

B.C. Wildlife Federation Answers: In preparation for the House of Commons Standing Committee on Environment and Sustainable Development's Study on Freshwater

1. Introductory Information

- a. Which issues related to protecting and managing freshwater does your organization work on?*

As British Columbia's leading conservation organization, with over 43,000 members and more than 100 member clubs, the B.C Wildlife Federation has been an active stakeholder in freshwater system conservation and advocacy for more than a decade. Most recently, the BCWF has become a founding member of the Watershed Security Coalition, a collective, non-partisan voice on watershed priorities, steered by many of the leading conservation organizations in B.C. We work together with government on freshwater sustainability.

Overall, the BCWF mission is to represent the interests of all British Columbians who aim to protect, enhance and promote the wise use of the environment for the benefit of present and future generations. This includes the sustainability of B.C.'s freshwater resources, including fisheries.

For several years, we have been working with government and local communities to protect the Fraser River watershed, which is vital to salmonid rearing and migration. We have been persistent on-the-ground advocates, calling for science-based management of steelhead, which are in imminent danger of extinction. Another notable BCWF freshwater protection initiative is our \$5 million Wetlands Workforce initiative, supported by the provincial government, to conserve and rehabilitate vital wetlands across B.C. in partnership with local communities and a \$27 million investment in the Healthy Watersheds Initiative. In addition, the BCWF supports more ongoing regional work with local communities and government for watershed and habitat conservation solutions across B.C.

The BCWF has a long history of science-based, on-the-ground, solution-focused education and advocacy for B.C.'s natural systems, and a depth and breadth of knowledge commensurate with our decades of experience in conservation.

2. Interaction and Collaboration with Federal Departments and Agencies

- a. Does your organization interact with federal departments and/or agencies on freshwater issues? If so, on which issues and with which departments and/or agencies?*

Yes, the BCWF has recently been interacting with the Department of Fisheries and Oceans (DFO), in the context of its responsibilities under the *Species at Risk Act*, especially with respect to Interior Fraser Steelhead populations. The BCWF has consistently offered balanced, science-based, on-the-ground input to federal and provincial departments on the urgent changes our members and independent scientists have recorded on steelhead populations in our freshwater system over several years, resulting in an emergency assessment by COSEWIC (Committee on the Status of Endangered Wildlife in Canada) in 2017. The BCWF has also been engaged with the Ministry of Environment and Climate Change (MECC) with regards to watershed security in B.C. since 2020, to establish a watershed security fund and strategy.

- b. Do the specific freshwater issues targeted by your organization fit within the mandate of a given federal department and/or agency or do they relate to more than one department and/or agency? If more than one, have you been able to identify a lead department and/or agency with which to engage?*

Yes, the DFO and MECC via the *Species at Risk Act* and sustainable fisheries management are mandated to manage B.C freshwater fisheries sustainably. This directly relates to the BCWF mission to lead the conservation and wise use of B.C.'s habitats, including B.C.'s freshwater systems. For example, the BCWF has specifically been working for protection of the Fraser River estuary (Heart of the Fraser), which is an important freshwater ecosystem for B.C. We work with government, communities, and First Nations on sustainable management of freshwater systems across B.C.

- c. Have you encountered notable successes in engaging with the federal government on freshwater issues? If so, please specify. If you have not had success in doing so, what in your opinion is the reason (e.g., no program available tailored to your needs, no identifiable service or unit within a department and/or agency with which to engage)?*

Unfortunately, despite our on-the-ground, science-based background in advocacy, the BCWF has not experienced notable success with federal agencies recently. In 2017, the BCWF engaged the Committee on the Status of Endangered Wildlife in Canada (COSEWIC) on declining interior Fraser steelhead (IFS) populations. COSEWIC conducted an emergency assessment and concluded IFS were at imminent risk of extinction. This triggered the federal *Species at Risk Act* (SARA), which resulted in another assessment through the DFO. The scientific process under SARA is called the Canadian Science Advisory Secretariat.

Recently, the BCWF has been urgently raising awareness of the imminent extinction of steelhead due in part to the failure of fisheries management and this scientific process. The process is supposed to result in four products: 1) a peer-reviewed Recovery Potential Assessment; 2) proceedings of the peer review meeting; 3) a cost-benefit analysis; and 4) a Science Advisory Report. Numerous provincial requests under the *Freedom of Information Act* (FOI) and the federal *Access to Information and Privacy* (ATIP) have demonstrated that DFO staff undermined this process, hiding and editing peer-reviewed science. This edited science was provided to the Minister of Environment and Climate Change Canada (MECC), who decided not to list these fish.

Getting the information related to these public processes involved multiple FOI, ATIP, and interventions by the Office of the Information Commissioner of Canada (OIC), to get DFO to disclose the data. The DFO has been hiding and editing science from the public and the MECC. Today, although we continue to petition on behalf of steelhead, these fish are on the brink of extinction.

To see BCWF conservation advocacy for the protection of the steelhead and conservation of the interior Fraser River, please see notable media coverage:

- BCWF Investigation Reveals Flawed Process for Steelhead: <https://bcwf.bc.ca/bcwf-investigation-reveals-flawed-process-for-steelhead/>
- The Globe and Mail (May 15, 2021): <https://www.theglobeandmail.com/canada/british-columbia/article-how-ottawa-thwarted-efforts-to-help-an-endangered-species/>
- The Vancouver Sun (December 16, 2019): <https://vancouversun.com/news/local-news/b-c-s-battle-to-save-endangered-steelhead-shrouded-in-secrecy>
- The Vancouver Sun (December 3, 2019): <https://vancouversun.com/news/local-news/b-c-s-battle-to-save-endangered-steelhead-shrouded-in-secrecy>
- Global News (May 17, 2021): <https://globalnews.ca/video/7871083/dfo-accused-of-risking-b-c-steelhead-extinction>
- The Narwhal (May 17, 2021): <https://thenarwhal.ca/dfo-steelhead-scientists-emails/>

d. Do you foresee engaging with the new Canada Water Agency? If so, in what way? What are your organization's expectations with respect to the Agency?

Yes, the BCWF expects the Canada Water Agency to manage and regulate freshwater to ensure the recovery and sustainability of freshwater ecosystems and the species which depend on them.

The BCWF is concerned with the sustainability of freshwater habitat and complex environmental flow needs of interrelated wildlife and freshwater systems. The BCWF is involved in restoration work across British Columbia, particularly related to freshwater habitat and wetlands, having recently received \$5 million from the provincial government for wetlands restoration with local communities and First Nations. Therefore, we anticipate engaging with the new Canada Water Agency regularly.

3. Federal Water Legislation, Policies, and Regulations

a. Does your organization interact with federal departments and/or agencies on policies, legislation, regulations, or funding programs related to freshwater? If so, please specify.

Yes, the BCWF has a wetlands program which delivers numerous projects annually. The BCWF also works with both the federal and provincial governments on matters of sustainability. Specifically related to water, the BCWF deals with BC's *Watershed Sustainability Act*, *Fisheries Act*, *Forest and Range Practices Act*, Canada's *Water Act*, *Fisheries Act*, and *Species at Risk Act*. The BCWF works with DFO, MECC and Canadian Wildlife Service. Most importantly, as noted above, BCWF interacts with DFO and the MECC in relation to obligations under SARA.

- b. Can you identify any current gaps in federal water legislation, policies, regulations, and/or initiatives, or in general across jurisdictions? If so, please specify.*

As further set out below, it is BCWF's opinion that DFO is failing in respect to its SARA obligations, including undermining what is supposed to be an objective, transparent, peer-reviewed process for receiving scientific advice through the Canadian Scientific Advisory Secretariat (CSAS).

- c. Do you feel the federal government could play a more effective role in protecting watersheds in Canada? If so, which watersheds and how?*

Yes, especially the Fraser Watershed in relation to aquatic species at risk, as well as creating, monitoring and enforcing environmental flow needs (water quality and quantity).

- d. Are there areas of freshwater policy, legislation and/or regulation in which you feel the federal government should play a greater role?*

Yes, the separation between management and science needs to be redefined. Our watersheds and species need legislated objectives to ensure the sustainability of both our freshwater resources and the species which need them to persist.

- e. Are there areas of freshwater policy, legislation and/or regulation that you feel the federal government should vacate and leave to another level of government or to the private sector?*

The Province of BC introduced the *Water Sustainability Act* in 2016 and much of the act has not been implemented or enforced. Neither the federal nor the provincial government has done an adequate job of managing our watersheds. We need an agency which has legislation, regulation, funding, capacity and enforcement to take care of our freshwater resources.

- f. Are you aware of instances where federal freshwater policy, legislation, regulations and/or initiatives have clearly benefitted from your organization's input?*

No. The DFO has been unaccountable for its sustainable fisheries management or water system restoration in British Columbia. The BCWF is urgently advocating for more sustainable fisheries management, which we believe will benefit the DFO and Canadians long-term.

4. Collection of Information and Data

- a. Do you believe that there is sufficient data collected and made available publicly about freshwater in Canada?*

The BCWF knows that the science has been both clearly available and presented to the relevant ministries regarding fisheries management since 2017. Members of the BCWF and other leading conservationists in B.C. and across Canada are frustrated because the best indicators we have are a fish population which is headed for extinction. This extinction is in no small part due to unsustainable fisheries management by the DFO (together with a lack of science-based transparency in the DFO). This mismanagement has continued despite the repeated warnings for ministry scientists, the Committee on the Status of Endangered Species in Canada, and other freshwater ecosystem experts.

- b. Do you believe there should be improvement in freshwater-related data-sharing?*

Yes.

- c. Is there any specific type of data or information you would like the federal government to provide to freshwater stakeholders?*

Yes. The BCWF is calling for government departments charged with any type of wildlife and habitat conservation (including freshwater conservation) to rely on peer-reviewed science when making management decisions, have transparent monitoring processes and data, and consider public feedback from on-the-ground experts and organizations.

- d. Has your organization experienced challenges obtaining well-organized data from the federal government on issues relating to freshwater?*

Yes, please see answer 2c. above.

- e. Is the lack of standardized data or information across government jurisdictions a problem or challenge for your organization in accomplishing its objectives with respect to protecting and managing freshwater?*

Yes. Recently, the DFO (representing the Government of Canada) has been proven to be hiding and editing publicly funded, peer-reviewed science, and making poor fisheries management decisions based on incomplete and edited data.

5. International and business issues

- a. *Should Canada play a greater role internationally in helping find solutions, either through government and/or the private-sector involvement, to the challenge of global water security?*

The Government of Canada is not currently managing domestic fish or watersheds successfully. Canada should focus on dealing with the imminent issues related to watersheds within its borders first. Secondly, Canada is responsible to the public with regards not only to watershed sustainability, but also public access to public resources, including water.

The BCWF would caution the Government of Canada with regards to any privatization or private interests in watershed sustainability, unless through regulation and legislation which ensures the public interest is met. Public access to public resources is a cornerstone value for the BCWF and its membership.

- b. *Do you feel Canadian private-sector companies, including financial institutions, can and should play a role internationally?*

If the role relates to carbon sequestration, then the Canadian private sector can play a role with supporting legislation, regulation, capacity, monitoring and enforcement. The BCWF would recommend the Government of Canada begins by focusing on and meeting its core responsibilities related to watershed sustainability. Too much attention to complex broader issues can result in a loss of focus on saving vital watersheds and species at imminent risk of extinction.

We are in a crisis, and the MECC is not meeting even baseline expectations – the ministry should be focused.

6. Overall Summary of B.C. Wildlife Federation Freshwater Recommendations

- a. **Adequate investment.** Funding supports capacity for monitoring, research and enforcement of existing legislation and current obligations related to watershed sustainability. The BCWF cannot stress enough that the Government of Canada is nowhere near meeting its baseline commitments with regards to watershed sustainability. MECC needs to get its house in order and fulfill core responsibilities.
- i. The separation between science and management needs to be clearly defined.
 - ii. The decision-making process must be transparent to the public.

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- b. **Legislation and regulation creation and modernization.** A focus on the sustainability of freshwater ecosystems, habitat and fisheries needs to be developed, which should result in the creation of new legislation and regulation as well as modernization of existing tools. The BCWF is becoming less supportive of policy as decision-makers have increasingly been ignoring policy when there is a trade-off between extraction/development and sustainability.
- c. **Collaborate with the Province of BC to create a Watershed Sustainability Fund and Strategy.** These two pieces are in MECC's mandate letter to the Province of British Columbia. The commitments entail creating an endowment which is funded with dedicated fund sources and is distanced from government. The Strategy is a "big tent" approach which aims to secure a co-managed outcome which focuses on the sustainability of freshwater ecosystems in B.C. This could be a pilot project for the Government of Canada.
- d. **Watershed Security Governance.** The BCWF, in partnership with the Watershed Security Coalition, is calling for increased investment and science-based management in watershed security in British Columbia. The solution is to invest in wetland and stream bank restoration, invasive species removal, Indigenous and local government watershed monitoring programs, and fish and wildlife stewardship. We need to ensure we have sufficient water left in rivers to support salmonids' migration to spawning grounds in regions most impacted by climate change.
- e. **Short-term Investment in Watershed Security in BC.** The Government of Canada should match the \$27 million the province of BC has invested in the Healthy Watershed Initiative to continue on-the-ground restoration work until a Watershed Security Fund and Strategy have been developed.

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