



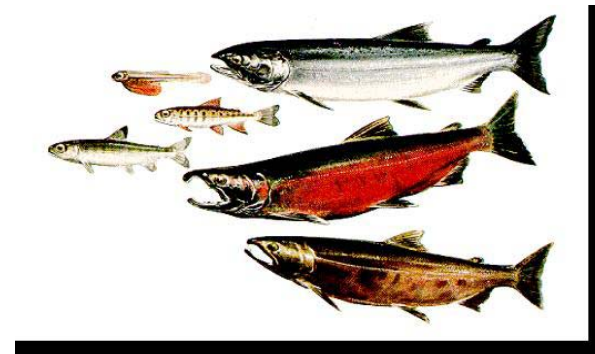
# Toward a more effective, predictable and timely Habitat Management Program



## The Environmental Process Modernization Plan



**Fall 2006 Consultation Sessions**





# Presentation Outline

- **DFO's involvement in managing fish habitat**
- **Moving forward with DFO's Environmental Process Modernization Plan (EPMP)**



# Why protect fish habitat?

- **Economic, social and cultural reasons**
- **Constitutional responsibilities**
- **No habitat –  
No fish**





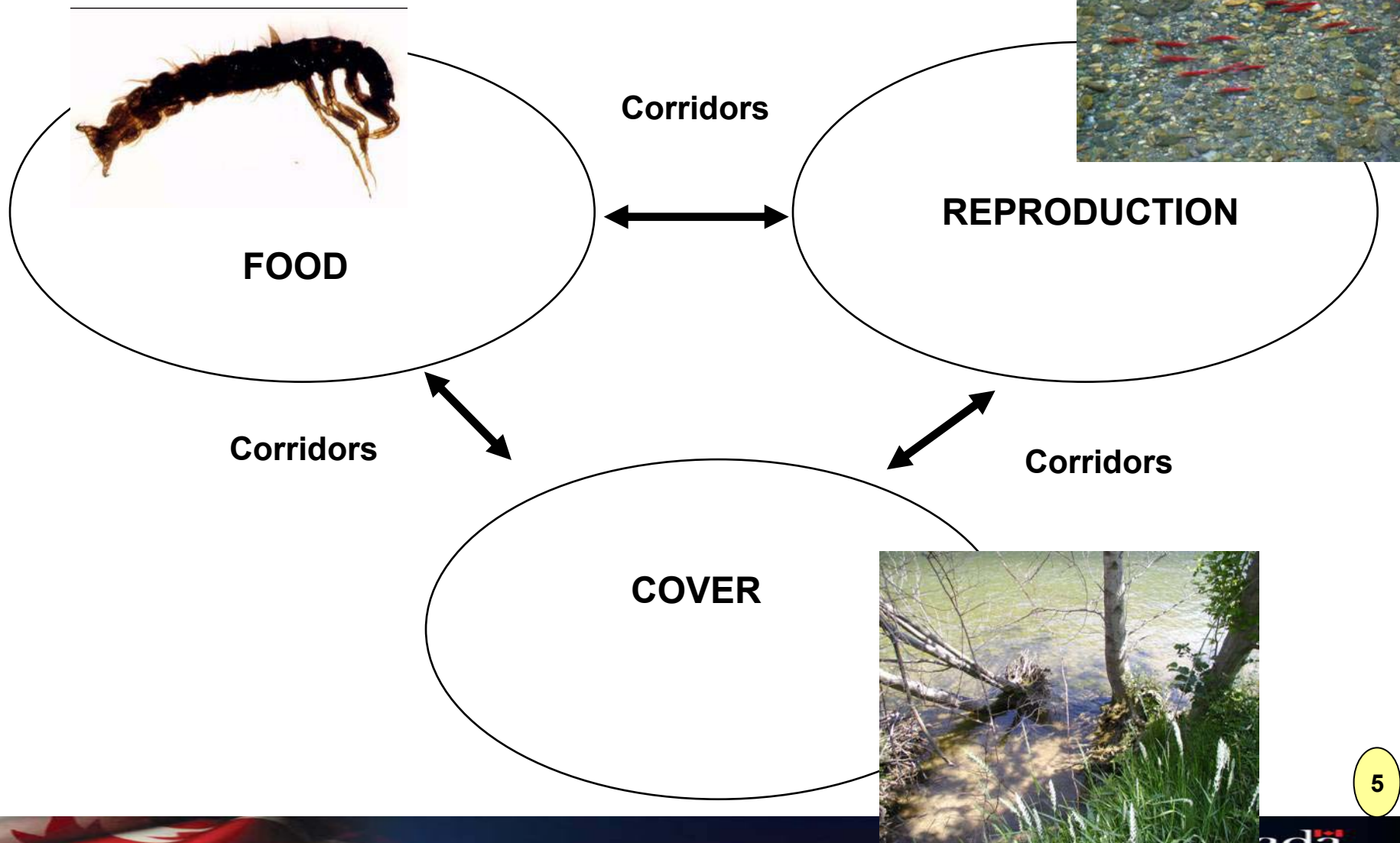
# ***Fisheries Act***

- ↖ **Applies to all Canadian fisheries waters, including marine and freshwater**
- ↖ **Fish Habitat Protection (Fisheries & Oceans Canada)**
- ↖ **Pollution Prevention (Environment Canada)**
- ↖ **Fish includes all life stages of finfish, shellfish, crustaceans and marine mammals**
- ↖ **Fish Habitat means “spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly in order to carry out their life processes”**





# Fish Habitat and Basic Life Requisites





# Habitat Provisions of *Fisheries Act*

**No harmful alteration,  
disruption or destruction  
(HADD) of fish habitat  
unless authorized**





## Habitat Provisions of *Fisheries Act* (cont'd)

↖ No deposit of deleterious substances in water frequented by fish



↖ Ensure safe passage for fish

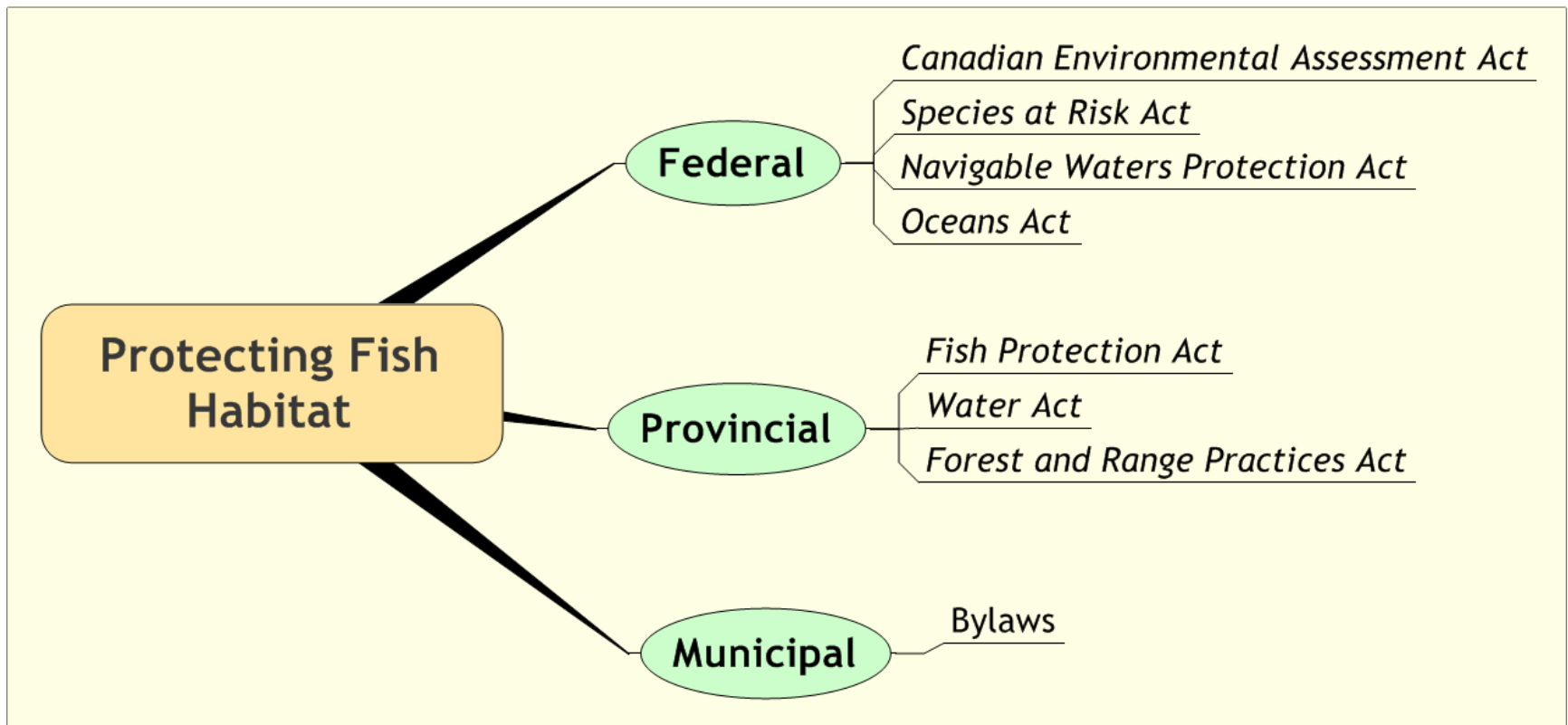
↖ No destruction of fish other than by fishing





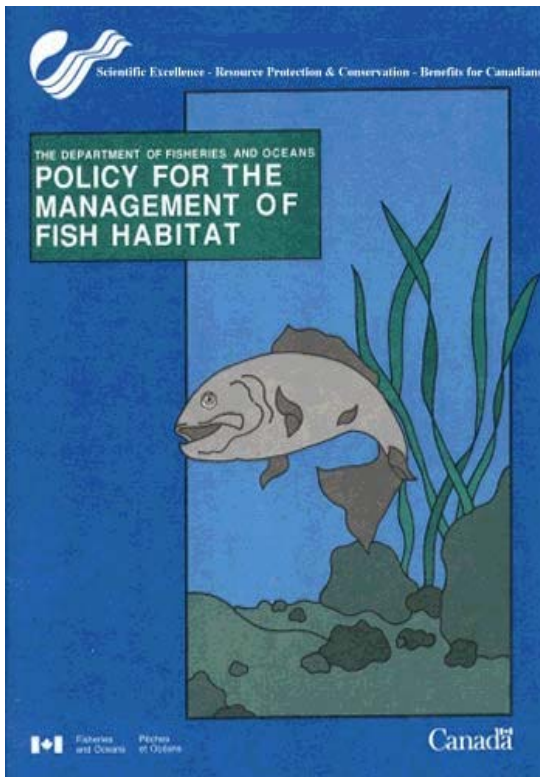


# Other Legislation





# National Policy for the Management of Fish Habitat



↩ **October 1986**

↩ **OBJECTIVE**

- net gain of productive capacity for fisheries resources

↩ **GOALS**

- fish habitat conservation, restoration and development

↩ **GUIDING PRINCIPLE**

- administer *Fisheries Act* to achieve “no net loss” of the productive capacity of fish habitats





# Fish Habitat Management





# Moving Forward with the Environmental Process Modernization Plan (EPMP)

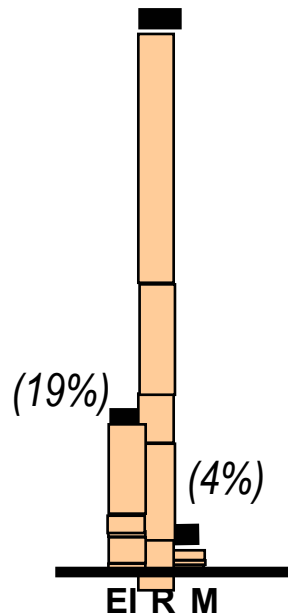
⇒ EPMP was implemented with the aim to increase:

- Responsiveness and efficiency;
- Flexibility -- results-oriented not rules-driven;
- Shared regulatory responsibility among government, citizens, industry and others;
- Effectiveness -- tools and practices in place to achieve policy objectives;
- Transparency/Predictability/Credibility -- where the rules of the game are known internally and to users, and are applied consistently.

# A shift in program direction

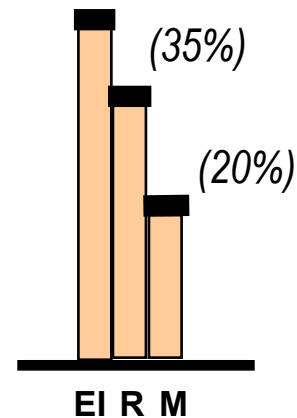
**From a:**  
**Referral oriented program**

(77%)



**To a:**  
**More balanced  
habitat program**

(45%)



EI = Early Intervention  
R = Referrals  
M = Monitoring





# EPMP Components

1. **Risk Management Framework (RMF)**
2. Streamlining Regulatory Reviews
3. Improving Coherence and Predictability
4. Renewed Emphasis on Partnerships
5. New Management Model for Environmental Assessment and Major Projects
6. Habitat Compliance Modernization

# Risk Management Framework (RMF)

- ⇒ Risk management provides a systematic, science-based approach, recognizing that not all habitat is equally important, and not all impacts are equally severe.
- ⇒ It will:
  - Clarify the “rules of the game”; and,
  - Focus resources on projects that pose the highest risk to fish habitat.

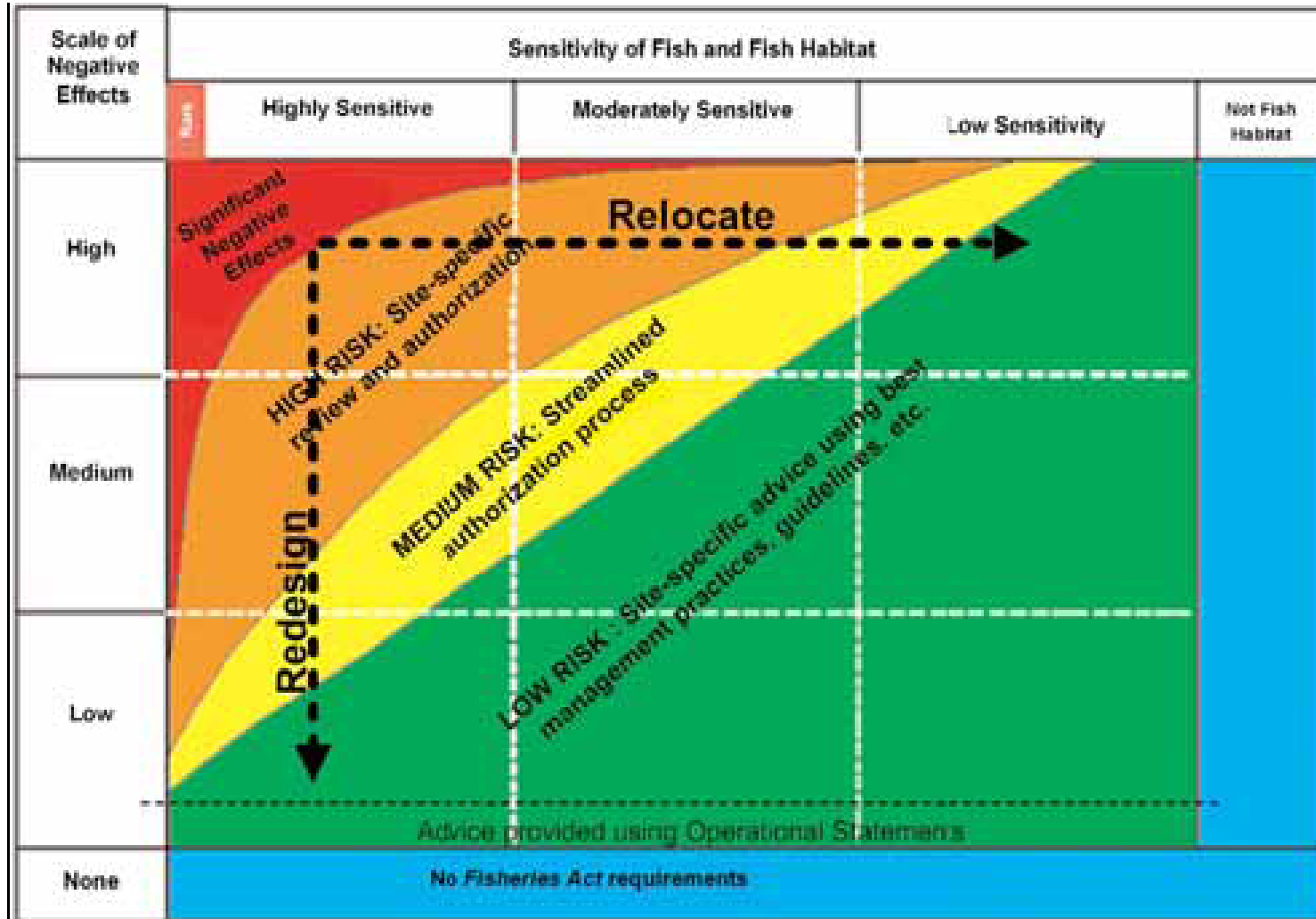


## RMF (cont'd)

⇒ The RMF contains two components to determine and manage level of risk:

- **Pathways of Effects (PoE)** – outline the “cause and effect” or paths through which an activity can affect fish habitat
- **Risk Matrix** – where if negative effects cannot be avoided through mitigation, they are further assessed using the risk matrix which incorporates the scale of negative effect (or “severity”) and sensitivity of the fish habitat

# Risk Matrix for Fish Habitat







# EPMP Components

1. Risk Management Framework (RMF)
2. **Streamlining Regulatory Reviews**
3. **Improving Coherence and Predictability**
4. **Renewed Emphasis on Partnerships**
5. **New Management Model for Environmental Assessment and Major Projects**
6. **Habitat Compliance Modernization**



## Other EPMP Elements

# Streamlining Tools

- The priority has focused on streamlining low risk referrals through Operational Statements.
- Streamlining tools are crucial to the objective of increasing time spent on reviewing high risk development activities.
- Development continues on tools for higher risk projects, including class authorizations, one window delivery with BC, possible regulations, etc.



## An example of a streamlining tool:

# BC Riparian Areas Regulation

- Relates to residential, commercial or industrial activities in the Lower Mainland, Southern Interior and East Coast of Vancouver Island
- Purpose is to protect riparian (streamside) areas so they can provide the natural features, functions and conditions that support fish life processes
- Intended to prevent a HADD of fish habitat by the application of standard Assessment Methods in determining riparian setbacks
- Uses a professional reliance model where developers hire “Qualified Environmental Professionals” to conduct assessments to determine riparian setbacks
- Governments focus on monitoring for compliance and effectiveness rather than review of projects
- One window for projects through provincial notification system



## Other EPMP Elements (cont'd)

# Improved Coherence and Predictability

- Standard practitioners' guides.
- A mandatory training program for all staff.





## Other EPMP Elements (cont'd)

# Partnerships

- DFO alone cannot succeed in conservation and protection of fish habitat.
- Engagement of provincial/territorial/FN governments, industry sectors, ENGOs, NGOs and the public is ongoing.



## Other EPMP Elements (cont'd)

# New management model for major projects and environmental assessments

- Governance, organizational and policy changes implemented to provide for more effective and timely EAs for major projects.

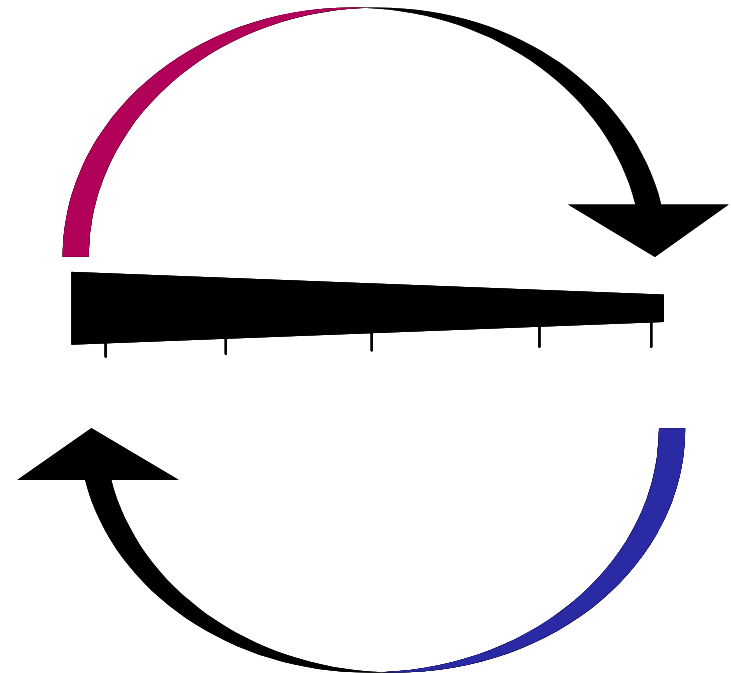


## Other EPMP Elements (cont'd)

# Habitat Compliance Modernization

Focus is to:

- promote compliance
- strengthen monitoring and auditing
- address non-compliance through a number of mechanisms.





## What we would like to hear from you?

- What activities do you feel pose the greatest risk of damage or impact to fish habitat in your region or community; and what should be done to reduce the risk?
- In what manner could you see yourself, your organization, or your community assisting DFO in protecting fish habitat?