



Standing Committee on Environment and Sustainable Development  
Sixth Floor, 131 Queen Street  
House of Commons  
Ottawa, ON, K1A 0A6  
Canada

June 22<sup>nd</sup>, 2023

**Re: House of Commons Standing Committee on Environment and Sustainable Development's Study on Freshwater**

**Ducks Unlimited Canada - Freshwater Policy Brief**

***Introduction Ducks Unlimited Canada & Relevant Freshwater Issues***

Within the boundaries of the longest coastline of any country in the world, Canada is home a quarter of the world's remaining wetlands and to 20% of the world's freshwater reserves. This makes Canada a uniquely water-rich nation. Canada's abundance of freshwater supports a wealth of biodiversity and flows through Canada's economy, culture, identity, and well-being. Recognizing that water is vital to people's health and livelihoods, Canada has a national and global responsibility to sustainably manage our freshwater reserves.

With water issues becoming steadily more frequent and severe in both Canada and around the globe, Ducks Unlimited Canada (DUC), the leading organization in wetland conservation, is committed to a sustainable freshwater future. For over 85 years, DUC has been conserving, restoring, and managing wetlands and associated habitats across Canada and North America. Through our expertise in planning, science, education, conservation, and policy, our work continues to face Canada's water, climate, and biodiversity challenges head on. Over the course of our history, DUC has conserved and restored more than 6.2 million acres of wetland and associated habitats, which have improved freshwater quality, regulated flooding, and promoted freshwater health.

As a national leader in wetland research, DUC is concerned that our wetland and water resources are in decline and causing an increased frequency and severity of local flooding, a decrease in biodiversity habitat and further negative impacts to water quality. Proper management of our water resource requires the support and meaningful engagement with multiple levels of government, agriculture and industry partners, conservation organizations, Indigenous communities, and the public.

DUC has long advocated for the establishment of an independent Canada Water Agency that can effectively address the water challenges facing the country. Following the recent 2023 federal budget, DUC applauds the Government for their commitment to establish this new Agency and looks forward to working with it in the creation of this important new institution. In addition, DUC welcomes new investments in freshwater protection that will support monitoring, assessment, and restoration of some



of Canada's most iconic – and threatened – lakes and rivers. These commitments come at an important time as it follows the adoption of the Kunming-Montreal Global Biodiversity Framework. In addition, we are currently within the UN Water Action Decade (2018-2028). While much more work will be needed in the coming years, including a modernization of the *Canada Water Act*, the establishment of a Canada Water Agency and renewed investments in freshwater puts Canada on a water-positive path forward.

### ***Interaction and Collaboration with Federal Departments and Agencies***

DUC is a long-standing and trusted partner of the federal government, having implemented projects that support biodiversity, climate adaptation, and clean water. DUC works across Canada as a key delivery agent for federal government departments and agencies, including amongst others: Environment and Climate Change Canada (ECCC), Fisheries and Oceans (DFO), and Agriculture and Agri-Foods Canada (AAFC).

For most of our history, DUC has been a key partner and recipient of funding from ECCC, having delivered wetland conservation policies and programs with water-positive results right across Canada. In addition to the North American Waterfowl Management Plan (NAWMP), and the Natural Heritage Conservation Program (NHCP), DUC delivers conservation projects under the Nature Smart Climate Solutions Fund (NSCSF) that support wetlands as nature-based solutions for climate adaptation, biodiversity, and clean water. DUC has also been actively engaged with ECCC on the development of Canada's National Biodiversity Strategy and Action Plan (NBSAP).

From coast-to-coast-to-coast, DUC works with DFO to further Canada's efforts around sustainable freshwater management and aquatic habitat restoration. Through funding from DFO's the Aquatic Ecosystem Restoration Fund (AERF) and previously the Coastal Restoration and Fund (CRF), DUC has implemented projects aimed at restoring coastal and inland aquatic habitats across Canada. These projects continue to support healthy fisheries, migratory bird populations, and clean water. Most recently, DUC has been actively involved in the revisions to the Fish and Fish Habitat Protection Program (FFHPP) under the *Fisheries Act*, including DFO's engagement processes for Offsetting and Habitat Banking and Ecological Significant Areas (ESA) Framework. DUC also engaged with DFO on their Blue Economy Regulatory Review, providing valuable feedback on the need to take a holistic approach and include freshwater in the government's Blue Economy Strategy.

DUC and AAFC have been active partners and collaborators on working landscape conservation matters since our founding in 1938. For the past three years, DUC has been working closely with AAFC and various provincial ministries of Agriculture to advance environmentally sustainable agriculture as a part of the FPT Sustainable Canadian Agriculture Partnership (SCAP). Through our participation in the Sustainable Agriculture Strategy Advisory Committee, DUC is helping to advance biodiversity, adaptation and resilience, climate change mitigation, soils, and fertilizers.

Like with these departments, DUC will strive to best support and engage with the Canada Water Agency (CWA) on our collective and ongoing effort to protect and restore freshwater across Canada. With DUC's



head office positioned just outside of Winnipeg, Manitoba, and regional offices across the country, DUC is ready to offer support to the Canada Water Agency on all freshwater issues.

### ***Freshwater Legislation, Policies, and Regulations***

Over our 85-year history, DUC has interacted with federal departments on the following legislation and international agreements related to freshwater:

- *Canada Water Act, 1985*
- *Federal Policy on Wetland Conservation, 1992*
- *Federal Water Policy, 1987*
- *Fisheries Act, 1985*
- *Migratory Birds Convention Act, 1994*
- *North American Wetlands Conservation Act, 1989*

The protection of Canada's vital water resources has continuously suffered from regional and jurisdictional variability in management approaches, , deregulation and regulatory inconsistencies, and budget cuts at both the federal and provincial levels. In addition, with the *Canada Water Act, 1985* and the *Federal Water Policy, 1987* being considerably outdated Canada's freshwater policies are overdue for modernization to address emerging and urgent issues. The current system, leaves Canada lacking contemporary federal leadership to either address urgent issues or effectively conserve and protect our waters. The creation of this new Canada Water Agency has the potential to advance jurisdictional congruence in water policy objectives and outcomes, address gaps in federal water legislation by working with our provinces, territories, Indigenous communities, local authorities, scientists and interested Canadians to find the best ways to keep our freshwater clean and well-managed.

### ***DUC recommendations for the Canada Water Agency***

In preparing for the launch of the Canada Water Agency, DUC recommends the Agency focus on the following freshwater priorities:

- 1. Whole of government approach**
- 2. Wetlands as nature-based solutions**
- 3. Freshwater data and monitoring**
- 4. Indigenous-led water management**
- 5. Modernization of water policy in Canada**

#### **1. DUC recommends the Canada Water Agency take a whole of government approach to address freshwater issues in Canada.**

Planning and management at the watershed level is critical to building a more resilient and secure freshwater future for Canada. Currently, freshwater management at the federal level in Canada lacks coordination across the over 20 departments and agencies have unique responsibilities for freshwater. This has resulted in a fragmented watercourses with varying water challenges. For example, water



quality is affected by upstream impacts of nutrient loading and habitat loss through unregulated/unmitigated drainage of wetlands. Without proper coordination, incentives and regulation, upstream land use impacts will continue to go unmitigated.

The Canada Water Agency will provide an opportunity for the federal government to take a holistic and coordinated approach to watershed management by working to build strategies, consensus and a path forward across multi-levels of government, ministries and jurisdictions (including in international transboundary waters). Ensuring freshwater issues are addressed across watersheds will improve water equity and increase management efficiency. For the Canada Water Agency to be truly effective it will require meaningful engagement with other levels of government, Indigenous governments, academia, organizations, and others to ensure the Agency complements existing efforts, while being mindful of responsibilities across jurisdictions. If executed correctly, this new Agency will play a meaningful leadership role in moving Canada towards a sustainable water future.

## **2. DUC recommends the Canada Water Agency develop policies and programs for freshwater protection and restoration that recognize the value of wetlands as nature-based solutions.**

According to the IUCN, nature-based solutions leverage nature and the power of healthy ecosystems to protect people, optimize infrastructure and safeguard a stable and biodiverse future. Conservation, protection, and restoration of wetlands within watersheds are examples of nature-based solutions that can help to protect drinking water, reduce downstream flooding risks and contribute to climate adaptation.

Wetlands are some of the world's most valuable ecosystems: they store more carbon than any other ecosystem on earth and support incredible biodiversity, including 40% of the world's fish species. Wetlands are a key nature-based solutions: storing floodwaters, mitigating coastal storms, recharging aquifers and supporting riverine baseflows, and providing cooling services to air and water above, in, and around them. Wetlands help protect water quality, balancing watershed hydrology, and removing pollutants from water moving through them. It is fair to say few ecosystems do as much for our water as wetlands. Despite their value, globally, wetlands are disappearing at an alarming rate. Roughly half of the world's wetlands have been lost and as much as 70% of wetlands have been lost in settled areas in Canada.

Against this backdrop, the Canada Water Agency should prioritize and coordinate accelerated investments in wetlands as nature-based solutions to ensure communities are more resilient and sustainable in the face of a rapidly changing environment.

## **3. DUC recommends stronger integration of data and science within the vision and guiding principles of the Canada Water Agency and Canada's freshwater strategy.**

Canada has the potential and the unique opportunity to collect and monitor a tremendous amount of freshwater data. The Canada Water Agency should develop a centralized location for water data collection and research that is accessible to all levels of government, policy makers and researchers. The Canada Water Agency should develop a national standardized framework for the collection and



monitoring of freshwater data for water quality and flood mapping. We cannot meaningfully mitigate or adapt the effects of climate change without basing our solutions and efforts in evidence. We lack adequate and modern data to make informed and evidence-based decisions, so priority needs to be given to support pure and applied sciences, particularly the collection and analysis of geospatial and water quality & quantity data.

Significant data gaps lie in Canada not having adequate modern geospatial data and information that account for our natural heritage assets (wetlands, grasslands, critical fish habitat, etc.). This data would inform effective and coordinated conservation planning, particularly in biodiversity rich waterbodies. The Canada Water Agency should coordinate across federal, provincial and territorial levels in the collection and monitoring of freshwater data, including in the development and completion of the Canadian Wetland Inventory. This inventory is essential for informed and effective watershed level conservation planning.

#### **4. DUC recommends the Canada Water Agency support Indigenous-led water management**

Indigenous peoples have practiced adaptation principles on their lands over generations, developing a deep body of traditional knowledge that can help us understand how to adapt to a changing environment. The Canada Water Agency has an opportunity to work within an ethical space to support Indigenous-led water conservation. The Canada Water Agency should align its work with the establishment of Indigenous Protected and Conserved Areas (IPCAs) and Guardians programs. These initiatives provide opportunities for reconciliation and are a step towards community and ecological healing from the impacts of colonialism. Securing Indigenous peoples' rights will ensure they can hold onto their land, protect natural resources, and sustain their livelihoods in the face of climate change.

#### **5. DUC recommends the Canada Water Agency supports the modernization of water policy in Canada**

As directed in the mandate letter for the Minister of Environment and Climate Change, the *Canada Water Act, 1985* is in need of modernization to reflect Canada's freshwater reality, including climate change and Indigenous rights. Since the initial passing of the *Canada Water Act* in 1970 and revision in the late 1980s, there has been little attention given to keeping this freshwater legislation current, which has left the Act seriously outdated and slowed down the development and implementation of remedial actions to address our freshwater challenges.

. To bring the Act into the 21<sup>st</sup> century, DUC recommends:

- Broadening the scope of the Act beyond water quality to focus on water sustainability.
- Broaden the applicability of the Act by replacing “urgent national concern” with “national concern” and removing the limitation that restricts the applicability of some sections only to waters where there is a “significant national interest”.
- Include commitment to United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). Currently, there is no reference to Indigenous governments in the *Canada Water Act*.
- Include regulatory powers similar to the *Fisheries Act*. Currently there are no regulations under the *Canada Water Act*.



We thank you for the opportunity to share our feedback with the House of Commons Standing Committee on Environment and Sustainable Development's Study on Freshwater. Overall, DUC is hopeful that the establishment of an independent Canada Water Agency can effectively address the water challenges facing the country.

Sincerely,

A handwritten signature in black ink, appearing to read "James W. Brenan".

James W. (Jim) Brenan  
National Director of Industry & Government Relations