

Provide Feedback into the Government of Canada's Review of the Fisheries Act and the Navigation Protection Act

The Government of Canada is [reviewing several pieces of federal legislation](#) related to environmental protection. Among those is the *Fisheries Act* and the *Navigation Protection Act*. Both of these acts were previously updated in 2012 in an effort to reduce their scope and take a risk-based approach to fisheries management and navigation protection.

Background information and ways to provide feedback for each Act are as follows:

Fisheries Act

The purpose of the *Fisheries Act* is to protect Canada's fish habitats. Prior to 2012, the *Fisheries Act* applied to all water bodies in Canada, and required municipalities and other entities constructing bridges or other works over or into waterways to ensure that the infrastructure did not negatively impact existing or potential fish habitats. In many cases, municipal bridge and culvert projects would take place on waterways with no fish activity, yet still require municipalities to undertake impact assessments and possibly alter design plans to a more expensive structure to address concerns with fish habitats that may not currently exist.

Under the revised *Fisheries Act*, the broad scope was replaced with a narrower focus on the productivity of Canada's commercial, recreational and Aboriginal fisheries. The Act relies on self-assessment based on a process developed by the Fisheries Protection Program. This approach supports local autonomy by allowing municipalities to use their knowledge of local water bodies to determine whether a more in-depth assessment under the *Fisheries Act* may be in order. On the other hand, the Act lessens the federal oversight of Canada's fish habitats.

The federal [Standing Committee on Fisheries and Oceans](#) is leading the [review](#) of the *Fisheries Act*. To learn more about the review process and provide feedback, visit Fisheries and Oceans Canada's [Let's Talk Fish Habitat website](#). Interested parties may also submit [briefs](#) to the Standing Committee on Fisheries and Oceans

Navigation Protection Act

The purpose of the *Navigation Protection Act* (NPA) is to protect the right to navigation on Canada's water bodies. Prior to changes in 2012, the NPA (which was then known as the *Navigable Waters Protection Act*), applied to all water bodies in Canada that could conceivably support navigation, even if no contemporary navigation activity took place on the water bodies. Similar to the *Fisheries Act*, the broad scope of the previous navigation legislation caused an unnecessary administrative burden for municipalities, as well a cause of increased construction costs.

Under the current NPA, a list of approximately 130 waterways across Canada that have a significant current navigation role remain under federal oversight. On other water bodies, municipalities or other entities constructing bridges or other works over and into waterways are responsible for considering navigation. The owners of works are able to opt their structure into the Navigation Protection Program if they are unsure of navigation consequences. Additionally,

the Minister of Transport is empowered to add additional waterways to the schedule if their importance to navigation increases.

There is not yet a formal website developed for the review of the NPA. However, the **Standing Committee on Transport, Infrastructure and Communities** is reviewing the Act. For more information on how to share input into the NPA through the submission of a **brief**, visit the federal **[navigation protection website](#)**.

Enquiries may be directed to:

Wyatt Skovron
Policy Analyst
780.955.4096

Kim Heyman
Director, Advocacy and Communications
780.955.4079