
REPORT TO: Planning and Development Committee

MEETING DATE: Wednesday, September 02, 2015

SUBJECT: Proposed Niagara River Ramsar Designation

RECOMMENDATIONS

1. That this report be **RECEIVED** for information;
2. That Regional Council **ENDORSE** the designation of the Niagara River as a Ramsar site of international importance;
3. That the Town of Niagara-on-the-Lake, the City of Niagara Falls, the Town of Fort Erie, the Niagara Peninsula Conservation Authority (NPCA) and the Niagara Parks Commission (NPC) **BE ADVISED** of Regional Council's endorsement; and,
4. That this report **BE CIRCULATED** to the Town of Niagara-on-the-Lake, the City of Niagara Falls, the Town of Fort Erie, the Niagara Peninsula Conservation Authority (NPCA) and the Niagara Parks Commission (NPC).

KEY FACTS

- Regional Council received an information report regarding the Ramsar designation on October 2, 2014 and requested that the report be circulated to the International Niagara Board of Control.
- A designation for the Niagara River to become a Ramsar site of international importance is being sought by U.S. and Canadian agencies in order to recognize the importance of the Niagara River's contribution to the natural environment.
- The Ramsar Convention is a voluntary intergovernmental treaty that is committed to encouraging education and sustainable development as a means of protecting global wetlands. The Convention uses a broad definition of the type of wetlands covered in its mission, including lakes and rivers.
- The designation will not impose any additional regulations on property owners along the Niagara River Corridor.

- The designation will open up greater opportunities for expanding tourism programming, promote increased public awareness of the River's importance through research and development, and allow for Niagara region to further foster cooperation and partnership between the United States and Canada to ensure conservation both within and around the Niagara River Corridor.

CONSIDERATIONS

Financial

There are no financial considerations associated with this report.

Corporate

A staff member from Planning and Development Services is a member of the Niagara River Corridor Ramsar Working Group. In addition to the Working Group, there is a Ramsar Steering Committee, which Niagara Region is not involved in. The Steering Committee is comprised of key organizations that are leading the Ramsar designation process. Local representatives from the Niagara Parks Commission, the Niagara Peninsula Conservation Authority, the Environmental Sustainability Research Unit (Brock University) and Niagara College are part of the Steering Committee.

Governmental Partners

The Niagara River Corridor Ramsar Working Group has been working collectively with representatives from both Canada and the United States to determine the feasibility of designating the Niagara River Corridor as a Ramsar wetland site. Canadian representatives include The Niagara Parks Commission, Niagara Region, Ontario Ministry of Natural Resources, Niagara Peninsula Conservation Authority and Brock University. American Representatives include Niagara River Greenway Commissions, New York State Department of Environmental Conservation, US Fish and Wildlife Service, SUNY Buffalo, and Buffalo Niagara Riverkeepers. The Council's of the Town of Niagara-on-the-Lake, the City of Niagara Falls and the Town of Fort Erie have all received a presentation on the Ramsar designation. To date, Niagara Falls has endorsed the designation. Niagara-on-the-Lake and Fort Erie Council's have asked their staff to provide a staff report before they determine whether or not to endorse the Ramsar designation.

Public and/or Service Users

This designation will allow for Niagara Region to foster cooperation and partnership between the United States and Canada to ensure conservation both within and around the Niagara River Corridor. Such a partnership will allow the Niagara Parks Commission

and more broadly the Niagara region to showcase their image as an international leader in environmental and ecological sustainability.

The Ramsar designation of the Niagara River Corridor will promote increased public awareness of the River's importance through research and development. More specifically, the Niagara Parks Commission and its partners will have the potential to lead research and development programs alongside United States representatives to improve understanding of the River and preserve its ecological importance.

As a Ramsar site, the Niagara River Corridor will also open up greater opportunities for expanding tourism programming both along the river and throughout the region. This will also provide opportunities for members of the public to participate in consultation processes and discussions pertaining to the significance of environmental and ecological conservation of the region.

ANALYSIS

The Niagara River was deemed by the International Joint Commission (IJC) in the early part of the 19th century as the most degraded place in North America. By the 1970's there were over 700 chemical industries, steel mills, oil refineries, etc. discharging over 950 million litres of wastewater into the Niagara River each day. In response to environmental degradation around the Great Lakes, the Great Lakes Water Quality Agreement (GLWQA) was first signed in 1972 between Canada and the U.S. The goal of the agreement is to work in collaboration to restore and maintain the overall integrity of the Great Lakes Basin ecosystem. Significant progress has been made to address nutrients and toxic chemicals in the basin, however; localized concentrated effort was determined to be needed. In 1987, an amendment to the GLWQA identified 43 Areas of Concern ("hot spots") around the Great Lakes. The Niagara River was designated as one of the 43 Areas of Concerns (AOCs), resulting in the development of a Remedial Action Plan (RAP).

To date, major accomplishments have been made in the Niagara River including the establishment of modern regulatory frameworks and abatement programs, resulting in over 99% reduction of point source discharges. Significant reductions in toxic chemicals have been achieved including numerous contaminated sediment remediation projects. Removing the Niagara River from the "List" of degraded places in the Great Lakes is a priority identified in the 2012 amended GLWQA and the 2014 renewed Canada Ontario Agreement (COA). The goal is to "de-list" the river as an AOC by March 2020.

Through the cooperation of all government agencies, stakeholders and the active involvement of the public, the Niagara River has been successfully remediated from one of the most degraded places in North America to one of the most ecologically healthy and diverse areas in the world. In order to acknowledge this achievement and change

the narrative of the river, a Steering Committee has been established of key advisors and agency representatives from Canada and the US who have in-depth knowledge of the river and the region.

The Steering Committee includes representatives from The Niagara Parks Commission, the Niagara Peninsula Conservation Authority, Buffalo Niagara Riverkeeper, the Regional Institute (SUNY Buffalo), the Environmental Sustainability Research Unit (Brock University), Niagara College, members at large: Kerry Mitchel (formerly with the Canadian Consulate). The Steering Committee is recommending the pursuit of a Ramsar designation for the river in order to acknowledge its global contributions to ecological significance, rich biodiversity and healthy, resilient communities.

The Ramsar Convention is a voluntary intergovernmental treaty, committed to encouraging education and sustainable development as a means of acknowledging global wetlands. The Convention uses a broad definition of wetlands, it is defined as any substrate that is at least occasionally wet, including lakes and rivers. The purpose of this treaty signed in Ramsar, Iran, in 1971, is to promote the conservation and wise use of water-based ecosystems through local, national, and international sustainable practices.

What Ramsar Is:

- An honorary endorsement of ecological significance (an affirmation through designation of the global ecological importance the Niagara River already has).
- A voluntary, non-regulatory Convention treaty, signed by 168 countries including Canada and the United States. Canada signed in 1981 and currently has 37 Ramsar sites.
- A mechanism to encourage ecological sustainability through increased public awareness of the rivers global contribution to biodiversity and ecological goods and services. (i.e. increased tourism and recreation).
- A mechanism to encourage higher international engagement and cooperation.

What Ramsar Is Not:

- A wetland designation.

Ontario has a very specific understanding of the word “wetland” and its meaning. The Niagara River is not a wetland under the Ontario Wetland Evaluation System (i.e., from a regulatory perspective, a Ramsar designation would in no way implicate the Niagara River as a Provincially Significant Wetland). The Convention uses the term in its widest application to apply to any water related feature (land that is wet). As a result, the term translates across many languages and cultures at its broadest definition to define water-based ecosystems globally.

- The Convention is not policy or law, with no regulatory obligations imposed.

The designation will not impact, restrict or limit any user's ability to use the river whether for recreation, business or commerce. A Ramsar designation will not impose regulatory obligations or take away anyone's rights and ability to enjoy their properties.

To qualify for Ramsar designation, the site must meet at least one of the following nine criteria:

1. Is representative, rare, or unique.
2. Supports vulnerable, endangered or threatened species.
3. Supports keystone or endemic species.
4. Supports species at a critical stage in their life cycles (migration, breeding).
5. Supports 20,000 or more waterbirds.
6. Supports 1% of the individuals in a population of one species of waterbird.
7. Supports a significant proportion of indigenous fish species.
8. An important food source, spawning area, nursery or migration path for fish.
9. Supports 1% of the individuals in a population of one species or subspecies of wetland-dependent non-avian animal species.

The Ramsar Steering Committee has confirmed the Niagara River meets all nine criteria. There are 2,200 Ramsar sites globally; only 35 (1%) of these sites meet all nine criteria. The Niagara River would be the first bi-national Ramsar site in North and South America (the America's).

The Process for Designation:

- i. Selection of a site nominator. A site nominator is the appropriate administrative authority (the parties holding title to the land or water). The Canadian bed of the Niagara River is owned by the Province of Ontario (Crown). The Niagara Parks Commission (NPC) holds a lease from the "Crown" for the river bed and therefore could be an appropriate site nominator. The NPC is currently reviewing the requirements associated with being a nominator. The proposed nominator on the U.S. side is the Greenway Commission.
- ii. Completion of a nomination package which includes:
 - A completed Ramsar Information Sheet (RIS) which verifies the site (i.e. meets at least one of the nine criteria necessary for designation). The RIS has been completed for both countries; the river meets all nine criteria.
 - Written endorsement from the province of Ontario represented by the Ministry of Natural Resources and Forestry (MNRF).
 - Concurrence from the landowner (The Niagara Parks Commission).
 - Proof of engagement with stakeholders (local municipalities, users of the river, etc.)

Next Steps for Designation:

Once an appropriate nominator is chosen, written endorsements (support) must be obtained for the proposed designation from each agency that has an interest in the river. These agencies would include local municipal and regional governments, local conservation clubs, businesses, aboriginal community, etc. Written endorsement has been received from Ontario Power Generation (OPG), the Niagara Peninsula Conservation Authority, and the City of Niagara Falls, ON.

Nomination submission:

The Ramsar Steering Committee will submit the completed nomination package to the Director General, Canadian Wildlife Service, Ottawa. The Service will coordinate and facilitate the review of the nomination (approximately six months) with appropriate organizations. Once reviewed and deemed to be complete, the nomination package will be submitted to the Ramsar Convention Bureau for review in Switzerland. The Director General of the Canadian Wildlife Service will forward the nomination to the Bureau through the office of the Minister of Environment for Canada. Acceptance or rejection of nominated sites (approximately six month review) is the responsibility of the Ramsar Bureau.

Although the Niagara River Ramsar Site Steering Committee is pursuing **the first transboundary Ramsar site designation in the America's**, both Canada and the United States must submit a separate application, as each country has different procedural requirements. The transboundary designation occurs at the end of the process once each country has met the procedural requirements for designation. It is possible to designate only one side of the river. Dual designation is required for transboundary status.

In Ontario, the opportunity to endorse the Ramsar designation is being presented to the Town of Niagara-on-the-Lake, the City of Niagara Falls, the Town of Fort Erie, the Niagara Peninsula Conservation Authority, Ontario Power Generation (the largest consumer of water along the Niagara River) and the Niagara Parks Commission. To date, the Niagara Peninsula Conservation Authority, Ontario Power Generation and the City of Niagara Falls have endorsed the Ramsar designation.

ALTERNATIVES REVIEWED

Staff recommend that Regional Council endorse the proposed Ramsar designation because of the benefits that it will create for tourism, research and public awareness and the fact that there are no regulatory requirements associated with the designation.

Regional Council may choose not to endorse the Ramsar designation or may choose to defer the endorsement until such time as Niagara-on-the-Lake and Fort Erie Councils

have endorsed the Ramsar designation (these Council's have deferred their endorsements until they have received a staff report).

ORIGIN OF REPORT

This report is being brought forward by staff at the request of the Ramsar Steering Committee, who will be delivering a presentation to Planning and Development Committee on behalf of the Ramsar Steering Committee.

OTHER PERTINENT REPORTS

- PDS 39-2014, Canadian/American Partnership Approach to Promote the Niagara River Corridor as a 'Wetland' of International Importance; October 2, 2014

SUBMITTED & SIGNED BY:

Rino Mostacci, MCIP, RPP
Commissioner
Planning and Development Services

APPROVED & SIGNED BY:

Harry Schlange
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