

Minister of
Fisheries and Oceans



Ministre des
Pêches et des Océans

NOV 23 2018

Ottawa, Canada K1A 0E6

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c/o Mr. David Browne
< davidb@cwf-fcf.org >

Dear Mr. Browne and Co-signatories:

Thank you for your correspondence of March 19, 2018, addressed to my predecessor, the Honourable Dominic LeBlanc, regarding the addition of American Eel to Schedule 1 of the *Species at Risk Act* (SARA). I regret the delay in responding.

As I'm sure you can appreciate, given the extensive range of the American Eel and the range of diffuse interests that would be impacted by the prohibitions triggered under SARA if the species was listed, the analysis of all the appropriate information has been extremely challenging. The objective is to identify an outcome that will provide the best net benefits both for the protection of the species and for Canadians.

My Department initiated the listing process as soon as we received the American Eel assessment from the Committee on the Status of Endangered Wildlife in Canada and is working at developing the listing advice that I will be providing to the Minister of Environment and Climate Change.

In support of this process, a Recovery Potential Assessment was conducted through the Canadian Science Advisory Secretariat to provide the Department with additional science advice. This process also involved the preparation of various management scenarios and associated socio-economic analyses in order to identify the costs and benefits associated with proposed management measures, following which public and targeted consultations with potentially impacted stakeholders were conducted. As you note in your letter, the public consultation period did close two years ago, however, to facilitate more meaningful consultations with our Indigenous partners, the consultation period for those groups was extended by several months.

Canada

Given the complexity of the biology of American Eel, the broad impacts of a potential listing of this species to multiple stakeholders, its cultural significance to Indigenous groups and broad geographic range (within six provinces, as well as outside of Canadian waters), the process of developing listing advice has been a complex task and has required time. We are working towards finalizing our listing advice to the Minister of Environment and Climate Change who will, in turn, make a recommendation to the Governor in Council (Cabinet). The listing decision, including a summary of the comments received through the public consultation process, will then be published in the *Canada Gazette*.

In the interim, I would like to note that management measures have been implemented to reduce American Eel mortality. The number of yellow and silver eel fishing licenses has been reduced, including reductions implemented through a licence exchange program; quotas have been reduced and gear restrictions have been enacted; an updated Integrated Fisheries Management Plan for the commercial elver fishery was published in May 2018, and a precautionary management framework is being developed for the eel and elver fisheries in the Maritimes Region. Additionally, my Department continues to conduct research and stock assessments for American Eel.

Furthermore, the Department participates in the Eel Passage Research Centre (EPRC), funded by industry, which was established to meet the need for coordinated, collaboratively-funded research to address the challenge of safe downstream passage of American Eel at hydropower projects on the St. Lawrence River. The EPRC's research activities address the goal of maximizing the survival rate of eels that would otherwise pass through turbines at two hydroelectric stations on the St. Lawrence River (Moses-Saunders and Beauharnois generating stations) by using behavioural guidance (light, sound, electricity) to concentrate adult eels for collection above the generating stations; and by collecting and transporting adult eels downstream around the turbines.

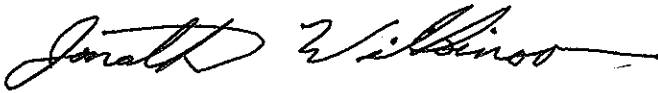
In order to advance conservation actions in coordination with US partners, my Department, in conjunction with the United States Fish & Wildlife Service and the Ministry of Environment and Natural Resources of the Dominican Republic, hosted a Workshop on American Eel on April 4-6, 2018, in the Dominican Republic. The workshop brought together representatives of the American Eel Range States and provided a unique opportunity to collect information on the science and management of American Eel throughout its range. At the meeting, participating countries also provided information on their harvests, enforcement efforts, and regulations of trade. This meeting opened the door to a more cooperative international approach to the management and understanding of the stock.

I would also like to acknowledge the suggestions you made in your correspondence regarding DFO resuming a leadership role on American Eel recovery by finalizing the draft management plan and reinstating working groups and management tools. We will take your suggestions into consideration. I share your concerns about continued declines of American Eel populations in Canada and take our shared responsibility for its recovery seriously.

Further, with respect to your suggestion that American Eel could be listed and an exemption under SARA section 83(4) for commercial harvest could be established in a recovery strategy, this approach would be quite complex. Not only would an assessment of the biological impacts of an exemption be a pre-requisite, an exemption for commercial harvest would also necessitate the development of regulations for the subsequent sale, purchase, and possession of the species. The larger legal, socioeconomic and ecological implications, not only on American Eel but also on other species at risk, would need to be fully understood before a commitment to such an approach could be considered.

Thank you for collectively writing to me to share your concerns about American Eel and more importantly for your suggestions on a way forward.

Yours sincerely,

A handwritten signature in black ink, reading "Jonathan Wilkinson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Jonathan Wilkinson, P.C., M.P.
Minister of Fisheries, Oceans and the Canadian Coast Guard

c.c.: Mr. Sean Casey, M.P.
Parliamentary Secretary to the Minister of Fisheries,
Oceans and the Canadian Coast Guard