

March 22, 2012

The Right Hon. Stephen Joseph Harper, P.C., M.P.
Prime Minister of Canada
Langevin Building
80 Wellington Street
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Dear Prime Minister Harper,

cc. Honorable Keith Ashfield, Minister of Fisheries and Oceans

re. Potential amendments to section 35 of the Fisheries Act

We, a group of Canadian scientists, including many of Canada's most senior ecologists and aquatic scientists, are writing out of concern that habitat protections are about to be removed from the Fisheries Act. This would be a most unwise action, which would jeopardize many important fish stocks and the lakes, estuaries and rivers that support them. We urge you to abandon this initiative as it is currently drafted.

Based on media reports, we understand your government's desire to speed up the approval processes for large economic development projects. We believe, however, that the weakening of habitat protections in section 35 of the Fisheries Act will negatively impact water quality and fisheries across the country, and could undermine Canada's attempt to maintain international credibility in the environment.

Habitat is the water or land necessary for the survival of all species, including fish. All species, including humans, require functioning ecosystems based on healthy habitats. The number of animals and plants of any species that can be supported is in direct proportion to availability of habitat, which supplies food and shelter. Habitat destruction is the most common reason for species decline. All ecologists and fisheries scientists around the world agree on these fundamental points, and the Fisheries Act has been essential to protecting fish habitats and the fisheries they support in Canada. Weakening habitat protections will make Canada look irresponsible internationally.

In the case of fisheries, siltation of spawning beds and contamination of fish rearing areas are two of the most common impacts of human activities. We should therefore be strengthening, not weakening the habitat protection provisions of the Fisheries Act (and other environmental laws, including the Species at Risk Act and the Migratory Birds Convention Act), in order to protect our dwindling fisheries and species at risk.

We further understand that your government proposes that measures to protect fish habitat will only apply to “fisheries of economic, cultural and ecological value”. This makes no sense. All species are of ecological value, a fact recognized by the current act. For example, some of our most economically and culturally valued fish species feed upon minnows and so-called “rough fish” species, which allow them to survive and grow.

In summary, if your government wishes to change the wording of the Fisheries Act or other laws affecting the health of Canada’s ecosystems, we recommend that you ensure that any new legislation be based on the best science available. It is critical that any changes do not jeopardize the environmental support system on which we and future generations depend.

Sincerely,

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