

Changes to fisheries legislation have removed habitat protection for most fish species in Canada

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This is University of Calgary's fisheries biologist, Professor John Post. Credit: Riley Brandt, University of Calgary.

Federal government changes to Canada's fisheries legislation "have eviscerated" the ability to protect habitat for most of the country's fish species, scientists at the University of Calgary and Dalhousie University say in a new study.

The changes were "politically motivated," unsupported by scientific advice – contrary to government policy – and are inconsistent with ecosystem-based management, [fisheries](#) biologists John Post and Jeffrey Hutchings say.

Their comprehensive assessment, in a peer-reviewed paper titled "Gutting Canada's Fisheries Act: No Fishery, No Fish Habitat Protection," is published in the November edition of *Fisheries*, a journal of the 10,000-member American Fisheries Society.

"The biggest change is that habitat protection has been removed for all species other than those that have direct economic or cultural interests, through recreational, commercial and Aboriginal fisheries," says Post, professor of biological sciences at the University of Calgary.

Before, "there used to be a blanket habitat protection for all fish species," he says. "Now there's a projection just for species of economic importance which, from an ecological standpoint, makes no sense."

Studies cited by Post and Hutchings show that not protecting habitat is the "single greatest factor" for the decline and loss of commercial and non-commercial species on land and in water.

Yet the changes to the Fisheries Act removed the "mandated legal protection" of habitat even for fish species that are in decline, Post says.

About three-quarters of approximately 80 freshwater [fish species](#) in Canada listed as being at risk, threatened or endangered "are not going to receive the protection that they did in the past," Post says.

Hutchings is a former chair of the Committee on the Status of Endangered Wildlife in Canada while Post is a current member. Both scientists' research is supported by the Natural Sciences and Engineering

Research Council of Canada.

One reason the [federal government](#) gave for making the changes last year was to streamline environmental reviews and make the regulatory process more efficient for development projects.

But Post and Hutchings' paper cites peer-reviewed scientific studies which found that between 2006 and 2011, only one project proposal among thousands was denied by the federal Department of Fisheries and Oceans.

Only 1.6 per cent of 1,238 convictions under the previous Fisheries Act between 2007 and 2011 pertained to the destruction of fish habitat.

Also, environmental review times for projects under the previous Fisheries Act were found to be already in line with new review times mandated by the federal government last year.

There were some improvements made to the Fisheries Act, Post and Hutchings say. This included recognizing recreational and Aboriginal fisheries as being important, provision for policy on invasive species, and increased fines for contravening the legislation.

But at the same time, the federal government has closed many regional Fisheries and Oceans offices – including one in Calgary – and eliminated about 30 per cent of fisheries personnel who manage habitat issues, "so they no longer have the capacity to police infractions," Post says.

"Politically motivated dismantling of [habitat protection](#) provisions in the Fisheries Act erases 40 years of enlightened and responsible legislation and diminishes Canada's ability to fulfill its national and international obligations to protect, conserve, and sustainably use aquatic biodiversity," their paper says.

Provided by University of Calgary

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