

Designation of Sensitive Streams Under the FPA

The *Fish Protection Act* is a key element of the BC Fisheries Strategy to save our fish stocks. In May 1997, the Government of British Columbia introduced this landmark legislation—the first of its kind in Canada—to balance the needs of fish with the needs of people, to the benefit of both.

The *Act* focuses on four major objectives: ensuring sufficient water for fish; protecting and restoring fish habitat; improved riparian protection and enhancement; and stronger local government powers in environmental planning.

For the first time in BC, the *Fish Protection Act* provides legislative authority for water managers to consider impacts on fish and fish habitat before approving new licences, amendments to licences or issuing approvals for work in or near streams.

The process of designating Sensitive Streams—which will involve consultation with stakeholders, municipalities, First Nations, communities and the public—is being led by the Ministry of Environment, Lands and Parks.

Sensitive Stream designation is complementary to the federal *Fisheries Act*. Taken together, federal and provincial programs, along with local initiatives, will provide the best means to ensure that Sensitive Streams are managed with fish sustainability as the most important management goal.

Sensitive Stream designation will ensure that fish have enough water to survive. When a stream is designated as sensitive the following measures will help ensure protection of threatened fish populations.

- The sustainability of fish will receive highest priority.
- Recovery plans may be required on Sensitive Streams that are unable to rehabilitate naturally.
- Water managers must consider the needs of fish before issuing a water licence.
- Water licence applicants may be required to provide water flow and fish habitat information, or find a reasonable alternate source of water.
- Water licence applicants may be required to develop mitigation or compensation measures.

A Closer Look at Recovery Plans

Recovery plans, an essential tool of the Fish Protection Act, may be required on Sensitive Streams that are unable to rehabilitate naturally. Key features of a recovery plan include:

- increasing public awareness of threats to fish populations;
- stakeholder involvement in finding innovative solutions;
- may receive development and implementation assistance from Forest Renewal or Fisheries Renewal BC;
- may be approved by Cabinet;
- future licences, approvals or permits may be required to conform with approved recovery plans

Based on public consultation and scientific information, streams across the province will be identified that warrant special management attention because of risk to fish populations due to inadequate water flows and other habitat concerns.

The following set of criteria has been developed to help identify candidate Sensitive Streams:

- The stream is located in a watershed containing a significant population of salmon (coho used as an indicator species);
- The stream is a high priority for designation at present because of the precarious nature and value of fish stocks at risk, and the potential for high productivity given the nature of existing fish habitats;
- The stream is located in an area of the province with sensitive yearly flows and significant human populations or industrial water users;
- The stream flow limits fish production from achieving historic levels;
- Water abstraction and associated weirs, intakes, etc. are adversely affecting stream flows and fish migration;
- The stream offers good potential for recovery of fish populations, either with or without a recovery plan; and
- The stream is not otherwise being addressed under the BC Hydro Water Use Planning licence review process.

As part of the consultation process, we will be asking for input on these and other potential criteria that may be valuable in identifying sensitive streams.

As a first step, based on the above criteria, the Province has identified 15 candidate streams for initial designation:

Vancouver Island:

- Black Creek
- Goldstream River
- Englishman River
- Little Qualicum River
- French Creek
- Little River
- Fulford Creek

Lower Mainland:

- Chapman Creek
- Silverdale Creek
- Kanaka Creek
- West Creek
- Lang Creek
- Whonnock Creek
- Nathan Creek

Omineca/Peace:

- Salmon River

These streams have been selected because they have an immediate need for additional protection measures and it is expected that designation will have minimal impact on other users of the resource.

It's up to all of us to save our fish.

There are many other streams that should be considered for Sensitive Stream designation under the Fish Protection Act. That is why government is seeking nominations from the public for future candidates for designation as Sensitive Streams. Not all streams can be designated immediately. Before additional designations are made, the needs of the fish and potential impacts on water users must be taken into account. However, we do want your input on priority streams for designation. We look forward to input from municipalities, First Nations, stakeholders and communities.

The provincial government will be consulting on the above candidate streams and is seeking input on the development of a Sensitive Stream regulation as well as future Sensitive Stream designations.

Please contact us:

If you have any information, comments or suggestions that would help in the identification of Sensitive Streams to be considered for designation, or any other contribution towards development of the Streamside Protection regulation, we would like to hear from you. Some questions you may want to consider:

1. Are there any fish bearing streams in your town that you believe may currently be at risk? (please name)
2. Are you aware of either a decline or other change in fish stocks found in any stream in your community? (please describe)
3. What activities in your community might pose a threat to water flow or quality in fish bearing streams? Can you name the streams involved?
4. Are there any streams in your community that might require help through a recovery plan to bring fish stocks back to historical levels? (please name)
5. What do you think are the elements of a successful recovery plan?

Here are three ways to let us know your views and comments:

Write: Sensitive Streams Project Team
Resource Stewardship Branch
Ministry of Environment, Lands and Parks
PO Box 9338 Stn Prov Govt
Victoria, BC V8W 9M1

Fax: (250) 356-5104

Email: streamside@ssbpost.env.gov.bc.ca

Your thoughts on this initiative are important to us. Please provide us with your feedback as soon as possible. Working together, we can ensure that healthy, productive streamside areas will always be part of BC's landscape and contribute to the economic and social well-being of all British Columbians.