

February 16, 2011

The Right Honourable Stephen Harper
Prime Minister of Canada
Office of the Prime Minister
80 Wellington Street
Ottawa, ON K1A 0A2

Dear Prime Minister:

We, the undersigned groups and individuals, are writing with great concern about proposed regulatory changes being spearheaded by Fisheries and Oceans Canada (DFO) regarding the use of eco-toxic pesticides in the aquaculture industry. DFO has outlined these proposed changes in its *Fish Pathogen and Pest Treatment Regulations Discussion Document* released in August 2010.

If this planned legislation is to proceed as proposed your government would, in essence, be enabling and facilitating ongoing pesticide use in open net-pen aquaculture.

The use of eco-toxic pesticides by the open net-pen aquaculture industry is clearly in contravention of section 36 of the *Fisheries Act* which regulates the deposition of “deleterious substances” into the marine environment. It appears that rather than requiring this industry to develop management and/or operational practices that would minimize their impact on marine resources (such as closed containment), your department’s proposed response is to continue to allow practices that contravene legislation (i.e. sections 36 and 32 of the *Fisheries Act*) and cause harm to the environment. These proposed regulations would explicitly allow the use of pesticides approved by Health Canada’s Pest Management Regulatory Agency, and undermine the sections of the *Fisheries Act* best equipped to protect the marine environment.

We do understand and acknowledge that sea louse, a crustacean that is a natural parasite on salmon, is a great nuisance to the salmon aquaculture industry. However, these parasites actually proliferate on open net-pen aquaculture sites due, in part, to unnaturally high concentrations of salmon held in one location for extended periods. To deal with these predictable parasite outbreaks, the aquaculture industry has resorted to pesticide use, both in-feed (i.e. where the pesticide is incorporated in the feed) and bath (i.e. applied directly to the sea water with the salmon either in the hold of a “well-boat” or, more frequently, in a sea cage enclosed with tarps). After the pesticide has been applied as a bath, the pesticide-laden water is released into the ocean.

The pesticides that are being used are toxic not only to sea lice, but also to other crustacean marine life such as lobster, crab, shrimp, and other small crustaceans that are essential sources of food for many marine species including the endangered wild Atlantic salmon and the North Atlantic right whale, both protected under the Species At Risk Act (SARA).

The recent controversy concerning the use of Alphamax (active ingredient deltamethrin) in the Bay of Fundy highlights the problems with pesticide use in the aquaculture industry. As noted in a 2010 DFO technical report¹, deltamethrin is considered to be one of the most toxic pesticides in existence. In fact, when it comes to crustaceans, deltamethrin is classified as ‘super toxic’ and can kill lobsters at extremely low concentrations (on the order of parts per billion or parts per trillion). Despite this, Health Canada’s Pest Management Regulatory Agency approved Alphamax for use by the aquaculture industry in a limited context and under tightly controlled conditions last fall. In an October 2010 field investigation, Environment Canada placed healthy adult lobsters inside and outside a tarped salmon cage being treated with Alphamax. Lobsters both inside and outside of the cage were killed following their exposure to the deltamethrin-laden water.

An average salmon aquaculture net-pen contains approximately 3,300 cubic meters of water; roughly equivalent to one hundred tanker trucks of liquid. This means that following a pesticide treatment, one large

net-pen can release as much as one hundred tanker truck's worth of toxic water into the marine environment. Given that most finfish farms consist of more than one net-pen, when there is a sea lice outbreak, several treatments are generally conducted in a given area at the same time, such that an affected bay can be exposed to these dangerous pesticides multiple times over a short period.

If DFO's proposed regulatory changes are implemented and the use of these pesticides becomes standard procedure, it will be even more clear that DFO, and by extension the Government of Canada, is favouring the aquaculture industry over coastal communities, traditional fisheries and businesses that depend on healthy and abundant marine life. Given evidence that the use of these pesticides poses a direct threat to the lobster fishery, which produces Canada's most valuable seafood product,² DFO's efforts to promulgate these regulations illustrate the inherent conflict of mandates within the department – a conflict that is becoming increasingly problematic. While DFO is constitutionally mandated to protect and conserve Canada's wild aquatic resources, the same department is also politically mandated to promote, advance and advocate for the aquaculture industry even when the latter threatens the former.

Given the importance of traditional fisheries to the local economy and the sensitivity of our marine environments we request that you ensure these resources are protected by:

- ensuring that DFO's plans to introduce the proposed regulations on fish pathogen and pest treatments are withdrawn; and
- applying the precautionary principle when it comes to managing and controlling parasites and diseases associated with the open net-pen aquaculture industry.

Thank you for your immediate attention to this serious issue. The undersigned groups and associations, representing thousands of concerned Canadians, look forward to your reply and would welcome a discussion about alternatives to open net-pen aquaculture.

Sincerely,

Matthew Abbott for Fundy Baykeeper, CCNB

Rob Johnson for Ecology Action Centre

Bonnie Morse for the Grand Manan Fishermen's Association

Reid Brown for the Fundy Weir Fishermen's Association

Sheena Young for the Fundy North Fishermen's Association

Catherine Stewart for the Living Oceans Society

Jay Ritchlin for the David Suzuki Foundation

Stan Proboszcz for Watershed Watch Salmon Society

Michelle Young for Georgia Strait Alliance

David Lane for T. Buck Suzuki Environmental Foundation

Lauren Brown Hornor for Fraser Riverkeeper

Karen Crocker for St. Mary's Bay Coastal Alliance

Bill Taylor for the Atlantic Salmon Federation

Carl Purcell for the NS Salmon Association

Mark Lanigan for the PEI Council of the Atlantic Salmon Federation

Mark Hambrook for the NB Salmon Council

Marian and Herschel Specter for Friends of Shelburne Harbour

Martin Paul for Maliseet Nation Conservation Council

Joyce Morrell for Friar's Bay Development Association

Carol Mahtab for the Partnership for the Sustainable Development of Digby Neck & The Islands

CC: Honourable Gail Shea, Honourable Peter Kent, Honourable Leona Aglukkaq, Honourable John Duncan, Honourable Stockwell Day, Honourable Greg Thompson, Rodney Weston, Rodger Cuzner, Joyce Murray, Fin Donnelly, Raynald Blais, Trevor Swerdfager, Peter Delorme

¹ Wayne Fairchild, Ken Doe, Paula Jackman, Jacqueline Arsenault, Jamie Aubé, Mélanie Losier and Art Cook. 2010. Acute and chronic toxicity of two formulations of the pyrethroid pesticide deltamethrin to an amphipod, sand shrimp and lobster larvae. Can. Tech. Rep. Fish. Aquat. Sci. 2876: vi + 34 p. <http://www.dfo-mpo.gc.ca/Library/339939.pdf>

² Sources for landings and values: Lobster landings have reached historical highs with a total of 56,554 mt landed in 2009 being worth an estimated \$495 million

-2009 Atlantic coast commercial landings, by region (metric tonnes, live weight). <http://www.dfo-mpo.gc.ca/stats/commercial/land-debarq/sea-maritimes/s2009aq-eng.htm>

-2009 Value of Atlantic coast commercial landings, by region (thousand dollars). <http://www.dfo-mpo.gc.ca/stats/commercial/land-debarq/sea-maritimes/s2009av-eng.htm>

In 2009 Canada exported 44,678,505 kg of lobster world-wide with a value of CA\$805,264,991.

-Fisheries and Oceans Canada domestic exports of selected commodities by species group and species, quantity in kgs, product weight/value in Canadian dollars, December 2009. <http://www.dfo-mpo.gc.ca/stats/trade-commerce/can/export/xsps09-eng.htm>