



May 21, 2021

The Honourable Mike Holland
Minister of Natural Resources and Energy Development
Mike.Holland@gnb.ca

The Honourable Jill Green
Minister of Transportation and Infrastructure
Jill.Green@gnb.ca

The Honourable Gary Crossman
Minister of Environment and Climate Change
Gary.Crossman@gnb.ca

Re: Wetlands Protection

Dear Hon. Ministers Jill Green, Mike Holland and Gary Crossman:

We have a wetlands protection problem in New Brunswick.

It is time for stronger regulation and enforcement to protect these valuable ecological areas of our province and we ask for your immediate action to make this happen.

Our wetlands — including bogs, swamps, ponds, and salt marshes — are nature’s powerhouses. They are teeming with life, from unique and rare species of vegetation, insects, frogs, waterfowl, moose and beavers. Wetlands provide wildlife with the ideal habitat to thrive, eat, sleep and raise their young, and provide New Brunswickers and visitors alike with spaces for birding, canoeing, hiking, nature photography, hunting, and more. Wetlands protect our environment and our communities by filtering pollution and cleaning the water running off agricultural and forested lands. They help keep our roads, homes and communities safe during flood season by retaining water and protect us



from drought by holding water during dry spells. Very importantly, they help slow climate change by absorbing and storing excess carbon pollution.

New Brunswickers know the value of our wetlands. That is why there has been so much public concern expressed over the recent draining of the Ferris Street Forest and Wetland Nature Preserve by the Department of Transportation and Infrastructure (DTI). This action by DTI demonstrates that our current system is failing our natural areas. The Watercourse and Wetland Alteration (WAWA) regulation under the *Clean Water Act* was not good enough to protect this urban wetland from harm. Furthermore, two other key laws were violated: the *Species at Risk Act* and the *Clean Environment Act*. When the government ignores its own rules and no one is held accountable, the environment, citizens who love these spaces, and New Brunswick's most at-risk species suffer.

Our 30-year-old regulatory approach of permitting the draining and paving of wetlands simply is not working. It was designed at a time when we did not know the tremendous value wetlands provide to nature and our communities. You cannot meet the current challenges of both the climate crisis and the alarming loss of biodiversity in N.B. with outdated rules and regulations.

Ministers, we need a wetland protection law, not a system designed to allow wetland alterations, and it is with this in mind we request that:

- DTI review all of its current WAWA permits with respect to impact on all wetlands larger than two hectares and release the results of that review;
- All PSWs (Provincially Significant Wetlands) on Crown Land be designated as part of the areas protected under the 2020 Nature Legacy program and commit now to develop a plan to protect 25 per cent of N.B.'s nature over the next five years;
- The *Clean Water Act* be reviewed, specifically for modernizing coastal areas protection by updating the 2002 provincial Coastal Areas Protection Policy and providing it weight, in law, a regulation promised in the 2018 NB Water Strategy;
- The 2014 Crown Forest Agreements be revised as soon as possible this year to adequately protect wetlands, streams and rivers on public land by



- increasing buffer zones and identifying no cut/no road construction in wetland areas and all sensitive areas, including the habitat for N.B. endangered species such as Atlantic salmon, the Canada warbler, wood turtles and others;
- All current WAWA permits for activity on Crown Land and industrial forestry freeholds be made publicly available;
 - DTI be required to undertake a review of its 2021 to 2022 planned road building and maintenance activities to clearly identify wetland areas, impact of activities on wetlands, and its procedures for notifying groups and municipalities that hold those areas in land trusts or through other means such as nature reserves or drinking water supply areas;
 - Your departments work with the federal government, in particular the Department of Fisheries and Oceans, and Environment and Climate Change Canada, to develop an action plan to fully identify, fund and protect wetlands and coasts as part of Canada's commitment to accelerate new provincial protected areas; and,
 - You work with your cabinet colleagues, especially the Minister of Local Government and Local Governance Reform, to ensure that under new land use planning policy, all decision makers and proponents of development adhere to strong rules for protecting wetlands and sensitive coastal areas.

We remain committed to working with you and your officials to find solutions. We would be pleased to meet with you at your earliest convenience to review these and other ideas that would modernize the New Brunswick approach to protecting wetlands.

Finally, Ministers, we thank you and your staff for working through these trying times to protect our public health.

Sincerely,

A handwritten signature in blue ink that reads "Roberta Clowater".

Roberta Clowater
Canadian Parks and Wilderness Society— NB Chapter



Renata Woodard

Renata Woodard
Nature Trust of New Brunswick

Vanessa Roy-McDougall

Vanessa Roy-McDougall
Nature NB

Lois Corbett

Lois Corbett
Conservation Council of New Brunswick