

B.C. judge to head salmon inquiry



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River sockeye salmon'

Mark Hume and Bill Curry

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British Columbia Supreme Court Justice Bruce Cohen has been appointed to head a sweeping judicial inquiry into the collapse of the most important salmon run on the West Coast.

Justice Cohen will investigate "the causes for the decline of Fraser River sockeye salmon including, but not limited to, the impact of environmental conditions, aquaculture, predators, diseases, water temperature and other factors that may have affected the ability of sockeye salmon to reach traditional spawning grounds or reach the ocean."

Details of the inquiry were being released this morning in Vancouver by Stockwell Day, Minister of International Trade.

Prime Minister Stephen Harper's decision to hold the inquiry is being called a last, best hope to avert a fisheries disaster on the West Coast.

"This is our chance to save B.C. salmon from going the way of Atlantic cod," Phil Eidsvik, a spokesman for the B.C. Fisheries Survival Coalition, said Thursday after Mr. Harper's surprise announcement in Ottawa.

"It's a slim chance, but it's great news because we know there are ways to protect and save the run," he said. "We know the department has been unable, for whatever reason, to do it – and only an inquiry will get to those reasons."

The announcement, which will be fleshed out Friday by Stockwell Day, the regional minister for B.C., could have immediate political impact because the salmon crisis is a key issue in Monday's federal by-election in New Westminster-Coquitlam.

NDP Leader Jack Layton is arriving Friday to campaign over the weekend with his candidate, Fin Donnelly, a strong environmental advocate who once swam the length of the Fraser River to underscore the plight of salmon and who has been calling for an inquiry.

Demands for an inquiry escalated this fall after the Fraser River sockeye run collapsed – with only about one million fish returning to spawn when between 10 million and 13 million had been expected.

Mr. Harper made the announcement in the House of Commons.

“We are very concerned about the low and falling returns of sockeye salmon in British Columbia,” he said, adding that Mr. Day would provide details today.

“[He] will be making an announcement outlining the terms of reference for a judicial inquiry, as well as the judge who will lead that inquiry,” Mr. Harper said.

The public inquiry will be mandated to report back to the government on or before May 1, 2011. It will have complete authority to hold hearings, summon witnesses and gather evidence as needed.

“An inquiry has access to all DFO documents and they can bring people in and they testify under oath, with the chance of going to jail if they lie,” Mr. Eidsvik said. “And a judicial inquiry is the only format for that to happen. It gives us the best chance to get at the truth as to what's happened to our salmon runs.”

Alexandra Morton, an independent scientist, said the inquiry needs to examine in detail the reasons why some 130 million salmon smolts, which migrated out of the Fraser, never returned from the ocean.

“The establishment of a judicial inquiry into the management of the Fraser River sockeye fishery gives new hope for the future of a great salmon river,” said Conservative MP John Cummins, who has long sought just such an investigation into DFO.

“We face a disaster of epic proportions on the Fraser. In six out of the last 11 years the fishery has been closed. Tens of thousands of B.C. families have suffered as a result,” he said.

The Conservatives had promised an inquiry into B.C.'s salmon fishery before – during the 2006 campaign – but Vancouver Island North Tory MP John Duncan said the initial resistance to the idea that surfaced then has since passed.

“We now have the circumstances where it's not about finger pointing any more. It's about getting to the bottom of what's actually going on,” he said, explaining that at the time of the original commitment there was some resistance from the fishing industry and first nations.

But he said that has changed .

Clarence Pennier, Grand Chief of the Stó:lô Tribal Council, welcomed the announcement, saying native communities along the Fraser are in “despair” over the failure of the sockeye run.

“We are in the dark as to why the sockeye runs didn't make it back to the river. We are still looking for the answers and this is why we support a judicial inquiry,” Chief Pennier said.

Rafe Mair, a public commentator and environmental advocate, said with pressure building for an inquiry, Mr. Harper had no choice but to act.

“I don't think they are really taking any political risks here,” he said. “I don't think people would blame Harper for the crash.... they would, however, pin it on him if he didn't have an inquiry. He had to do it.”

Alex Rose, author of *Who Killed the Grand Banks: The Untold Story Behind the Decimation of One of the World's Greatest Natural Resources* , said an inquiry could help reshape DFO and alter the fate of B.C. salmon.

“I applaud Mr. Harper on this decision,” he said. “It's long overdue and I hope we get the chance to look at the failed mechanisms in DFO, a department I consider intellectually bankrupt.”