



August 13th, 2010

**Honourable Christine Melnick
Minister of Water Stewardship
314 Legislative Building
450 Broadway
Winnipeg, MB
R3C 0V8**

**Dr. Jean Friesen, Chair
Manitoba Water Council
Re: Wetland Public Consultations
Box 11, 200 Saulteaux Crescent
Winnipeg MB R3J 3W3**

Dear Minister Melnick, Dr. Friesen:

RE: Manitoba Wildlands comments on Wetlands in Manitoba.

Manitoba Wildlands is providing some comments on wetlands in Manitoba. The brief *Seeking Manitoban's Perspectives on Wetlands* could have included a more detailed report regarding the state of Manitoba's wetlands, with context regarding public policy, and regulatory mechanisms that affect wetlands – both adding risks or impacts, and potentially ensuring restoration or sustainability.

The Manitoba Water Strategy and Wetlands

The Manitoba Water Strategy 2003 (as posted on the Government of Manitoba – Manitoba Water Stewardship webpage) includes a number of references to wetlands and their role in Manitoba.

The Manitoba Water Strategy states:

- The objective of Manitoba's water conservation policies is to conserve and manage the lakes, rivers, groundwater and *wetlands* of Manitoba so as to protect the ability of the environment to sustain life and provide environmental and economic benefits, along with other values to existing and future generations;
- Our conservation policies are achieved through regulations, incentives, education and watershed-based integrated management of resources. Watershed-based integrated resource management would retain water and moderate flows for water supply, ground water recharge and *wetland habitat*, while reducing erosion and deposition;
- The *role of wetlands* needs to be integrated into the water planning process.
- A *wetland classification* system is needed.

Manitoba Wildlands supports these statements. We also stress the need for wetland protection throughout Manitoba. The conservation of wetland areas is a key factor in the future health of our



province and its water supply, especially surface water sources. The policies summary in the Manitoba Water Strategy cites wetlands repeatedly, and we would observe that most of the policies included could potentially affect wetlands.

The Manitoba Water Strategy states the province has/ needs to:

- Developed and begun testing a *wetlands classification* system;
- Develop a plan for water storage options, including maintenance of existing facilities and *wetland retention*, as part of broad-based water planning in Manitoba;
- Develop drainage plans locally, within the context of the watershed, which consider watershed rehabilitation, potential impacts, *wetland conservation* and fish habitat.

Manitoba Wildlands recommends that the Manitoba Water Council:

- Assemble an inventory of all wetlands (all types and classifications) on crown land, designated under Manitoba law and regulation, indicating which are protected from developments, based on the province's protected lands standards.
- Assemble a listing of existing public policies and regulatory mechanisms in Manitoba that could affect wetlands (all types and classifications) with adverse environmental impacts, and for conservation and protection. This inventory would include any mechanisms for lands planning or development planning, given that such may well affect wetlands, and are within the mandate of the Council.
- Structure the above inventory so that designated Marshes, Wildlife Management Areas, Parks, Ecological Reserves, Provincial Forests, community pastures, Park Reserves, etc are shown as to location, size, and level of protection or use, and wetlands location.
- Undertake research and provide a public brief or guide as to the status of protection for wetlands in Manitoba, with recommendations as to restoration and preservation – continued protection, additional protection – for our wetlands
- Post on their web site links to all regulatory mechanisms in Manitoba that affect water, waterways, and/ or wetlands.
- Advise the Water Stewardship, Conservation Ministers and relevant cabinet committees concerning integrated public policy and regulatory steps needed to steward Manitoba's wetlands.
- Set up a vehicle or tools to monitor the status of Manitoba wetlands, and the status of action on recommendations above.
- Make available benchmarked data to show the historic location and size of wetlands in Manitoba, with changes over time, to assist in restoration planning, watershed planning, etc.
- Audit environmental impact statements for environmental licensing in Manitoba to ensure that Manitoba's Water Strategy is fulfilled, and wetlands are considered in EIS standards for proposals under the Act.
- Make recommendations regarding protection for wetlands in Manitoba
- Advise the Minister of Conservation and Premier regarding immediate action on the December 2009 commitment regarding protection of peatlands
- Undertake a public review of actions and progress from the Manitoba Water Strategy since 2003, including as it pertains to wetlands, and posting on its website.

Consultation Methods and Standards

The Wetlands brochure references ‘consultations’ and also refers to First Nations. Our enquiries, though not comprehensive, lead us to believe that no First Nations consultations have occurred regarding Wetlands in Manitoba. Perhaps there were sessions with tribal councils, or offers to see affected First Nations. Generally speaking Manitoba lacks consultations standards for First Nations consultations – as is evidenced by the first crown sessions with Manitoba Chiefs in the first week of June, 2010. Government announcements prior to that confirmed that the intent is to arrive at mutual methods of engagement in consultations and accommodation with Manitoba First Nations.

We would suggest that, as COSDI stated, it is urgent for such standards to be in place. The Manitoba Water Council has an opportunity to make recommendations as to how consultation and accommodation of First Nation concerns and rights be included in wetlands decision making. Further the Council has an option to make sure that consultation standards for any water decisions in our province are based on fair, transparent consultations where the ability to participate is important to all parties, and where First Nation consultations based on use, rights, and impacts are further supported, and respected.

Access to Information/ Public Registry

There is no public registry file under the client name of Manitoba Water Council. Manitoba’s Committee on Sustainable Development Initiatives (COSDI) clearly stated that the public registry should include files for all/any public reviews or consultations concerning lands, and waters, new policies and legislation. Manitoba’s government endorsed the COSDI report and its recommendations. Confirmation of COSDI recommendations being part of public policy in our province have occurred overtime. Manitoba Wildlands would like to know if responses to this consultation process will be posted on the Manitoba Water Council website? Manitoba Wildlands recommends that the Water Council fulfill its Transparency principle by making sure that all responses, and drafts of a report from the Council, be posted either on the Council web site, or in the Manitoba Environment Act public registry.

The Manitoba Water Council has an opportunity to uphold the citizen right to know and ability to participate by making this process transparent.

We recommend that products, inventories, and outcomes from our recommendations also be made public, and posted on the Manitoba Water Council website.

Climate Change

With respects to future actions regarding water supply and climate change, the 2003 Manitoba Water Strategy states the province needs to:

- Determine possible effects of climate change on water supplies and study options to deal with and adapt to these potential changes.



Manitoba Wildlands is certain this statement applies to wetland areas, in addition to other water body types across Manitoba. We need to invest more time and energy into understanding how climate change is affecting these areas while identifying and tracking adaptation options.

In particular it is unknown whether any progress has been made on this action from the Water Strategy. We would presume the Water Council needs to know in order to prepare its report about wetlands.

We are in times where cross disciplinary, cross departmental policies and partnerships are needed for government to deliver its mandates and programs to meet public expectations. Existing climate change policies, Manitoba's climate action plan, intended and existing regulation under one and possibly a second Climate Change Act in Manitoba need to be considered in relation to wetlands management, protection, and restoration. Manitoba Wildlands recommends that the Manitoba Water Council request input from government departments who are already integrating policies and programs for climate change to provide information as to where wetlands potentially will be affected by climate change regulation, program or policy.

We are certain the December 2009 announcement setting up an advisory council for protection of carbon in peatlands is one relevant inter departmental example. Manitoba is behind in its commitments to establish protected areas in our forest regions. We now have a further incentive to act, as our wetlands/peatlands/muskeg are extraordinarily rich in carbon - which we need to sequester. Those same peatlands provide ecological services well beyond any temporary or economic gain, given the undeniable risks to our boreal regions from climate change. We recommend the Manitoba Water Council clarify its focus on boreal forest wetlands, given these peatlands do not easily fit into the kinds of wetlands list provided, and include in its report analysis and recommendations regarding boreal forest wetlands – all types.

While there is boreal forest content in the Wetlands brochure, we were disappointed in the lack of context, and connection to existing boreal forest public policy, commitments, and programs.

Protected Areas- Protected Wetlands

Since the settlement of the prairies, approximately 70% of wetlands have been removed (Schindler and Donahue 2006). Given the significant role wetlands play in flood control, erosion prevention, water quality maintenance, providing habitat for wildlife, this is a startling fact. Manitoba Wildlands therefore stresses that Manitoba needs to put a larger effort into protecting these areas, in addition to protecting other types of terrestrial biomes across Manitoba.

Currently the regulatory mechanisms used to establish protected areas in Manitoba (under different Acts) do not include options for protection of water – including wetlands. Where these are completely within the boundary of a terrestrial protected area it is assumed that water ways, wetlands etc are protected. Where wetlands are at the edge of a protected area, or adjacent to a body of water that opens



into unprotected water or lands such waters or wetlands usually end up not being protected. There are many examples of this in Manitoba designated lands, including several recent instances.

Manitoba Wildlands recommends the Water Council use its inventories of wetlands to advise its Minister and Cabinet about mechanisms to actually protected water ways, and wetlands when designating protected areas. We would observe that every heritage river, heritage marsh, and many wildlife management areas have wetlands adjacent or at the edge of their boundary. Manitoba lacks classifications for protected water, waterways, wetlands, and we feel the Water Council can make recommendations to change the default approach to protection of water, including wetlands. It should be noted that at this time Heritage Rivers, Heritage Marshes, and many of our designated waterways are not actually protected from development or industrial impacts.

Water Council Principles

It is appropriate for the Wetlands brochure to list the principles of The Manitoba Water Council. Manitoba Wildlands recommend that the Council's transparency standards, and guidelines be posted on your website.

We also hope to see 'Science Based' among these principles. There are definitions that could be added to the brochure to support engagement of Manitobans about wetlands, or other water council mandate matters.

We appreciate the opportunity to comment, and are available to discuss our response.

Yours truly,

Gaile Whelan Enns,
Director
Manitoba Wildlands.