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January 25, 2019

Attention: Drainage Consultation
Manitoba Sustainable Development
Box 16 – 200 Saulteaux Cres.
Winnipeg, MB R3J 3W3
Via email: drainage@gov.mb.ca

To Whom It May Concern,

On behalf of the Association of Manitoba Municipalities (AMM), which represents Manitoba's 137 municipalities, I am writing to provide comments on the proposed Water Rights Regulation.

In our formal submission on Bill 7: *The Sustainable Watersheds Act*, the AMM welcomed the provincial government's recognition of existing red tape in the current drainage application process and corresponding reporting requirements. Municipal frustrations with the current drainage licensing process are well-documented, and thus the AMM appreciates the opportunity to participate on the Drainage Regulation Steering Committee to provide input on establishing an efficient drainage registration and licensing process with minimal red tape.

Reducing red tape for low-risk, low-impact drainage projects is long overdue. Therefore, the AMM commends the provincial government for proposing a 14-day approval period through a streamlined registration process with an option for applicants to bundle individual projects on one application if the projects are on connecting parcels of land. The AMM also appreciates the exemption for like-for-like culvert replacements since these routine projects are often delayed due to red tape, which frustrates our members. We are hopeful that these positive changes will help reduce the significant backlog of drainage project applications in a timely manner and expedite routine projects.

In regards to the proposed licensing process, the AMM welcomes the ability to bundle projects in a way similar to the proposed registration process, however we urge Manitoba Sustainable Development to commit to a specified customer service standard for approvals since the department is proposing a significant application fee increase from \$25 to \$500. If an applicant is expected to pay more for a license, the applicant should in return be made aware of a clearly specified time frame for approvals. The AMM is also mindful of the potential effects of a fee increase on encouraging potential illegal drainage and therefore believes the impact of the fee increase should be closely monitored to ensure its effectiveness on speeding up the licensing process and reducing the existing backlog.

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In regards to municipal sign-off authority and written approvals, it is essential that municipal officials are provided all the resources and tools necessary to make informed decisions, including those that may affect liability issues. Training should also be provided to municipal officials, particularly if any new forms or online websites are developed in support of the new drainage regulatory framework. Moreover, the department should transition existing municipal drainage applications into the new system, thereby preventing the need for municipalities to reapply or resubmit previously submitted documentation related to their drainage projects. Overall, the process should be simple and streamlined with no red tape.

In regards to the prescribed wetland drainage framework and accompanying compensation ratios, the AMM encourages the department to consult further with our members and affected stakeholders. There is a lack of consensus among stakeholders about how to identify different classes of wetlands, particularly between Class 2 and Class 3 wetlands. Clear, easy-to-understand resource materials must be developed to help applicants throughout the process.

Lastly, as the federal government intends to enact changes to *The Fisheries Act*, it is the belief of our association that the 2012/13 *Fisheries Act* amendments should be retained in the renewed Act. Prior to these amendments, municipal drainage maintenance was hindered by lengthy bureaucratic applications to secure permits and authorizations. While we want to see reduced red tape at the provincial level, we do not want to see increased red tape at the federal level. Routine maintenance drainage works should not be delayed due to red tape or unnecessarily held up due to arbitrary dates throughout the year. We encourage the department to be mindful of the federal government's actions, and immediately communicate any changes that may affect the proposed provincial drainage regulations.

In closing, the AMM appreciates the Province of Manitoba taking steps to establish a long-overdue framework for new drainage regulations that fast-track low-risk, low-impact drainage projects with little red tape. We hope these proposed regulatory changes will significantly reduce time and allow municipalities to conduct routine drainage construction and maintenance without delays and red tape.

Thank you for the opportunity to provide these comments.

Sincerely,

A handwritten signature in blue ink that reads "Joe Masi". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Joe Masi
Executive Director

