

# Salmon inquiry ignores native poaching

VIVIAN KRAUSE

Wild salmon are sacred in British Columbia, so expectations were high last week when the Cohen commission delivered its final report on a \$26-million, three-year inquiry into the decline of the Fraser River sockeye, B.C.'s most famous fish.

Two of the worst risks to wild salmon are climate change and high-seas overfishing. These international issues are important but hard to tackle, so it was hoped that the commission would also come up with practical positions on issues well within Canada's jurisdiction such as inshore poaching and infections from fish farms. The commissioner, Justice Bruce Cohen, advised that preventing illegal fishing should be a "priority consideration," but that didn't get anywhere near the same emphasis as his crackdown on fish farms.

Established in 2009 by Prime Minister Stephen Harper, the commission was expected to figure out why the sockeye have been in decline for 20 years. To everyone's amazement, however, the sockeye pulled a fast one. Just as Cohen was getting underway, the 2010 sockeye return was the best in nearly 100 years.

When wild salmon returns are poor, fish farms are blamed, but excellent wild salmon returns in the same areas as fish farms rarely get mentioned. In the Broughton Archipelago, ground zero for the fish farm fuss, wild salmon numbers have reached record highs despite more than a decade of nearby fish farming in the Discovery Islands off the B.C. coast, which may have infected Fraser sockeye on their seaward migration. There are about nine fish farms in the area, five or six of which are in operation at any given time.

The commission heard 179 witnesses, received 242,000 emails and reviewed 570,000 documents. After all that, Cohen concluded that the evidence before him was inconclusive. "There is no smoking gun," he said.

Cohen recommended production limits on existing fish farms in the Discovery Islands and no new ones, giving fish farmers until 2020 to demonstrate that they pose no more than "a minimal risk of serious harm" to Fraser sockeye. Failing that, the federal fisheries minister should close the farms.

Having put \$4-million into preparations for the Cohen commission, you'd think the salmon farmers would be disappointed at having been left dangling. They're putting a brave face on it. "We understand that sockeye is iconic," says Vincent Erenst, the

## \$15M of sockeye was sold illegally in a single year

European director of Canadian operations for Marine Harvest, the world's largest salmon farming company. He's confident that salmon farms are healthy and does not object to further research.

The group that is clearly disappointed with the Cohen commission is the B.C. Fisheries Survival Coalition, led by Phil Eidsvik, a commercial fisherman and former candidate for the federal Conservatives. A 2006 Department of Fisheries and Oceans (DFO) intelligence report code-named "Project Ice Storm" found about two million pounds of Fraser sockeye ended up in commercial cold storage facilities in the Vancouver area in a year when there were no commercial fisheries, only First Nations food, social

and ceremonial (FSC) fishing. That's about 500,000 sockeye worth about \$15-million. "The FSC First Nations fishery on the lower Fraser river is largely out of control," concluded that report.

"Various levels of sophistication exist in the laundering of First Nations FSC salmon into commercial markets," it says, concluding that "back-door sales to restaurants and fish-sale establishments are widespread throughout the province."

For years, one of Eidsvik's chief concerns has been that fisheries officials turn a blind eye to illegal fishing by First Nations. He was hoping that Cohen would set the stage for putting a stop to that, but from the get-go Eidsvik has had concerns that conflicts of interest might compromise the commission's work. Its chief scientist, appointed by Judge Cohen, was David Levy. He has a long history of involvement with First Nations fisheries.

Levy authored a 2006 report for the Sierra Club, "B.C. Sockeye Salmon Population Declines: Probable Causes and Recommended Response Strategies," which makes no mention of illegal First Nations fishing. In fact, the report recommended increasing First Nations involvement in Fraser sockeye fisheries.

The Cohen commission heard testimony from DFO officers that as much as 97% of the First Nations FSC catch may find its way into the black market and get sold illegally.

Cohen had no hesitation to place the burden of proof squarely on the shoulders of the foreign-owned fish farms to demonstrate that they do not pose a serious threat to Fraser sockeye. That's fine. It's a shame that Cohen didn't tell the First Nations the same thing.

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