

July 2020 – CSUR’s Technical Webinar #2

Understanding the New Fisheries Act and the Implications to Surface Water Users in AB & BC



As companies gear up for their upcoming fall & winter drilling programs, it was important to reiterate and remind our industry of the updated Fisheries Act, which came into effect in August 2019. As such, CSUR was pleased to have Robert Best, Manager of Water Resources at Integrated Sustainability, on hand to explore the intricacies of the changes and the potential implications for surface water access in Alberta and British Columbia. Robert navigated the attendees through the chronological history of the act and the subsequent changes over the past few years.

Although companies are familiar with and are required to abide by the existing protocols set by provincial governments & regulators (i.e. Alberta Energy Regular, Alberta Environment & Parks, BC Oil & Gas Commission, etc.), the speaker explained the altered federal approval process requirement that now needs to be in place with Fisheries & Oceans Canada (DFO). This dual review process, which now involves a more thorough ecological review at the federal level, will undoubtedly require an adjustment in project timelines for all industries.

The DFO review will take into account the project scope and the rate, volume & timing of the removal from the body of water and will address the potential impact to fish & fish habitat within the same. Failing to get DFO approval prior to accessing water will likely result in damage to an organization’s social licence and have an adverse effect on their operations going forward.

Typical timelines to expect with this new approval process is anywhere from 8 to 16 weeks, depending on the quality of the application, completeness, scope and project activities. As reiterated by the speaker, the requirement to have the project reviewed by DFO has not changed. However, the presenter’s recommendation was to work with and involve a qualified aquatic expert or organization in the project planning & application phase to ensure a successful application within a reasonable time frame and to comply with all the regulations.

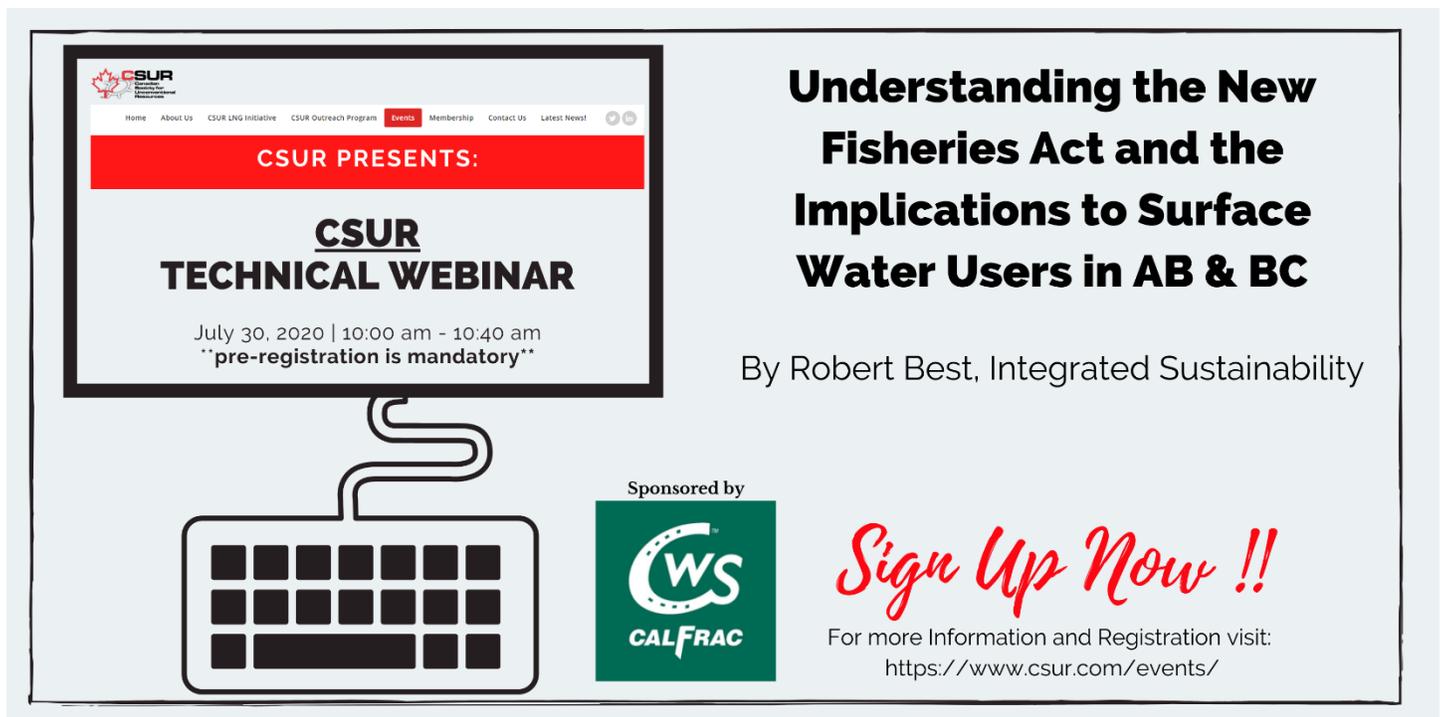
ABSTRACT: In February of 2018, the Government of Canada introduced proposed amendments to the Fisheries Act, to improve the protection of fish and fish habitat. Those proposed amendments received royal assent and became law in June of 2019 and came into force as of 28 August 2019.

There have been many notable changes to the Fisheries Act, including the removal of avoiding "serious harm to fish" and reverting back to language that includes avoiding the harmful alteration, disruption, or destruction of fish habitat (HADD). While the intention of the Fisheries Act has not changed, the interpretation and related mitigations required to comply with the new Fisheries Act can be challenging to understand. The intention of this discussion is to provide attendees with a broad understanding of the changes to the Fisheries Act, while discussing some of the potential impacts to various water users, industries, activities, or undertakings, with a focus on the oil and gas sector in Alberta

and British Columbia. A case study focusing on Fisheries and Oceans Canada's (DFO's) Request for Review process, for water withdrawals, will be presented.

PRESENTER: Robert Best, Integrated Sustainability

Mr. Robert Best (Rob) is an Aquatic Biologist with over 10 years of experience supporting and leading teams in Canada and internationally, through authorship of regulatory applications, technical assessments, environmental and social-economic assessments, in addition to other aquatic research, writing, regulatory, and editorial support. Rob is registered as a Professional Biologist in Alberta and British Columbia and is also designated as a Qualified Aquatic Environment Specialist and Qualified Environmental Professional. During his Master of Science research degree, Rob focused on the physicochemical analysis of wastewater, both municipal and environmentally sourced, to co-develop a novel wastewater treatment system. He currently leads the Water Resources team at Integrated Sustainability, where he provides technical expertise and support to clients across multiple sectors, related to water sourcing, infrastructure, and disposal.



The graphic features a computer monitor displaying the CSUR website. The website content includes the CSUR logo, a navigation menu with 'Events' highlighted, a red banner reading 'CSUR PRESENTS:', and the main title 'CSUR TECHNICAL WEBINAR'. Below the title, it states 'July 30, 2020 | 10:00 am - 10:40 am' and '**pre-registration is mandatory**'. To the right of the monitor, the text reads 'Understanding the New Fisheries Act and the Implications to Surface Water Users in AB & BC' followed by 'By Robert Best, Integrated Sustainability'. Below the monitor is a keyboard icon. To the right of the keyboard is the 'Sponsored by' logo for 'CWS CALFRAC'. Further right is the text 'Sign Up Now !!' in red script, with 'For more Information and Registration visit: https://www.csur.com/events/' below it.

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