



March 15, 2021

To: Julie Stewart, Director, Integrated Species at Risk, DFO

From: Neville Crabbe, Atlantic Salmon Federation

Re: Species at Risk Act and Atlantic Salmon

Julie,

Thank you for facilitating an expanded comment period for submissions concerning the potential addition of nine sub-populations of Atlantic salmon to the *Species at Risk Act*. We were surprised in November 2020 to learn the 2010 COSEWIC assessments would be acted upon. The extension has allowed us to speak with hundreds of people in the salmon conservation community. These conversations have strengthened our argument and provided reassurance.

ASF and our partners made comments pertaining to each of the designatable units in question during the initial consultation period and our position remains unchanged. We believe a “Do Not List” recommendation for each sub-population in question would be in the best interest of conservation and would provide an opportunity to exercise the provisions for recovery planning outlined in DFO’s “Do Not List” directive.

We are both aware of studies and reviews critical of the implementation and effectiveness of the *Species at Risk Act*. Those results don’t need to be repeated here, however, some facts about inner Bay of Fundy Atlantic salmon provide context for our position.

ASF was supportive of the 2003 listing. We were hopeful that the use of SARA would bring new resources and help restore Inner Bay of Fundy Atlantic salmon. The offices at our headquarters look out on the Bay of Fundy and ASF has been involved with conservation efforts in the area since the 1970s. Our New Brunswick and Nova Scotia staff eagerly joined the Recovery Team following listing. We are still members today.

Our first-hand experience showed the SARA process for Atlantic salmon to be unbelievably slow and ineffective. The good work that is happening in the Inner Bay of Fundy is occurring independent of the SARA action plan – which was finalized in 2019, sixteen years after listing. DFO still has not identified any critical marine habitat, even though fish in this population spend the marine portion of their life locally, in the Bay of Fundy and Gulf of Maine, and increased mortality in the marine environment is the primary cause of its decline.

The conservation hatchery program that was established in 1998, prior to the listing, has provided critical life support to Inner Bay of Fundy salmon, but in a sad irony, even it has been

compromised by a “leading marine threat” (DFO’s words) that SARA has ignored; open net-pen salmon aquaculture.

A CSAS review published in 2018 of the hatchery program included a genetic examination of the inhabitants to search for signs of domestication. Perhaps the most significant finding was that as recently as 2012, European-origin Atlantic salmon were spawning in the Inner Bay of Fundy rivers. The authors identified the source as aquaculture escapees from non-North American eggs smuggled into Canada by the open net-pen salmon aquaculture industry.

In response, on June 28, 2019, Rhea King, DFO’s Maritimes Region Regional Director of Aquatic Ecosystems, sent a letter to stakeholders announcing DFO would soon require an attestation from a third-party laboratory confirming continent of origin before issuing introduction and transfer permits for salmon.

Then, on October 31, another letter was sent announcing the new requirements would be put on hold due to “potential impact on industry operations.” If the discovery of foreign genetic material from an illegal introduction in the conservation hatchery aimed at preserving the unique genetics of a SARA-listed species doesn’t result in investigation and action, the legislation is pointless.

History has shown SARA does not address leading threats to species. We have no confidence that should more populations be listed, root cause issues affecting salmon will be dealt with. The ineffectiveness of SARA is one compelling reason DFO should make “Do Not List” recommendations. There are three others we would like to bring to your attention:

1. DFO already has the tools required to conserve and restore wild Atlantic salmon

Canada’s Wild Atlantic Salmon Conservation Policy has the stated goal “to restore and maintain healthy wild Atlantic salmon populations.” The new *Fisheries Act* reinstated lost habitat protections, introduced requirements for rebuilding plans, and gives the Minister power to designate ecologically significant areas. Canada has committed to the international community through the North Atlantic Salmon Conservation Organization (NASCO) to eliminate escapes from the aquaculture industry and ensure parasites from the industry do not affect wild fish. The Atlantic Salmon Research Joint Venture brings together government, academia, and NGOs, like ASF, to tackle the most pressing scientific problems affecting the species.

But in each case, these tools are not yet fully implemented, not used to their full potential, or effectively ignored. A SARA listing would add one more layer of complicated bureaucracy to a system that tends to *manage* and struggles to achieve *conservation* objectives. DFO should use the tools it already has before reaching for something else.

2. The data are old and do not give an accurate picture of the health of wild Atlantic salmon

COSEWIC's assessments were completed in 2010 and 2011. Since then, multiple generations of wild Atlantic salmon have spawned in the rivers in question. In some places the situation has changed, like Anticosti Island where the number of returning salmon has increased, and the St. Mary's River in Nova Scotia, which appears to be on the rebound.

More importantly, the data used by COSEWIC don't provide a clear picture of population trends in most areas. The information from DFO used by COSEWIC was not collected with SARA in mind. Instead, this data collection is done to answer management questions and the sites used are historic, not the best available proxies for regional population health. Even DFO science has taken to calling these *monitored rivers* not *index rivers*.

The data are also sparse. South Newfoundland for example has four monitored rivers all clustered in the eastern end of the designatable unit. COSEWIC used these to assess the health of 104 salmon watersheds along a 500-kilometre coastline. While the data show that salmon in these monitored rivers are in decline, information collected from anglers and outfitters, some of whom keep detailed annual records, suggest that many South Coast Newfoundland rivers have not followed the same trajectory and probably do not meet the criteria for listing.

Remarks about the available data are contained in several recovery potential assessments prepared by DFO. Increasing the number of monitoring sites is one action item in the Wild Atlantic Salmon Conservation Policy implementation plan, but we are not yet aware of any systematic effort to improve this situation.

With more than a decade passed since the 2010 COSEWIC assessments, the committee is in the process of preparing new ones, which may result in the alteration of the designatable unit boundaries themselves. The current broad-brush approach that lumps rivers together over large geographic areas where threats range from severe to non-existent is not an appropriate strategy for designating populations at risk. DFO needs to be precise and make management decisions on smaller geographic scales to maximize positive conservation outcomes and minimize collateral consequences.

3. SARA is exclusive and disengages people who care

The *Species at Risk Act* further concentrates responsibility within DFO. A listing adds administrative burden to groups currently carrying out research and conservation work by requiring additional permits or blocking some conservation activities; and a listing as Threatened or Endangered results in the closure of ultra-low impact fisheries where they exist.

Fisheries for both Inner and Outer Bay of Fundy Atlantic salmon have been closed for decades, yet populations have not recovered. It's the same story along most of the Atlantic Coast of Nova Scotia and in parts of Cape Breton. Most of today's salmon fisheries are not a significant contributor to decline. If they were found to be, DFO already has the power to manage for conservation.

Fisheries, like recreational angling, provide a tangible connection between people and salmon, and people who fish are the foundation of the salmon conservation movement. In recent decades strong partnerships have emerged between NGOs, Indigenous organizations, volunteers, and governments to share stewardship of the Atlantic salmon resource. In fact, shared stewardship is one of the four principles outlined in the Wild Atlantic Salmon Conservation Policy.

An economic analysis commissioned by ASF and conducted by Gardner Pinfold Consulting Economists in 2011 found the combination of direct spending on conservation and research by NGOs, combined with the in-kind value of volunteer effort, was roughly commensurate to all government spending on wild Atlantic salmon. For example, ASF's 12-year conservation agreement with commercial fishermen in Greenland is saving thousands of large adults each year, giving them a chance to return to North American rivers to spawn. This major conservation initiative is entirely funded by people who have established a connection to wild Atlantic salmon through fisheries.

We are concerned, given the evidence and our experience, that recreational angling will be the only activity constrained by a listing when it poses little or no risk to the species. Closures lead to withering interest in salmon conservation. They are a blow to shared stewardship and leave people cynical when leading threats go unchecked.

Conclusion

The Minister should make "Do Not List" recommendations to the Minister of Environment and Climate Change Canada, and then use the opportunity to act, as per the "Do Not List" directive. Ensuing actions should address problems affecting the most at-risk populations, not entire regions.

The Conne River in South Newfoundland is a good example. The community there wants help to save a population that has plummeted from 10's of thousands of returning adults to a few hundred individuals. The river itself is clean and intact. The problem affecting the Conne sits in Bay d'Espoir – open net-pen salmon cages. SARA is not needed to address this problem. If Canada delivered on its NASCO promises to eliminate aquaculture escapes and ensure no harm from sea lice, Conne River salmon would benefit.

SARA would more wasted time and status quo thinking when what wild Atlantic salmon need is aggressive conservation action.

Sincerely,



Neville A. Crabbe
Executive Director, Communications
Atlantic Salmon Federation