

Salt Spring Island Residents for Responsible Land Use
700 Walker Hook Rd.
Salt Spring Island, BC V8K 1N5

November 20, 2006

Regional Manager, Environmental Protection
2080A Labieux Road
Nanaimo, B.C. V9T 6J9

Re: Sablefin Hatcheries, Ltd.'s Application for a Permit Amendment under the Provisions of the Environmental Management Act

Dear Regional Manager,

We appreciate the opportunity to respond to Sablefin Hatcheries Ltd.'s application for a major Permit Amendment under the provisions of the Environmental Management Act. While we regard the proposed action of re-routing the hatchery effluent out of the archaeological site, sacred burial site, and sensitive ecosystem of Syuhe'mun (Walker Hook) as a potentially positive step, we do have questions and concerns.

1. Environmental Impact Assessment

We are concerned the effluent discharged into Trincomali Channel will impact the marine ecosystem; particularly the eel grass beds, marine species (e.g., the rare scallop population present in these waters), the waters of Trincomali Channel, the waterbird species currently at risk (great blue heron, double crested cormorant, and surf scoter), and the sensitive foreshore environment. We understand that DFO usually requires an independent environmental impact assessment when marine waters are involved. Will that be conducted? We understand that CRD requires that no net loss of habitat occur with this change. We are concerned that if no independent environmental impact assessment of the marine and foreshore environment is conducted, it will be impossible to assess whether net loss of habitat has occurred. How can changes or losses be assessed if there are no independent base line studies with which to compare? On this basis, we request that an independent environmental impact assessment of the marine and foreshore environment be completed to allow assessment of the risks and future impacts that may be associated with proposed changes planned by Sablefin Hatcheries, Ltd.

2. Increased production

We note the following statement in Sablefin's Application for a Permit Amendment: "Quality and characteristics of the effluent and treatment works will remain the same as our current permit allows with the exception that all effluent will be disinfected prior to discharge." While reference is made here to quality and characteristics, there

is no reference to *quantity*. We have concerns about the quantity of effluent that will be discharged in the new operation. Sablefin's original Site Alteration Permit allowed them to excavate four wells, 10 wells were dug. Four are now used as production wells and four are used as injection wells. Since the Archaeology Branch of the Ministry of Tourism, Sports, and the Arts denied Sablefin Hatcheries, Ltd. an amendment to their Site Alteration permit in January of 2005, no more well drilling and trenching can be done on the tombolo. Will the four wells currently functioning as injection wells be decommissioned or will they be converted to production wells? If they are converted to production wells, how much more effluent will be released in the marine environment than is currently being discharged into the tombolo? Will antibiotics and disinfectants be discharged directly into the marine environment? How will impacts be mitigated?

3. First Nations Consultation

In the November 16 edition of Salt Spring's local paper, The Driftwood, Sablefin Hatcheries, Ltd. spokesperson Nancy Dixon is quoted as follows:

Our reasons for proceeding with the outfall revolve around our desire to continue good relations with First Nations and the Penelakut Elders and Tribe. It is our hope that our efforts to amend our existing permit will allow relations to grow and heal with the Penelakut and the community on Salt Spring.

Despite Sablefin's past statements about active consultation, Respected Penelakut Elders have written affidavits and testified that throughout the history of this development, they have not been properly consulted. In the case of the new Permit Amendment application, a Hul'qumi'num Treaty Group representative confirmed by phone conversation with Salt Spring Island residents on November 16 that neither the Board of Directors of the HTG nor the Penelakut were consulted. In fact, the Hul'qumi'num Treaty Group (HTG) only received the Permit Amendment application notice a few days prior to our phone conversation with them on November 16. We request that Sablefin Hatcheries, Ltd. sincerely and actively consult with the HTG, particularly the Penelakut, prior to being granted the Permit Amendment or implementing any new plan.

4. Community Consultation

We are requesting that a Public Information Meeting be held in which members of the community be allowed to ask and receive answers to these and other questions. In particular, we would like to see a map showing the route of the proposed outfall pipe. We would like to see the results of research that Sablefin Hatcheries, Ltd or consultants have completed that can show the general layperson how the effluent will be dispersed relative to the complex currents and tidal flows that are present at Walker Hook. Some neighboring property owners have expressed concern about their water supply due to changes observed since the hatchery began operating. Will increased production (if planned) cause a greater strain on the local water resources? Does Sablefin have any plans to mitigate these possible effects? Walker Hook beach is a public beach. With the outfall pipe going above ground, and the concerns of

increased effluent discharge, how will the beach be impacted? In short, we would like Sablefin Hatcheries, Ltd. to publicly provide information that will help the Salt Spring community form educated and informed opinions about the proposed Permit Amendment and ensuing changes. We are requesting that a Public Information Meeting be held before a decision is made on this permit amendment.

Thank you for your consideration of our comments.

Sincerely,

Salt Spring Island Residents for Responsible Land Use:
Sharon Bywater

Kim Kornbacher

Donna Martin

cc. Geoff Regan, Minister of Fisheries and Oceans
Robert Morales, Chief Negotiator, Hul'qumi'num Treaty Group
Gary Holman, Capital Regional District, Salt Spring Island
Peter Lamb and George Ehring; Islands Trust, Salt Spring Island
Sablefin Hatcheries, Ltd.