



December 18, 2018

The Honourable Fabian Manning
Chair
Standing Senate Committee on Fisheries and Oceans
The Senate of Canada
Ottawa, Ontario
Canada, K1A 0A4

Re: Bill C-68 – An Act to amend the Fisheries Act and other Acts in consequence

Dear Senator Manning and Honourable Committee Members,

The Alberta Chapter of The Wildlife Society (ACTWS), an organization representing over 300 wildlife professionals in Alberta, is writing to express our support for amendments proposed by the Canadian Wildlife Federation (CWF) to Bill C-68, The Fisheries Act. We applaud efforts to modernize the Fisheries Act based on updated scientific knowledge of fish population responses to harvest and aquatic / marine habitat management. However, we agree with the CWF that some additional amendments will further improve the Fisheries Act's ability to protect and restore fish habitat.

The CWF has proposed that Senators work to enhance conservation offset provisions (s. 42.02) introduced in Bill C-68 by amending the bill to enable third-party fish habitat banking. Our analysis of the most recent scientific research of conservation offsetting finds that third-party fish habitat banking enables more effective restoration of habitats that have been subjected to harmful alteration, disruption or destruction (HADD). Third-party habitat banking relieves proponents of the need to identify sites for effective offsetting at or near the development site and enables resources from smaller offset contributions to be pooled and applied to larger projects with greater, positive impacts. Evidence from the scientific literature has shown that third-party habitat banking is more effective than first-party offsetting in restoring and recovering damaged fish habitat.

As currently written, Section 42.02 of Bill-C68 identifies the *proponent* as the principal actor in creating, restoring or enhancing fish habitat to offset HADDs identified as a result of their development. We support the amendment proposed by the CWF to replace the *proponent* with a *habitat bank sponsor* defined as:

“a person, who may or may not be a proponent, who proposes the carrying on of a conservation project within a proposed service area.”

This definition meets the criteria for effective implementation of conservation offsets from scientific findings and we encourage you to include its use in Bill C-68.

In addition to third-party habitat banking, the ACTWS would like to urge you to carefully consider offset rates that exceed parity. Again, evidence from Canada and elsewhere has shown that by setting offset rates at 1 unit of habitat restored for 1 unit of habitat that has been affected by harmful alteration, disruption or destruction (HADD), there can be a long-term *net loss* in fish habitat. To ensure the long-term sustainability of fisheries and viability of fish habitat, setting offset ratios at a ratio of at least 2 times the HADD impact area will ensure sustainable fish habitat into the future¹, accounting for uncertainty and time to completion. For more information on conservation offset ratios, we refer you to David Poulton's 2014 Master of Laws thesis on the subject².

The ACTWS supports the use of recent and reliable science in the management of wildlife and wilderness areas in Alberta, Canada and internationally through affiliations with the Canadian Section of The Wildlife Society, other provincial chapters and our parent organization, The Wildlife Society, with sections around the world. The amendments to Bill C-68 proposed by the CWF are based in sound science and we urge the Standing Senate Committee on Fisheries and Oceans to consider them carefully as you amend this important piece of legislation.

Sincerely,



John Wilmshurst, PhD
Executive Director – Alberta Chapter of The Wildlife Society

cc. Rick Bates, CEO, Canadian Wildlife Federation
Christopher Smith, Canadian Section of The Wildlife Society
Keith Norris, The Wildlife Society
The Honourable Douglas Black, The Senate of Canada
The Honourable Patti LeBoucane-Benson, The Senate of Canada
The Honourable Elaine McCoy, The Senate of Canada
The Honourable Grant Mitchell, The Senate of Canada
The Honourable Paula Simons, The Senate of Canada
The Honourable Scott Tannas, The Senate of Canada

¹ Moilanen, A., A.J.A. Van Teeffelen, Y. Ben-Haim, and S. Ferrier. 2009. How much compensation is enough? *Restoration Ecology* 17(4):470-478.

² Poulton, D. 2014. Conservation Offset Policy for Alberta: A Comparative Legal Analysis. Master of Laws. University of Calgary, Graduate program in Law, Calgary, Canada