

Regulations & Legal Mechanisms Protecting Stoney Creek

Stoney Creek is a “fish-bearing watercourse” with documented presence of salmon. This places it under multiple layers of federal, provincial, and municipal protection.

1. Federal Protections

a. Fisheries Act (Canada)

The strongest protection comes from the federal Fisheries Act which prohibits harm to fish, destruction of fish habitat, and pollution entering fish-bearing waters.

b. Species at Risk Act (SARA)

As “*listed species*” use the creek, SARA protections apply to habitat and harmful activities.

c. Canadian Environmental Protection Act (CEPA)

Relevant for: toxic substance releases and environmental emergencies.

2. Provincial (B.C.) Protections

a. Water Sustainability Act (WSA)

Regulates: changes in and around a stream such as removal of water and disturbance of the riparian zone. Any work near Stoney Creek requires provincial authorization.

b. Environmental Management Act (EMA)

Protects: human health and the environment by preventing, controlling, and remediating pollution and environmental harm.

c. Riparian Areas Protection Regulation (RAPR)

Requires: qualified environmental assessments for development near streams, and protection of riparian setbacks.

d. Wildlife Act

Protects: fish and wildlife habitat, and nesting and breeding areas.

e. Emergency Management and Climate Readiness Act

Governs: spill reporting, response to emergencies. Residents and officials must report spills. Under B.C. law, the “responsible person” must clean up spills.

3. Municipal Protections

a. Abbotsford Official Community Plan (OCP)

Regulates: development setbacks, vegetation removal, stormwater management, and habitat protection.

b. Abbotsford Zoning Bylaw

Includes: streamside protection setbacks, restrictions on land use near watercourses.

c. Streamside Protection Bylaws

The city enforces: no-disturbance zones, erosion and sediment control requirements.