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Proposed regulation for exceptions to Ontario's Endangered Species Act 2007

Comment from Dr. William Commanda, Algonquin Elder

I have been alerted to the fact that Ontario is considering the development of a regulation under the *Endangered Species Act, 2007*, that would enable the continuation of hydroelectric power generation with exemptions, and that the deadline for comments about ends at midnight June 16, 2008, by separate correspondence from the Ontario, Ministry of the Environment.

I am ninety four years old, and have had very limited time to review this matter properly. However, I wish to place on the record the fact that I served as Elder offering Indigenous Ceremony to usher in a new level of environmental stewardship with the past two Ministerial Round Tables on the Species at Risk, which led to the Species At Risk Act – and I prayed with great sincerity for this development. I was pleased to see federal and provincial governments, environmental organizations and industry participate in these developmental activities and discussions.

As you may know, respect for Mother Earth and all species and forms of life is fundamental to my ancestral heritage, and over the course of my life time, I have witnessed our natural heritage damaged almost irrevocably at every level by unbridled greed and development, and uncoordinated provincial management - evident particularly in the history of logging, hydro electric generation, nuclear development and mining; and the record of devastation now impacts not just wildlife and reserves, but our national health and global future. Even on the CBC news tonight, we are being alerted to government regulations developed to allow developers to dump mining wastes into lakes and already almost seventy lakes are now tainted across the country. Many Aboriginal communities, including mine, already live with the toxic ramifications of such

development. We also now have the issue of loosening of restrictions on Navigable Waters.

The proposal for the regulation to minimize the protection provisions of the Endangered Species Act for hydro electric dams over a three year period, at precisely the time when the plight of the American Eel is finally being acknowledged, when its dire circumstances are resulting in its placement on the endangered species list in Ontario, and when Ontario and the federal government have barely commenced a process of consultation and partnership building with Aboriginal Peoples, as now required by law, to better address natural resource management, is in my mind an expression of working in bad faith. In March 2007, I wrote about my concerns regarding the American Eel, a species of material, cultural and spiritual importance to my peoples, and I was relieved to see the attention and concern also generated amongst many levels of government, environmentalists and academics. I was also pleased to engage with government and Aboriginal Peoples to commence a process of retrieving Indigenous knowledge concerning this irreplaceable species at such a crucial stage in its history.

I understand that today, as a result of damming (there are over 8000 dams across the St. Lawrence Watershed), commercial fishing, and habitat destruction, 99 per cent of the mature females, who are really only present here in the Ontario/Ottawa River waters, have been eliminated over recent decades, and the percentage that remains has a hazardous journey to its spawning grounds in the Sargossa Sea. It seems to me that we need to examine the cumulative impact of dams on species over the course of the migratory route – and that can surely not be accomplished through dam by dam accommodations. Someone surely has to ensure the larger oversight, and here we fall to governments to undertake this responsibility. I mention the American Eel here, but may I also mention that I am deeply concerned about the Lake Sturgeon, a prehistoric fish so plentiful in the stories of my parents, and the salmon; and I do not hear the frogs at my lake much any more.

It seems incredible that government on the one hand finally recognizes environmental catastrophes that Indigenous Peoples have been warning about for decades, initiates promising action, and then also undermines the efforts.

The balance of the cycle of life and nature has been seriously disturbed, and we are seeing the impacts in our daily lives at every turn. It is of crucial importance that we reexamine our relationship with the natural world, and take concrete steps to entrench survival and coexistence for all life forms. We should be especially diligent with species on endangered or threatened lists. We need governments to take an active role to educate the public, developers and industry on these critical issues of our times.

In conclusion, then, may I voice my objections to the proposed regulation for exceptions to Ontario's Endangered Species Act 2007 – in particular Article 11 pertaining to the operation of hydro-electric generation stations.

May I also take the opportunity to commend Ontario on its Endangered Species Act, and the inclusion of Aboriginal Traditional Knowledge in its implementation.

Sincerely,

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