



# Update on Fish and Fish Habitat Protection Program

SRKW TWG on Prey Availability

May 8, 2019



# Presentation overview

- Program mandate, organization, Bill C-68
- What we do- habitat protection activities
- Links to SRKW and prey availability

# Program mandate

Conserve and Protect fish and fish habitats to provide for the sustainability and ongoing productivity of commercial, recreational and Aboriginal fisheries.

The Fish and Fish Habitat Protection Program (previously - Fisheries Protection Program) does this through a variety of different program activities to manage human impacts on fish and fish habitat

- to ensure compliance with the **Fisheries Act** and the **Species at Risk Act**.

# Fish and fish habitat protection activities

## Regulatory and Enforcement

- Review of development projects
- Provision of advice and authorization
- Enforcement of compliance

## Integrated Planning

- Proactive work with others
- Restoration
- Offsetting
- Habitat Banking
- Ecologically Significant Areas

## Engagement

- Consultation
- Outreach
- Partnerships

## Reporting to Canadians

- Monitoring compliance and effectiveness
- Reporting
- Public Registry

## Reconciliation with Indigenous Peoples

# Fisheries Protection Provisions of the Fisheries Act

- **Prohibition against causing Serious harm to fish (previously HADD)**
  - ❖ Section 35 of the *Fisheries Act* prohibits *serious harm to fish* which is defined in the Act as “the death of fish or any permanent alteration to, or destruction of, fish habitat”.
  - ❖ **Exception** - Under Section 35 (2) A person may carry on a work, undertaking or activity without contravening subsection (1) if authorized by the Minister and the work, undertaking or activity is carried on in accordance with the conditions established by the Minister;
    - Avoidance
    - Mitigation
    - Offsetting
- The Fisheries Act includes sections that may require the provision of **sufficient water and unimpeded passage** for fish (Sections 20 and 21).

# Update on Bill C68

## Proposed changes to the Fisheries Act

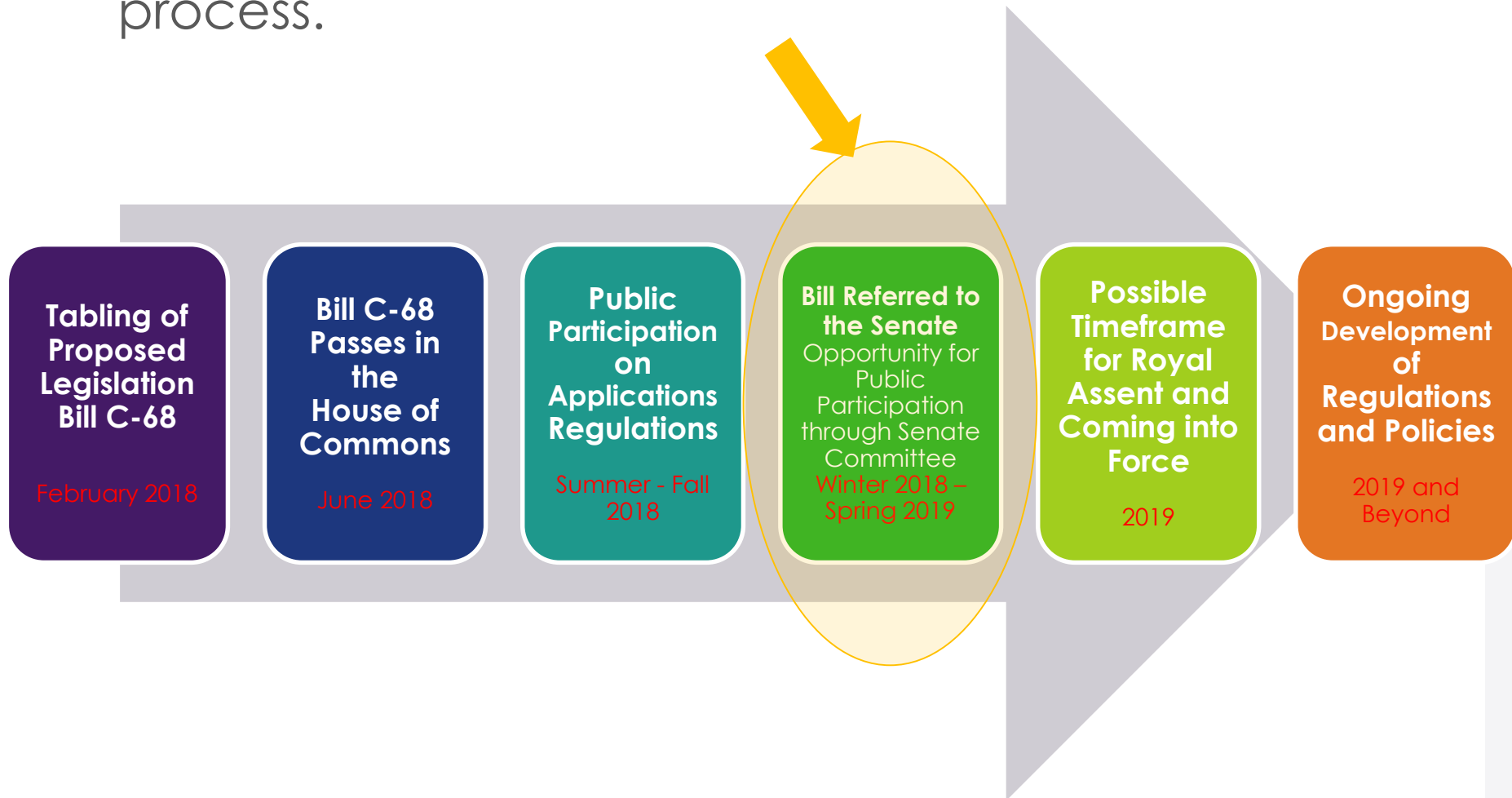
- The proposed changes would restore protections for fish and fish habitat that were lost with changes in 2012. They would help protect our fish and their habitat for generations to come. Proposed changes include:
  - protection for all fish and fish habitats
  - restoring the previous prohibition against 'harmful alteration, disruption or destruction of fish habitat'
  - restoring a prohibition against causing 'the death of fish by means other than fishing'
  - information on project decisions public through an online registry

## Revitalization of the FPP to the Fish and Fish habitat Protection Program (FFHPP)

- ✓ Increased resources to FFHPP for habitat staff
- ✓ Increased resources to Science and Conservation and Protection officers

# Parliamentary process

- Bill C-68 remains subject to the parliamentary process.



# FFHPP activities in support of SRKW prey availability

**Regulatory Reviews** - review of development projects in and near water (Reviews, authorizations and environmental assessments)

- Protecting sensitive and important fish species and their habitats (e.g. forage species, salmon and SRKW)
- Avoid, mitigation and offsetting – enforceable conditions
- Evidence based and precautionary approach

**Monitoring and reporting** on effectiveness and performance of reviewed and authorized projects to improve;

**Habitat occurrences and enforcement actions** for unauthorized “Serious Harm to fish” – patrols, warnings, corrective measures and investigations - prosecutions



# FFHPP activities in support of SRKW prey availability

**Proactive Planning** collaborating with partners and stakeholders – working to avoid impacts before they occur and to address broader watershed level and ecosystem issues:

- Habitat information – habitat value, status to inform priorities;
  - Planning processes - WSP and stock rebuilding to support cumulative effects & ecosystem approaches;
  - Working with BC on key issues under provincial jurisdiction (forestry, agriculture, water use...);
  - Aquatic Invasive Species and Restoration (grants and contribution)
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- **Engagement with Indigenous groups, partners and stakeholders** to development agreements (Indigenous groups, provinces, stakeholders), share information and get advice on better outcomes for fish

# Discussion

## More information

- [Bill C-68](#)
- [A Fisheries Act for the future](#)
- [Fisheries Protection Policy Statement](#)