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Hydropower and Advocating for Energy Justice

By Kelly Janz, Coordinator,
Wa Ni Ska Tan Alliance of
Hydro-Impacted Communities

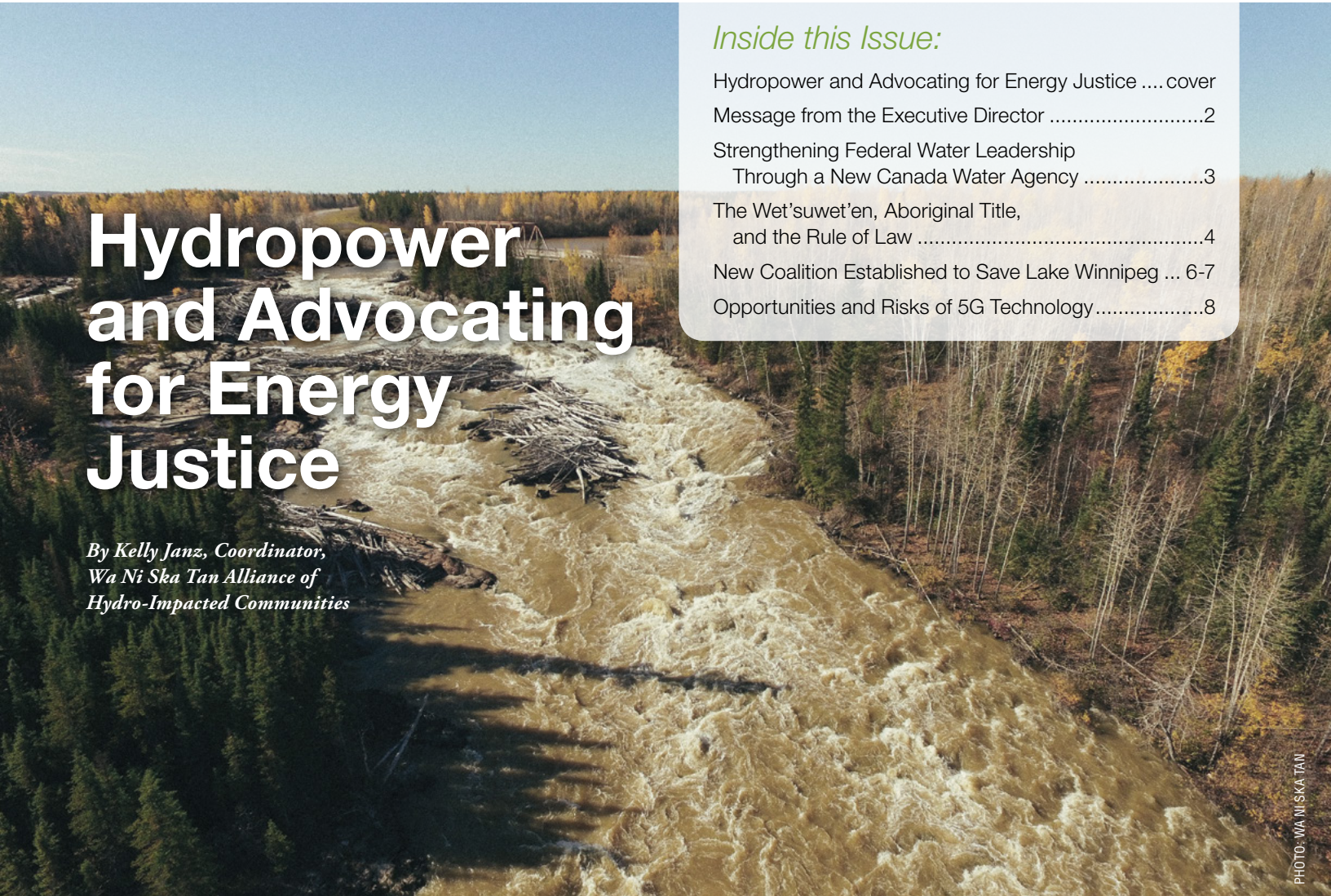


PHOTO: WA NI SKA TAN

Erosion along the Churchill River Diversion.

HYDROPOWER IS THE WORLD'S LEADING RENEWABLE SOURCE for electricity generation, supplying 71% of all renewable electricity in 2016. In Manitoba that number is much higher with hydropower accounting for 98% of electricity generation. Around the world, including here in Manitoba, hydro development is promoted as clean, green energy and a solution to climate change. In fact, hydropower projects generally have dramatic and adverse environmental and social implications.

Flooding causes a rise in mercury levels in fish and other wildlife; erosion of shorelines; collapse of permafrost and riparian forests in northern climates; and a decline in the productivity and biodiversity of downstream deltas, as well as coastal areas. Hydro dams are now being built in some of the world's most diverse river basins, such as the Amazon, which has enormous ramifications for biodiversity. The construction of dams continues to result in the forced displacement of human

settlements, loss of traditional livelihoods and foods, and the creation water-borne illnesses in dam reservoirs – directly impacting the health and well-being of nearby communities.

Comprised of 24 hydro-impacted First Nation and Métis communities, 23 researchers from nine universities, and 25 partner organizations, Wa Ni Ska Tan Alliance of Hydro-Impacted Communities was formed as a response to the impacts of hydropower and a desire for a more respectful and equitable relationship with Manitoba Hydro. Waniskātān is a Cree word that means 'wake up' or 'rise up', a word suggested by an elder from Moose Lake in 2015; waking up to the realities of hydro development and rising up to enable energy justice in hydro-impacted communities.

Since that time, Wa Ni Ska Tan has been working on research and community projects to explore the impacts of hydropower for nearby en-

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Message from the Executive Director

By Glen Koroluk

THANKS TO THE WINNIPEG FOUNDATION for their financial support and Mike Fernandes of Strategy Makers, in facilitating the process in developing the Manitoba Eco-Network's new strategic plan. The development of the plan consisted of a questionnaire, a focus group session and a final planning session that engaged directors, staff, members, associates and key stakeholders through a three to four month process.

The Plan, acknowledges MbEN's current situation and takes into consideration the expectations of members and challenges facing the organization over the next few years. Participants identified six suggested strategic priorities for the organization. The six priorities listed below have not been ranked or organized in any particular order. They have been phrased exactly as captured during the discussion and were presented and adopted at the recent Annual General Meeting (Feb 2020).

- Collaborate with MbEN members/other concerned/affected/impacted groups to develop and activate a clear, consistent framework and process for engaging, organizing and bringing forward the voice of the environmental community to provincial policy/regulatory discussions.
- Continue to develop and deliver activities that build capacity, connect and support MbEN members and Manitoba's environmental community.
- Diversify revenue opportunities and improve financial sustainability.
- Work with member organizations to educate and engage the public on environmental issues.
- Review/update membership structure and increase efforts to promote MbEN and grow membership.
- Continue to develop and strengthen governance and operational capacity of MbEN.

At our first board meeting since the Annual General Meeting, a Strategic Plan Implementation Committee has been struck up to further develop actions to support the strategic priorities. We welcome anyone wanting to volunteer and participate on this committee. Also should you wish to have a copy of the Plan, please send us an email. 🌱

Sincerely,
Glen Koroluk



Pelicans on Lake Winnipeg Near Gimli

PHOTO: EMILY HALLDORSON

Strengthening Federal Water Leadership Through a New Canada Water Agency

By Richard Farthing-Nichol, Coordinator, Forum for Leadership on Water



PHOTOS: EMILY HALLDORSON

Ottawa River with Parliament of Canada in the Background

CANADIANS HAVE LONG BEEN LULLED into a false sense of security by a national myth of unlimited water abundance. We often hear that Canada is home to 20 percent of the world's freshwater supply, but this is a woefully incomplete characterization of our long-term water security.

The myth of unlimited water abundance can easily be debunked by looking a bit more closely. For instance, Canada's share of the world's freshwater drops to 7% when we look at renewable water (i.e., water that regenerates naturally), rather than the non-renewable "fossil" water sitting in Canada's thousands of lakes. Or consider the fact that more than half of our freshwater supply flows north, while 85% of the population lives along the southern border. But above all, it does not matter how much water

we have if we are not responsible stewards. As World Wildlife Federation Canada warns, "Canadian watersheds face a series of significant threats, which left unchecked will jeopardize the health of water resources that provide invaluable wealth across the country".

Manitobans know this well. Lake Winnipeg, our prairie sea and a source of immense natural, economic, social, and cultural value, has been severely degraded by nutrient loading and toxic algal blooms over the past several decades. In 2013, Lake Winnipeg had the dubious distinction of being listed as the most threatened lake in the world by Global Nature Fund. Watersheds across the country face their own unique and intractable challenges. The scope of this challenge is beginning to become clear, with an increasing number of

Canadians expressing concerns about deteriorating water quality.

What can be done? There is no easy way to address these challenges. Water is uniquely hard to govern, flowing through multiple jurisdictions and across political boundaries. Local decision-making is critical, but this fragmented governance landscape also requires centralized coordination and integrated planning, a domain that is uniquely suited to the federal government. Yet federal government leadership on water has largely stagnated over the past several decades.

As argued in a 2019 report by several water organizations, ensuring Canada's water security requires the federal government to provide strong leadership and better exercise its jurisdiction.

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The Wet'suwet'en, Aboriginal Title, and the Rule of Law

An Explainer

By Kate Gunn and Bruce McIvor, *First Peoples Law*



Wet'suwet'en Solidarity Demonstration at Parliament Hill

This article was originally printed by First Peoples Law in their Aboriginal Law Report. It has been reprinted with the consent of the authors.

THE RCMP'S ENFORCEMENT of the Coastal GasLink injunction against the Wet'suwet'en has ignited a national debate about the law and the rights of Indigenous people. Unfortunately, misconceptions and conflicting information threaten to derail this important conversation. Below, we attempt to provide clear, straightforward answers to address some of these fundamental misunderstandings.

What about support for the project from the Wet'suwet'en elected Chiefs and Councils?

Media outlets across the country have repeatedly reported that First Nations along the pipeline route, including the Wet'suwet'en, have signed agreements in support of the project. Underlying this statement are several key issues that require clarification.

First, the Wet'suwet'en, like many Indigenous groups in Canada, are governed by both

a traditional governance system and elected Chiefs and Councils. The Chief and Council system exists under the Indian Act, a piece of federal legislation. It was introduced by the federal government in the 19th century as part of Canada's attempts to systematically oppress and displace Indigenous law and governance. The Wet'suwet'en hereditary governance system predates colonization and continues to exist today. The Wet'suwet'en and Gitksan Hereditary Chiefs, not the Indian Act Chiefs and Councils, were the plaintiffs in the landmark Delgamuukw-Gisday'way Aboriginal title case. They provided the court with exhaustive and detailed evidence of the Wet'suwet'en and Gitksan governance system and the legal authority of Hereditary Chiefs.

Unless otherwise authorized by the Indigenous Nation members, the authority of elected Chiefs and Councils is limited to the powers set out under the Indian Act. The Indi-

an Act does not provide authority for a Chief and Council to make decisions about lands beyond the boundaries of the First Nation's reserves. By contrast, the Hereditary Chiefs are responsible under Wet'suwet'en law and governance for making decisions relating to their ancestral lands. It is these lands that the Hereditary Chiefs are seeking to protect from the impacts of the pipeline project, not Indian Act reserve lands.

Second, Indigenous peoples hold rights to lands in Canada which extend far beyond the boundaries of Indian Act reserves, including Aboriginal title and rights to the lands they used and occupied prior to the arrival of Europeans and the assertion of Crown sovereignty. Aboriginal title and rights are protected under the Constitution Act, 1982 – the highest law in Canada's legal system.

Third, the fact that First Nations have signed agreements with Coastal GasLink does not,

in itself, mean that its members support the project without qualification. Across the country, Indian Act band councils are forced to make difficult choices about how to provide for their members – a situation which exists in large part due to the process of colonization, chronic underfunding for reserve infrastructure and refusal on the part of the Crown to meaningfully recognize Indigenous rights and jurisdiction. The fact that elected Wet'suwet'en Chiefs and Councils have entered into benefit agreements with Coastal GasLink should not be taken as unconditional support for the project.

Finally, similar to how Canada functions as a confederation with separate provinces with their own authority, First Nation decisions on major projects are not simply a matter of majority rules. The Quebec provincial government made it clear that it was opposed to and would not sanction the proposed Energy East pipeline. The federal government and other provincial governments respected Quebec's right to make this decision. Similarly, First Nations often disagree about major projects. One cannot speak for another and the majority cannot simply overrule the minority or individual First Nations.

But aren't the Indian Act Chiefs and Councils democratically elected?

Chiefs and Councils under the Indian Act may be elected, but they do not necessarily speak for the Nation as a whole. Most Chiefs and Councils are elected by status 'Indians' whose names are on an Indian Act band list. The federal government decides who is entitled to be registered as a status Indian through the registration provisions of the Indian Act. The registration provisions are restrictive and have been subject to numerous legal challenges.

Some Indian Act bands have adopted custom election codes that allow non-status 'Indians' to vote. However, in general if an individual does not meet the criteria for 'Indian' status under the Indian Act, they will not be able to vote in band elections.

Critically, the fact that an Indigenous person is not registered under the Indian Act does not mean that they do not hold Aboriginal title and rights. Aboriginal title and rights are held collectively and are not restricted to status Indians registered under the Indian Act.

But what about the 'rule of law'?

Land law in Canada is much more complicated and uncertain than most non-Indigenous Canadians appreciate.

When European colonizers arrived, numerous Indigenous Nations existed throughout the land we now call Canada. Each Indigenous Nation, including the Wet'suwet'en, had their own unique and specific set of land laws. Canadian courts continue to recognize that Indigenous laws form part of Canada's legal system, including as a basis for Aboriginal title. The "rule of law" therefore includes both Canadian and Indigenous law.

Under international and British law at the time of colonization, unless Indigenous people were conquered or treaties were made with them, the Indigenous interest in their land was

Court of Canada referred to the historical and current situation as British Columbia's de facto control of Indigenous lands and resources.

In other words, the Supreme Court recognized that the Province's authority to issue permits for Indigenous lands, including the type of permits issued for the Coastal GasLink pipeline, is not based on established legal authority. It is based on the fact that the Province has proceeded, for over 150 years, to make unilateral decisions about Indigenous lands. The fact that the Province has acted since the 1860s as though it has full authority to decide how Indigenous peoples' lands are used does not make doing so legal or just.

Isn't this Crown Land?

Under Canadian law, the Crown, as represented by the various provincial governments, has what is referred to as the underlying interest in all land within provincial boundaries. This is based on the discredited and internationally repudiated 'doctrine of discovery'. Courts in Canada have concluded that regardless of the doctrine of discovery having been rejected around the world, they are unable to question its legitimacy.

Importantly, even if one accepts that provincial governments hold the underlying interest in 'Crown land', that interest is subject to strict limits. It does not mean that the provincial governments have a legal right to occupy Indigenous lands or to grant rights to those lands to individuals or companies. Nor does it give provincial governments the right to sell Indigenous land, assign interests to people or companies or forcibly remove Indigenous people from their territories.

The right to benefit from the land, decide how the land should be used and exclude other people from entering on or using the land is separate from the Crown's underlying interest in the land. The right to benefit from the land and exclude others from using the land is part of what Canadian courts have described as Aboriginal title. Aboriginal title, including Wet'suwet'en Aboriginal title, takes precedence over the Crown's underlying interest in the land.

While Canadian courts have held that provincial governments may be able to infringe Aboriginal title, the requirements to justify



Wedzin Kwa Checkpoint, Unist'ot'en Territory

“ Aboriginal title and rights are protected under the Constitution Act, 1982 – the highest law in Canada's legal system.

to be respected by the law of the European colonizing nation. The British Crown never conquered or made a treaty with the Wet'suwet'en.

In the early days of the colonization of what is now British Columbia, the British government was well aware that based on its own laws it was highly questionable that it had any right to occupy Indigenous lands or assign rights in those lands to individuals or companies. Nonetheless, beginning in the 1860s the colony of British Columbia began passing its own land laws and giving out property interests in Indigenous land without any established legal right to do so. The source of the Province's authority over Indigenous lands remains unresolved in Canadian law today. In 2004 the Supreme

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New Coalition Established to Save Lake Winnipeg

By Coalition to Save Lake Winnipeg



Grassy Narrows Marsh near Hecla Island

THE COALITION TO SAVE LAKE WINNIPEG (CSLW) is a collaboration of communities in the South Basin of Lake Winnipeg. The CSLW includes individual citizens, Cottage Associations from the east and west sides of Lake Winnipeg, Rural Municipality representatives and the Manitoba Cottagers Association. All stakeholders who have interest in the health of Lake Winnipeg are welcome to join the Coalition to Save Lake Winnipeg.

Awareness and concern for the health of Lake Winnipeg has been growing in the past years, however, information sharing and advocacy efforts had frequently been endeavours of individual community groups. During the summer of 2019, Hillside Beach Community Association and Lester Beach Community Association on the East Side of Lake Winnipeg held 2 oppor-

tunities (July and August) for the general public and concerned citizens to work collaboratively for advocacy. West Side Associations advocacy groups attended the August meeting. It was at this meeting that cooperative advocacy for Lake Winnipeg was initiated in the South Basin of Lake Winnipeg. These meetings coincided with a season of earlier than typical and persistent blue green algae blooms on Lake Winnipeg.

In September 2019, approximately 20 concerned citizens including representatives from community associations and elected officials in the South Basin of Lake Winnipeg attended a planning meeting at the Selkirk Public Library. From that meeting, 10 individuals volunteered to work together to build a Coalition to Save Lake Winnipeg: a grassroots non-partisan voice for the advocacy of Lake Winnipeg.

The CSLW's vision is a healthy and sustainable Lake Winnipeg that contributes to the social, environmental and economic well-being of all. Our mission is to act as an advocate informing stakeholders and coordinating efforts to save, protect and maintain positive sustainable practices for Lake Winnipeg.

The CSLW works with a number of organizations to support positive advocacy for the health of Lake Winnipeg. CSLW is committed to sharing information with stakeholders regarding Federal, Provincial, City of Winnipeg and other Municipalities' decisions that impact Lake Winnipeg in regards to phosphorus loading and the resulting toxic blue green algae. There continues to be significant factors that impact the health of Lake Winnipeg including the preservation and renewal of wetlands, agri-



PHOTOS: EMILY HALLDORSON

Lake Winnipeg coastline near Gimli, Manitoba

cultural practices, invasive species, and phosphorus discharge from the City of Winnipeg's North End Pollution Control Centre.

Since our initial meeting in September, the CSLW has published 4 documents with information for the public and suggested actions for advocacy. In November, the CSLW held a public information session at the St. James Legion. Guest speakers from Ducks Unlimited, Save Lake Winnipeg Project and the Lake Winnipeg Foundation presented valuable information for the 150 guests in attendance. The groundswell of support from this growing community of advocates has impacted the forward movement of government response to the challenges that Lake Winnipeg faces. Behind the scenes, our core group of 10 volunteers are keeping an ear to the ground and making inquiries with appropriate

“ The CSLW's vision is a healthy and sustainable Lake Winnipeg that contributes to the social, environmental and economic well-being of all. Our mission is to act as an advocate informing stakeholders and coordinating efforts to save, protect and maintain positive sustainable practices for Lake Winnipeg.

government agencies or science experts to gather information that we will continue to share with our growing community. In the spring of 2020, the CSLW will meet to plan our way forward. An additional information session is planned for the month of April that will include important information regarding Blue-Green Algae and Zebra Mussels. Please email cslakewinnipeg@gmail.com if you would like to be included on our mailing list.





Opportunities and Risks of 5G Technology

By Margaret Friesen

DEPLOYMENT OF 5G, 5th generation technology, a so-called upgrade to 4G that now is used for many of our cell phones and other wireless devices, could revolutionize how we live, work and play. According to the information technology industry, opportunities abound because of the faster downloads and lower latency. There could be major changes in many areas, such as in “tele-health” with remote surgery capabilities, autonomous (self-driving) vehicles and the Internet of Things (IoT) where anything that can be connected, will be connected. This will be throughout our homes – from toasters and toothbrushes, to fridges and doorbells. The industry currently provides many jobs with billions of dollars invested into research, development and rollout of 5G technology.

5G technology comes with many unanswered questions – about privacy, cybersecurity and not least, health and the environment. Some regions are waiting until there is more information. Brussels, Belgium, parts of Italy, Switzerland and elsewhere, have placed a moratorium on 5G roll out. It is a highly controversial issue across the USA and many municipalities in Canada. Sutton, Quebec, unanimously passed a resolution in December 2019 to request the federal government, following the precautionary principle, to decree a moratorium on the deployment of the 5G cellular network, until a consensus is reached on the absence of risk and impact of 5G cell technology on health and the environment. More than 100 researchers and Canadian medical doctors called for more protective safety standards when Health Canada’s guidelines were last revised in 2014/2015. Standards were tweaked slightly to be more protective, but are still thousands of times higher than exposures at which biological effects such as DNA damage have been documented.

The “Stop 5G on Earth and Space Appeal,” signed by over 200,000 people worldwide, prompted global protests. The Appeal voices concerns about the increased radiation from wireless devices outside and inside our homes, and from 5G beamed from thousands of satellites planned to orbit our planet.

The first ever “Global 5G Protest Day,” on January 25th, 2020, included events in 36 coun-



Margaret Friesen speaks at a 5G Awareness Event in January 2020.

PHOTO: PAUL GRAHAM

tries. Canada saw 12 events in six provinces. In Winnipeg, 5G Winnipeg Awareness*, hosted an information session, “5G Cell “Towers” in Winnipeg Neighbourhoods: Health Risks & Science Overview.”

Concerns were raised about inadequate safety guidelines, even for current exposures to radiation in the radiofrequency range from devices such as cell phones and cell phone antennas. With 5G roll out, exposures will escalate because network cell antennas need to be in close proximity to the devices they communicate with, including near to homes and schools on lamp posts, utility poles and on the tops and sides of buildings. There could be hundreds in each of our neighbourhoods – without any public consultation or notification or signage. There is no dispute that there has been no long term health safety testing on 5G technologies, and medical doctors and scientists are urgently and repeatedly warning us that the emissions from the other “Gs” are harmful to humans and the environment (See 5G Appeal: <http://www.5gappeal.eu/>) and health standards are inadequate (See EMF scientist Appeal: <https://www.emfscientist.org/>). 5G emissions will be in addition to what we are exposed to now.

On May 2nd, the discussion launched in Winnipeg in January, will be broadened. Speakers will include Dr. Meg Sears Ph.D., Chair of Prevent Cancer Now, Research Associate at the Ottawa Hospital Research Institute and author of “Medical Perspective on Environmental Sensitivities” for the Canadian Human Rights Commission; and Mr. Barry Malowanchuk,

Professional Engineer (Retired) who has more than 40 years’ experience as a Telecommunications Engineer. I will speak as a biologist, on the wide sweeping implications of 5G technologies on the environment including possible effects on plant and animals e.g. birds and pollinators.

An invitation is also being extended to a Province of Manitoba public health official. Health Canada sets the minimum safety guidelines, but other jurisdictions such as the Provinces may enforce safer standards. The Province of Manitoba has the right and obligation to enact and enforce safer standards, to protect health, safety and security of Manitobans. A representative from Manitoba Hydro is being invited because what is attached to hydro poles and lamp posts in Winnipeg (and perhaps elsewhere in Manitoba) is largely under its control. A Manitoba Hydro spokesperson has said that it is “in talks with two telecommunications providers”.

On May 2nd we will continue the conversation about 5G, with a close look at the opportunities and threats. All are invited to join in listening to the presentations and to participate afterward in a question and answer period. 🌱

Margaret Friesen is the spokesperson for 5G Awareness Winnipeg, a not-for-profit, non-partisan group comprised of residents who are concerned about the pervasive expansion of radiofrequency emitting antennas installed close to where people spend much of their lives. It educates and advocates on the safer use of wireless technologies such as cell phones, Wi-Fi, baby monitors and cellular antennas.

Due to COVID-19, in all likelihood the May 2 event will be postponed, for more info, contact Margaret directly at: safer.wireless@gmail.com

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Wet'suwet'en cont'd...

infringement are very onerous. The provincial government has not attempted to justify its infringement of Wet'suwet'en Aboriginal title.

But what about the Wet'suwet'en not having proven their Aboriginal title in court?

As with other Indigenous Nations, Wet'suwet'en Aboriginal title exists as a matter of law. It predates the colony of British Columbia and British Columbia's entry into confederation in 1871. Its existence was not created by section 35 of the Constitution Act, nor does it depend on recognition by Canadian courts. Canadian courts can recognize Wet'suwet'en Aboriginal title, but they cannot create it. A court declaration of Aboriginal title would merely confirm its existence under Canadian law.

In the Delgamuukw-Gisday'way case, the courts heard extensive evidence about Wet'suwet'en title and rights. Ultimately, the Supreme Court refused to issue a declaration in favour of the Wet'suwet'en because of a technicality in the pleadings. The parties were left to either negotiate a resolution or begin a new trial.

Regardless of whether there is a court declaration, it is open to the Province to recognize and respect the existence of Wet'suwet'en title at any time. Instead of recognizing the existence of Aboriginal title, the current provincial government continues to adhere to a policy of denial. This is the same policy endorsed by every provincial government since British Columbia became a part of Canada. As long as it maintains this policy, the Province avoids the implications of having to recognize Wet'suwet'en title and fulfil its corresponding obligations under Canadian law.

By its continued denial of Wet'suwet'en title, the Province avoids the hard work of reconciling its longstanding failure to respect Indigenous land rights with the continued existence and resurgence of Wet'suwet'en law and governance. 🌱

Kate Gunn is a lawyer at First Peoples Law Corporation. Bruce McIvor is principal of First Peoples Law Corporation and an Adjunct Professor at the University of British Columbia's Allard School of Law. First Peoples Law Corporation is legal counsel for Unist'ot'en. The statements here are made on our own behalf and reflect our views on this issue, not those of our client.

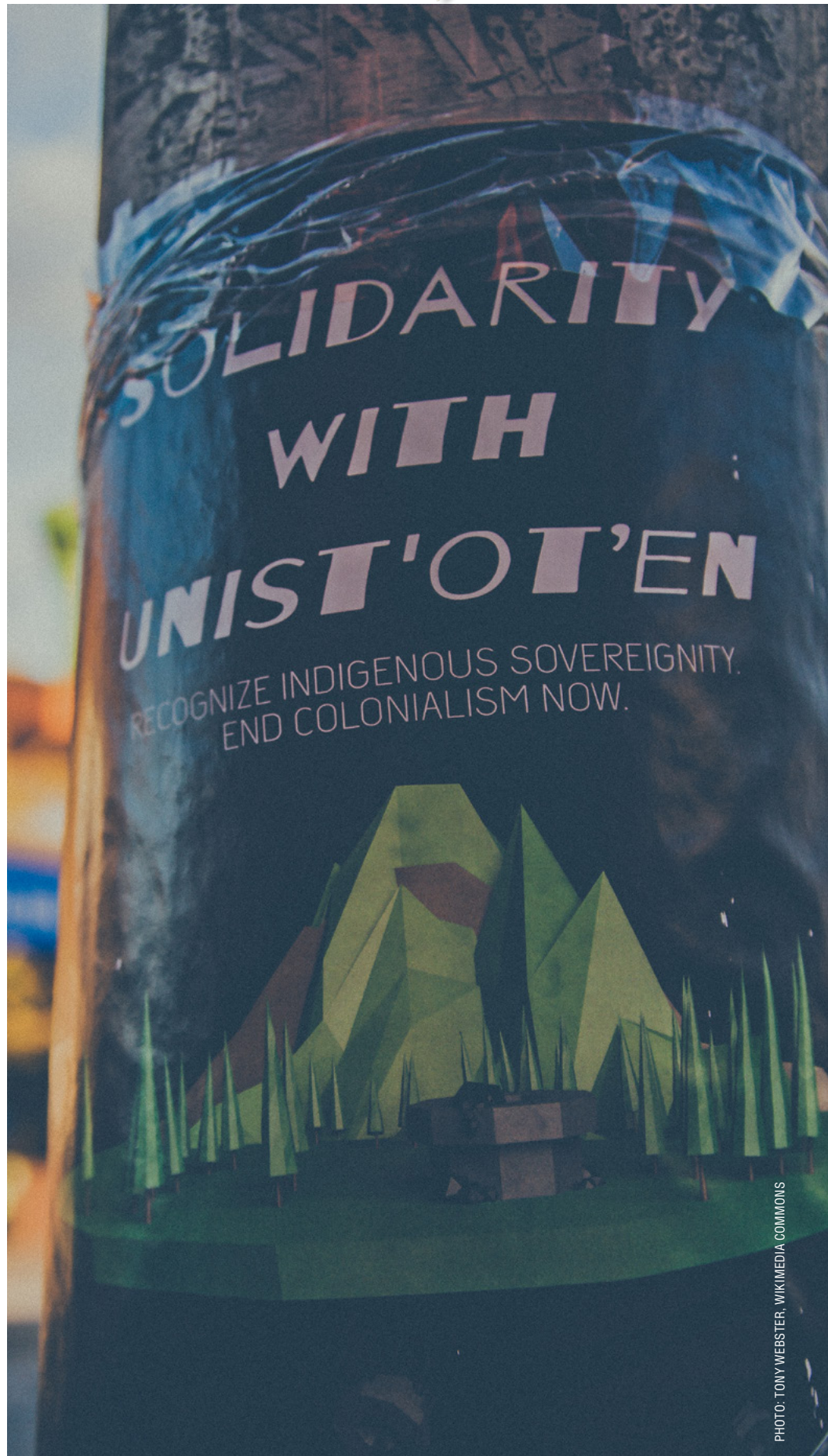


PHOTO: TONY WEBSTER, WIKIMEDIA COMMONS



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Hydropower cont'd...



PHOTO: WA NI SKA TAN

vironments and Indigenous communities in Manitoba, and enable healing through meaningful and desirable social and environmental change. Wa Ni Ska Tan has increasingly played a role in decision-making processes regarding hydropower and more generally the environment. As an intervener, Elders and researchers of Wa Ni Ska Tan communicated the implications of the Manitoba Minnesota Transmission Project to the National Energy Board; testified to the Standing Senate Committee on Energy, the Environment and Natural Resources regarding Bill C-69; and held a side event regarding hydro impacts at the UN Permanent Forum on Indigenous Issues. Over the past year, Wa Ni Ska Tan has started to work with and advocate for communities across Canada and internationally, that are impacted by hydro and other forms of resource extraction.

In November 2019, Wa Ni Ska Tan hosted a conference, Ki Ta Ski Naw, Our Land: Reflecting and Acting on Hydropower and Energy Justice, at the University of Winnipeg that brought together individuals from hydro-impacted communities and allies in northern Manitoba, British Columbia, Labrador, and Quebec, Alaska and North Dakota, Argentina, Colombia, Brazil, Mexico, Panama, as well as India and Nepal, and Spain, and Sweden. The gathering was in part designed to enable impacted communities to share their experiences and concerns and also to assess the level of interest in creating an international alliance that would facilitate learning, support, and action now and into the future. The international alliance is still in its infancy, but the conversations have begun and different ideas about how to work together are emerging.

World Water Day, March 22nd 2020 is the first International Day of Action in partnership with hydro-impacted communities around the world and their allies. This year the theme is "Protect Water" with the goal of raising awareness of hydroelectric development's impact on water systems and our collective power to protect water for all. The number of mega dam projects continue to grow worldwide, but it is within our collective power to speak out on the real and devastating environmental and social implications of hydro development. 🌱

Kelly Janz is the coordinator of Wa Ni Ska Tan. She also sits on the Winnipeg Food Council and on the board of the Farm Fresh Food Hub.

<< continued from page 3

Water Leadership cont'd...

tion. The report makes the case that federal leadership is required in at least four key areas: creating, sharing and mobilizing knowledge needed to predict and respond to water problems and opportunities, including those related to floods, drought, and pollution; improved transboundary water management; strengthened reconciliation with Indigenous peoples; and collaborative river basin planning.

As it stands, federal water law and policy is badly outdated. The most comprehensive approach to strengthening federal water leadership is through renewal of the Canada Water Act, our primary federal freshwater legislation, which has not been substantively amended since it was passed in 1970. The Federal Water Policy, dating from 1987, may also be a good starting point. These are both worthy goals, but there is a more immediate and achievable priority: establishing a Canada Water Agency.

During the 2019 federal election, the Liberal Party Platform included a pledge to "move forward with a new Canada Water Agency". This pledge was solidified in the Prime Minister's mandate letters, which instructed the Minister of Environment and Climate Change to establish the Agency with the support of the Minister of Agriculture and Agri-Food. There is also a local connection: Winnipeg South MP Terry Duguid, as the Parliamentary Secretary to the Minister of Environment and Climate Change, is the point person on this file.

While it is encouraging to see movement on this important priority, the Canada Water Agency is far from established. The government's challenge now is to get the Agency up and running relatively quickly during its current minority mandate, which history tells us will likely last less than two years. Yet it must also be done right to ensure the Agency is robust and durable in the long-term.

These two goals – doing it quickly and doing it right – sometimes seem at odds with each other, but they are ultimately reconcilable. The key is to establish the Canada Water Agency quickly by building from existing strengths in government, particularly several large-scale water programs within Environment and Climate Change Canada. Once this machinery is in place, the new Agency can embark on the tough work of fleshing out its mandate. The four key priority areas mentioned above could act as starting points. Whichever process is undertaken, the Agency's mandate must be co-developed with Indigenous Nations and with the buy-in of provincial and territorial governments.

A new Canada Water Agency is a necessary and worthwhile goal to help ensure Canada's water security as climate change intensifies and water stressors multiply. It can also serve as a good first step towards deeper legislative and policy renewal. This is an important file that should be watched carefully moving forward. 🌱

Richard Farthing-Nichol is the Coordinator of the Forum for Leadership on Water (FLOW) and a Research Associate at the Centre for Indigenous Environmental Resources.



Plisew Fall, Manitoba

PHOTO: EMILY HALLDORSON

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