adopted, and that's what we brought to the table through recent discussions relating to the memorandum of understanding. That's basically how, at minimum, we expect to be consulted with, so we hope that the ministries involved with the memorandum of understanding will have a good read of this document.

[2040]

Getting back to our mandate, it's not limited to just those strategies. It also includes direct action or assertion strategies. Unfortunately, our nation has been compelled in the past to assert our jurisdiction to make decisions in our territory if we're not being heard. In the past, in the late '90s, we stopped International Forest Products from spraying herbicides and pesticides in our territory. Last year in February we stopped International Forest Products again from logging in a sacred valley of our territory. It wasn't just that, but it is because of a poor consultation history and attitude of all levels of government across Canada.

If there's going to be some certainty and less conflict, we need to come to an understanding of how we're going to consult. We hope that the New Relationship agreement will prevail to the benefit of all British Columbians and to the desire of the Liberal Party and everybody who wants to see some honour. I'd like to truly say that I don't think the Crown has ever been very honourable to first nations people in Canada.

I would like to say, speaking on behalf of the members that I represent.... The members, through recent consultations and discussions with our hereditary leaders, elders and community members.... The ladies in our community have told us that they condone direct action with regard to fish farms. Most recently one of the elders said to us: "You have to put something on the table, and if they're not listening or they don't accept it, then do what you had to do before." He was referring to direct action.

The ladies in our community have told us to stop being nice all the time. Unfortunately, I guess we try to be too diplomatic — or just the frustration that our people have told us to do and say things that different farms.... I think that's going to happen again if there

are no immediate changes to the practices with regard to the fish farm industry in our territory.

Getting back to the resolution. The mandate of our tribal council and the most recent resolutions last year, after AGMs and different discussions with our community.... The tribal council has been asked to step up these strategies. I'd just like to reiterate or pass on to you a resolution that the tribal council passed in about April of last year with regard to some eviction notices that were served to the different industries in our territory in the past five years by previous chiefs of member tribes or hereditary chiefs.

The tribal council that we are part of passed a resolution last year that supports measures of enforcement of these evictions — how you want interpret that. We'll see if there's ever enforcement of those evictions. Chief Bob Chamberlin mentioned earlier that our tribal council has declared a boycott to the 2010 Olympics due to the frustrations in regard to the current practices and non-enforcement in the deregulation of this industry.

[2045]

We've had a lot of different discussions in our communities. I guess I'd just like to warn you so that we're not compelled again to take these actions, but some of the discussion I've heard up and down the coast is that there may be times when we may be stopping the cruise ships, specifically Norwegian cruise ships, from passing through our territories. We could stop them for six hours or for six days. Unfortunately, this is the seriousness with which our people regard this industry in our territory.

Just from my experience, and getting back to Claire's question, I'm getting quite frustrated with the old attitudes of consultation with first nations. The dialogue gets quite exhausting. We're attempting diplomacy.

We had hoped since the signing of the New Relationship agreement that we could put an MOU on the table. That has gone around the table two full turns. The MOU is back in our hands. We have yet to meet to discuss it as a tribal council, but from the reading I have had with my council, nothing has really changed. There's still a big difference between the position of the province and our nation.

I'd just like to also commend you guys for taking on this difficult task. I know you're going to face a lot of different communities with different perspectives on this industry. I just hope that some of the work that previous bodies have done, whether it's the Leggatt inquiry.... I'm sure you've heard of past different processes to discuss this type of industry in the province — that those are taken into consideration.

The big dilemma that the province as a whole faces, whether first nations condone or don't condone this type of industry and its current practices, is.... I would just like to say that we have our mandate. Your government has yours. Each nation has its own mandate. We just hope that the mandates of the member nations in this area are respected.

We feel that our member communities, non-first nations included, fully support our mandate. I think you're going to find in some areas where they don't support our mandate that those are industrial towns.

People have come and gone. They don't live where we live. They don't rely on the food sources that we do.

I don't think the difference between our perspective and theirs is.... There's a big comparison. People would say apples and oranges, because ours is a way of life, not just for a job or employment — those types of things. Our values must be taken into consideration.

We've recently had discussions with the Ministry of Forests and the province. I want to try and stick to tonight's topics, but in general, there has been a lot of give and take — or mostly, a lot of take and no give back — into the impacts that we feel because we live here.

Sometimes when DFO releases information about the returns of the pink salmon, if you take certain areas out of the equation, such as the Glendale returns, which were pretty good recently.... But if you look at Kingcome and Wakeman where our territories are, the returns of the pink salmon are dismal because of, we believe, the fish farms. Some of these numbers need to be looked at carefully and looked at in specific areas and not clouded by other areas in general.

[2050]

I think you've heard a lot of good testimony tonight of local concern, local knowledge. You've heard from some of the hereditary leaders, the political leaders and community members. You've heard threats of war on the water. Those are, I think, legitimate concerns that you should be aware of. If the provincial government and Gordon Campbell want a golden decade and there's to be certainty, at least in our territory, there have to be some sincere and urgent recommendations that need to come from you.

You have a strong job to do, but I think you can make some urgent recommendations regarding precautionary principles. I think that your government also urgently needs to implement some of your urgent recommendations with regard to the industry.

I think you're quite aware and cognizant of all the different countries in the world that have had this type of industry, and of the controversy. I don't think we need to waste too much time going over similar processes. I'm not here to lobby for science. My people just simply do not want this industry in our territory in its current form.

I guess one of the biggest things that are difficult when we're trying to coexist is having different laws and different values. Most recently, the Supreme Court of Canada, which I hear referenced as the highest law of the land.... But I think that to our people the highest law of the land is the land and all the indigenous people and things that come from that land.

It's really difficult for us to hear that first nations don't have a veto — when we have been mandated by our people as leaders and governing bodies of our nation, to be told by someone else that we don't have a veto. Yet our people mandate us to have zero tolerance.

That being said, I don't think it's out of the question to at least have a moratorium in place until some of your work is done and some of the scientists' work is done. You've heard of the reports of clam contaminants and the impacts from that study indicating the rockfish in our territory that are close by the fish farms.... The

mercury levels in those rockfish are of safety concern. These studies were commissioned by Health Canada and other organizations in B.C. They've been peer-reviewed by scientists and have also been published. They are an impact to our way of life.

I think in the past.... Well, I don't think; I know that we know and you know that the farm fish definitely have safety concerns with regard to the amount you can eat every month if you're a child or if you're pregnant. That's known for farm fish. Now, this year we know that; it's been scientifically proven.

We also know that there are safety risks to children and pregnant women if they eat rockfish, and we eat rockfish. That's pretty difficult if you live on these resources the way we do. My wife is pregnant. She loves bottom fish and halibut and stuff, and the concern there is that she shouldn't eat those species so much.

[2055]

You've heard of our breadbasket. Where I live, just about every day or every other day something on the menu is something that we take from where we live. It's a real concern.

I think I've covered what I wanted to say. Like I said, I know that a lot of good testimony has been heard here tonight. I'm sure you're going to hear different testimony in the different communities. Some of these communities who rely more on the marine resources.... I think their testimony should be taken more into account than, say, some of the communities who just rely on it as an industrial or economic value.

I'm sure you're all pretty smart people. Hopefully, your governments will put aside.... I know from having heard the platforms of the NDP government prior to the previous election and the things I've heard from Gordon Campbell, mostly to do with people's jobs.... You know, 4,000 people's jobs. Sometimes that comes up. To us, I think we can accommodate 4,000 people's jobs, but we can't accommodate just a different way of living or trying to live off farm fish. Bob said that earlier. It's just not replaceable unless we do it in a more sustainable fashion.

I think a lot of solutions have been put before you, and I hope it doesn't take too long before some recommendations are put in place — urgently. I understand that maybe a strong recommendation was passed by your committee to Pat Bell, and I hope Mr. Bell takes that into account. I believe it was a moratorium, at least until your mandate and your reports are in by next May.

I know there's some urgency with regard to how our people feel about this matter, and you have a time line of next May. I hope there's a tighter time line after next May for implementation of some of your recommendations. Next May is almost a year, and I hope that within a year after that, there's work towards implementation.

We're all aware that Mr. Campbell wants to seek another term, and I think that'll be pretty difficult if he's not going to listen to the recommendations of the committee. I think there's a lot of coastal and provincial public support on this issue. If there's disregard of the recommendations from this committee, I think it'll be part of the demise of a third term for the Liberal gov-

ernment. I do hope he takes the recommendations seriously, and I hope that when you chose to be part of this committee, you made a full commitment to listen to the legitimate concerns of the coastal communities that are affected.

I couldn't comment or make too many statements with regard to the economic benefits and that type of thing, but I know that there must be ways of resolving.... If there's going to be some restructuring of this industry, if it's going to take some time and some loss of wages.... But I know that in the booming industry that the province and Canada are having right now, there must be ways of finding alternative ways of utilizing some of the existing fisheries and plants in the province and working towards closed containment.

[2100]

I just want to say, again, that I think you're going to hear a lot of things. You're fully aware of the issues in different countries, and the awareness you have is not denied. The coastal communities that want change — I hope their concerns aren't ignored. Basically, that's what I wanted to say. I think our mandate is pretty clear. I look forward to hearing some good recommendations from this committee. Thank you for listening.

R. Austin (Chair): I'd like to ask that the document you were quoting from.... I know you sent it to both the provincial government and the federal government. Maybe you'd like to pass it on to the Clerk of Committees so that the members around here can have a look at what the criteria are that at least your tribal council is looking at in terms of accommodation and consultation. Maybe you could pass that on to us.

S. Fraser: Thank you, Chief Joseph. We've heard a number of criticisms about the level of consultation or lack of consultation today from everyone's point of view. I'm going to touch on something that I think it was Chief Dick who mentioned earlier regarding accommodation and that the two go hand in hand, based on Haida, Taku, Delgamuukw, Apsassin, Kwakiutl. I mean, there are a bunch of court cases that show accommodation.

Your position as a tribal council is fairly strongly in opposition, it's safe to say, of fish farms within traditional territories. Just for clarification, have there been any types of accommodation by government based on that opposition? Have there been any tenures that have been denied?

E. Joseph: No, there have never been any accommodations, and I think one of the excerpts I read from our consultation policy speaks to having no-activity areas as a part of accommodation. If you've heard the discussion at Echo Bay today with regard to the fjords in Norway, you know, they're done for a reason.

With regard to accommodation, no, we've never been accommodated, let alone given the capacity to fairly address this very exhausting mandate we have. The capacity is just.... We often bring that up because it also addresses that in our consultation policy: the ability to have capacity and to be able to have discussions in a fair and meaningful way.

Unless there are sufficient resources and technical capacity.... It's very hard to argue or state our position when we only have limited resources and traditional knowledge, not the expertise, technical resources and scientific knowledge to present to counter or prove what.... Unfortunately, we have to prove what has already been proven.

No. Sorry for drawing out that answer.

S. Fraser: Just to follow up. The Union of B.C. Indian Chiefs also has a resolution on the books opposing open-net fish farms in general. Are you aware of any first nations group in B.C. that has opposed a fish farm and has been accommodated, based on your knowledge?

E. Joseph: No.

S. Fraser: Have there been any you're aware of?

[2105]

E. Joseph: No, I'm not aware of any first nation that opposes this industry and has ever been accommodated, but I think the first nations that oppose them don't want accommodations. They just want them out of their territories.

I think Delgamuukw states that we have the right to choose how future resources are to be managed, and the New Relationship agreement is working towards those institutions and processes of management and making collective decisions.

G. Coons: Thank you very much, Chief Joseph.

Just a comment on the Bennett Point application that I'm still trying to wrap my mind around here. It does say in the application approval by Kathy Evans, who is a section head of the licensing unit for fisheries and aquaculture, that there's an e-mail from Greg — received March 22, 2006 — providing information on how it intends to accommodate first nations and non-government environmental organizations with respect to concerns regarding potential impacts on migratory wild stocks of fish.

I've been really looking at.... I think this is a time that I'd like to request from Kathy Evans the tabs with all of the information regarding that application for Bennett Point so that it is on the record, so that we can analyze it just and see what type of accommodation Greg may have made, which at this point in time is not on the public record. I hope we would follow up on that.

E. Joseph: Robert Mountain, who gave a testimony earlier and was a witness, sent a letter to Kathy Evans with regard to the consultation record on this. It is a very good letter. If you wish, I will also let you have a copy of that with regard to consultation with our tribal member groupings. Yeah, it was a very good response to Ms. Evans and her understanding of consultation.

G. Coons: One last comment. I think it's just a comment. Coming from the north coast and hearing and, especially, seeing the situation here, as you said,

my thanks go to Chiefs Cranmer, Chamberlin, Joseph and Dick and to Robert Mountain.

We just returned from the north coast. Actually going out and seeing and hearing your situation and concerns about consultation, regulations and enforcement — especially the effects on your traditional harvesting grounds and on the wild stocks and especially, for me, on the pink and the chum and what we've seen, heard and witnessed — sort of puts into my mind the missing piece of the puzzle of the concerns of the first nations up and down the Skeena watershed.

I'd just like, again, to thank you for your time and commitment and, all of you, for presenting.

S. Simpson: A very quick question, and thank you very much, Chief Joseph.

I certainly know from listening to you and to the other presenters how passionately the people feel about this issue of the farms in your territory. You made the comment — I believe I heard it correctly; certainly, correct me if I'm wrong — that the position of the council and of the member nations is that you do not want these farms in your territory in their current status or state, I believe you said. Do you believe that through a closed containment model or some model, there is, at some point, some way to find a satisfactory resolution that may allow them, or not — in other forms?

E. Joseph: Yeah, we've viewed a closed containment facility. I guess that if it's closed containment, most likely it would be done out of our territory, so sure. If closed containment has fewer impacts on the environment or on our way of living, then yes, I would support closed containment as an alternative to the current practices in our territory.

R. Austin (Chair): Thank you very much for your presentation.

[2110]

E. Joseph: I just wanted to thank you for your questions. One thing I've noted tonight.... I may have time to listen to tomorrow's discussions in Sointula, Port McNeill or Port Hardy. I know that the committee parties have previously had different positions on this industry. I just hope some of the questions in towns like Port McNeill that.... I guess I'm just going to be pretty blunt. It appears to me that the Liberal government is not asking so many questions in our community, and I hope they're not going to ask questions in Port McNeill, per se, for answers that they would like to hear with regard to the jobs and economics of this industry.

I also hope that you ask some fair questions to towns like Port McNeill and Port Hardy — those towns that are kind of familiar and would support this type of industry. I hope these questions are not just asked so that you can get an answer to whatever parties you represent.

In honesty, I didn't feel there were a lot of good questions from your party tonight — or all day, for that matter. I know it's been a long day. I'm extremely tired,

and I just want to thank you for putting forth your names to do this difficult task. Thanks.

R. Austin (Chair): Thank you very much.

That concludes the people who had preregistered to come as witnesses. There are a couple of people who would like to come up to the open mike for just a couple of minutes to say their bit. The first one is a local fisherman — Pat Alfred. If Pat Alfred would like to come and give his opinions.

P. Alfred: Thank you. I've been here since four o'clock, so I'm pretty tired. My mouth is dry. I wanted to get up and say a few words.

First of all, you're going down the same road we went down 15, 20 years ago — Corky Evans, Minister Streifel and all of the people that have done a study on what we should do about fish farming. Volumes and volumes of books in Victoria of recommendations that came from this study. Millions of dollars being spent for whom? It was spent for the fish farmers. It was nothing to do with first nations communities. We met with fish farmers to try to find out what we could do for them so all the people wouldn't be put in jeopardy.

One of the things was closed containment. I give you warning, you people from the north. If you don't put them in close containment, you're going to go through what we're going through right now, at this moment as you sit here, 20 years from now, thinking: "I should have listened to that fisherman."

Closed containment is the only answer. Some of you people here who are with the different parties, think about it. Go back and find out. What else can you do to make this fish farm safe? Nothing. We've had meetings with people from Bellingham, Seattle, Sweden, Norway. They have come across. We have looked at their closed containments.

The very first thing the Heritage fish farms said to me was: "Pat, it would cost too much." The other outfit said: "We can't afford it. If the government pays for it, maybe we'll do it." See, they're shafting us. They threw a carrot in front of you.

The very same company, Heritage fish farm, as the president of the Kwakiutl Territorial Fisheries Commission offered me \$5,000 a month tax-free with a speedboat worth \$250,000 if I would convince my tribal council to follow the rest of the people. A month later I lost my job. I should've taken that job. The thing is that it is wrong. My kids said: "No, dad, don't do it." My wife said: "Don't do it." My wife happens to be part of the Musgamagw Tsawataineuk people, who are owners of the archipelago.

[2115]

You guys talked about closed containment. To me, it's the only answer. You can do all you want, recommend all you want. You're going to be stuck in this forever.

How can you possibly make it safe with an open net pen? You pit-lamp? How many of you understand the word "pit-lamping?" How many of you have ever been on a boat? How many of you have ever fished to understand what pit-lamping means? I do. I fished

here. I guess it was 1975 that we pit-lamped herring almost to extinction.

Those farms that have pit lights.... I cornered a Dr. Rosenthal in Port Hardy one of the few times that I went to one of the meetings. Rosenthal was a well-known biologist, or whatever — big shot. I asked him if it was true that pit-lamping was to attract feed for the fish farms. He said: "Yes. It saves 40 percent of the feed." But from a motion by the mayor, Russ Hellberg, he contradicted that. He stopped the question and said to me: "No, I'm sorry, I didn't mean that."

What the lights do is called post-period manipulation. That was the fancy word for: you put the lights on, and they're going to grow quicker. Those haven't been discussed in any of your forums that you've been to. That's a big issue — pit-lamping. Not only do you attract the predators to come and eat the little fishes that are swimming around outside, waiting to get inside this pit-lamped pond you have....

Picture it. The lights are there. All the oolichans and the crab and the shrimp and prawns are all coming to it, and the fry swimming out through Knight Inlet and Kingcome Inlet to the ocean are being attracted to the lights. Sure, they may not make it in and get eaten by the farmed salmon, but the predators that came to it — sea lions, ducks, halibut, cod, dog fish; you name it — are eating all these old frys. So when you look at whose fault it is, it's the people in that farm.

I heard a question here, just a while ago, about how many tribes actually agree or how many have gone along. Well, it's the carrot. You guys understand that the carrot is the bucks that they throw in front of you, like they tried to do to me with the farms — the Heritage fish farm. I partied with those guys. I sat in their rooms and met with them to try to find a solution as to what we should do.

They offer you jobs. In fact, they hired one of my people, one of the people from Kingcome, to hire our people and to bring us together. Because he couldn't find a quota, they fired him. I really think you should have a look at all of the things I'm saying to you, because it's real.

Find those volumes of books in Victoria. Surely to God you must have access. You're the province — right? You've got to have access to it. It was Corky Evans. Corky Evans said to me and to all of these people here: "If you don't want the farms in your territory, tell me now, Pat, and I'll move them up north. The northern people want them. The northern people in Rupert would like nothing better than to have economic development."

So I contacted the people up north. I talked to the Chief of Port Simpson, Kitkatla, Hartley Bay. Then you talk about if people have access. The people in the general meeting voted 90 percent in favour of rejecting any farms in their territory, but the chief in council, a creation of the Department of Indian Affairs, overruled their people and accepted. That's what they're working on now while you guys are here. Those are the people, not the people of the village.

The people in Klemtu have no understanding about culture. They say they do. Any way you solve it, the

tide goes both ways. It goes up, it goes down, and it travels along the shore into someone else's territory. The poison that comes out of the feces that come out of those pens floats to Bella Bella so that it affects everybody.

When you guys come here to visit the farm, you should come and contact the 'Namgis Indian band or the Musgamagw Tsawataineuk Tribal Council and go into those farms unexpectedly. Then you'd see the real picture.

[2120]

The archipelago — if you look at it, the political bullshit that happened, the b.s. that went around.... The archipelago is a place that's supposed to protect the fish and everything in it. It's funny that if you look at the map and the boundaries, it's exactly where the farms are — just right outside those boundaries of archipelago.

As a herring fisherman, we used to go in and measure the density of the spawn in the archipelago. It was so thick in Monday Anchorage, Joe Cove, Deep Harbour, Fly Island, Insect Pass. All of those places were so thick with herring, and we are herring fishermen. There used to be so much herring in Wakeman Sound. Where have they gone?

Where is the Department of Fisheries in all of this? The federal government, who have a fiduciary obligation to the Indian people — surely, the province also has that obligation — to make sure we are not left in the cold because of what's happened, that we will be treated properly and do what's proper. I heard someone talk about the honour of the Crown. Well, it's embarrassing. I won't mention that to you guys, because I'll leave it to your consciences.

There was a person called Yves Bastien. I want you to remember the name. Yves Bastien happens to be the commissioner of fish farms — aquaculture — in B.C. He's from Ottawa. I went to a meeting in Victoria a few years ago. He happened to be speaking. He said: "By the year 2010 there will only be one fishery in B.C. It will be aquaculture. There's no more room for wild salmon. They're gone."

I questioned him on that. I asked him if he would come and meet with my people — the Kwakwaka'wakw people in my area. He said: "By all means." I saw him two days later at a meeting with a chamber of commerce in Campbell River — meeting with the mayor there and talking about opening fish farms in the territory. So you see, my people have been brushed aside. They're brushed aside by these people who have political power — the mayors of these communities.

They also have a guy called Ron Ginetz. He has been promoted. He's now the commissioner for fish farms. There's a lot of hanky-panky going on in this territory. I went on national TV with Pat Carney and a renowned biologist. We made a nationwide plea to see if we could push these farms up on land — even though we don't want any farms at all — based on the fact that every time you step on my land, you're infringing on my aboriginal rights, which you can be held accountable for at a later time — maybe a class action suit. Who gave you the permission to walk on our land? The province didn't. You can be held accountable for misusing your power.

You have a referral system. You wouldn't fund it. The province wouldn't fund it. Corky said: "No, we'll look after that for you people. We know better." He was one of these Indian agents.

You're meeting tomorrow in Port McNeill and Port Hardy. I'm glad I don't have to go there, because the people there will be only speaking what they're paid to say. Sorry to say it, but all the employees that you're going to be listening to won't be at work, because they're going to be there for you to listen to people who have got nice jobs and good pensions.

A lot of my people went to work for the farms but couldn't hold onto the jobs because they made sure there was no way for them to stay. You're being lied to about how many people work in farms. You're told about the millions of dollars that are being made. For every farm there are two people working: one is to feed, and one is to count. Where are the first nations people? Where are they going to be up the north coast?

It's not meant for long-term jobs. Those people who work in restaurants in New York, and the guys that fly airplanes and drive trucks — they're making money.

Mayor Furney introduced one of the people at a Liberal party in Victoria. He introduced Joseph Kahn as one of the Indians from this area. He's the minister of aquaculture for the Kwakwaka'wakw people. Well, Joseph Kahn is East Indian, so he doesn't really count. The idea is that the man we paid to work for us was actually working with the farms.

[2125]

Clams. I asked my cousin. One of my dearest cousins happens to believe in fish farming because he has a carrot held in front of him. He owns three seine boats. He doesn't need the job, doesn't need the money, but he puts his children to work, and he calls himself the Chief of da-da-da.

Meanwhile, I had lunch with him, and he said he eats all the clams close to the fish farms. I don't think my cousin has eaten a store-bought clam, or a clam, for years, and he said he eats the farmed salmon. I said: "Well, do you still go and fish for food fish and the sockeye in the straits?" He said: "Yeah." I said: "Why bother, if you can get the farmed salmon?" He said: "I wouldn't eat that...." Then he caught himself; he reminded himself. So it's all about the carrot. That's a big answer to all these other....

Tomorrow you may hear James Walker speaking to you. He makes more money working for the farms than he does in the salmon fishery. A dear friend of ours, a very dear friend. My uncle, Alfred Hunt in Fort Rupert has a lot of farms in Frances Point, which happens to be the biggest spawning area of the Kwakiutl territory in Port Hardy and Fort Rupert.

R. Austin (Chair): Okay, Pat, I'm sorry, but I'm going to have to call adjournment. Otherwise, we'll be needing billets here tonight, because we've got to catch a boat ourselves. I'd like to thank you for coming up and saying your bit. There's one more person who'd like to have just a couple of minutes of our time, so I thank you for what you have brought to the table here.

Sorry, we're just limited by time, I'm afraid. But thanks for coming up and speaking.

P. Alfred: Okay. Well, like I said to you guys, be careful — you know those people — very careful, or you're going to get caught in the same trap this community got into. Don't let them pull the wool over your eyes.

Pan Fish has bought out all the fish farms and fired everybody, so you're going to have to start brand-new. I hope that this committee is going to be able to pull off some good recommendations, because you're only.... See, there's another Indian being taken by the government: Richard Harry.

See, you guys have been told to come here to try to appease the Indian people — appease them so that they don't fight anymore. That's what you're here for. I just found out the answer just now. You have just answered me correctly. I know why you're here now, and I thank you for that.

R. Austin (Chair): Thank you very much, and I'll be sure to have a word with Corky Evans next time I see him.

P. Alfred: You tell him to come and get his farm back.

R. Austin (Chair): I'm going to tell him. Don't worry. I'd like to invite Stanley Hunt to....

Interjections.

R. Austin (Chair): We've only got a couple of minutes. Otherwise we have to go and catch a boat.

S. Hunt: I'm Stanley Hunt, 'Namgis. I guess in some respects, I'm really disappointed in the way things are going here. I don't think there's a need for me to be trying to explain our history and about the way things are going, as the other speakers have done.

I think the big question was, at the beginning: do we as the Kwakiutl people here approve of having fish farms in our area? Right from the very outset, the answer was no. NDP agreed that it was okay, and I think that Gordon Campbell is a pretty slippery guy. He got six NDP guys here and three Liberals, so you're damned if you do and damned if you don't. If the report comes out good, they'll take the credit. If it turns out bad, well, the NDPs sitting here, they did it — you know? But I don't really....

The part that I'm disappointed in here is that we should be sitting here, and you guys should be giving us a lecture about the way things are, because you know exactly what's going on here in the province. And if you don't, you have no business sitting there — absolutely none. I'm serious about that, because the fact of the matter here is that economically, it's your duty as elected people to know exactly what's going on here. You should know exactly what the impacts are, barring the bad science that we have.

I think we have really bad science — or no science at all. Every time that we've tried to say something

about whatever it is about the fish farms, we end up having some farmer or scientist from back east come in and tell us there's nothing wrong with what's going on here.

[2130]

If this fish farming thing was so damn good, why is it all concentrated in our area here, practically 15 or 16 miles from our island? I think what we should do is find out where all of you live, and our band will buy pig farms and put them right next door to your property. Almost the same thing — smelly, stinky, unhealthy. Same as chicken farms. You live down there, and we're out of mind. So it's okay for you to sit there and come and talk to us. It really bothers me that people who are educated are trained to pretend to listen. "I hear you," but you don't do anything about it.

I was listening to a thing on TV the other night. B.C. Tel has 525 seconds to get rid of you, off their phone line. This way, they don't have to deal with you. They keep shuffling you off, shuffling you off. That's exactly what's been happening with these fish farms and with us.

When you talk about the economic impacts, it's negligible here. It doesn't affect us. There is no employment here. Let's face it. Every resource that we have, some other turkey is taking it from us.

The province is saying: "Look at what we're building with it." Sure, you've got hospitals and roads and everything else. But you got to remember that every time we buy your inflated gas — 68-cent gas for \$1.25 — we're paying taxes for the road and for the Olympics. It's costing us dearly here, because we have to travel almost 250 miles to get to Vancouver. We have to buy your gas, and you're taxing the shit out of us. It bothers me.

Environmental. We've had so many younger people, the next generation down from me, pass away just recently. My nephew just passed away the other day. Another friend of mine passed away about four days ago. Another friend of mine just called me tonight — my best buddy. He says to me: "Stan, I've got bad news. I've got cancer."

A lot of the stuff that's happening to us out here with these fish farms.... It's creating a huge problem for us, because now we have lack of access to our natural resources — things that we consumed. Everybody brags about: "Nobody knows anything about seaweed." We're the first guys. The guys in Prince Edward Island.... We've been eating that for thousands of years, but not recently.

Clams. You name it — we ate practically everything off our land here. Those things upset me when I hear people come to.... I don't know how many hearings we've had on fish farms. They're the most detrimental damn thing that I know of here. You talk about a closed container. If we were on a pig farm now and we put everything in a closed container and sat it next to your yard, and it had to stay there for a year before you could do anything with it — fertilizer and stuff — I think you'd object very strongly to that. You guys would probably be suing. I think that's the word they use: sued. I always hear it.

What you do and do to us are two different things. I guess because we live in a remote area here, we don't really matter to most people, even though we vote. Remember that. We try to keep up with everything that's current nowadays. We try our best, but I think the hardest thing for us is employment. There is no employment here, and many of our people aren't educated enough because we were fishermen. We're still fishermen, and we still have hopes and dreams that the fishing industry is going to come back to some semblance where we could at least earn a decent living out of it.

[2135]

But we're not going to be able to do that with the fish farms here. So don't lead us by saying: "Well, what about in containers?" Well, the answer in the very beginning was that we didn't want fish farms in the first place. Why are we going round and round in circles about it?

I can see what's happening here. At the end of the day these hearings are going to be useless, because it's already predetermined what's going to happen. It's been written pretty near every week in different papers, "Love 'em or leave 'em, they're here to stay," because you're talking about big bucks. If you've got the balls, let's see you shut down the forest industry totally. You would never do that, because there is just too much money involved in it.

We'd like to have us considered a little bit more here. I see in the paper that there is an application for two more farms in our area. They're probably going to be going through while you're doing your little thing here. There is one out on the west coast. It's probably going to be approved too. So what's the point of what we're doing here? It seems absolutely pointless to me, because you guys already know everything about the fish farms. You know everything economically in the province, hopefully. You know what the impacts are going to be with the fish farms, so there is really no need for me to be going over our history. We've done that about 20 times already.

I really feel sorry for our guys. Even though they're trying to articulate things as best as they can, it's already been said over and over and over again. The end result is a big, flat "no." But no, you're going to continue. I can see the end result. I know what they all look like. You're all here. We're all going to meet again sometime on different issues, and I'm going to remind every one of you. I hope I'm still here, because I think I'm older than all of you.

D. Jarvis: No, you're not.

S. Hunt: If you're close to 70, you're doing good.

D. Jarvis: I'm over.

S. Hunt: Over? You should be sitting beside me, helping me here.

I appreciate the little time that I had. I don't want to go over the history of whatever happened there, because you already know that. You've heard it. I don't think there's any real need to do that.

Our people are dying because of a lack of access to our food, and that's all it boils down to. I've had so many friends who have passed away in the last seven or eight months because of cancer, diabetes, you name it. I think the Royal Commission on Aboriginal Peoples already said that a long time ago. It appears to me that nobody's listening.

The answer is still a big, flat no. We don't want fish farms here. We've got one of the most precious and pristine areas in the province right here, and we're being ruined just like a bunch of pig farmers out here.

Thank you.

R. Austin (Chair): Thank you very much.

That concludes these hearings. I'd like a motion to adjourn.

The committee adjourned at 9:39 p.m.

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