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## DFO PUTS ABALONE PROJECT AT RISK

Ha-Shilth-Sa, December 1, 2005



*(l-r) Huu-ay-aht Chief Councilor Robert Dennis and NTC President Francis Frank speak with Bamfield Huu-ay-aht Community Abalone Project technician Matilda Charleson.*

A five-year project to rehabilitate local stocks is in jeopardy because of legal action under the Species at Risk Act (SARA) by Oceans Canada (DFO).

The Bamfield Huu-ay-aht Community Abalone Project started in 1999 with the goal of restoring local stocks of Pinto Abalone, wiped out by over-harvesting and poaching.

“We have millions of abalone here at risk from development, and this latest hurdle is putting us dead in our tracks,” said John Rick of the Bamfield Huu-ay-aht Community Abalone Project (BHCAP). “They’re not thinking that somebody dropped the ball and no one seems willing to fix it.”

With 50 wild abalone, \$900,000 from the federal government, \$600,000 from the provincial government,

and additional funds from the Huu-ay-aht First Nation, an abalone aquaculture facility was behind the Bamfield Marine Sciences Centre and work was underway to restore stocks along the coast.

Abalone aquaculturist Guy White was hired to put the initial plan in motion, which would see hatchery-raised larvae and tens of thousands of juvenile abalone replanted in strategic locations along the coast of Bamfield.

From the very beginning, it was written into all agreements that some of the abalone raised would be sold in order to offset some staffing and construction costs. With only months to go before they would be ready for market, DFO pulled the rug out from underneath the project.

“Sales were a part of this proposal from the very beginning,” said an angered former Bamfield District Representative and current Abalone Project board member Jim Levis. “We need to help fund the out-planting of these abalone, but obviously people in Ottawa don’t give a second thought about Bamfield or the great things we’re doing here,” he said.

The government fundeth, and the government taketh away.

The federal government has contributed the largest share of funding to the \$1.5 million project, and ultimately it will be the federal government behind its undoing unless they reverse their decision, Levis said.

“It looks to me like some government lawyer looked at the Species at Risk Act and drew a line through ‘Abalone’ and ‘illegal to kill,’” said Levis. “These are hatchery raised abalone, and there should be a way for us to get around this legal interpretation, but no one at DFO seems willing to help us,” he said. “It stands right now, if someone drops one of these small hatchery raised abalone on the floor, they could be up for a \$250,000 fine, and that’s absolutely ridiculous!”

“We have millions of abalone here at various stages of development, and this latest hurdle is putting us dead in our tracks,” said John Richard, President of the Bamfield HUU-AY-AHT COMMUNITY PROJECT (BHCAP). “They’re not thinking things through. Somebody dropped the ball and no one is willing to fix it,” he said.

BHCAP representatives are hoping to gain the attention of Federal Fisheries Minister Gerry St. Laurent’s work towards getting a permit that will exempt them from the restrictive SARA legislation.

Walking through the new juvenile abalone grow-out facility, various board members quipped

easier to move plutonium around the province than Abalone, and if the government can get people to sell marijuana, abalone sales permits should be easy.

### Self-sustaining through sales

With their first batch of abalone almost ready for market, BHCAP was hoping to raise money by selling 100,000 of them, and offering limited shares in the organization. At \$15 per abalone combined with \$400,000 generated through share offerings, BHCAP hoped to raise \$1.5 million for the continuation of the project.

Currently, farm-raised abalone comes from California, Mexico, Chile, New Zealand, Australia,

“There is a lot of demand for abalone meat in both foreign and domestic restaurants,” said Chief Councilor Robert Dennis. “We would have no problem selling these abalone, and we’re studying market opportunities for the past few months,” he said.

According to the Collaborative Agreement between BHCAP and DFO: “The organization shall not transfer to third parties the portion of the hatchery-raised abalone not being used for research, out-planting, and shall promptly report any sale, transfer or disposal of abalone to the DFF Authority, or the appropriate authority within DFO as directed by the Project Authority. The organization agrees to tag or mark hatchery-raised abalone prior to any sale or transfer in a manner acceptable to the DFO Project Authority to discriminate hatchery-raised abalone from wild abalone for the purpose of management, control, and conservation of wild stocks.”

“Legal sales would have a huge impact on poachers,” said Dawn Renfrew, Project Supervisor and biologist. “Once there is a legal source of supply, the market price will go down to the point where it’s worth the risk to poachers, and commercial poaching will be gone,” she said.

“We need at least \$250,000 a year to run this project, and if we can’t sell, we can’t attract investors,” said Richards. “This has totally taken the wind out of our sails,” he said.

### Project pains poachers

Abalone has long been a traditional food and decorative source of the First Nations people on the coast. The meat was highly prized, and the lustrous shells were used in jewelry and adornments. Abalone’s population remained stable until the advent of SCUBA in the 1970’s, which allowed abalone to be harvested commercially at very high rates.

The abalone fishery for export began in British Columbia in 1975 and peaked in 1977-78, was set (in 1979); the fishery was closed in 1990 to conserve the declining abalone stock. Fisheries and Oceans Canada at indicator sites, during 1979-97, indicated a continued decline in densities on the central coast of B.C. Total abalone density declined 43.75% between the surveys. They soon became over-harvested and their populations were no longer able to replenish themselves. The decline in abalone stocks prompted the government to place a ban on the export of abalone in 1990, making it illegal to do so. Since then, poaching has become a problem. Market demand for abalone has kept the population from coming back, with illegal harvests exceeding legal quotas of 1989.

“Legal sales would have a huge impact on poachers,” said Dawn Renfrew, Project Super biologist. “Once there is a legal source of supply, the market price will go down to the point where the risk to poachers, and commercial poaching will be gone,” she said.

Renfrew said by feeding their abalone kelp infused with dye, the colour of the meat will be different from wild abalone, making them easily identifiable in the market.

#### Enhancement

BHCAP has out-planted more than 4 million abalone into three local sites over the past three years and will be releasing 2 million larvae and 30,000 juvenile Abalone each year.

“We just put a million larvae into Grappler Inlet last week, which was a traditional abalone harvesting site for thousands of years,” said BHCAP board member Larry Johnson. “By bringing back prized traditional foods, we see this type of aquaculture as our future,” he said.

Larvae released three years ago are now starting to become visible during dive surveys, starting this week as biologists capitalize on clear winter water conditions.

“This is a project that takes years, and DFO’s only recovery strategy has been to lean on poaching,” said Richards.

#### Employment

BHCAP currently employs four people, including one Huu-ay-aht member, with plans to hire ten once sales revenues start coming in.

“Ten jobs might sound like nothing, but ten jobs means a lot in this community, especially

that are skill-building jobs,” said Levis.

## Education

Since the project’s beginning, children from the Bamfield Community School have been learning about abalone life-cycles and their place in the eco-system. “There are more kids who know about abalone than there ever was before,” said Levis.

“This entire process has been an amazing example of the positive things that can happen together as a community,” said Johnson. “Natives and non-Natives have been getting along well together as we all try to get this project running as it should be,” he said.

## Species at Risk Act (SARA)

Under the Species at Risk Act (2002), abalone are listed as a “threatened species”, which are likely to become an endangered species if nothing is done to reverse its population decline.

According to SARA, no person shall kill, harm, harass, capture or take an individual of a threatened species, and no person shall possess, collect, buy, sell or trade an individual of a threatened species. The habitats of endangered or threatened species are also protected.

“We’ve definitely been pleased with the work that Bamfield has been doing towards the strategy, and we are looking at ways of resolving this because we want to see the Bamfield continue,” said Laurie Convey, DFO management biologist and departmental project author.

Having worked closely with BHCAP since 1999, Convey said though the project is “very experimental”, it is considered a “lead study location”. But Convey doubts a special permit from BHCAP from SARA will be forthcoming. “Buying and selling can be done for scientific purposes, but eating abalone by someone in a restaurant doesn’t clearly fall under any of those activities: that’s the issue Bamfield has come up against,” she said. “It’s not an interpretation of the law that is the issue, it’s the fact that there is no reason for DFO to issue a permit in this case because it’s not scientific research.”

## Special Permits

Under SARA, the Minister of Fisheries can enter an agreement authorizing activity affecting a species as long as the activity relates to the conservation, benefit, or enhancement of the species and will not impact the survival or recovery of the species.

DFO can issue a permit for BHCAP to collect wild abalone for broodstock purposes, but it can't sell any of their millions of abalone progeny to subsidize enhancement efforts.

"I have no idea why they can't give us a permit to allow sales," said Richards. "We've got to go within DFO and we're not hearing anything back," he said.

"This has been a concern for the department and we've been actively working on a solution," said Thomson, DFO's Acting Director of Aquaculture Management. "We're hoping in the near future to offer short term, and long term solutions, whether it's exempting aquaculture product from the provisions, which would be a long term option, or finding whether or not there's a policy change made in the meantime that allow the hatchery to continue to sell the product," he said.

"We've definitely been pleased with the work that Bamfield has been doing towards the abalone strategy, and we are looking at ways of resolving this because we want to see the Bamfield hatchery continue," said Laurie Convey, DFO management biologist and departmental project author.

According to Thomson, there are a number of options being proposed within the department, but he was not able to discuss the details. "A range of options have been looked at, and it's been worked out at the highest level," he said. "The Deputy Minister is aware of it and it's being worked on inter-governmentally between Environment Canada and Fisheries and Oceans Canada at the highest levels."

"What we want is \$500,000 a year, whether it comes from DFO or they allow us to generate revenue from other sources," said Levis. "We also want some enthusiasm from DFO about this project. There's a lot of support to what we're doing here. It benefits the Barkley Sound abalone stocks, and our community needs to recognize that and do what's right," he said.

By David Wiwchar

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