



May 7, 2019

Standing Senate Committee on Fisheries and Oceans  
The Senate of Canada  
Ottawa, Ontario  
Canada, K1A 0A4

Dear Senators:

**Re: Bill C-68**

On behalf of the Saskatchewan Association of Rural Municipalities (SARM), I am writing to you regarding Bill C-68. SARM represents all 296 rural municipal governments in Saskatchewan. We take direction from our members and have a mandate in municipal and agricultural issues.

SARM supports the House of Commons' Standing Committee on Fisheries and Oceans recommendations to provide sufficient protection provisions that act as safeguards for municipalities, to expedite permitting to allow for works that involve the restoration of damaged infrastructure and emergency works to protect people and communities, and for the creation of an advisory committee that includes municipalities so that ongoing recommendations can be delivered. We welcome the provision in the proposed amendments that would enable the establishment of advisory panels and would appreciate any additional details you can provide on how this will function including timelines.

We urge the federal government to take into consideration municipalities' needs to ensure that additional administrative burdens are not created and that project delays are prevented. It is critically important that municipal drains and low-risk municipal infrastructure work be exempted from the need for an authorization under the *Fisheries Act*; this should be stipulated as an amendment to Section 35 of the Act. By restoring the former "harmful, disruption or destruction of fish habitat" (HADD) provision without amending the definition of fish habitat, the Act could become applicable to drainage ditches and other similar bodies where fish are present.

We also encourage the federal government to consider providing funding to municipalities and landowners for the costs they accumulate while taking measures to maintain publicly beneficial fish and fish habitat for environmental stewardship. We also

believe that it is crucial to avoid duplication with provincial environmental regulations that already protect fish and fish habitat; working closely with provincial governments will help to eliminate and reduce red tape. A process to harmonize federal and provincial legislation, regulations and policy would be welcome news to our members. Focus should also remain on Canada's commercial, recreational and Aboriginal fisheries.

We are also concerned about the expansion of the definition of "fish habitat" to include any waters frequented by fish. This broad definition of "fish habitats" will cause challenges to project proponents, as the term "frequented" is subjective and could be broadly interpreted. To ensure regulatory clarity, more specific criteria for identification of fish habitats is needed.

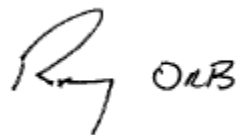
During a recent briefing with Fisheries and Oceans Canada officials, we learned that some of our most pressing questions will not be answered in the Act itself or regulation, but will instead be left to policy. We are very concerned that major questions pertaining to municipal infrastructure cannot be addressed at this point.

Finally, we hope to learn more about the non-regulatory approach to notify Indigenous communities about projects. We appreciate that a non-regulatory tool will be more flexible, but hope the approach chosen does not create additional red tape or confusion for project proponents.

It is important that provisions are in place to ensure an orderly transition to the new regime. SARM looks forward to continued engagement on the *Fisheries Act* to ensure that municipalities needs are taken into consideration. Balancing the needs of the environment and municipalities may be achieved through strong collaboration and communications with stakeholders such as municipal associations and the Federation of Canadian Municipalities.

Thank you for considering our comments on the *Fisheries Act*.

Sincerely,

A handwritten signature in black ink that reads "Ray Orb". The signature is written in a cursive, slightly slanted style.

Ray Orb  
President