



Wild Fish Conservancy
N O R T H W E S T
S C I E N C E E D U C A T I O N A D V O C A C Y

Legal Win Helps Puget Sound and Wild Salmon

April 26th, 2019 // For immediate release.

On February 21, 2019, Wild Fish Conservancy moved for summary judgment in our Clean Water Act (CWA) lawsuit against Cooke Aquaculture, asking the U.S. District Court to find that Cooke is violating its Clean Water Act permits by failing to develop adequate operational plans for the eight salmon farms in Puget Sound. **Today, the Court granted Wild Fish Conservancy's motion, finding that Cooke is in violation of the CWA for failing to develop adequate plans.**

"Back in 2017, we filed this suit against Cooke Aquaculture in order to hold the company accountable for the catastrophic and unlawful release of more than 260,000 farmed Atlantic salmon off the coast of Cypress Island," said WFC Director Kurt Beardslee.

"In this case, we argue that neglect led to the discharge of farmed Atlantic salmon, dead fish carcasses, and massive amounts of debris, an event that posed a dire threat to already imperiled wild fish populations, beloved marine mammal species, and the fragile Puget Sound ecosystem at-large. In addition to holding the industry accountable for the collapse, we see this lawsuit as necessary to ensure that such an event never occurs again."



Cooke's CWA permits require that it develop Pollution Prevention Plans to minimize impacts on water quality and Fish Release Prevention Plans to reduce the risk of Atlantic salmon escaping into Pacific waters. **Today, the Court held that Cooke's Pollution Prevention Plan lacked necessary procedures for inspecting the fish containment cages. The plan also failed to adequately address the proper storage at the floating net pens of chemicals used for controlling diseases, and lacked required procedures on the disposal of blood generated from harvest activities. With respect to the Fish Release Prevention Plan, the Court held that Cooke's plans**

do not include required procedures for tracking the number of fish in the salmon farms and those lost to predation and escapement.

“Even though Cypress Island was the site of the major collapse, none of Cooke Aquaculture’s eight Atlantic salmon net pens throughout Puget Sound had adequate Pollution Prevention Plans in place, placing an unacceptable risk on water quality and wild salmon” said Beardslee.

This decision comes on the heels of another development earlier this week, in which the Court ruled that Cooke Aquaculture’s testimony over Atlantic salmon net pen maintenance in Washington State was ‘evasive,’ as the company dumped over 30,000 documents two days prior to testimony in which those documents were frequently referred.

Wild Fish Conservancy is continuing to investigate additional violations related to Cooke’s history of inspections and maintenance at the Puget Sound farms. This Clean Water Act enforcement action against Cooke is ongoing. Trial in this matter is currently set to commence on December 2, 2019.

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About

Wild Fish Conservancy is a science & research conservation non-profit dedicated to the preservation, protection & restoration of wild fish ecosystems in the Pacific Northwest. We are headquartered in Duvall, WA.

Learn more at wildfishconservancy.org

Wild Fish Conservancy is represented in this matter by Kampmeier & Knutsen, PLLC, of Portland, Oregon and Seattle, Washington.