



Kwicksutaineuk/Ah-Kwa-Mish First Nations
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Media Release

Devastation of Broughton Wild Salmon leaves British Columbia First Nations no alternative – Class-Action Motion filed

(Vancouver, May 6, 2009) The next step has been taken in the Kwicksutaineuk/Ah-Kwa-Mish First Nation's (KAFN) Class-Action law suit against the British Columbia Government for the devastation caused by open net-cage salmon farming in their Territories. The KAFN launched the law suit on February 4th, 2009 and today served a Motion for Certification.

Bob Chamberlin is Chief of the KAFN and the Representative Plaintiff in the court case. Chief Chamberlin explained, "Legal action is necessary given that intervention is urgently needed to save the wild salmon of our Territory, the Broughton Archipelago. Despite years of intensive efforts to engage the B.C. government to achieve improvements to salmon farming regulation and thereby reduce the impacts to wild salmon, the response has been to delay, deny and distract."

The wild salmon are fundamental to the cultural and spiritual integrity of the KAFN and to the ecological integrity of their Territory. When juvenile pink and chum salmon migrate out to the open ocean, they must run a gauntlet of open net-cage salmon farms which are breeding grounds for parasitic sea lice and disease. There is an ever-increasing body of peer-reviewed, published science confirming the severe impacts of these open net-cage farms and some stocks in the Broughton are facing extinction. Chamberlin referenced the study by M. Krkosek et al. from 2007, "Predictions have been made that, with sea lice eliminating up to 80 per cent of the annual wild salmon returns to the area, local extinction is possible by 2011. The impacts of open net-cage salmon farming continue to severely threaten the wild salmon that are essential to the survival of our distinct aboriginal culture."

In light of the rapid decline of wild salmon populations in the Broughton Archipelago, there is an increased urgency to seek solutions and the KAFN are pressing for the earliest possible certification hearing.

Chief Chamberlin relayed his disappointment in the continued failure on the part of the government to respond to KAFN concerns despite the New Relationship Initiative calling for recognition and respect of aboriginal rights. "Contrary even to the recommendations of the BC government's own advisory body, the Pacific Salmon Forum (PSF), the government has not consulted with us. A recent ruling of the British Columbia Supreme Court determined that the provincial regulation of fish farming is unconstitutional and must be reorganized. This presents an opportunity for dialogue but, while others appear to have been consulted, we have not been approached for our views. Our firsthand knowledge of the impacts of salmon farms in our Territories has not been recognized. Nor have our constitutional rights to fish for food, social and ceremonial purposes."

He expressed his deep appreciation and respect for the support and efforts of the many others fighting for the survival of wild salmon but he is left questioning, "Why doesn't government realize what's at stake?"

Legal counsel for the KAFN are JJ Camp of the Vancouver-based Camp, Fiorante and Matthews and Krista Woodward of the Victoria office of Woodward and Company. The Motion for Certification is a step required under the BC *Class Proceedings Act* to seek the approval of the court for the case to proceed as a class action.

**To schedule media interviews, contact: Don Huff, Penasi Communication/Environmental Communication Options, at 416-972-7404 (Cell) 416-805-7720 or email huffd@huffstrategy.com.
The Certification Motion is available at: www.cfmlawyers.com**