

THE FISHERIES ACT – Canadian Federal Government Presentation Nov 14, 2018.

PART A

Fisheries Act Compliance and Chlorinated Water (Drinking Water)

Did you know that ordinary chlorinated tap water is as lethal to fish as crude oil? Did you know that releasing chlorinated tap water into a natural waterbody – either intentionally or simply by failing to promptly mitigate or repair a water line break - can be a violation of federal environmental law?

The *Fisheries Act* is among the oldest pieces of legislation in Canada, and has specific provisions prohibiting the deposit or release of substances deleterious (harmful) to fish into fish-bearing waters or any place where the substance can enter those waters. It also has provisions concerning reporting of releases, and cleanup and mitigation. These “pollution prevention provisions” are enforced by officers at Environment and Climate Change Canada (ECCC), while Fisheries and Oceans Canada (DFO) remains responsible for the remainder of the Act, including habitat. This presentation will cover the “pollution prevention provisions” of the *Fisheries Act* in the context of chlorinated water, including both superchlorinated water used in construction and ordinary tap water.



PART B

The Fisheries Act and the Wastewater Systems Effluent Regulations (WSER)



Do you know your municipal wastewater system is subject to not only your provincial approval or code of practice, but also to a relatively new federal regulation?

The Wastewater Systems Effluent Regulations (WSER) were registered in 2012, and mandate baseline standards for water quality and federal reporting for wastewater systems across Canada that discharge to fish-bearing water, or places where the effluent may reach fish-bearing water.

While municipal wastewater systems have always been subject to the *Fisheries Act* and its provisions prohibiting the release of substances harmful to fish into these places, WSER now serves as a less-demanding exception to these more stringent provisions by providing clear limits for water quality and mandating certain sampling and reporting requirements. Failure to comply with WSER conditions, however, can make a system once again subject to the general prohibition of the Act. This presentation will explain how WSER relates to the *Fisheries Act*, which municipal wastewater systems it applies to, and the federal compliance and enforcement expectations now in place for municipal wastewater treatment.