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## **Standing Committee on Fisheries and Oceans**

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**EVIDENCE**

**Tuesday, October 26, 2004**

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**Chair**

**Mr. Tom Wappel**

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## Standing Committee on Fisheries and Oceans

Tuesday, October 26, 2004

•(1105)

[English]

**The Vice-Chair (Mr. Gerald Keddy (South Shore—St. Margaret's, CPC)):** — [*Inaudible—Editor*]— it would be only correct to allow him an opportunity to present his brief.

We do have a motion that has been tabled and will be before the committee, and we may stop throughout the proceedings when we have quorum to deal with it.

I would just mention too, since all the parties are represented here, that we should make an effort in the future to have our members here on time, especially when we have witnesses appearing who have come from all the way across the country to be here.

Mr. Wickham, welcome to committee. I'm sure everyone is interested to hear what you have to say.

**Mr. Eric Wickham (Executive Director, Canadian SableFish Association):** Thank you.

**The Vice-Chair (Mr. Gerald Keddy):** You have 10 minutes. We are going to try to stick to a guideline. We will allow you, of course, to go over by 35 seconds or so.

**Mr. Eric Wickham:** I'll try to be brief and leave more time for questions if I can.

**The Vice-Chair (Mr. Gerald Keddy):** Exactly.

**Mr. Eric Wickham:** I want to thank the committee and the chair for inviting me here. It's much appreciated.

I'd just like to give a brief report on the condition of the sablefish fishery compared to May 11, when I was last here.

First off, the sablefish fishery is still what the minister has reported here as the model fishery in Canada, the one he would like to model all other fisheries after. I would still agree with the minister on that. It's still a very healthy fishery. Stocks are in good shape. We're still working together with the department on a good management agreement that's working well. The science is going well, and we have a good relationship with the science and management staff within the department. It looks like the stocks are on an upturn that will go on for several years right now; that's the indication. The market is a little low because we're overproducing, but it's not a major issue.

So that's the overview of the condition.

I'll move on from that to the issue I'm here about, and that is that after I was here on May 11 the committee wrote a letter making some recommendations to the minister. If I may, I'll read a couple of

paragraphs from that letter that I believe are the key recommendations. It says the committee understands the department

...has statutory obligations under the Canadian Environmental Assessment Act as well as the Fisheries Act and the Navigable Water Protection Act to ensure the proper assessments are conducted before the approval of any commercial sablefish farming operations.

And then further down, at the bottom of page 2, one of the last sentences is:

The Standing Committee on Fisheries and Oceans therefore supports the Canadian Sablefish Association's request that a comprehensive environmental assessment be performed before any commercial farming of sablefish is permitted.

Well, sadly, I have to report to the committee that the department has done exactly the opposite. It has proceeded and allowed commercial sablefish farming to proceed without any comprehensive environmental assessment, without any environmental assessment, period. So it has, in my opinion, ignored the committee's request and proceeded the other way.

Why it has done this is unclear, as we have been unable to meet with the aquaculture division of the DFO, except for one meeting of one hour, since last May. We've consistently requested meetings in that time, as we had a commitment from DFO senior people in Ottawa that we would be involved in any process where they did an environmental review, that we'd be involved in any process where they set up the regulations in risk assessments or whatever for sablefish. In fact, we have not. We understand that just recently, within the last month, DFO contracted out a risk assessment to a private contractor. We had no knowledge of that until the contractor phoned us to tell us he was doing this and spoke for a very short period of time with me on the phone about whether I had any input into it. That's been our total involvement.

We don't know how he was hired, what his terms of reference are, who he will report to, or what will be done with the risk assessment. But in the meantime, there is sablefish farming going on in B.C., and that's our concern. One ocean site where they've put sablefish in is two-tenths of a mile away from a large wild sablefish site. We understand—though we have no evidence; we just know from hearsay—that a lot of these farm sablefish on that site are dying. We don't know what from, and there has been no environmental assessment ever done for that site. There's no plan to do an environmental assessment, even though it's two-tenths of a mile away from a wild sablefish site that is mostly juvenile fish. We asked the department to close that site and many others over a decade ago, because it was full of juvenile fish.

So that, sadly, is the situation right now.

I don't know if my 10 minutes are up, but I'll call it good at this point.

Thank you.

**The Vice-Chair (Mr. Gerald Keddy):** No, you have lots of time.

**Mr. Eric Wickham:** I think I've pretty well given as much of an overview as is necessary.

**The Vice-Chair (Mr. Gerald Keddy):** Thank you very much.

Certainly I know there will be a number of questions from our members. We'll start the questions off with ten minutes to Mr. Cummins, then five minutes each for Mr. Roy and Mr. Blais, then ten minutes for the first government round, and then five and five.

Mr. Cummins.

• (1110)

**Mr. John Cummins (Delta—Richmond East, CPC):** Thank you, Mr. Chairman.

Mr. Wickham, you're quite right to note that on May 17 the committee wrote Mr. Regan, the fisheries minister, and asked that a comprehensive environmental impact analysis of sablefish aquaculture in British Columbia be completed before any commercial sablefish farming operation was authorized to proceed. You also had some assurances from different officials within the department that these sorts of things would happen.

Back in November of 2003, Mr. Davis, then the regional director general, as I understand it, assured you and your association that aquaculture operations are subject to a rigorous review by Fisheries and Oceans Canada, DFO, to ensure that any approved operations are managed in a sustainable manner that does not create any significant adverse environmental effects. These reviews include assessing impacts on fish and fish habitat and wild fish populations.

He went on to say that it was expected that DFO would conduct a risk assessment on sablefish to examine potential impacts on wild stocks.

Mr. Wickham, to your knowledge has any study of this nature been conducted in British Columbia?

**Mr. Eric Wickham:** To my knowledge, there has been no study at all of that nature. They've just gone ahead and started farming without any kind of study.

**Mr. John Cummins:** And your association is the association representing sablefish harvesters in British Columbia. Would you expect then that you would have been advised if such a study was undertaken? Secondly, would your members be aware if such a study had been undertaken?

**Mr. Eric Wickham:** Yes, I would expect so.

**Mr. John Cummins:** In a letter from Larry Murray, the deputy minister, he assured you that the department's first priority in decisions about fisheries and aquaculture was the conservation of wild stocks. He went on to say that the department's actions would be based on the best available information at the time and would be consistent with the precautionary principle and our legislated mandate. He also went on to say that his department had a responsibility for ensuring that these aquaculture operations would be done in an environmentally sustainable manner. In essence, he

said in that last statement that the environment would prevail over economic activity.

Have you had any indication at all from the department of any concern about the environmental impacts of sablefish farming, any suggestion at all that this was of concern to the department?

**Mr. Eric Wickham:** No, I haven't. They haven't been willing to talk to us about it. The actual department staff who have been involved in the science of the wild stock haven't been allowed to talk to us about it. They've been told not to talk to us about aquaculture.

If there is anything going on, we've been cut out of the loop. But I don't see how they could possibly be doing any kind of research on what's going on in the wild stock without our members knowing about it.

**Mr. John Cummins:** In another letter to you on May 31, the deputy minister referenced a meeting you had on May 10—which I guess is the same date you met with the committee. You met with Mr. Jean-Claude Bouchard, associate deputy minister. In this particular letter, the deputy was replying also to a letter you had sent him on January 12. He said that during that meeting the department had noted that new sablefish farms, including any renewal salmon farms that had added sablefish to their licences, would be subject an environmental assessment under the Canadian Environmental Assessment Act.

What does that mean to you and to your association? What is he trying to tell you? Is he saying that before any sablefish are going to be introduced into a farm there's going to be an assessment? Or is he saying that sablefish can now be introduced, but when that licence comes up for renewal the department is going to require an assessment to be done? What is he saying there?

• (1115)

**Mr. Eric Wickham:** I believe it's the second, Mr. Cummins, because that's the action that was taken. The one site, Totem Oysters, which was originally an oyster farm, then became a salmon farm, and is now a sablefish farm, has never had any environmental review. We've been told that it will get an environmental review when its provincial licence is renewed in 2011. It's going to be allowed to farm sablefish until 2011 and then they'll do an environmental review and see if it's safe.

**Mr. John Cummins:** This commitment in this same letter by Mr. Murray to involve your organization in any process examining the advisability of farming sablefish is really a hollow promise because it will be, in that instance, 2011 before the assessment is done. The farming will have been going on essentially for seven years before an assessment has been made on the environmental impact. Is that correct?

**Mr. Eric Wickham:** That's correct. We'll know the environmental impact well before then because that site specifically is two-tenths of a mile away from a large wild site. Those wild fish travel the whole B.C.-Alaska coast, so whatever happens to them will happen to the stock in B.C. and Alaska. Either we'll know it's perfectly safe or we won't have a stock. It's a potential mad cow crisis at sea right there. We'll find out long before, and because we didn't do the assessment, we'll find out by what actually happens.

**Mr. John Cummins:** On June 14 you had correspondence from Jean-Claude Bouchard in which he talked about this transfer of fish, of 30,000 black cod to two farm sites. He said that DFO did not consider this to be a serious risk.

Have you any idea what he would be basing that comment on? What knowledge would he have to base a comment that the transfer of 30,000 fish is not a serious risk?

**Mr. Eric Wickham:** I have no idea what he's basing that comment on because the risk assessment has not even been done yet. There's been no formal risk assessment, so I have no idea what information he would have to base that comment on.

**Mr. John Cummins:** In that same letter he suggested that DFO would conduct a special sablefish risk assessment and that you would be contacted, the aquaculture industry. He said he understood that this process would take four to six months.

Now you're telling me that a private contractor has been engaged—and I believe that private contractor even talked to my office in Delta—and he's going to do the job in a month. Is that correct?

**Mr. Eric Wickham:** Yes, that's what he told me.

**The Vice-Chair (Mr. Gerald Keddy):** One minute left, Mr. Cummins.

**Mr. John Cummins:** I'll stop there for now then, Mr. Chairman.

**The Vice-Chair (Mr. Gerald Keddy):** Thank you very much.

Before we proceed with the hearing, we do have one house-keeping matter we should deal with while we have quorum. We have a motion that has been tabled that all of you have in front of you. I'll read the motion:

That the First Report of this Committee in the 3rd Session of the 37th Parliament be adopted as a report in this session; that the Chair present the report to the House; and that, pursuant to Standing Order 109, the Committee request that the Government table a comprehensive response to the report.

Do we have someone to move that motion?

So moved, Mr. Roy.

(Motion agreed to)

• (1120)

**The Vice-Chair (Mr. Gerald Keddy):** Let's proceed with our hearing.

Mr. Roy, s'il vous plaît.

[Translation]

**Mr. Jean-Yves Roy (Haute-Gaspésie—La Mitis—Matane—Matapédia, BQ):** Thank you, Mr. Chairman.

I listened to your presentation. You came before the committee on a previous occasion, a few months ago. At that time you had

expressed some concerns, not only about the environment and wild species but, if I remember correctly, you also had concerns of an economic nature. You were concerned about the impact that sablefish farming could have on your industry. Does that still worry you?

[English]

**Mr. Eric Wickham:** Yes, sir, we do. It's certainly not our main concern. Our main concern is the environmental impact, because if we lose our stock, the economics are moot; it doesn't matter. In fact, if fish farmers can operate to be environmentally safe, we're willing to go ahead and compete with them on the market.

So it is a concern, but it is the least of our concerns.

[Translation]

**Mr. Jean-Yves Roy:** You can compete with them, but won't this have an impact on cod prices?

[English]

**Mr. Eric Wickham:** I believe it will have a major impact if they're going to produce the numbers they talk about. They've done no marketing studies, no marketing research, and no marketing plan; they just plan to sell into our market. It's a very small, niche market in Japan, and it will crash. There's been a major marketing study—the only one done—by the University of Washington, and it shows that very clearly: it's a small niche market. The Japanese have been eating about 2,000 tonnes of sablefish a month for a couple of decades now, and it doesn't seem to vary much.

Just on the increase we're getting in our stock in the last few years, our price has gone down a third, because we're pushing the edges of the market. So the volumes they're talking about really aren't saleable. They will crash the market. I don't really understand what they're doing.

[Translation]

**Mr. Jean-Yves Roy:** I consulted the table we were given earlier, but this isn't too clear to me in that I don't have a clear idea of the scope of cod fishing and aquaculture. You say that where aquaculture is concerned, the development potential is there, but how many aquaculture sites are in existence at this time, and how many pounds or tons of fish do they produce?

[English]

**Mr. Eric Wickham:** Currently there are only two sites. They are very small. It is very small production. But there are licences given to 47 sites. This one hatchery is projected to produce somewhere in the range of two million to ten million fingerlings. The two million is way more than B.C.'s production. The ten million is more than the world's production. So we don't know about these projections.

We hear projections coming out from the aquaculture division of DFO of numbers like that and bigger. At a conference in the Maritimes, DFO talked about 100,000 tonnes of sablefish being produced—numbers equivalent to Atlantic cod. There's never been a market for anywhere near that amount. The worldwide market of sablefish is 25,000 to 30,000 tonnes. That's what it's been. It's been very stable for a couple of decades.

There's a lot of speculation, a lot of talk, but we really don't know what the potential is.

• (1125)

[Translation]

**Mr. Jean-Yves Roy:** You say that at the present time there is a market of between 25,000 and 30,000 tons. However, we have no assessment of the development potential of that market. Is that correct?

[English]

**Mr. Eric Wickham:** That is very correct.

That market is limited there. If you could create new markets, I don't know what the potential would be on them. There is one study at the University of Washington that looked at potential markets and made some projections. If I can remember them correctly, I think it projected another 10,000 or 15,000 tonnes you could get into—I'm not sure about this—the United States or Europe. Without a major financial marketing campaign, the potential is not that high.

**The Vice-Chair (Mr. Gerald Keddy):** Monsieur Roy, you can have one more short question.

[Translation]

**Mr. Jean-Yves Roy:** So we would be getting into aquaculture without some prerequisite evaluation of which markets would be available to sell that product.

[English]

**Mr. Eric Wickham:** Exactly. When the salmon farming first started—I was involved in it 15 or 20 years ago when it first started—the talk was, we'll just expand the market. In fact, in salmon farming they've found they've expanded production faster than the market. Their prices have been very low. That's why they want to go into sablefish—because they keep expanding production faster than their market. The sablefish market is less than 1% of the salmon market, so exactly, that would happen very fast with the sablefish.

**The Vice-Chair (Mr. Gerald Keddy):** Thank you.

Mr. Cullen, you have five minutes.

**Mr. Nathan Cullen (Skeena—Bulkley Valley, NDP):** Thank you, Mr. Chairman. I doubt I'll take this much. I'm sitting in for a colleague today.

I'm curious. What are your interactions with DFO people on the ground? What has their response been to the concerns you're bringing?

My riding is on the northwest coast of British Columbia. We find a divergence between official DFO policy and the actual people working on the ground. Do you find support for your concerns when you raise them?

**Mr. Eric Wickham:** Yes, exactly. I'm glad you asked that.

There's a dichotomy. We work very closely with DFO management and science people managing the wild stock, and we have a very good relationship. It's a relationship where we're probably talking three or four times a week.

In the aquaculture industry we've had two one-hour meetings with the aquaculture division in DFO since it's been created. It refuses to talk to us, so there's a divergence.

We've had commitments from DFO in Ottawa by the aquaculture division to take responsible action. The local division just does not honour them. It doesn't happen.

**Mr. Nathan Cullen:** What are the reasons given for it not happening? You say you've had two meetings since it was created. How long a timeframe is that?

**Mr. Eric Wickham:** Since last May, the last time we were in front of the commission, we've had one one-hour meeting with DFO's aquaculture division. Some time previous to that we had a one-hour meeting. So in the last several years we've had the two meetings, period. It hasn't been a working relationship in any way at all.

Their excuse would be that from May through to last July they didn't have the people available: somebody was always on holidays, or somebody was sick, or something. We strove for approximately four months to get a meeting.

Then when we heard they were going to move fish into the ocean without doing an environmental assessment, we went to court, demanding in court that an environmental assessment be done. This is ongoing. Their excuse now is they won't meet with us because we're in court.

**Mr. Nathan Cullen:** Another question I have, and forgive me if this has been addressed by your presentation already, is with respect to first nations communities on the coast. What has the response been like from those communities to your efforts?

**Mr. Eric Wickham:** We have first nations involved in our fisheries, active as owners of licences, operating boats, and crewing on the boats. Their response is that they're very concerned with what's going on. They're working in a very healthy fishery. It adds a lot to their community, their income. They're very concerned.

We're lucky in that all our licence holders are local people in B.C. We're not owned by any big multinational corporations. There's one large company that owns one licence, which happens to be a B.C. company. Other than that, it's all small fishermen and native communities.

In fact, the province of B.C. has just agreed recently, in a native land claim by a band on the west coast of Vancouver Island, to buy another sablefish licence. Plus, one of my members told me he has just sold his licence to a native band. So the native participation is increasing substantially, and they're concerned about this danger to our fishery.

•(1130)

**Mr. Nathan Cullen:** Has there ever been any official response within the first nations governance? I understand that people working on your boats would be concerned, but I'm wondering about people not directly involved with your particular industry. Has there ever been anything officially passed on to them?

**Mr. Eric Wickham:** Not that I know of, no.

**Mr. Nathan Cullen:** I have one last question with respect to the provincial level of things. How have you found working with the provincial government in Victoria with respect to this issue? Has there been work done?

**Mr. Eric Wickham:** There has been work done. We've had constant contact with them, but my bias is that they see themselves as the advocates of the aquaculture industry and the federal government as managing the wild fishery. In our relationship, that's what it has been. They've been representing the aquaculture industry and looking after their interests. They expect DFO to look after our interests.

**Mr. Nathan Cullen:** Interesting. Thank you very much.

**The Vice-Chair (Mr. Gerald Keddy):** Thank you.

It's my understanding that the government will split their first ten minutes, beginning with Mr. Bagnell.

**Hon. Larry Bagnell (Yukon, Lib.):** Following up on Nathan's question, do you know if any first nations people would be involved in the aquaculture projects? Is Sealaska involved, for instance?

**Mr. Eric Wickham:** I don't know. Alaska does not allow fish farming.

So for the projects that are going on now, there are no first nations people involved. In the hatchery and those two ocean sites, there are no first nations people. I don't know about any future involvement.

The hatchery is being built on a native burial ground. The local native people are very upset about it and are trying to stop the waste permit because he's dumping water into the burial ground. He doesn't have a good relationship with the local native people.

**Hon. Larry Bagnell:** Are there any native people involved in the Atlantic salmon farming?

**Mr. Eric Wickham:** Yes, I think there are. I'm not very close with Atlantic salmon farming, but the Kitkatla are, for sure, and I think a couple of other native groups are as well.

**Hon. Larry Bagnell:** Has the Atlantic salmon farming resulted in widespread destruction of the natural stocks?

**Mr. Eric Wickham:** I don't know. I think that's argumentative. It depends on who you ask.

I don't know what kind of research has been done. There are certainly groups in B.C. that will tell you it has and there are groups that will tell you it hasn't, but I don't know.

**Hon. Larry Bagnell:** I didn't think it was an argument; I was only asking for a fact.

Isn't it true that when supply increases, when prices go down, the markets increase? If the price of a commodity goes down, then there are more purchases, in general, in an economy.

**Mr. Eric Wickham:** I think it's true in general, yes.

**Hon. Larry Bagnell:** Considering there are a lot of people in the world without food, would we be morally correct to reduce food production if we have an option? Wouldn't the prices go down to help increase the number of people who would have access to food?

**Mr. Eric Wickham:** Yes. If we have a moral obligation to produce food, I think we should do it in a way where we don't take three to five pounds of wild fish to make a new pound of sablefish flesh. That's what it would take, three to five pounds of wild fish to make a new pound. In fact, we're taking food away from third worlds to make a pound of flesh for first worlds. That's what we'd be doing. The argument that we're feeding the poor with this type of project is not true at all.

**Hon. Larry Bagnell:** I'd be interested to hear about the economics on that later.

Rodger.

**Mr. Rodger Cuzner (Cape Breton—Canso, Lib.):** I have a couple of questions. First, for clarification, are the aquaculture operations land-based or are they sea pens, for the most part?

•(1135)

**Mr. Eric Wickham:** They're sea pens.

**Mr. Rodger Cuzner:** They would have to be licensed, and the licensing is a provincial responsibility. How many licences would currently be operating in B.C.?

Licences have been granted, I would imagine. Were they?

**Mr. Eric Wickham:** Well, I think there are about 120 licences for finfish operations in B.C.; about 80 of them are operating, and two of them are operating with sablefish at the moment.

**Mr. Rodger Cuzner:** Who are the owners of those two operations?

**Mr. Eric Wickham:** One is a company called Totem Oysters, and I think the other one is Omega Pacific Hatchery.

**Mr. Rodger Cuzner:** Is there no provision for public consultation leading up to the granting of those licences? Isn't there any kind of provision within the licensing process to include public participation or public consultation?

**Mr. Eric Wickham:** No, not on the sablefish portion. When the province amended the licences, 48 of them were amended to include sablefish. We didn't even know about that until months and months after it happened. We were informed indirectly, actually, by DFO enforcement. So not only is there no public participation, but we weren't even told about it after the fact. On these two operations where they moved sablefish into these two sites without doing environmental assessment, there was no consultation with us. We weren't informed about it. We heard about it through indirect sources.

**Mr. Rodger Cuzner:** How about a comment on CSA's relationship with DFO science on wild stock sablefish and just where they draw the line about not commenting at all? Have they been very forthright in telling you that they are not able to comment to you on aquaculture projects?

Let's go first to your relationship with the sablefish science people in DFO.

**Mr. Eric Wickham:** First, we have a good working relationship with them. We have two private scientists hired. One of them is a world-class scientist at the University of Washington, and we fund a scientist and a half within DFO. Those people work together to do the stock assessment. In doing that, we're probably discussing issues once a week or so in a working relationship.

We have a pretty good working relationship. We have a lot of disagreements, but we also have meetings with those scientists and all our commercial fishermen where they sit down and argue out issues. It's a very good working relationship. We don't always end up happy. The science last year said we could have taken 6,000 tonnes safely, and we ended up taking 4,000 tonnes. Somebody is not always happy, but it works.

I believe it's very good science. I'm quite proud of it, actually. They're very committed people, both the private people and the people from DFO. I have a lot of respect for them. They've been told very clearly not to talk to CSA about aquaculture issues. They've told us very clearly, "We cannot discuss this, we cannot discuss that."

**Mr. Rodger Cuzner:** They've shared that with you?

**Mr. Eric Wickham:** Yes, because we've asked them questions about aquaculture. Their answer has been, "Sorry, we can't answer that; we're not allowed to."

**Mr. Rodger Cuzner:** Would the same group of scientists be engaged on the aquaculture files, specifically the sablefish files?

**Mr. Eric Wickham:** I don't believe so. They should be. They're the people who know about the sablefish. Certainly our private ones are not engaged about it. The best sablefish scientist in the world is the University of Washington professor. He's world-renowned, and he knows nothing about what's going on. As to the scientists within DFO, I don't know at what level they're engaged. Not at all, it appears to me.

**Mr. Rodger Cuzner:** Thanks, Gerald.

**The Vice-Chair (Mr. Gerald Keddy):** Thank you.

We'll go back to Mr. Cummins for five minutes.

**Mr. John Cummins:** Thank you, Mr. Chairman.

I have just a quick question here, Mr. Wickham. You were in receipt of an e-mail from Allison Webb on Tuesday, May 26, of this year. She said to you:

Eric - As discussed, applications are proponent driven and are received through Land and Water BC. However, we have committed to not completing this CEAA [that is the Canadian Environmental Assessment Act]—review, or any other where sablefish is a species proposed to be cultured, until a risk assessment is completed.

Her e-mail goes on to say:

CSA has been offered an opportunity to participate in the risk assessment process. We are working with Science Branch to coordinate a meeting with the CSA and Science on this issue.

Were you shocked when you received that, to hear that there was going to be no environmental assessment or no review under the CEAA?

● (1140)

**Mr. Eric Wickham:** Yes, I was very shocked, because we'd had firm commitments from senior DFO people that there would be environmental assessments; right up to the minister's level, I think, or certainly the deputy minister's level, there would be no fish in the water until there had been a proper environmental assessment.

I mean, it's the law. We expected it would happen.

**Mr. John Cummins:** The risk assessment that Ms. Webb was talking about then would be the same one that Mr. Bouchard referenced when he said it would take four to six months to complete.

**Mr. Eric Wickham:** Yes, that's correct.

**Mr. John Cummins:** In this, she's talking about working with the science branch to coordinate meetings and so on. That four- to six-month review is now a quickie review done by one individual. That's your understanding, is it?

**Mr. Eric Wickham:** Yes, one individual who made one phone call to us. That was our input.

**Mr. John Cummins:** There was a commitment to actually consult you on this review, but so far it's been one phone call.

**Mr. Eric Wickham:** That's correct.

**Mr. John Cummins:** So the issue here is that, yes, it's economics, as my colleague across the way was referencing; however, probably of most concern to most British Columbians is due diligence with regard to environmental matters, is it not?

**Mr. Eric Wickham:** Yes, absolutely.

**Mr. John Cummins:** No further questions, Mr. Chairman.

**The Vice-Chair (Mr. Gerald Keddy):** Thank you, Mr. Cummins.

We go back and forth now, starting with Mr. Murphy, five minutes.

**Hon. Shawn Murphy (Charlottetown, Lib.):** Thank you, Mr. Chairman. I have just a few questions.

Mr. Wickham, just as a point of background, is sablefish aquaculture practised in any other jurisdiction?

**Mr. Eric Wickham:** No, this is the first sablefish aquaculture in the world.

**Hon. Shawn Murphy:** Is there any other place in the world developing it?

**Mr. Eric Wickham:** No, not that I know of, and I think I would know about it if there was. In fact, the only research done on it in the world was by the fisheries department in British Columbia. They basically developed the technology to do it.

**Hon. Shawn Murphy:** Of the 47 sites that apparently have a transfer of sablefish, these would all be salmon farms right now?

**Mr. Eric Wickham:** That's correct, yes.



**Hon. Shawn Murphy:** And they'd all be licensed salmon farms?

**Mr. Eric Wickham:** That's correct, yes.

**Hon. Shawn Murphy:** They would have gone through some form of environmental assessment before they got their licence, correct?

**Mr. Eric Wickham:** Not necessarily. A lot of the salmon farms haven't gone through environmental assessments, but they are all going to be going through them. I think there are 30 of them in the process right now.

**Hon. Shawn Murphy:** So right now there's a process such that they'll all be undergoing environmental assessments, I assume pursuant to the Canadian Environmental Assessment Act.

**Mr. Eric Wickham:** That's correct, yes.

**Hon. Shawn Murphy:** I take it that the governments, and I guess we're talking federal and provincial, issue licences to these salmon farms prior to the Environmental Assessment Act being fully completed. Is my understanding of that correct?

**Mr. Eric Wickham:** I think so, yes.

**Hon. Shawn Murphy:** If there's anything in the assessment that warrants... or if anything is untoward, the licence is then cancelled or amended?

**Mr. Eric Wickham:** Yes, I imagine so.

**Hon. Shawn Murphy:** You say that quite a few are going on now. I take it that whatever assessments are going on now under the Canadian Environmental Assessment Act would also include sablefish operations, and salmon as well.

• (1145)

**Mr. Eric Wickham:** Yes.

**Hon. Shawn Murphy:** You mentioned salmon and sablefish. Do these operations have other finfish species in addition to those two species—trout, Arctic char, anything like that?

**Mr. Eric Wickham:** Yes, I think you can amend your licence and put just about any species you want on it. Some of them have a dozen different species amended on their licences.

**Hon. Shawn Murphy:** So on their licence they can put Arctic char, for instance, or trout, but they don't necessarily farm these additional species.

**Mr. Eric Wickham:** That's correct.

**Hon. Shawn Murphy:** Let's assume they go to get their licence for Arctic char. Obviously they wouldn't have to go through an environmental assessment. Some of them didn't go through it even to get their salmon licence.

**Mr. Eric Wickham:** That's right.

**Hon. Shawn Murphy:** It seems that what has happened here is that they've just continued the process of adding species. We've had a number of different species, and they've added—recently, I assume—sablefish, although your testimony is that only two are involved in a very minor way.

**Mr. Eric Wickham:** That's correct.

**Hon. Shawn Murphy:** With regard to these environmental assessments, the Canadian Environmental Assessment Act would be one aspect. What involvement does the British Columbia govern-

ment have vis-à-vis environmental assessment and environmental regulation?

**Mr. Eric Wickham:** I'm not sure. There was a risk assessment or a review of all the concerns about salmon farming done way back when they first... about 1995, and that's the basis to do environmental assessments now. But it's all based on salmon.

**Hon. Shawn Murphy:** So there is either a national or a provincial code in existence for fish farming.

**Mr. Eric Wickham:** Yes.

**Hon. Shawn Murphy:** And each fish farm would be obligated to meet these codes.

**Mr. Eric Wickham:** Yes.

**Hon. Shawn Murphy:** And as far as you're aware, each fish farm does meet the codes.

**Mr. Eric Wickham:** Well, the ones that have gone through the assessments. A lot of them haven't yet. For example, Totem Oysters hasn't gone through any kind of assessment and doesn't—

**Hon. Shawn Murphy:** You're saying they haven't gone through a national or a federal or a provincial assessment.

**Mr. Eric Wickham:** That's correct, yes.

**Hon. Shawn Murphy:** But they presently farm or they raise salmon.

**Mr. Eric Wickham:** That's right.

**Hon. Shawn Murphy:** Are they presently in the process of going through with a Canadian Environmental Assessment Act process or a Province of British Columbia environmental assessment process?

**Mr. Eric Wickham:** I'm not familiar with the province's environmental process. I don't know if there is one or what it is.

**Hon. Shawn Murphy:** But there is a code, you say.

**Mr. Eric Wickham:** I believe so. Well, no, I'm not sure. When you said the code, I thought you were talking about the environmental assessment act, the federal one. Provincially, I don't know.

**Hon. Shawn Murphy:** But your evidence seemed to indicate that the Province of British Columbia does, to use your words, "support the aquaculture industry". Do I take it by extension that they support the development of the sablefish aquaculture initiative?

**Mr. Eric Wickham:** I think they've taken a hands-off attitude. They support economic development, and on the environmental side they see it as a federal responsibility, so they're not supportive or unsupportive of the sablefish operation. On the environmental side they're sitting back and expecting the federal government to take the responsibility.

**Hon. Shawn Murphy:** Thank you, Mr. Chair.

**The Vice-Chair (Mr. Gerald Keddy):** We have a bit of time left. I think we'll take one more questioner and then allow everybody a bit of time to speak directly to Mr. Wickham at the end.

Mr. Cummins.

**Mr. John Cummins:** I have a couple of points, Mr. Chair.

My colleague across the way, the secretary to the minister, would suggest that this process of farming without a proper environmental assessment is the normal way of doing business, and to a certain extent he's right.

Under the Access to Information Act we got a list, actually. We asked how many salmon farm sites are in operation without authorization and are awaiting approval under the Canadian Environmental Assessment Act and for them to name or identify the sites and operators of these. There are two pages in response, and there must be 50 of these sites that are operating without proper environmental assessment.

Today, Mr. Chairman, in the House, the Commissioner of the Environment and Sustainable Development submitted a joint report between the federal commissioner and the British Columbia and New Brunswick commissioners. With regard to wild salmon or habitat they said this:

*Two of our three audits noted gaps in policy implementation. Fisheries and Oceans Canada, for example, has never reported on the status of fish habitat conservation in Canada or assessed the effectiveness of its Habitat Policy. These continue to be significant challenges for the Department. Similarly, reporting by provincial ministries and agencies in British Columbia on performance relating to sustaining wild salmon is weak.*

My friend across the way is attempting to suggest somehow that the state of salmon farming in British Columbia is a healthy alternative and it offers some guidance in developing the sablefish farming in Canada. I don't think the argument holds water.

• (1150)

**The Vice-Chair (Mr. Gerald Keddy):** Did you have a question for Mr. Wickham?

**Mr. John Cummins:** No, I just wanted to make that comment.

**The Vice-Chair (Mr. Gerald Keddy):** We'll finish up.

Mr. Wickham, on behalf of the committee, I very much appreciate your taking the time to come here today on behalf of the Canadian Sablefish Association. It's my understanding at this committee that the chair usually has the leeway to ask a few questions at the end, so if I could, I have a couple of brief questions.

First, as I understand it, the fishery is a trap fishery, a longline fishery, and a trawl fishery.

**Mr. Eric Wickham:** That's correct, yes.

**The Vice-Chair (Mr. Gerald Keddy):** The farm you mentioned that will be two-tenths of a mile from the juvenile wild stocks, obviously there's no fishing in that area now?

**Mr. Eric Wickham:** No. We asked the department to close all the inlets and fjords to us about a decade ago, because they're so full of juveniles.

**The Vice-Chair (Mr. Gerald Keddy):** The reason I was headed there was if fishing were allowed, I just wondered if there would be more chance of contamination, or if anyone has looked at whether it was a trap fishery versus a longline fishery.

**Mr. Eric Wickham:** I think the dangers of contamination are from bringing in a foreign stock into the area, and we don't know what the interaction—

**The Vice-Chair (Mr. Gerald Keddy):** I meant the—

**Mr. Eric Wickham:** The contamination could be from the wild fish to the farm fish or it could be either way, but the thing is that no research has been done on it. That's the key issue; nobody has looked at the possibilities. It's like introducing a bunch of cows from Britain, and maybe one might be a mad cow or it might not. That's basically what we're doing here.

**The Vice-Chair (Mr. Gerald Keddy):** It would be my understanding that in British Columbia the environmental assessment would be a provincial responsibility.

**Mr. Eric Wickham:** No, it would be a federal responsibility.

**Mr. Gerald Keddy:** It's DFO's responsibility?

**Mr. Eric Wickham:** It's a DFO responsibility, absolutely.

**The Vice-Chair (Mr. Gerald Keddy):** I certainly am, I have to say, a bit shocked at the lack of consultation with your industry, which seems to be a very stable and resourceful industry. We've got lots of examples in the wild fishery where the stocks have been absolutely ravaged, and yours is a much happier story. I think you certainly deserve recognition for preserving the stocks and having a stable fishery.

I guess my last question would be, what can we do as a committee to enable your industry to have more say in the process? We can certainly interview DFO officials....

**Mr. Eric Wickham:** Well, in your letter back in May, you requested that the government do the responsible and legally correct thing, which is to demand a comprehensive environmental assessment for this species of fish on each site. That's what has to be done; and to do it right or properly, you should be involving us, our scientists, and the DFO stock management side. We should be involved in the process, not with one phone call but to be involved actually in the process. On the salmon environmental assessments that were set up back in 1995 one of the rules they put in was whether the site was within two miles of a wild salmon stream, which was a reasonable consideration. If we wanted to sit down, we would say, "Is this site next to a wild sablefish site, and if it is, what does it mean?" We would want to be involved in that discussion in the decision process. It's just a reasonable request.

It's being done totally by the aquaculture division of DFO, and DFO's prime responsibility is looking after the wild stock. You have to include us; you have to include their own stock managers and our scientists before you're going to do it right.

• (1155)

**The Vice-Chair (Mr. Gerald Keddy):** Thank you very much, Mr. Wickham. I was not aware of the May letter, so certainly that's something we'll look into. We'll find out if there has been an answer to that and get back in touch with you on what that answer is one way or the other.

Again, on behalf of the committee, I want to thank you very much for attending this morning, and good luck to you in the future.

**Mr. Eric Wickham:** Thank you very much for the opportunity to be here.

**The Vice-Chair (Mr. Gerald Keddy):** If everyone is in accord, we'll suspend for a few minutes to allow members the time to stretch their legs before we hear from the DFO officials.

• (1156)

(Pause)

• (1204)

**The Vice-Chair (Mr. Gerald Keddy):** Order, please.

I'd like to welcome, from the Department of Fisheries and Oceans, Jean-Claude Bouchard, associate deputy minister; Allison Webb, acting director, sustainable aquaculture; Dorothee Kieser, fish health pathobiologist; François-Bernard Côté, senior general counsel, legal services; and Mr. Max Stanfield, director for Pacific, Arctic and inland resource management. He will be replacing Mr. Georges Cormier, who is the chief.

Welcome. You have ten minutes to present your brief, and then we'll start our questions.

• (1205)

**Mr. Jean-Claude Bouchard (Associate Deputy Minister, Department of Fisheries and Oceans):** Thank you, Mr. Chairman.

My prepared statement is available in both official languages. I believe we have given, or we will be giving, a copy to the clerk. If that hasn't happened, it's just because we made last-minute corrections. I got them a few minutes ago. Whoever has the pile of copies should be giving it to the clerk as soon as possible.

I'll go through my prepared remarks, and then we'd be pleased to answer questions, if that's okay.

**The Vice-Chair (Mr. Gerald Keddy):** Go ahead.

[*Translation*]

**Mr. Jean-Claude Bouchard:** Mr. Chairman, it is a pleasure for us to be here with you today, and to have this opportunity to submit our viewpoint on this topic.

I will not repeat the introductions since you introduced the people who are here with me. Dorothee Kieser and Allison Webb work in our regional office on the west coast. Max Stanfield is responsible for the management of resources for the Pacific, but his office is in Ottawa.

Sablefish farming is currently the object of a conflict between the Canadian Sablefish Association and the Government of Canada. Consequently, it is somewhat awkward for us to discuss this matter. The committee of the House of Commons has the supreme authority, but it goes without saying that I'm going to have to take certain precautions while answering your questions.

I can give you a quick and factual picture of the situation. Afterwards, if you wish—and I know that this will be the case—I will be pleased, with my colleagues, to answer your questions to the best of my ability.

The Department of Fisheries and Oceans assessed the feasibility of farming sablefish during the 1960s—so, that is not all that recent—within the framework of research that led to the development of aquaculture on Canada's west coast.

[*English*]

Over the years, the majority of finfish aquaculture on the Pacific coast has been focused on salmon. As the industry focuses more on species diversification, there has been increasing interest in sablefish, which is an indigenous species in the area. At the moment, 47 salmon farms in British Columbia have amended their provincial aquaculture licences to include sablefish. Of those sites, 41 are currently being reviewed under the Canadian Environmental Assessment Act, or CEAA, as part of their ten-year renewal process.

Those farms were in many cases, if I may digress from my notes, authorized a long time ago, and now they have, for renewal of their licence, to go through the CEAA. At the same time, reviews under the Fisheries Act and the Navigable Waters Protection Act are taking place and will inform the CEAA review.

In July and August of this year, DFO issued two section 56 licences to transfer juvenile sablefish from a hatchery to two existing salmon farms in British Columbia. Between the two licences, a total of 60,000 juvenile sablefish were authorized for transfer. Both transfer licences expired last September 30. As of that date, one of the farms had not transferred any juvenile sablefish to its sites. Since its licence has now expired, none of the 35,000 sablefish authorized for that operation will be transferred.

The other operation transferred 18,000 juvenile sablefish in three transfers in July and August 2004. Its licence authorized a transfer of up to 25,000 sablefish; however, as the licence has now expired, no further transfer will be made.

DFO did not issue the section 56 licences until biosecurity inspections of the hatchery and the farm sites had taken place and until the fish health advisory committee, a federal-provincial-industry body, adopted fish health testing measures that were specific to sablefish. In addition to those important steps, DFO's decision also considered past history and potential disease, genetic, and ecological impacts of the transfers.

Since 1991, DFO had issued 44 licences to transfer juvenile sablefish, following general reviews to consider the full range of possible impacts. Careful evaluation of those experiences, as well as the additional information garnered from the fish health testing, allowed the introduction and transfers committee to evaluate disease, genetic, and ecological risk to the wild fishery. Based on that evaluation, the committee recommended to the regional director general of the Pacific region that the transfers in the summer of 2004 could be approved.

Under the auspices of the national code on introduction and transfers of aquatic organisms, an independent consultant is carrying out a further risk assessment of any possible impacts sablefish aquaculture could have on the wild resource. DFO will review that assessment to help guide decision-making on future applications.

As with all fisheries-related activities, it must be acknowledged that zero risk to wild populations is not possible; however, reduction of risk is possible based on an acceptable risk assessment process, and that is what DFO's approach is all about.

Just to situate all this in context, let me give you a very quick overview of the wild fishery. I know it was discussed before, but I would like to add to it.

Since 1990, this lucrative groundfish fishery off Canada's west coast has been managed under an individual-vessel quota regime. The 48 licence holders have participated in making this a well-managed fishery and have developed a shared stewardship relationship in which DFO co-manages the fishery with the Canadian Sablefish Association. As one good example, CSA's traditional knowledge of the resource helped guide DFO in increasing the total allowable catch, or what we call the TAC, for the 2003-04 fishery.

● (1210)

Stock assessments since then have validated the CSA's information. They were right about being able to increase the TAC, and this year it's even higher.

We're working together to redesign the consultative process to make a good approach to shared stewardship even better, if possible.

Traditionally the government has collaborated with the commercial fishery in other ways too. From 1993 to 1995 DFO assisted the commercial fishery in developing its markets, while considering sablefish aquaculture through the federal aquaculture development strategy. In that important building phase, DFO also cooperated with the Department of Foreign Affairs and International Trade to provide the commercial fishery with resources to develop a joint marketing strategy for farmed and wild sablefish.

That's a good example of what the Government of Canada is trying to do for a wide range of species: developing good collaboration between well-managed fisheries and sustainable aquaculture in order to maintain Canada's position as a leader in world seafood exports. As the world population continues to grow, that collaboration will be increasingly important.

At this point my colleagues and I welcome your questions.

Thank you.

**The Vice-Chair (Mr. Gerald Keddy):** Thank you, Mr. Bouchard.

Mr. Cummins, you have ten minutes.

**Mr. John Cummins:** Thank you, Mr. Chairman.

Mr. Bouchard's final comments about the wild fishery probably got Mr. Wickham trembling. There's nothing anyone from British Columbia fears more than the guy from Ottawa who says "I'm from Ottawa and I'm here to help". It's a scary thought.

Mr. Bouchard, you sent a letter to Mr. Wickham and indicated in the letter that there were to be 30,000 fish moved and that DFO does not consider this to be a serious risk. What information did you have to make that comment?

**Mr. Jean-Claude Bouchard:** With your permission, Mr. Chairman, I will ask my colleague, Dorothee Kieser, to answer that question.

**Mrs. Dorothee Kieser (Fish Health Pathobiologist, Department of Fisheries and Oceans):** In terms of assessing the risk, there's a national code on introductions and transfers that was signed by all provinces in 2003. Under that, each region or province has an

introductions and transfers committee that reviews requests for transfers, looking at things like disease risk, genetic risk, and ecological risks.

In terms of addressing those risks, the B.C. introductions and transfers committee went ahead and asked the fish health advisory committee referred to in Mr. Bouchard's speech earlier to do an assessment, specifically on the disease risks but also on the genetic and ecological risks. It is on that basis that our recommendations to the department are made.

● (1215)

**Mr. John Cummins:** Ms. Kieser, I asked a question, question number 17 on February 3, 2004, as an order paper question in the House—it was question 1, if you have your notes there—and your response was:

Canada has no list of reportable fish diseases. Such a list is under consideration for the proposed National Aquatic Animal Health Program, but would likely only include fish diseases of national concern.

**I'll skip. You go on to say:** Because there are no reportable fish diseases, DFO has no regulatory capacity for requiring farms to report disease outbreaks. Nor does the Department have a routine monitoring program to check on the status of disease outbreaks on farms. While such monitoring is done by the provincial agency, DFO does not obtain that information.

**I have an e-mail that was sent to Sharon McGladdery from Sarah Bethune, and it's commenting on your response. It says:** Sharon, do you have a minute to suggest a more positive response to this question? Dorothee Kieser [sic] supplied this response (from Pacific Science), but Sharon A.

—and I presume that means Sharon Ashley— finds it too negative; i.e., DFO doesn't do this, that or the other thing. What do we do? And what does the province do?

That response was rewritten in a very positive way, and I could read the response into the record. It goes on to say that Canada has been able to prevent the introduction of serious diseases of salmon into the country or within the country through the use of regulations and code, and on and on it goes.

You answered, if I may say so, Ms. Kieser, in the first response to the question I asked, as I think a scientist would—to the best of your ability and knowledge—and you suggested there were some serious problems. Ms. Ashley didn't think your response was very political, and it was rewritten. So what are we getting from you this morning? Is that your response as a scientist, or is it a political response that you just gave?

**Mrs. Dorothee Kieser:** The introductions and transfers committee was very diligent, from a scientific standpoint, to look at the diseases of potential to sablefish. So independent of whether there is a disease list that's of national significance or not that deals with exports—which is not what we're dealing with here—there are ways of general testing that will alleviate fears in terms of disease transfers. When the fish health advisory committee sat down with the consultants' report, it was very much in terms not just of worrying about internationally significant diseases, but of having a very wide net of all diseases of consequence to fish in the region.

**Mr. John Cummins:** You made it very clear in your original response that DFO was unable to do the job, that it didn't have a list of reportable fish diseases, and you suggested there were some serious problems. That response, unfortunately, was sanitized, and I don't think the answer that came out was exactly helpful.

On that same issue, I had asked a question earlier, an order paper question, and again through access to information we got the response. They indicated:

No comprehensive environmental impact analysis has been done... No formal siting guidelines have been established regarding placement of halibut and sablefish net pens in nursery and juvenile rearing areas in coastal inlets, bays and fiords. No CEAA assessments have yet been completed for either halibut or sablefish aquaculture operations in BC. Go to the province to find out which halibut and sablefish operations have not had Canadian Environmental Assessment Act assessments. No studies or research has been undertaken to insure that licensed sites are not within five miles of a halibut or sablefish nursery or juvenile rearing area.

—and so on. The suggestion here is that this thing is out of control, that nobody's really guarding the henhouse here. Is it not?

• (1220)

**Mrs. Dorothee Kieser:** If I may comment, questions concerning the Canadian Environmental Assessment Act would probably be better addressed to Allison Webb.

I would still like to say that on the specific transfers we're talking about, we need to be very clear that the advice the introductions and transfers committee received was very much fish health professional advice, with the help of veterinarians who are very familiar in the industry, with a very general approach to make sure that the net didn't miss any fish diseases that could be of consequence.

**Mr. John Cummins:** Ms. Kieser, in a memo of Friday, May 14, of this year, you talked about the sablefish review by the fish health advisory committee, and you said:

On the advice end, for instance, the ITC in its review of an application to move sablefish from Sablefin Hatchery on Salt Spring to Omega Pacific in Alberni has been struggling with the health evaluation needed for such a transfer.

Well, if they were struggling in May, what evidence have you to suggest that somehow the struggles were resolved, the problems were resolved?

**Mrs. Dorothee Kieser:** We have a very specific contractor who, again, is a veterinarian and fish health professional to look at things and give advice to the introductions and transfers committee.

**The Vice-Chair (Mr. Gerald Keddy):** You have time for one more quick question, Mr. Cummins.

**Mr. John Cummins:** This is another memo that talks about the fish health management plan. This is one that was sent to Bev Bravender from Debra Hughes. It says that:

...it's somewhat premature to do a full review because essentially it only contains the wording in the provincial template, i.e. the information provided is quite generic and isn't geared specifically to sablefish.

Then it goes on to say:

They explained that sablefish FHMP should be based on the provincial salmonid template, as you did, but modified to cover issues unique to sablefish culture.

**The Vice-Chair (Mr. Gerald Keddy) :** Make it short, Mr. Cummins. It was the final question.

**Mr. John Cummins:** The point is, I guess, there is no real plan here, is there? We're only building on what's going on in the salmon

farming industry, and essentially, it's a wild west show. Isn't that what's happening here?

**Mrs. Dorothee Kieser:** If I may say, I really feel that any new industry, of course, needs to have some adaptive management. At the same time, I think one can very much take the fish health professional's advice, veterinarian advice, on what the introductions and transfers committee received in terms of casting a very broad net when looking at the diseases of concern. As time goes on, of course, we'll have to make changes, if we find, in fact, that changes are needed.

**The Vice-Chair (Mr. Gerald Keddy):** Thank you very much.

Mr. Roy, you have five minutes, please.

• (1225)

[Translation]

**Mr. Jean-Yves Roy:** Thank you, Mr. Chairman.

I was listening to Mr. Bouchard a little earlier. You can see on page 2 that there are 41 farms, I believe, which have been assessed in accordance with the Canadian Environmental Assessment Act. I would like to know what you evaluate when you evaluate these farms. What is the protocol you use? Basically, what questions do you answer when you evaluate these farms?

**Mr. Jean-Claude Bouchard:** I confirm that it is true that we carried out environmental studies of 41 farms, and that is why I brought the expert along to explain this to you.

**Mr. Jean-Yves Roy:** Very well.

[English]

**Mrs. Allison Webb (Acting Director, Sustainable Aquaculture, Department of Fisheries and Oceans):** Thank you.

In terms of the Environmental Assessment Act, we assess quite a broad range of factors that are related to the specific project. In this particular case, if it is a salmon farm and it has sablefish listed on the aquaculture licence, we look at things such as the potential effects of the project on fish and fish habitat; fish health concerns; effects on marine mammals and birds; and potential effects on the current use for first nations. There's a very broad variety of issues that are addressed through the Canadian Environmental Assessment Act process as it is related to salmon farms.

At the conclusion, after we look at all of the mitigation measures that are applied on the specified projects, we assess what the residual potential environmental effects will be for the project. Only when we determine there will not be significant adverse environmental effects can the project proceed.

[Translation]

**Mr. Jean-Yves Roy:** That answers my question in the broad sense. In a more specific way, when you say that you evaluate the impact on the environment, what do you mean by that? What you are saying is very general. When you evaluate a sablefish farm, how do you come to the conclusion that it has no impact or that it has a minor impact? Do you understand what I mean? I want a concrete answer.

[English]

**Mrs. Allison Webb:** Okay. I'll try to give you a specific example. I can't get into every aspect of what we assess under the template, but it's quite comprehensive.

For example, I think what might be of most interest to the committee would be how we look at the effects on fish and fish habitat that might affect wild sablefish specifically. For a specific project, we collect video footage for the entire area of the potential tenure so that we can see what fish are present. It's not specific to sablefish; it's for all fish species, all wild fish species with which we have concerns, because we're responsible for management of the entire fishery in the wild. That includes shellfish and different fish that would be in the area.

We get a habitat map that gives us the values of all the species that would be in the potential area. Then we look at the specific currents in that area, the number of fish that are going to be on the site, and the feeding regime. We have a modeling program that will predict the type of impact that will settle to the bottom or fall out from that specific operation. We have established a threshold, and we are able to determine whether that particular operation will have effects on the wild fish populations and fish habitat that are there.

I'm not sure if I'm answering your question. It's quite complex.

[Translation]

**Mr. Jean-Yves Roy:** That is what I wanted to hear. I wanted to know how you proceed when you perform these environmental assessments and what tool, what model you use. I think you have answered that question.

And now, for my other question. I have heard about a fish health assessment committee. Who evaluates the health of the fish? Is it the Department of Fisheries and Oceans, exclusively?

• (1230)

**Mr. Jean-Claude Bouchard:** I'm not sure I understood your question very well. If you are asking us whether we consult the various stakeholders before we make decisions, the answer is yes. We rarely make decisions without consulting any of the stakeholders who can be affected by them, if that is your question.

**Mr. Jean-Yves Roy:** No. My question is the following: Is the Department of Fisheries and Oceans the only entity responsible for assessing the state of health of the fish?

[English]

**Mrs. Allison Webb:** No. It's a federal-provincial responsibility. The national code on introductions and transfers that was adopted, as my colleague mentioned earlier, in September 2003 was signed by all provinces as well as the federal government. Within the context of the code, it called for the setting up of federal-provincial committees. As you are aware, the aquaculture industry is managed concurrently between both the federal and provincial governments, so it is the joint management responsibility of both levels of government. The introductions and transfers committee includes members from regulatory agencies from both the federal and provincial governments.

[Translation]

**Mr. Jean-Yves Roy:** I would like to ask one last question, Mr. Chairman.

Indeed, that is a federal-provincial responsibility but who has the expertise to assess the health of the fish? Is it the Department of Fisheries and Oceans who has that expertise or does it reside with the provincial governments?

**Mr. Jean-Claude Bouchard:** It varies from one province to the other. The Department of Fisheries and Oceans' scientific sector has a lot of expertise. Work is also done at the provincial level, but this varies from one province to the next. The decision about whether or not to authorize a human activity which has an impact on fish habitat falls under federal authority, that of the Department of Fisheries and Oceans.

**Mr. Jean-Yves Roy:** If I asked you the question about British Columbia, could you answer me?

[English]

**Mrs. Allison Webb:** I think it rests with both federal and provincial governments. There are experts in both levels of government. Currently, we also have a lot of work to harmonize our responsibilities so that we can avoid duplication and overlap. There are some things that are mandatory through the provincial aquaculture licence in terms of fish health. We have left that to the provincial government to manage and we've worked out a letter of understanding with them.

In other areas, the federal government has expertise. It is very much concurrently managed between both levels of government in order to avoid duplication and overlap.

[Translation]

**Mr. Jean-Yves Roy:** Very well.

[English]

**The Vice-Chair (Mr. Gerald Keddy):** Mr. Murphy.

**Hon. Shawn Murphy:** Thank you very much, Mr. Chairman.

My first question to you, Mr. Bouchard, deals with this whole area of public and stakeholder consultation. We heard testimony today and there has certainly been a conflict as to what environmental assessments have been or are being undertaken. There seems to be a lack of both public consultation and maybe stakeholder consultation. There seems to have been a change in policy here, in that both the federal and the provincial governments appear to want to see a sablefish aquaculture industry develop in British Columbia. It is certainly in its infancy.

Could you describe for this committee just what consultation, from your point of view, has taken place: (a) with the Province of British Columbia; (b) with the people who live in British Columbia; and (c) with the fisheries stakeholders and in particular the Canadian Sablefish Association?

**Mr. Jean-Claude Bouchard:** I will ask Allison to answer the question, because she is the one who is carrying out those consultations and those discussions with the various stakeholders.

**Mrs. Allison Webb:** If I might respond in terms of the Canadian Environmental Assessment Act specifically, the act has different provisions for environmental assessment based on the potential impact, and aquaculture has been assessed at the screening level of environmental assessment. Under a screening level environmental assessment the responsible authority has discretion regarding public consultation. Our approach to this point in time has been to allow for public participation through written submissions to the Department of Fisheries and Oceans, and any of those submissions will be considered on specific sites within the context of the environmental assessment review. That's one of the broadest ways whereby we can allow public consultation in terms of potential impacts on specific sites.

In addition to that, I have met with the Canadian Sablefish Association with my colleagues three times over the past number of months. In addition, we've had quite a bit of correspondence that's gone back and forth between the association and my office. So there have been some specific meetings to discuss their concerns and to consult with them, depending on how someone may interpret consultation in that regard.

•(1235)

**Hon. Shawn Murphy:** So you're saying you've met with the association?

**Mrs. Allison Webb:** Yes, I have. I've personally met with them three times.

**Hon. Shawn Murphy:** The agenda item would be, I assume, the sablefish aquaculture?

**Mrs. Allison Webb:** Yes, it was.

**Hon. Shawn Murphy:** So you're aware of their concerns?

**Mrs. Allison Webb:** Yes, I am.

**Hon. Shawn Murphy:** I have another question, and again it gets back to you, Mr. Bouchard.

In your opening comments you indicated that two transfer licences for the actual smolts to be transferred to an existing fishery have both been issued, but they both expired. Is this a dead issue, maybe? Have these two farms asked for their licences to be extended or are they in the process of asking for new licences? I understand from your opening remarks that one farm actually never pursued the licence. They got the licence, but then they decided for whatever reason not to transfer any fish, so we only have one farm that transferred fish.

So is this initiative being actively pursued by any farms in British Columbia at the present time?

**Mr. Jean-Claude Bouchard:** We have no other requests now. It was a request for a small number of fish, everything else being considered—

**Hon. Shawn Murphy:** I realize that.

**Mr. Jean-Claude Bouchard:** — and the decision was made based on what Ms. Kieser has explained. We're talking right now 18,000 fish. We're still at the research and development phase, if you wish, of the production of sablefish through aquaculture methods. So, no, I'm not aware of any new request that we have received since that decision was made.

**Hon. Shawn Murphy:** So for this farm that actually has fish, that licence has expired. But before the licence expired they did receive, and the operation transferred, 18,000 juvenile sablefish. This is October now. Do they still have them? What's going on?

**Mr. Jean-Claude Bouchard:** I'll ask Allison to answer that.

**Mrs. Allison Webb:** My understanding is that they still do have them on site.

**Hon. Shawn Murphy:** Can you give us any kind of a review, from a scientific point of view, of how they are doing? Is it a viable industry or does it appear to be a viable industry?

**Mrs. Allison Webb:** I can't comment on that; I'm sorry.

**Hon. Shawn Murphy:** Are you getting any feedback from the actual farm as to how the operation is going?

**Mrs. Allison Webb:** I'm not aware of any at this time. Perhaps one of my colleagues at DFO in the Pacific region may be aware of it, but I'm not.

**Hon. Shawn Murphy:** I'll go on to the next question.

Does this farm actually have any scientific presence to feed back to DFO or to the provincial authorities? Because I view this as a totally experimental issue. Is there going to be any feedback from the actual farm to DFO as to how they're doing scientifically and perhaps to trigger any environmental concerns also?

**Mrs. Dorothee Kieser:** Under the fish health management plans, which are provincially mandated for the aquaculture licence but into which DFO very clearly has input, the farms not only have to be under veterinary supervision—so if anything really goes astray they have to deal with it appropriately—but they also have to report into a fish health database that is monitored and has public access on a quarterly basis. So it's not as though the fish just went out there and were never heard of or seen again. Very much the farm has an obligation to report things that are not going well to the fish health database, and as I say, they're under fish health supervision.

**Hon. Shawn Murphy:** So there is a veterinarian on site at all times. Is that what you're saying?

**Mrs. Dorothee Kieser:** No, I'm not saying there's a veterinarian on site at all times, but the farm must have contractual agreements with a veterinarian to be monitored appropriately.

**Hon. Shawn Murphy:** The last juvenile went there in August. So August, September, October... that's three or four months now. Can you give us any kind of report as to how this experiment—I view it as an experiment—is proceeding?

•(1240)

**Mrs. Dorothee Kieser:** No, I don't have that information.

**Hon. Shawn Murphy:** Thank you. I have no further questions.

**The Vice-Chair (Mr. Gerald Keddy):** Thank you, Mr. Murphy.

Mr. Cummins, five minutes, please.

**Mr. John Cummins:** As I suggested earlier in response to a question I asked a year ago... I never did formally get the answer, because Parliament prorogued. The question and the note that I received were in December 2003, actually.

There was comment on it by Paul Lyon, a policy analyst with the Office of Sustainable Aquaculture. The question was clearly stated, that no CEAA assessments had yet been completed for either halibut or sablefish. The comment from Ms. Webb was that we have not committed to completing this review, pending a risk assessment.

What bothers me is that back in August 2003, then Minister Thibault wrote a letter to Senator Jeanne Kohl-Welles, Washington State Senate, 36th Legislative District, in Seattle, Washington. In that letter Mr. Thibault, the minister, assures Senator Kohl-Welles of this. He says:

Sablefish and halibut aquaculture operations, like all marine cage aquaculture operations in Canada, are subject to strict protocols of approval under section 5(1) (a) of the Navigable Protection Waters Act. As part of the approval process, Fisheries and Oceans Canada conducts an environmental assessment pursuant to the Canadian Environmental Assessment Act. This assessment ensures that no project is approved that would result in a significant adverse environmental impact. Thus, sablefish and halibut aquaculture farms would be scientifically assessed to ensure there were no significant impacts to the nursery areas of the juvenile fish or their natural life cycles.

The minister goes on to say:

DFO will issue a section 35 authorisation only if and when it finds the impacts to, and compensation for, fish habitat to be acceptable.

The minister made it very clear in that letter to the U.S. senator that the Canadian Environmental Assessment Act was adhered to and that these investigations would be conducted before these net-cage operations for sablefish and halibut would be given the go-ahead. Yet it's very clear from the information we've received and from the testimony we heard this morning that this is not the case. So who misled the minister?

**Mrs. Allison Webb:** Perhaps I can provide some clarification on that.

With respect to the existing salmon farms in British Columbia, of which there are approximately 121, all of those farms existed prior to 1995, which was when the Environmental Assessment Act was promulgated. So none of those farms were—

**Mr. John Cummins:** Perhaps I could just interrupt for a minute. This referenced sablefish and halibut aquaculture, not salmon.

**Mrs. Allison Webb:** Yes, I will get to that in one second.

With respect to those salmon farms, that's why they did not undergo an Environmental Assessment Act review, because they were already in operation prior to 1995.

More recently, as we've heard, 47 of these sites have added sablefish to their aquaculture licence. Those particular amendments were approved by the provincial government. DFO did not comment on those amendments because those particular sites were already under a review pursuant to the Environmental Assessment Act.

The Environmental Assessment Act had been triggered by a requirement to have a Navigable Waters Protection Act approval under subsection 5(1) of the Navigable Waters Protection Act. So for every one of those farms where sablefish is on the licence, there is an intention to complete an environmental assessment for those sites.

•(1245)

**Mr. John Cummins:** That's not the information the minister gave to the U.S. senator. The information he gave was that these assessments would be done prior to introduction of sablefish in halibut aquaculture. Nothing could be more clear from the letter, and yet it's obvious that the commitment the minister made has not been followed by the department. You can talk all you want about attaching sablefish to salmon farms, but that's a change in the licence. The fact of the matter is that you're operating and allowing to operate these sablefish farms without the assessments that were given in the commitment to the Washington State senator. Isn't that the case?

**Mrs. Allison Webb:** There are two issues here. One is a section 56 licence, which allows for the introduction and transfers of the sablefish from the hatchery into the marine finfish farms. That section 56 licence is not a law list trigger, so it is not connected to the Environmental Assessment Act. It is a stand-alone piece of legislation, and we did our assessment under the auspices of the section 56 licence.

The Canadian Environmental Assessment Act review is ongoing and it will be completed. In my view, the words that are in that letter have been upheld.

**Mr. John Cummins:** It says that these will be conducted prior to

**The Vice-Chair (Mr. Gerald Keddy):** You're out of time, Mr. Cummins.

**Mr. John Cummins:** — it doesn't say after and ongoing.

**The Vice-Chair (Mr. Gerald Keddy):** You'll get another chance.

Mr. Murphy.

Monsieur Roy?

Mr. Cummins, would you like the last round of questioning?

**Mr. John Cummins:** Thank you.

I think it's very clear there was a commitment made to the Washington State senator by the federal minister that has not been fulfilled by the Department of Fisheries and Oceans. I think that bodes ill for our relations with the Americans, who are very, very concerned about salmon aquaculture. It says something, I think, about the integrity of the department.

That's not just my opinion. Let me quote, Mr. Chairman, from a letter that was sent to Mr. Bastien from John Fraser. John Fraser is a former fisheries minister, former Speaker of the House, and he's the chairman of the Pacific Fisheries Resource Conservation Council. In her response to a question earlier, Ms. Webb mentioned federal-provincial responsibilities. Mr. Fraser was wanting to get some clear definition of that, so he made that request to Mr. Bastien and he was denied. This is his letter, and I'm going to read it, because I think, Mr. Chairman, that it should be put into the record:



Dear Mr. Bastien:

I have your letter of April 16 saying that you "regret to inform" us that the solicitor-client privilege will not be waived by the Department of Fisheries and Oceans or the Office of Commissioner for Aquaculture Development and, as a consequence, you refuse to release the advice you received from the Department of Justice setting out the jurisdictional issues relating to provincial and federal authority in the management of fish farms and wildfish.

I do not believe for one minute that you "regret" not releasing the information on this issue and to put "regret" in your reply on this important issue is not credible.

Further, you say after "consultation with the Department of Justice" you will not release the jurisdictional advice given you. However, that does not explain why you will not release it. And, it makes a mockery of any claim to transparency. There is no way your reply to us sets out any reason why the Canadian public is denied the information requested, other than that you had discussions with the Department of Justice. You should try and explain this at a public meeting.

The real issue here is whether the Department of Fisheries and Oceans or the Office of Commissioner for Aquaculture Development is prepared to be honest with the Canadian public and set out the jurisdictional issues that are central to the effective and transparent management of the interaction between farm salmon and the wild salmon.

Sincerely,

John A. Fraser

Chairman

Any comments?

• (1250)

**Mr. Jean-Claude Bouchard:** Do you have a question? I will not comment on something like that. The office of the Commissioner of Sustainable Aquaculture's mandate terminated March 31, 2004. If the question is whether we can specifically explain what both jurisdictions are, we will be pleased to answer that, yes.

**Mr. John Cummins:** The issue is one of transparency. The issue is that there was a commitment to meet with the Canadian Sablefish Association and to discuss and work with them on the assessment and the impact of these fish farms. That has not happened. They are not involved in the process. I made it clear to the committee about how there was a doctoring of an honest response from Ms. Kieser to a question I asked to make it more politically palatable.

There's a commitment to Senator Kohl-Wells that's not been fulfilled. All of this has to do with the integrity of the department. That's what's under attack here. It's not just me talking. The evidence, I think, is quite clear.

**Mr. Jean-Claude Bouchard:** The only thing I can say, Mr. Chairman, is that we obviously disagree with the point of view expressed by the member questioning the integrity of this department. We're trying to do the best job we can under difficult circumstances, but it's a balancing act. We are consulting all stakeholders, in our opinion, appropriately.

Could we consult more? We certainly could. But when a stakeholder is taking us to court every step of the way, it makes it a bit difficult to start having transparent discussions, particularly when the case has not been heard by the courts.

As to the integrity of the department, I obviously disagree with the member's position or positions of that nature.

Thank you.

**The Vice-Chair (Mr. Gerald Keddy):** Thank you.

Your time is up, Mr. Cummins.

**Mr. John Cummins:** It is. If somebody else wants to question... if not, we're here until one o'clock, Mr. Chairman.

**The Vice-Chair (Mr. Gerald Keddy):** We have until one o'clock, and there are no other members here, so I would certainly allow a couple of more questions, but with the understanding that we are here until one o'clock and should allow our invited guests the opportunity to get their side of the story out.

**Mr. John Cummins:** That's what I'm attempting to do, Mr. Chairman, by some questions that I think are both timely and appropriate.

I would like to know, Mr. Chairman, why the recommendation of the committee that comprehensive environmental impact analysis of sablefish aquaculture be undertaken before any commercial sablefish farming operations were authorized was ignored by the department.

**Mr. Jean-Claude Bouchard:** Allison.

**Mrs. Allison Webb:** Environmental assessment is being completed on the farms where they have sablefish on their aquaculture licence, and no conclusions have been reached on any of those farms to date.

**Mr. John Cummins:** Well, where does the precautionary principle come into the picture here? It's been referenced by the department and in other documents that I've referenced this morning. Where does that fit into the notion that you can allow this farming of sablefish to proceed without these appropriate investigations being conducted? Where is the place of the precautionary principle in this matter?

**Mr. Jean-Claude Bouchard:** I will start answering that question and then I'll ask my colleague, Dorothee Kieser, to complete it.

We are not right now seeing a commercial operation of a sablefish aquaculture farm. We have authorized the transfer of 18,000 juvenile fish to continue the research and development. That is quite different. Before the farms, the 40-some of them, are allowed to start into commercial operation of production of sablefish, there will of course be an appropriate environmental assessment. But right now, that's not what we're talking about.

Dorothee.

• (1255)

**Mrs. Dorothee Kieser:** As I mentioned earlier, in terms of the small transfer that took place over the summer, we did have this very comprehensive assessment specifically for fish health, but also for genetics. So from a precautionary standpoint, as Mr. Bouchard mentioned, of course nothing is 100% risk-free. But in allowing a small-scale activity to go ahead, the department was very diligent in assessing the risks for fish health problems to be transferred from the hatchery to those specific sites by using only indigenous stocks, and consequently being very careful by looking at the risks and mitigating them as best possible.

**Mr. John Cummins:** Would you be able to provide the committee with an overview of the assessments you just referenced that were taken prior to allowing this transfer of fish?

**Mrs. Dorothee Kieser:** Certainly. The consultant's report is available and I'm happy to send that along. Also the recommendations from the federal-provincial-industry fish health advisory committee are also there for the record, which we would be happy to send along.

**Mr. John Cummins:** Ms. Webb, you suggested a second ago that there was an environmental assessment ongoing. Is it not true that there is no environmental assessment being done on Totem fish, which is the location, I believe, of the sablefish farm now, and that there won't be until 2011?

**Mrs. Allison Webb:** It's correct that there isn't an assessment currently triggered. There has to be a law list trigger in order for us to undertake an assessment pursuant to the Canadian Environmental Assessment Act.

**Mr. John Cummins:** So in fact there is no... Nothing has been done to trigger an assessment at this point, under the Canadian Environmental Assessment Act, of sablefish aquaculture.

**Mrs. Allison Webb:** With respect to the Totem site, which is what you're asking me, I believe...

**Mr. John Cummins:** That was it, yes.

**Mrs. Allison Webb:** My understanding at this time, and I cannot speak on behalf of Transport Canada, is that it has not been triggered, but that does not mean that it will not be prior to 2011.

**The Vice-Chair (Mr. Gerald Keddy):** Mr. Cummins, you have one minute left.

**Mr. John Cummins:** In fact there is nothing being done elsewhere, then, I would take it.

**Mrs. Allison Webb:** Could you clarify what you mean by elsewhere?

**Mr. John Cummins:** On the other sites.

**Mrs. Allison Webb:** Yes. At the other sites, 41 of the sites out of the 47 that have sablefish on their aquaculture licences are currently undergoing a review pursuant to the Canadian Environmental Assessment Act.

**Mr. John Cummins:** Okay.

I'd like to ask one more request, Chairman, and I think the committee deserves this. There was a commitment made in the letter to the Washington Senator Kohl-Wells and an assurance is made there with regard to the assessments under the Navigable Waters Protection Act and under the Canadian Environmental Assessment Act. The statement is made that DFO will issue a section 35 authorization only if and when it finds the impacts to and compensation for fish to be acceptable. I wonder if you would be able to provide the committee with a detailed summary of the actions the department took to show compliance with the commitment that was made to Senator Kohl-Wells.

**Mrs. Allison Webb:** Those reviews pursuant to section 35 of the Fisheries Act are not completed for those sites at this time; they are ongoing, as well as the review pursuant to the Canadian Environmental Assessment Act.

**Mr. John Cummins:** So Senator Kohl-Wells was led to believe that this would happen before the fishery took place.

**The Vice-Chair (Mr. Gerald Keddy):** Time.

**Mrs. Allison Webb:** As I mentioned earlier, those reviews are still ongoing, and we are going to complete the reviews pursuant to the federal legislation we're responsible for, including the Fisheries Act and the Canadian Environmental Assessment Act.

**Mr. John Cummins:** Could you provide the committee then with the information that you have to date?

• (1300)

**Mrs. Allison Webb:** Regarding?

**Mr. John Cummins:** The commitment that was made to Washington State Senator Kohl-Wells. That 's what we're talking about.

**Mr. Jean-Claude Bouchard:** We certainly can provide the committee with our explanation as to why we believe we have lived by the letter of what the former Minister of Fisheries and Oceans has explained to them. We could do that, yes.

**The Vice-Chair (Mr. Gerald Keddy):** Thank you, Mr. Cummins, and thank you, Mr. Bouchard.

I have a couple of questions just before we close. First of all, there was some discussion about the health of the stocks, the wild stocks, and the sale of sablefish mostly in Southeast Asia. My understanding is there's a market there now for around 2,000 tonnes, and certainly there's the possible capability of the aquaculture industry to produce much more than that. Has the department looked at the viability of increased black cod or sablefish product on the market and where that product would be sold?

I know, Mr. Bouchard, you referenced marketing earlier on, but specifically there are two parts here. Would we see an immediate drop in price if all of a sudden there was a lot more product on the market? Would we not be inviting competition between the wild fish industry and the possible sablefish aquaculture industry simply to compete, to drop the price to \$2.00 or \$2.25 or something below the cost of production for the aquaculture industry?

**Mr. Jean-Claude Bouchard:** I will start and then ask my colleague, Max Stanfield, to interject.

I don't believe we have done a comprehensive marketing study of what would happen to the markets. There is an extremely important market in Japan right now. I'm told there is a small market in the United States. We are, in my opinion, a few years away from commercial massive production of sablefish.

What would be the impact? Possibly new markets could be developed. You just have to look at the new species that are available now, like tilapia and others. So there would probably be an adjustment. I don't believe we've done a comprehensive technical marketing study on that.

Max.

**Mr. Max Stanfield (Acting Director General of Resource Management, Fisheries Management, Department of Fisheries and Oceans):** The department doesn't get involved in marketing studies. There are other federal programs that were previously mentioned that could be drawn on for future studies.

There might be some decline in price if there is an increase in supply. The price is currently relatively high. It's over \$3 a pound landed value, so it receives a very good price relative to a lot of other marine species.

Yes, there would be some competition between the two sectors, but there's no indication at this time that this would drive the price below the cost of production. Clearly, as Mr. Bouchard mentioned, there would have to be some marketing work, but as he also mentioned, there are products out there—tilapia, catfish. I think there's reason to be optimistic that there'd be a real future for more sales of sablefish. It's an excellent product.

**The Vice-Chair (Mr. Gerald Keddy):** Thank you.

Mr. Bouchard, you also mentioned in one of your answers to Mr. Cummins, or perhaps it was Mr. Murphy, the difficulty of working with the Canadian Sablefish Association when you're in a courtroom situation and trying to continue with ongoing environmental assessment of these new pens. As I understand it, however, there are no court hearings at this time. The injunction was actually turned down July 13, 2004. At the present time, are you in legal proceedings with the Canadian Sablefish Association?

**Mr. Jean-Claude Bouchard:** Yes, the Canadian Sablefish Association was turned down in its request for an injunction, but has now asked for a judicial review of the decision we made. A hearing has not been set. That's why I say we are in the middle of some litigation.

That being said, it doesn't mean that because of that we will not consult the Canadian Sablefish Association. But if it means us sitting down with the Canadian Sablefish Association and revisiting that decision and discussing it, well, we're going to be doing that in court. When it comes to consulting the association, we will be doing that through the consultant we have hired. He will, or should be, talking to the Canadian Sablefish Association. We have asked him to do that.

• (1305)

**The Vice-Chair (Mr. Gerald Keddy):** I'm glad to hear that, because obviously it's extremely important to the future of an industry that's yet to be proven, but that could appear on the scene on the west coast, and with the future viability of the wild fish industry for sablefish, that the two groups find a way to meet on some common ground. The common ground is the future of both the

industries. It's not always easy to talk sometimes, but it has to be done, so I certainly would encourage you to continue along that line.

Finally, I believe Ms. Kieser stated that the information recorded so far goes into a database, and the database is made public on a quarterly basis. So that information you have up to this point is public at this time?

**Mrs. Dorothee Kieser:** It's primarily a provincial responsibility to do this, because it's linked to the aquaculture licence requirement, but as the next quarter comes up and the information is consolidated—there is some private ownership, too, so there needs to be some consolidation of information—it certainly should be available to the public at that point.

**The Vice-Chair (Mr. Gerald Keddy):** Thank you very much.

**Mr. John Cummins:** I have a couple of items, Mr. Chairman.

I wonder if we could have the information I requested of the department within a couple of weeks.

**The Vice-Chair (Mr. Gerald Keddy):** I would think so. It's been noted, and we would expect the information to be given us forthwith.

**Mr. John Cummins:** Also, Mr. Chairman, I will table with the committee when I get a copy—I only have one copy—a letter from a Japanese importer of sablefish who is one of the largest importers in Japan. He wrote Mr. Thibault about a year ago suggesting that they were not happy with this effort to begin the farming of sablefish. He is concerned about the problems, I guess, that have developed for them as an importer in Japan, problems similar to what happened with farmed salmon.

As one last comment, Chairman, this business ended up in court because there was no consultation. The department just didn't fulfil its commitment to consult, and I think that should be a caution.

**The Vice-Chair (Mr. Gerald Keddy):** Thank you, Mr. Cummins.

Thank you to the members from the department for appearing at committee today. We appreciate the time it takes. There are always lots of questions, lots of to and fro, so we look forward to seeing you here again.

Thank you.

The meeting is adjourned.





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