Dear Members,

The Canadian Canola Growers Association (CCGA) has been closely following the federal government’s legislative work on Bill C-68. CCGA represents 43,000 canola farmers from Ontario to British Columbia on national and international issues, policies, and programs that impact farm profitability. Canola is a Canadian-made crop developed by researchers at the University of Manitoba and Agriculture and Agri-Food Canada in the 1970s. It is now the most widely planted crop in Canada.

Our farmers are committed to the environment and sustainable agriculture. Our organization has set wide-ranging environmental targets. By 2025 these goals will see us reduce our fuel use by 18% per bushel; improve land use efficiency by 40%; sequester an additional 5 million tonnes of greenhouse gases every year in Canadian soils; improve soil and water health by adopting 4R nutrient stewardship practices over 50% of canola acres, and; safeguard the 2,000 beneficial insects that call canola fields and surrounding habitat home. We have set these targets of our own volition to demonstrate how important the environment and sustainability are to farmers.

Farmers depend on the environment for their livelihood. They also depend on clear environmental regulations to protect the environment. However, proposed sections of Bill C-68 create many uncertainties for our members and have the potential to inflict significant hardship on their ability to run environmentally conscious, sustainable business operations.

Our first area of concern relates to s 2(2) of Bill C-68:

For the purposes of this Act, the quantity, timing and quality of the water flow that are necessary to sustain the freshwater or estuarine ecosystems of a fish habitat are deemed to be a fish habitat.

This proposed amendment will have the effect of broadening the definition of fish habitat such that aquatic ecosystems that could sustain fish, but under natural circumstances will not, shall be deemed protected fish habitat.
Our second area of concern relates to s 35(1) of the *Fisheries Act*, RSC 1985, c F-14, which currently reads:

> No person shall carry on any work, undertaking or activity that results in serious harm to fish that are part of a commercial, recreational or Aboriginal fishery, or to fish that support such a fishery.

Our members have no desire to cause serious harm to fish that are part of a fishery, or the fish that support such a fishery. However, the proposed changes in Bill C-68 to s 35(1) will lower the threshold of harm, and expand the target aquatic ecosystems requiring statutory or regulatory exemptions for associated work, undertaking or activities, from fisheries to fish habitat:

> No person shall carry on any work, undertaking or activity that results in the harmful alteration, disruption or destruction of fish habitat.

Finally, Bill C-68 is largely silent on prescribed works, undertakings, or activities that would not contravene s 35(1). While we understand that such provisions will be accounted for in the regulations, this uncertainty furthers our concerns regarding Bill C-68. For this reason, we would ask the Senate to urge the Government to clarify these regulations and codes of practice before Bill C-68 receives Royal Assent.

Taken together these amendments will limit, or in some cases remove entirely, our farmers’ ability to undertake works on their land that would currently fall within the day-to-day course of business. The proposed changes to ss 2(2) and 35(1) will trigger consequences for our growers which may prove insurmountable. This will inflict significant hardship on our farmers’ ability to run environmentally conscious, sustainable business operations.

We would therefore ask the members of this committee, in their careful consideration of Bill C-68, to remove the proposed amendments to ss 2(2) and 35(1). Our farmers depend on the environment for their livelihood. They are materially invested in its health, and biodiversity. Absent clear environmental laws and regulations, they cannot maintain that material investment in the environment’s health and biodiversity.

Thank you for considering this submission. Agriculture is a significant contributor to the Canadian economy and is focused on increasing its contribution into the future. We are committed to working with you to ensure farmers and the broader agriculture industry remain competitive globally and continue to operate environmentally conscious, sustainable businesses.

Sincerely,

Rick White  
Chief Executive Officer  
Canadian Canola Growers Association