

Attachment 2 – Response to DFO Termination of SVIAC SCEI /Orca Food Security Program (SCEI/OFSP)

1. Lack of Transparency and Consultation

On November 17, 2024, SVIAC were informally advised, through a former SVIAC Director, that there was a shortfall in Chinook egg collection taken at the Nitinat Hatchery in the fall 2024, with the result that no smolts would be available for the Spring 2025 SCEI / Orca Food Recovery Program out planting.

There was no opportunity offered by the Department to discuss options or alternatives to reallocate a lower number of smolts in order to continue the SCEI / OFSP in 2025, nor any indication at the time that the SCEI / OFSP would be terminated permanently.

Subsequent informal communication confirmed that in September 2024, the Department's staff had already advised Jack Brooks Hatchery Directors of the decision to terminate SVIAC's SCEI / OFSP.

However, it was only on February 10, 2025, (See Attachment 1), from the notification for 2025 Spring Victoria SFAC Meeting scheduled for February 26, 2025, that SVIAC, T'Sou-ke First Nation and the Sooke Community received the first formal confirmation of the Departments intent to terminate the SCEI / OFSP permanently.

2. Lack of Formal Engagement / Consultation / Notification

As of the writing of this letter, the Department has still not formally engaged, consulted, advised or notified SVIAC, the stewards and custodian of the SCEI / Orca Food Security Program, of the Department's decision to terminate our highly successful community supported project.

- SVIAC find the Department's lack of consultation and engagement, disingenuous, completely inappropriate and deeply disrespectful.
- Why was SVIAC not formally engaged or consulted in 2024, when the Department's revised strategy was under development and the decision to terminate our project was being considered?
- Why has SVIAC still not been formally engaged or consulted by the Department to discuss the recommendation to terminate our highly successful community project?

3. Egg Take and Allocation Issues

The Department stated that their Chinook egg take for the Nitinat Hatchery, last fall 2024, was below their target defined in the 2024 Production Plan, and they would not be able to provide the 500,000 Chinook smolts for SVIAC's 2025 SCEI / Orca Food Security Program out planting. Further, the Department stated that they were re-prioritizing their distribution of Chinook smolts to other projects.

- SVIAC notes that the Fall 2024 Chinook returns to the Nitinat River were above average in fall 2024, yet the Department cited a failure to meet egg take targets.
- SVIAC notes that the Department's decision to terminate the SCEI / Orca Food Security Program was communicated to the Jack Brooks Hatchery in September 2024, prior to completion of the 2024 Nitinat Hatchery Chinook egg take.
- SVIAC notes that the Nitinat Hatchery has the additional capacity to produce additional Chinook smolts to meet increased Chinook recovery project requirements.
- SVIAC notes that the 2024 IFMP and SEP Production Plan allocated 500,000 Chinook eggs / smolts to the Spring 2025 SCEI / Orca Food Security Program, but the Department has not provided SVIAC with any options for redistribution of the 2025 smolts from the Nitinat Hatchery.

4. Return Rates and Enumeration Accuracy

The Department has stated that “Survival rates of Sooke seapen releases have been significantly lower than comparable programs, including natal Nitinat Chinook releases, making the program an inefficient use of resources”

- SVIAC notes that the primary objective of the SCEI / Orca Food Security Program is to supplement the diet of the endangered Southern Resident Killer Whales with the additional Chinook salmon returning to the Sooke area.
- SVIAC notes that the Department's 3rd party contracted survey counts were conducted at the wrong timing and in the wrong locations on the Sooke River for several consecutive years, SVIAC has serious concerns with integrity and accuracy of the counts conducted by the Department.
- SVIAC notes that there is no proper counting fence or fish trap installed on the Sooke River to facilitate accurate returning Chinook counts and to prevent unnecessary predation by pinnipeds.
- SVIAC notes that the Chinook broodstock collected by Jack Brooks Hatchery in fall 2024 was not included in the 2024 returning Chinook counts.
- Environmental factors, such as 2022, 2023 and 2024 Level 4/5 drought conditions experienced during August through October, Southern Resident Killer Whale predation and increased Pinniped predation have skewed Chinook return data.
- Otolith data from Chinook broodstock collected by the Jack Brooks Hatchery from 2019 through 2022 show that 34% - 55% of the Chinook broodstock collected, were returns from SVIAC's SCEI / Orca Food Security Program.
- SVIAC has made numerous requests of the Department for the Otolith data from Jack Brooks Hatchery broodstock collected in 2023 and 2024. The Otolith data has not yet been made available to SVIAC by the Department, as requested by us via numerous email and phone calls to the Department. This leads us to further question the transparency of the Department

5. Predation and Ecological Concerns

The Department cited increased predation on returning “natural origin” and Jack Brooks Hatchery Chinook salmon, as a result of pinnipeds following returning SCEI/Orca Food Security Program returning Chinook salmon into the Sooke Basin and Sooke River.

- SVIAC notes that there are no "natural origin" Chinook that exist in the Sooke River. Since 1982, following the collapse of the Chinook salmon returns to the Sooke River, all Chinook salmon returning to the Sooke River are Nitinat hatchery-derived fish.
- SVIAC also notes that commencing in early September, there is an escapement net (blocking net) and fish trap placed across the Sooke River above the upper estuary. This blocking net prevents any salmon from proceeding any further upstream, and is used by the Jack Brooks Hatchery staff and volunteers to collect Chinook broodstock for their hatchery.
- When the blocking net and fish trap is not manned by hatchery staff, the blocking net essentially acts as a gate, preventing returning Chinook salmon from proceeding upstream and making them easy targets for the numerous pinnipeds following them up from the estuary.
- The Sooke River water levels are controlled and managed by the Capital Regional District (CRD). During Stage 4 / 5 droughts in the CRD, scarce water resources are prioritized to meet the CRD residential requirements, further exacerbating the already low Sooke River levels.

- The low water levels caused by the drought conditions results in the returning Chinook to stage and pool in the Sooke Basin at the mouth of the Sooke River, awaiting the rains that will increase the water level in the river. During this period, the increased numbers of Chinook at the mouth of the Sooke River draw large numbers of pinnipeds, who decimate the trapped Chinook in feeding frenzies.
- SVIAC notes that there is also a Recreational fishing opening above the upper estuary on the Sooke River that is having a negative impact on the returning Chinook salmon. Low water levels coupled with abundant returning Chinook, lead to a significant number of returning Chinook salmon to be “snagged” and damaged as they attempt to swim up river.

6. Genetic Concerns and Straying

On February 10, the Department stated that “CWT and thermal mark data indicate that approximately 25% of these fish strayed into non-natal systems such as Sarita, San Juan, and likely other nearby rivers annually, posing genetic risks and conflicting with genetic conservation objectives”

- SVIAC requests access to the data used by the Department to determine that approximately 25% of our SCEI / Orca Food Security Program Chinook have strayed into non-natal rivers, when only 10% of the smolts provided to our project are clipped and tagged.
- SVIAC notes that the Departments statement “these fish strayed such as Sarita, San Juan, and likely other nearby rivers annually”. Does this general statement apply to other Nitinat Hatchery released fish and therefore “pose genetic risks and conflicting with genetic conservation objectives”?
- SVIAC questions accuracy of the Department's straying numbers of Sooke River SCEI / Orca Food Security Program, as the existing data is limited and requires further study.
- SVIAC would like to understand what studies have been completed on the straying numbers and impact of “wild” Chinook vs hatchery Chinook straying into non-natal river systems.
- SVIAC submits that “straying” of Chinook salmon is a natural phenomenon that has been happening for thousands of years promoting genetic diversity of the Chinook species.

7. Additional Department Rationale

The Department has expressed concerns that “Furthermore, the program’s high resource demands and ongoing funding challenges have made it increasingly difficult to justify its continuation. As a result, DFO’s Salmonid Enhancement Program (SEP) has proposed to discontinue the Sooke seapen program and increase natal production at Nitinat River. “

- SVIAC would like further clarification of the Department's high resource demands of SVIAC's SCEI/Orca Food Security Program, compared to the other Chinook conservation project resource demands.
- SVIAC reiterates our previous statement that the Nitinat Hatchery has additional capacity to support SVIAC's SCEI/ Orca Food Security Program requirements, in addition to new project requirements.
- SVIAC is deeply disappointed with the Department reference “ongoing funding challenges have made it increasingly difficult to justify its continuation”. While SVIAC acknowledges that we encountered significant difficulties fundraising for the SCEI/ Orca Food Security Program in 2022, and were only able to meet a portion of our financial obligation to the Department, SVIAC was advised by the DFO Nitinat Hatchery Management that no further funding was required by the Department in 2022 for the SCEI / Orca Food Security Program.
- In January 2023, the Department's staff at the Nitinat Hatchery advised SVIAC that DFO had included the future costs of the SCEI / OFSP, including the costs of their staff and hatchery costs as part of their annual budget planning process.



March 14, 2025

8. Impacts of Termination

SVIAC believes that the Department has acted in bad faith in making the decision to terminate the Sooke Chinook Enhancement Initiative / Orca Food Security Program without the engagement and consultation of the key stakeholders. The impact of the Department's decision will result in a reduction of Chinook Salmon in the Sooke region that will:

- Reduce T'Sou-ke First Nation access to Chinook salmon for Food, Social, and Ceremonial use.
- Reduce the Chinook salmon resources in the Sooke area to support the already endangered Southern Resident Killer Whales.
- Reduce the Chinook salmon available to the already significantly restricted recreational fishermen in the Sooke region.
- Increase the socio-economic impact on the Sooke community and its recreational fishing sector.



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