

The Honourable Serge Rousselle

Minister of Environment and Local Government

October 31, 2016

PO Box 6000 Fredericton, NB

E3B 5H1

Dear Minister Rousselle:

**RE: Water Classification**

On October 14, 2016 the Government of New Brunswick released the results of consultation regarding water in the province.

The report confirmed that there is widespread public support for water classification as it is currently envisaged and embodied within legislation and regulation. Specifically the consultation confirmed that a **regulatory approach** was desired and necessary for the effective protection of water. Perhaps because of this support, the Department announced a Technical Review Committee to be struck to advise you on water classification.

Please be aware that a legal opinion commissioned by the Friends of Water Classification contradicts your department's stance that water classification is vague and unenforceable. A copy of this opinion is attached. Furthermore, this opinion has been shared with watershed groups in the province, and a meeting was held on September 28<sup>th</sup>, 2016 to review the opinion with its author and discuss options for proceeding.

Nineteen of these watershed groups have completed provisional classification for their watersheds, having acted in good faith on the basis of the law that the Minister of Environment would issue designation orders for their watercourses. They have been waiting, some up to sixteen years, for these orders.

The report released on October 14<sup>th</sup> states that implementing water classification will require a major rewrite of legislation. With respect, **we challenge this assertion**, and suggest this is simply a distraction, and an insufficient basis for jettisoning twenty years of effort by watershed groups and many millions of dollars in NBDELG staff time.

We ask that you consider the attached opinion as you establish terms of reference for the Technical Review Committee. We would further suggest that such a committee be tasked with **quickly implementing the perfectly good water classification system currently in place**. What is truly needed now, as has been pointed out by the NB Ombudsman, is focused leadership and support from our elected officials.

Watershed Groups will increase the ability of the province to respond to the inevitable challenges of climate change that lie ahead. The funds spent from the Environmental Trust Fund over the years have boosted the provincial economy through jobs on the ground and will continue to do so in future. In fact,

there is the very real opportunity that such groups with their significant non-governmental networks could become the environmental link between the people on the ground and the government in many more watersheds throughout the province. We offer that judicious use of funds could easily double the capacity of the watershed groups and create badly-needed employment across the province, particularly in rural areas.

The references listed below capture the **employment impacts** of some past natural environmental stewardship programs: stewardship grants generate several times the jobs when compared to traditional infrastructure programs and with them, many positive community impacts. I encourage you and your staff to review these.

Minister Rousselle, you are in a position to energize the watershed community by committing to act and to implement the existing laws governing water management. This motivated community of environmentally-aware citizens will be pivotal organization to have on the ground as we adapt as a province to the challenges of climate change.

Sincerely,



Margo Sheppard



Bill Ayer

Friends of Water Classification

cc. Members of Cabinet

Charles Murray, Ombudsman

Watershed Groups (list attached)

Ms. Lois Corbett, Conservation Council of New Brunswick

Mr. Allen Currie, Ms. Anne Levesque, Canadian Rivers Institute

Council of Canadians

New Brunswick media outlets

## References:

Fur Institute of Canada and Centre for Environmental Stewardship and Conservation (2010). Economic Impact Analysis of Stewardship Activities in Canada: A Review of Selected Case Studies. Government of Canada. [http://fur.ca/wp-content/uploads/2015/09/economic\\_impact\\_analysis\\_7\\_09\\_10.pdf](http://fur.ca/wp-content/uploads/2015/09/economic_impact_analysis_7_09_10.pdf)

Gardner Pinfold Consulting Economists Ltd. (2002). An Evaluation of the Atlantic Coastal Action Program (ACAP): Economic impact and return on investment. Environment Canada.

Gardner Pinfold Consulting Economists Ltd. (2008). An Update of the Economic Impact of the Atlantic Coastal Action Program (ACAP). Environment Canada.

## List of Watershed Groups

Association des bassins versants de la grande et petite rivière Tracadie

Atlantic Coastal Action Program-Saint John

Bassins versants de la baie des Chaleurs/Chaleur Bay Watersheds

Belleisle Watershed Coalition

Canaan-Washademoak Watershed

Comité de gestion environnementale de la rivière Pokemouche

Comité Sauvons nos Rivière-Néguac

Eastern Charlotte Waterways Inc.

Esgenoopetitj Watershed Association

Gestion H2O

Hammond River Angling Association

Kennebecasis Watershed Restoration Committee

Les Ami(e)s de la Kouchibouguacis

Meduxnekeag River Association Inc.

Miramichi River Environmental Assessment Committee

Nashwaak Watershed Association Inc.

Oromocto River Watershed Association Inc.

Petitcodiac Watershed Alliance/Alliance du bassin versant Petitcodiac

Richibucto River Association

Shediac Bay Watershed Association

Société d'aménagement de la rivière Madawaska et du lac Témiscouata inc.

Southeastern Anglers Association Inc.

St. Croix International Waterway Commission

Tabusintac Watershed Association

Vision H2O