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Dear Dr. Blais:

Thank you for your correspondence of March 26, 2012, addressed to the Right Honourable Stephen Harper, Prime Minister, concerning amendments to the *Fisheries Act*. You provided a copy of your letter to me as Minister of Fisheries and Oceans; as this matter falls under my purview, I appreciate the opportunity to respond to your concerns.

As you may be aware, on April 26, 2012, Bill C-38, the *Jobs, Growth and Long-Term Prosperity Act*, was tabled in the House of Commons. Amendments to the *Fisheries Act* were included in Bill C-38. The proposed amendments are intended to support a shift from managing impacts to all fish habitats to managing threats to fisheries by: focusing the regulatory regime on managing threats to the sustainability and ongoing productivity of Canada's commercial, recreational and Aboriginal fisheries; providing clarity, certainty and consistency of regulatory requirements through the use of standards and regulations; and enabling enhanced partnerships to ensure agencies and organizations that are best placed to provide fisheries protection services to Canadians.

The proposed amendments will support Fisheries and Oceans Canada's focus on protection efforts for fish that support fisheries that are of importance to Canadians and the threats to those fisheries. This support includes regulating direct impacts to fish, permanent changes to and destruction of fish habitat, and managing threats caused by aquatic invasive species. Regulatory efforts will be directed to those impacts on fish that are part of or support commercial, recreational and Aboriginal fisheries.

The amendments also include a number of proposed provisions that will enable enhanced compliance and protection of fish that support commercial, recreational and Aboriginal fisheries by:

- Aligning the *Fisheries Act* with the *Environmental Enforcement Act* (increased fines and penalties for offences);
- Improving the enforceability of conditions to Ministerial authorizations;

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- Providing for the designation of ecologically significant areas for fish, e.g., critical spawning habitat for salmon species, such that those proposing projects in these areas would need to submit plans for the review of their activities;
- Increasing inspector powers to provide them with additional authorities; and
- Providing new authorities to allow the Department to address threats effectively such as aquatic invasive species.

The proposed amendments also include tools to facilitate regulatory streamlining, to increase efficiency, and to help provide clarity and certainty for stakeholders and departmental officials. Clear and accessible guidelines for Canadians to follow for projects in or near water will be established, including regulatory standards for routine, low-risk projects such as building a boat launch or a dock at a cottage. Those following the standards will not require review of their projects by the Department.

In addition, the proposed changes will also enable the Department to enhance partnerships with others that are well-placed to provide fisheries protection services to Canadians, recognizing that this is a shared role among multiple parties. The amendments provide the ability for the Department to enter into agreements with professional organizations to provide guidance to proponents on how to meet *Fisheries Act* requirements, to develop fisheries protection best practices or to monitor compliance. Other government departments or provinces could, under specified conditions, be provided the authority, through regulations, to issue authorizations under the *Fisheries Act*.

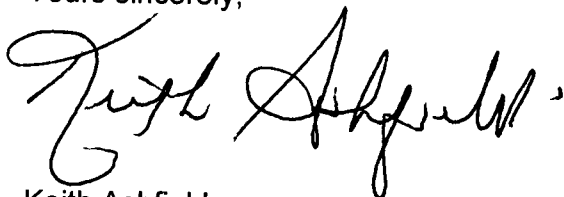
The pollution prevention provisions contained in Section 36 of the *Fisheries Act* have long played an important role in preventing pollution of Canadian waters, and remain very important legislative provisions. There are currently few tools to authorize pollution other than by detailed regulations. For example, the amended *Fisheries Act* will provide flexibility and establish new tools to authorize deposits of deleterious substances.

In total, these proposed amendments provide significant tools for ensuring the sustainability and ongoing productivity of Canada's commercial, recreational and Aboriginal fisheries.

For updates on the progress of the proposed amendments to the *Fisheries Act*, please visit < <http://www.dfo-mpo.gc.ca/> >.

Thank you for taking the time to write.

Yours sincerely,



Keith Ashfield