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Vice-Chair, Standing Committee on Fisheries and Oceans
House of Commons

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SUBJECT: Standing Committee on Fisheries and Oceans' 2024 Review of the Fisheries Act

WaterPower Canada is pleased to have the opportunity to provide comments relation to the upcoming review of the *Fisheries Act* by the Standing Committee on Fisheries and Oceans.

WaterPower Canada (WPC) is the national industry association representing the Canadian hydroelectricity sector. Our members include both public and private hydropower producers, equipment manufacturers, engineering and construction firms and other suppliers of goods and services for the hydropower industry.

WaterPower Canada members pride themselves as responsible environmental stewards and have a long history of working with federal and provincial agencies to ensure that their facilities minimize adverse environmental effects and to continually improve environmental outcomes. In fact, many hydropower facilities support active and sustainable fisheries.

Our key recommendation for the Committee is to restore the focus of the *Fisheries Act* on fisheries and their sustainability rather than impacts on individual fish. The 2019 amendments to the Act have diverted the attention of Fisheries and Oceans Canada away from significant fishery-level issues and has introduced regulatory uncertainty for Canadian industry. This is particularly true for our sector, which provides 60% of Canada's electricity supply and will be needed to play an increased role in our efforts to reduces our country's greenhouse gas emissions.

Restoring the focus of the *Fisheries Act* on fisheries rather than fish will realign the act with the federal government's constitutional responsibility for fisheries and will undo a theme of consistent overreach – as previously demonstrated with amendments to the *Impact Assessment Act*, the *Clean Electricity Investment Tax Credits*, and the *Migratory Birds Regulations*.

Amending the *Fisheries Act* would also help refocus the attention of Fisheries and Oceans Canada staff and would address the finding of the Canada Electricity Advisory Council that:

An over-abundance of caution on federal permitting, reviews and approvals undermines the clean energy transition¹

¹ The Canada Electricity Advisory Council was convened by the Minister of Natural Resources convened in May 2023 to advise on policies to enable the electricity sector to play its pivotal role in Canada's transition to net zero. was commissioned by NRCan [Powering Canada a Blueprint for Success - Canada Electricity Advisory Council \(waterpowercanada.ca\)](#), page 99.

Our recommendations fall into three major categories:

- A) Focus attention of matters relating to fisheries rather than fish, and
- B) Ensure that the public interest is considered in decision making
- C) Ensure that reasonable alternatives and courses of action are taken in decision making

With this clarity in the *Fisheries Act*, we believe that Fisheries and Oceans Canada could continue with its mandate to protect Canadian fisheries and the sustainability of fish populations without being mired in details and trivial issues.

We would be pleased to discuss this matter and our recommendations further before the Committee at its pleasure.

Sincerely,



Lorena Patterson
President and CEO