



January 31, 2018

Municipal Legislation Review
Department of Municipal Affairs and Environment
4th Floor, West Block, Confederation Building
P.O. Box 8700
St. John's, NL A1B 4J6

Re: Municipal Legislation Written Submission

To Whom It May Concern,

There is currently no consistent framework for wetland development in Newfoundland and Labrador. Development proposals cannot be properly evaluated by municipalities without the necessary policies and legislative tools to make efficient, consistent, and informed decisions. Moreover, municipalities are often required to see through development proposals which may directly contradict wetland provisions in municipal plan.

Municipalities must be enabled to conserve wetlands through land-use bylaws and environmental reserves. Municipal authorities should have the ability to declare a bog or marsh to be an environmental reserve at the time of subdivision – with compensation or tax benefits to landowners due to any reduction in value or reduced potential for development.

We recommend that the *Municipalities Act* include references to other legislation and policies that considers towns without municipal plans and regulations. These municipalities do not have the same degree of environmental protection as they are not covered under the *Urban and Rural Planning Act*.

We also recommend that all municipalities, but at least all municipalities with greater than 500 residents, be required to implement compensation policies for any alteration or loss of wetlands at a ratio of 1:1 or greater, meaning for every hectare altered, one must be restored or created by a developer. A 'no net-loss' policy is important for maintaining habitat in coastal and urban areas, as well as for maintaining our province's overall storm-retention capacity as we face future climate uncertainties and increasing flood risks.

Northeast Avalon ACAP Inc.

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These recommendations require clear definitions of a “wetland” and “body of water” (including definitions of “bank” and “high-water mark”) and should be implemented in accordance with the *Water Resources Act* and the *Environmental Protection Act*. “Significant” waterways should also be well-defined at an appropriate (ideally <1:10,000) scale.

Lastly, enforcement and compliance measures must be implemented to ensure plans adhere to policies around development in and near waterways and wetlands.

Wetlands provide valuable ecological processes and clean ponds, lakes, and coastlines are fundamental to the health and growth of our communities. We encourage the provision of any legislative tools for the conservation of wetlands and waterways in our municipalities.

Sincerely,

A handwritten signature in black ink, appearing to read "Nick White".

Nick White
Chair, Northeast Avalon ACAP