



Transport, Infrastructure and Communities Committee
Sixth Floor, 131 Queen Street
House of Commons
Ottawa, ON K1A 0A6
TRAN@parl.gc.ca

November 28, 2016

RE: Review of Navigable Waters Protection Act — Navigation Protection Act

Dear Committee members,

Since its inception in 1996, the Rivershed Society of British Columbia (RSBC) has been actively delivering public education programs, community initiatives, and building stewardship capacity in the Fraser River Basin. We are a non-profit organization with a vision of salmon flourishing in rivers, and people flourishing in communities. Our mission is to conserve, protect and restore the health of BC's riversheds within a generation.

As the name of our organization implies, our concerns are centered around entire watersheds, not just the main stem of a river as all those named in the Schedule of Navigable Waters Part 1. All waters referred to in Parts 1 & 2 are the repositories of the drainage basins that make up the watersheds. The Act as currently drafted provides no protection for the sources named in the Schedule. All waters require protections. It is evident from the selection of waters listed in the Schedule for protection is based on commerce. The change in name from the Navigable Waters Protection Act to the Navigation Protection Act says it all. The previous government, which enacted the revised Act, centered their protection of navigation related to commerce and not the protection of the very substance (water) that allows the movement of the vehicles of commerce. Protection must be given to all the very waters and their sources because every living creature with it, around it and above it cannot exist without it. It is not just protection for the existence of these waterways, but also for the quality of those waters to support life.

The following are of concern to us and our membership:

1. The restoration of the environmental values that were protected in the original Navigable Water Protection Act and more as a result of the changes that we know will occur within our watersheds as a result of climate change; e.g. changes in high tide levels in all tide-affected waters.
2. The cumulative impact of works or projects on all waterways. This includes the impact of multiple works or projects within the same waterway and/or watershed. It also includes the cumulative impact of the same project or works (it could be pipelines, multiples bridges, alterations to shorelines, dams, dikes, etc.) over an extended period of time.



3. The revisions to the NPA must be made in conjunction with an enhanced Fisheries Act (with enhanced habitat/ecosystems protection) and a Canadian Environmental Assessment Act that enhances and ensures the right for citizens to participate in the decision making process before projects that will affect our waterways are authorized by the government.
4. The Act should not only focus on the unobstructed movement or navigation of vessels carrying the substance of commerce but also on the protection of the waterway from the release of harmful and deleterious substances that are often associated with the movement of commercial goods. Those substances may not impede navigation but by definition they are harmful to the life that exists within the column of the waterway. Therefore, we do not agree that the Governor in Council be given the authority to order an exemption of any clause that prohibits the release of harmful and deleterious substances.
5. Finally, it should be demonstrated that a revised Act will foster the principles of stewardship and social equity. Confirm that all watersheds and/or drainage basins are part of the public commons and that the citizens have a right to participate in the benefits of their local waterways and to participate in any process that affects the integrity of the related ecosystems and nature and quality of the water within them.

The citizens of this country have entrusted the protection of the commons to our legislators and that trust extends beyond this generation.

Sincerely,

Olga Schwartzkoph, Director
Rivershed Society of British Columbia

cc. Minister of Transport
Minister of Fisheries and Oceans
Minister of the Environment