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Environmental lawyers find glaring gaps in proposed aquaculture regulations

VANCOUVER. Environmental lawyers have raised serious concerns over proposed new federal regulations that would allow aquaculture facilities to dump aquatic drugs, pesticides and fish waste into wild fish habitat with impunity. In submissions made today to Fisheries and Oceans Canada (DFO), the West Coast Environmental Law Association has rejected the government's plan to reduce oversight over fish farms and calls for stronger environmental laws to protect BC's struggling salmon populations.

"This is a classic case of government turning a blind eye to the risks of industrial activities," said Anna Johnston, staff counsel at West Coast Environmental Law. "DFO is essentially proposing to divest itself of responsibility for the harms fish farms cause to wild fish populations and their habitat. It must uphold its obligation to Canadians to ensure that aquaculture does not come at the cost of Aboriginal, commercial and recreational fisheries," said Johnston.

The regulations would permit aquaculture facilities to dump drugs, pesticides and biochemical oxygen demanding matter (fish food and waste) into fish-bearing waters without a licence or environmental assessment. Proposed by DFO, they would also exempt the facilities from the prohibition against causing serious harm to fish. The proposed regulations would require facilities to submit annual reports, but existing farms would not need to include in those reports a description of the impacts of their operations.

"With over 100 salmon farms along BC's coast, it is essential that we understand the cumulative impacts of BC's growing aquaculture industry," said Jessica Clogg, Executive Director and senior staff counsel at West Coast. "Under the proposed regulations, fish farms are being treated as silos, with no apparent requirement that the combined impact of the multitude of existing and future facilities be assessed. DFO has a responsibility to protect wild fish and their habitat. Under these regulations, it would be shirking that duty."

The regulations are a result of sweeping changes to federal environmental laws in recent years, including the 2012 omnibus budget bill C-38. *Fisheries Act* changes in this controversial bill were opposed by scientists, First Nations, community groups, fishing associations, conservation groups and former fisheries ministers as environmentally irresponsible and undemocratic.

"Environmental deregulation puts the things Canadians value most, like clean water and wild fish, at risk," says Johnston. "The proposed Aquaculture Activities Regulation further undermines these values at the expense of all Canadians."

The proposed regulations and invitation to comment can be found on the Canadian Gazette, at: <http://www.gazette.gc.ca/rp-pr/p1/2014/2014-08-23/html/reg1-eng.php>.

West Coast's submissions on the proposed regulations and related information can be found at: <http://wcel.org/sites/default/files/file->

[downloads/Submission%20WCEL%20to%20DFO%20re%20Aquaculture%20Regulations%2014-09-02%20%28final%29.pdf](#)

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