

Cooking Up A Storm

**Contemporary Legal Issues
in Food Production and Distribution**



presented by:

The Environmental Law Club, University of Victoria

W E D N E S D A Y , M A R C H 1 4 ^{T H} , 2 0 0 7

Opening Greeting and Prayer

Room 157

6³⁰pm

Elder Lux Lak u Luk Greg Sam *from the Tsartlip community of the Saanich Nation and the Coast Salish*

Panel 1 - **Policy Issues in Aquaculture:
Environment and Economics**

Room 157

6³⁰pm

Richard Buchanan, *P. Eng., AgriMarine Industries*

Gavin Last, *Assistant Director, Aquaculture*

Development Branch, Ministry of Agriculture and Lands

Mike Price, *Biologist, Raincoast Conservation Society*

Brian Riddell, *Ph.D. Division Head, Salmon and*

Freshwater Ecosystems, Science Branch, Pacific Biological Station

Panel 2 - **Aquaculture and Aboriginal Rights**

Room 157

8¹⁵pm

Krista Robertson, *Lawyer, Woodward and Company*

Mary Vickers, *Activist, Heiltsuk First Nation*

THURSDAY, MARCH 15TH, 2007

Panel 3 – **Protecting Local Food
and Curbing Urban Sprawl**

Room 158

12³⁰pm – 1³⁰pm

Deborah Curran, *Principal, Deborah Curran and Company and UVic Law Sessional Instructor*

Brandy Gallagher-McPherson, *Executive Director of OUR (One United Resource) Ecovillage*

Panel 4 – **Food and Water Security: Part I**

Room 158

6³⁰pm

Debbie Dergousoff, *Ph.D. candidate, Simon Fraser University*

Naomi Devine, *UVic Student and Youth Representative to the Conference Of the Parties (COP), Nairobi 2006*

Jenny MacLeod, *District A Farmers Institute*

Lorenzo Magzul, *Professor, University of British Columbia*

Panel 5 – **Food and Water Security: Part II**

Room 158

8¹⁵pm

Herb Barbolet, *Associate, Food Security and Sustainable Community Development*

Linda Geggie, *LifeCycles*

Andrew Newcombe, *Professor, UVic Faculty of Law and ELC Board Member*

W E D N E S D A Y , M A R C H 1 4 ^{T H} , 2 0 0 7

Opening Greeting and Prayer

Room 157

6³⁰pm

Elder Lux Lak u Luk Greg Sam from the Tsartlip community of the Saanich Nation and the Coast Salish will open the conference with a greeting and prayer to honour the peoples whose land the law school occupies.

Greg Sam facilitates the sharing of Coast Salish culture and customs, and other traditional Aboriginal ways, with non-Aboriginal peoples. He has worked extensively with schools and universities, the Department of National Defence, the police, the Institute of Public Administration of Canada, and other organizations, in creating understanding and respect for Aboriginal culture. His approach focuses on weaving together aboriginal protocol and values with the Elders' teaching of traditional law and their stories.

Panel 1 - **Policy Issues in Aquaculture:
Environment and Economics**

Room 157

6³⁰pm

This first panel will explore various scientific and environmental concerns associated with aquaculture operations, as well as the policy decisions facing the government in light of these environmental concerns.

RICHARD BUCHANAN

P. Eng., AgriMarine Industries

Mr. Buchanan will share from his experience with green technologies in salmon farming to address the challenges in developing environmentally sound and economically viable aquaculture.

Richard Buchanan, an executive entrepreneur in the BC aquaculture industry since the inception in the early 1980's, was engaged initially in fishery consulting and then as a developer/operator of salmon hatcheries, salmon farms and a salmon processing plant. In 1971 he established Envirocon Ltd., a private BC environmental and fisheries consulting company, which evolved into AgriMarine Industries Inc. in 1993, the company presently engaged in closed containment salmon farming research and development and the demonstration of their technology at Middle Bay in Campbell River.

As President of AgriMarine, he directed the firm into the study land based closed containment rearing at facility near Cedar BC, as part of the BC Government's 2000 - Marine Pilot Technology Initiative. During the pilot study the facility produced Pacific salmon in closed containment culture, which was marketed through Thrifty Foods, as Ecosalmon. Mr. Buchanan is a past President and Treasurer of the Vancouver Aquarium and Marine Science Center and served on the Board of Governors for over 22 years. He is currently a Patron and Treasurer of the Vancouver Aquarium's Marine Science Foundation.

GAVIN LAST

*Assistant Director, Aquaculture Development
Branch, Ministry of Agriculture and Lands*

Mr. Last will explain the BC Government's policy approach in the aquaculture sector, and explain the role that environmental concerns play in this process.

Gavin Last grew up in Prince Rupert and has lived in BC for most of his life with interludes in Saskatchewan and Japan. After earning an Aquaculture Technician's Certificate from Capilano College in 1988, he went on to complete degrees in English (1993) and Law (1999). He has worked at the BC Ministry of Agriculture and Lands (formerly Agriculture Food & Fisheries) in Victoria since 2000. He is currently the Assistant Director of the Aquaculture Development Branch.

MIKE PRICE

Biologist, Raincoast Conservation Society

Mr. Price's presentation will focus on the scientific evidence of salmon farming impacts on wild salmon. He will focus specifically on sea lice research that has been performed on BC's coast, and try to address the apparent lack of credibility our government has given to this research. He will also explain the ecological implications that will result from the continuation of salmon farming as it is presently operated.

Mike Price is a carnivore biologist whose research has included the foraging ecology of wolves, black bear-salmon interactions on BC's central and north coasts, habitat use of grizzly bears in the foothills and Rocky Mountains of Alberta, and agriculture encroachment on endangered species' of Brazil. Michael now works with Raincoast Conservation Society as a salmon biologist. His primary role is to understand the impacts of industrial salmon farming on wild salmon populations, and the reverberating effects that subsequent declines in salmon have on our coastal environment.

BRIAN RIDDELL, Ph.D.

*Division Head, Salmon and Freshwater
Ecosystems, Science Branch, Pacific Biological
Station*

Dr. Riddell's presentation will draw from the Department of Fisheries and Oceans' submission to the BC Special Committee on Aquaculture. This presentation will address some of the concerns that have arisen in relation to sea lice, salmon farming, and wild salmon stocks.

Dr. Brian Riddell is the Division Head of Salmon and Freshwater Ecosystems, at the Department of Fisheries and Oceans Science Branch, Pacific Biological Station. Dr. Riddell is a member of the Scientific Advisory Committee of the Pacific Salmon Forum. For 10 years, Dr. Riddell was also a member of

the Independent Scientific Advisory Board of the US National Research Council, responsible for scientific review of all federally sponsored research programs related to salmon recovery in the Pacific Northwest. He is a contributing author to two books on Pacific salmon, was the scientific lead on Canada's Policy for Conservation of Wild Pacific Salmon (June 2005), and has 27 years experience in research and management of Pacific salmon.

Panel 2 - **Aquaculture and Aboriginal Rights**

Room 157

8¹⁵pm

This panel will address the impact of aquaculture on Aboriginal communities and aboriginal rights.

MARY VICKERS

Activist, Heiltsuk First Nation

Ms. Vickers will be speaking about the recent announcement to expand fish farms in the traditional territories of the Heiltsuk. She will discuss why the Heiltsuk oppose the expansion and the impacts and effects of their traditional way of life. She will share quotes from some of the Hereditary Chiefs, fishermen, and explain the importance of standing together to not allow more fish farms in their traditional territories.

Mary Vickers is from the Heiltsuk Nation from the kokyet/xais xais tribes. Her traditional name is Kaaneelthmee. Mary's whole life has been dedicated to preserving the indigenous way of life. She has done thirteen years archaeology for the Heiltsuk. She grew up on her dad's fish boats along with her seven brothers. As a family, they have great respect for natural resources. They take pride in harvesting and preserving the foods of their ancestors and also protecting them for generations to come.

K R I S T A R O B E R T S O N

Lawyer, Woodward and Co.

Ms. Robertson will discuss the promises and challenges of First Nations legal rights with respect to fish farming. She will introduce some strategies to deliver on the promises and overcome the challenges.

Krista Robertson acts as general legal counsel for First Nations governments in the areas of Aboriginal rights and title, resource use consultation, band governance and economic development. Her primary areas of practice are in forestry, fisheries and community capacity building. In addition to her Aboriginal law practice, Krista advises a number of environmental organizations, community groups and incorporated societies. She resides in Victoria, BC.

THURSDAY, MARCH 15TH, 2007

Panel 3 – **Protecting Local Food
and Curbing Urban Sprawl**

Room 158

12³⁰pm – 1³⁰pm

DEBORAH CURRAN

*Principal, Deborah Curran and Company
and UVic Law Sessional Instructor*

Deborah Curran will describe the Agricultural Land Reserve (ALR) program in BC, and discuss the challenges and opportunities it presents to the long-term sustainability of food production.

Deborah Curran is principal of Deborah Curran and Company, a law firm that is dedicated to developing legal strategies for smart growth. A commentator on all aspects of sustainable communities, Deborah advises local governments, other agencies and community groups across BC. Deborah co-founded Smart Growth BC and served as its president for five years. She teaches Municipal Law and Real Property Transactions at the University of Victoria in the Faculty of Law, and is a board member of the Victoria Foundation. When not in front of the computer she raises chickens and sails with her family.

BRANDY GALLAGHER-MCPHERSON

*Executive Director of OUR (One United Resource)
Ecovillage*

Ms. Gallagher-McPherson will be sharing about her experience with OUR ECOVILLAGE, which is a sustainable learning center and demonstration site that focuses on ecological ways of living involving permaculture design. It is dedicated to researching and modelling ways that are rooted in social, cultural, spiritual, economic and ecological well-being. O.U.R. ECOVILLAGE acts as a bridge between the rural and urban experience. It offers a protected green space and a healthy, supportive community learning environment for residents and participants in programs and the wider local and global communities. It also actively creates partnerships with groups and organizations from all walks of life that are interested in living in community and living lightly on the Earth.

Brandy Gallagher-McPherson is the Executive Director of OUR (One United Resource) Ecovillage, located in Shawnigan Lake. Ms. Gallagher-McPherson has a lot of experience living in community. She was raised in an intentional community in rural Canada for her first 10 years. During that time, she was also influenced by the strong sense of community shared by local First Nations. She was instrumental in the founding of OUR Ecovillage in 1999.

For more information on OUR Ecovillage, visit the website: www.ourecovillage.org

Panels 4 and 5 will explore various legal and policy issues in bioregionalism and food security.

NAOMI DEVINE

UVic Student and Youth Representative to the Conference Of the Parties (COP), Nairobi 2006

Ms. Devine will discuss issues of water security raised at the Conference Of the Parties, in Nairobi, 2006.

Naomi Devine is currently completing her degree in Environmental Studies and Political Science and works as the Research in Action Initiative Coordinator at the Vancouver Island Public Interest Research Group. Naomi is a passionate advocate for sustainability and has many interests that include: promoting integrated planning in UVic's campus plan, sustainable building design, sustainable urban development, energy issues, and wilderness preservation. Inspired by the power of group collaboration and youth leadership, Naomi is a director with the University of Victoria Sustainability Project (UVSP), representing over 15,000 students and the British Columbia Sustainable Energy Association (BCSEA). In her spare time, she sits on the Board of the BC Sustainable Energy Association and is Chair of the Victoria Chapter. Naomi was also appointed to the UVic Senate for the 2006-2007 term.

LORENZO MAGZUL

Professor, University of British Columbia

Mr. Magzul will discuss how the increasing globalization of trade is rapidly transforming cultural and natural bases of production and consumption. The impacts from the adoption of globally driven commercial farming practices are some of the major challenges facing traditional agricultural societies in southern countries today. These impacts include the loss of biodiversity, contamination of soil and water supplies, soil erosion and changes in traditional methods of resource management. All of these impacts have grave implications for the food security of traditional agricultural societies. Lorenzo Magzul will discuss these issues by drawing on his observations in the Mayan town of Patzun, Guatemala, where he grew up.

Lorenzo Magzul is Mayan and originally from Guatemala. He lives in Victoria, BC, and is currently doing a PhD in the Faculty of Land and Food Systems at the University of British Columbia. His research interests include issues of food security, traditional agricultural systems, globalization and adaptations to climate change. He is a research fellow in a SSHRC MCRI project titled “Institutional Adaptations to Climate Change.” This project assesses the vulnerabilities of communities to climate change impacts in the South Saskatchewan River Basin in Canada and the Elqui River Valley in Chile. He recently co-wrote a book chapter with Dr. Nancy

Turner on the perspectives of indigenous peoples on GM foods. He likes gardening and watching English football on Saturday mornings.

DEBBIE DERGOUSOFF

Ph.D. candidate, Simon Fraser University

Ms. Dergousoff will discuss human rights issues in coffee bean production and fair trade regimes.

Debbie Dergousoff graduated from UVIC with an MA in Sociology in Nov/2006 and is currently pursuing PhD studies at SFU. She also works as a Research Assistant with the BC Institute for Co-operative Studies where she co-organized an Ethical Purchasing Forum held at UVIC in Feb/2007. She has a keen personal and academic interest in ethical trade, particularly fair trade coffee. Her PhD research will involve examining the gendered aspects of fair trade through fieldwork in Oaxaca, Mexico.

JENNY MACLEOD

District A Farmers Institute

Ms. Macleod's presentation will deal with international issues of food production and the ways that farm animals are used by large commercial operations. It also addresses the issue of genetic patenting and ownership and the rights, or lack of them, of the animals themselves. Finally she will look at farming in Canada and BC and the regulations that are about to change our eating habits, perhaps drastically.

Jenny MacLeod has been writing and researching agriculture issues since 2003 when the Avian Influenza outbreak in the Fraser Valley occurred. She has researched and written many articles on this subject and is committed to maintaining free-range flocks of poultry in BC and Canada, and the livelihoods of the small hold farmers who depend on them. She is also working with the 100 Mile Diet organization and the District A Farmers Institute to connect the demand for local food to the supply of the local farm. This will benefit everyone, and create a new community within our Vancouver Island/Gulf Island geography. Jenny lives on Gabriola Island with her husband Hugh and four cats, raises Indian Runner ducks, and enjoys a broad range of friends and acquaintances in farming, water issues and theatre.

Panel 5 – **Food and Water Security: Part II**

Room 157

8¹⁵pm

HERB BARBOLET

*Associate, Food Security and Sustainable
Community Development*

Mr. Barbolet will explain the threats posed by plant patenting and genetically modified organisms.

Herb Barbolet has been active in community development for more than 30 years - working in community planning, energy conservation, citizen

participation, cooperative housing, and food and agriculture. He now works in food policy research, projects and programmes: linking food to community economic development, health and safety, environment, social justice, and international development - from the very local to the global. He is one of the leading food activists in North America.

Herb has a BA in Urbanism, a Masters in Community Development, and doctoral studies in Community Development and later in Community Planning and Political Economy. As an associate with the Centre for Sustainable Community Development at Simon Fraser University since 2003, he has co-authored food assessment studies for provincial health authorities and a guide to food assessments for the provincial health services authority.

Herb consulted on the establishment of the Vancouver Food Policy Council and Year 3 of the SFU Imagine BC Programme. He was the founder, and for 10 years, executive director of FarmFolk/CityFolk, an internationally recognized NGO. Earlier he was the executive director of the Community Planning Association of Canada (BC) for five years and developed cooperative housing for 10 years. He appears regularly on CBC radio Almanac's Food Panel, and in all media. Herb was a founding member of numerous non-profits (including the Cooperative Housing Federation of BC and the BC Association for Regenerative Agriculture).

L I N D A G E G G I E

Program Manager, LifeCycles

Ms. Geggie will discuss her efforts to create a Regional Food Charter and other initiatives to protect local food in the Capital Regional District.

Linda Geggie is the Founder and currently a Program Manager of LifeCycles, a community based organization developed in 1994 to cultivate awareness and initiate action around food, health and urban sustainability in the Greater Victoria area. She is also a member of the Capital Region Food and Agriculture Initiatives Roundtable (CRFAIR), coordinating a multi-stakeholder process to create a Food and Health Action Plan and Food Charter for the Capital Region. At Blue Skies Forest Farm, situated in Saanich, Linda works alongside her family to produce honey, eggs and shiitake mushrooms.

A N D R E W N E W C O M B E

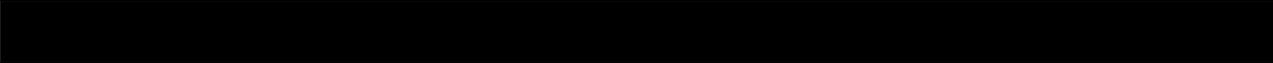
*Professor, UVic Faculty of Law
and ELC Board Member*

Mr. Newcombe will discuss challenges to bioregionalism posed by international law and economic theory.

Professor Newcombe joined the UVic Faculty of Law as Assistant Professor in 2002. He is also on the ELC Board of Directors. Prior to joining the Faculty, Professor Newcombe articulated and practiced as an associate with Swinton & Co. (now Miller Thomson).

After obtaining his LL.M., he worked with the International Arbitration and Public International Law groups at Freshfields Bruckhaus Deringer, Paris. Professor Newcombe researches and teaches in the area of international economic law, international arbitration and commercial and consumer law. He is currently writing a book entitled *Investment Treaty Law and Arbitration* to be published by Kluwer Law International in 2007. In 2004, he established *ita*, an international investment treaty arbitration research and resource website (<http://ita.law.uvic.ca/>), which provides public access to investment treaty awards and materials.





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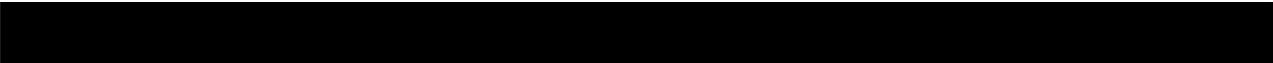
ALL of our wonderful, dedicated Club members

Thank you to all of our panelists and guests for attending the conference.

We welcome and appreciate your feedback:
elccookingupastorm@gmail.com

Sincerely,

**UVic Environmental Law Club Executive
and Conference Committee**



The ELC would like to thank the following businesses and organizations for their generosity:

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