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## Walking on Water: Meeting challenges on an international waterway

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### Abstract

*International rivers pose exceptional challenges to resource management that – if approached creatively – can result in effective solutions in conservation, use and development. A simple, low-cost process is applied on the St. Croix International Waterway that separates and yet links the Province of New Brunswick and the State of Maine for over 180 kilometers. Cross-border examples in land protection, heritage conservation, recreational management and tourism will illustrate this approach.*

### An international setting

The St. Croix watershed is located on the eastern seaboard of North America, draining an area of 4188 km<sup>2</sup> of which 60% lies in the State of Maine (USA) and 40% in the Province of New Brunswick (Canada).

From source to sea, the Canada/US boundary runs the full length of this system, a total of 180 km through some of the region's largest lakes, a river corridor renown for its 'backcountry' canoe experience and a 25 km estuary where tides rise and fall more than 7 meters twice daily. Nationally significant natural, recreational and cultural resources have merited the New Brunswick side of the system's designation as one of the country's 39 Canadian Heritage Rivers. For similar reasons, many of the river and lake waters on the Maine side hold state 'Outstanding' status.

While the St. Croix is an important resource shared by the people and interests of both countries, the international boundary that runs along it sunders perspectives, politics, law, planning, management – even time zone and currency – at mid-channel.

To help to address the management difficulties this creates, in 1986 the Province of New Brunswick and State of Maine entered into an agreement, supported by mutual legislation, to form a small commission to bring together governments, municipalities, landowners and users to create a shared vision for the international waterway, and guide these interests in working together to achieve this plan. The process had to be both local and international, and work at each level.

The St. Croix International Waterway Commission was formed in late 1988 and was given 18 months to produce a cooperative Management Plan for the international corridor. It did so through consultations with 58 government agencies (Canada, United States, Maine and New Brunswick), 25 municipalities and rural advisory councils, over 2100 waterfront landowners and a wide range of recreational and business interests.

The Plan was completed in 1990 and, after a three-year trial, was adopted by the New Brunswick and Maine governments in 1994. Its 22 policies and 68 supporting actions address environmental quality, natural resources, heritage, recreation, economic development and management coordination.

An indication of the Plan's success is that while it is an entirely *voluntary* plan, governments and local interests have worked together across an international border to make significant progress on 21 of its 22 policies. Action on the last – updating the Plan – is scheduled for late 2006.

So how do we do it?

### **Critical elements of international management**

The Commission relies on four key elements of effective transboundary management.

The first is law. The legal and policy frameworks in each jurisdiction – in this case federal (Canada and U.S.), provincial and state – set the ground rules for what is reasonably possible in each sector of a transboundary setting. These regulatory “tool boxes” are very different and must be understood thoroughly, and often used creatively, to achieve common goals by uncommon means.

The second is people. The St. Croix Plan has moved forward, voluntarily, because people want it to. These individuals are in legislatures, government departments, businesses, shorefront homes and boats on the water. People, not entities, make decisions and these have been directly sought out, engaged and appreciated for their efforts.

The third is resources. While money is a logical consideration, there is no direct funding for the St. Croix Plan. The Commission diligently seeks out various sources of direct and in-kind support to ‘cobble together’ initiatives that have minimal, usually short-term, cost to any single jurisdiction or interest. In doing so it has, to a large extent, cushioned the Plan's implementation from the effects of government budget shifts and recessions. A great deal can be done with very little, when everybody participates.

The fourth is coordination. The Commission's primary role is to bring interests together to achieve mutual goals. Its ‘borderless’ ability to relate to, and understand, all parties enables it to serve as a key facilitator, translator (oh, the acronyms!) and catalyst, without which the international barriers to communication and action would be difficult to overcome.

## **Examples: parks, protected areas and heritage tourism**

The examples below briefly illustrate the St. Croix process in action. Further details, plus examples in a broader range of fields, are available from the Commission.

### **Establishing a transboundary protected area**

One of the most ambitious policies of the St. Croix Management Plan called for the permanent protection of the forested shores along nearly 90 km of waterway, on Spednic Lake and the upper St. Croix River. These contain the greatest concentration of the St. Croix's rare or threatened natural resources and form an internationally-renown backcountry recreation area.

In 1991, 90% of these shorelands were privately owned and 78% lacked any protection from future development. Over a 14-year period, state and provincial governments, land trusts, conservation groups, foundations and willing sellers collaborated – often in innovative ways on their own sides of the border – to protect this international corridor, one piece at a time.

Now, 93% of this special area – over 284km of shorefront and 270km<sup>2</sup> of backland – is permanently protected through conservation ownership or easement, and these efforts are ongoing. New Brunswick has designated 259km<sup>2</sup> of its acquired lands along Spednic Lake as one of 11 Protected Natural Areas that address the province's longterm commitment to biodiversity.

Elsewhere along the waterway, the Commission has formed partnerships to protect six additional Maine and New Brunswick properties – a total of 1134 hectares – that have prime natural resource and public access value.

Law (property or easement purchase) and people (a remarkably diverse and persistent assemblage of committed individuals inside and outside of government) came into play along national lines to make this protection possible. The funding – nearly \$100 million – came in large and small amounts ranging from one-time government appropriations to school kids' pocket change. The common thread was the Plan's vision of permanently protected lands in critical locations, this achieved through efforts that were facilitated by the Commission.

### **Protecting shoreland**

Outside of the Spednic Lake/Upper River segment, residents also made it clear in the Plan that they wanted to see green shores and development co-exist in order to preserve the visual character and environmental quality of the St. Croix region.

Maine already had legislation to ensure this, through statewide shoreland zoning regulations that require building setbacks and the retention of shoreland vegetation, but New Brunswick had no established legal mechanism to do so.

Crafting new, precedent-setting provincial legislation for the St. Croix could be problematic. Instead, New Brunswick made creative use of existing law (its Community Planning Act) to create a special rural planning area for the St. Croix boundary corridor and establish, just for this corridor, a shoreland zoning regulation similar to Maine's. During development, this regulation went through extensive public consultation – itself an unusual step – and received strong landowner support. The two New Brunswick municipalities within the boundary corridor were encouraged to incorporate similar provisions into their municipal plans and one of these did.

As a result, New Brunswick and Maine now have similar protection requirements for their facing St. Croix international shorelines. Compatible requirements for surface water quality will be in place shortly.

### **Managing park land**

While New Brunswick and Maine do not operate formal parks along the boundary corridor, they do have a shared interest in managing outdoor recreation, especially the estimated 7000 canoeists who paddle and often camp along the upper sections of the St. Croix annually.

In the mid 1990s, New Brunswick briefly considered creating a linear park on the St. Croix but chose to forego this concept (it owned little shoreland at the time) in favor of a “virtual park” for which a budget was provided to maintain a series of 40 access sites (remote campsites, drive-in use sites and boat/canoe launches) on land the province either owned or had the landowner's permission to use.

On the Maine side, traditional campsites existed on private land but were not maintained and, as user levels rose, experienced a decline in quality. In the early 1990s, the Commission leased ten key sites from the landowner (a timber company) and solicited contributions and volunteer labor to maintain them for a decade until the State acquired the shorelands and established a small budget for campsite care.

The Commission now delivers both the New Brunswick and Maine “virtual park” programs along the St. Croix's international waters, using a single maintenance crew and a single policy for site design and maintenance, which aligns with and supports the international waterway Plan.

### **Heritage tourism**

An island in the St. Croix estuary was the site of one of the earliest European settlements in North America, established in 1604 by French colonists who named the island and river “Sainte Croix”. This colony resulted in the French exploration and settlement of a large part of the continent and a French heritage that remains an integral part of North America's cultural identity today. The island is uniquely honored as the only International Historic Site shared by the

United States and Canada.

The St. Croix's New Brunswick and Maine communities – now entirely English-speaking – were challenged to host the 400<sup>th</sup> anniversary of this exceptional colony in 2004. To do so, they needed to work across an international border in new ways to commemorate a heritage and a language that were no longer part of their local identity.

The Commission facilitated this process, beginning with a major planning workshop in 1995 and continuing with a decade of support for a transboundary committee of agencies and local interests.

This committee solicited grants and contracts from a variety of sources in both countries to deliver ten days of events in June 2004 that were attended by heads of state, senior government delegations and over 47,000 visitors. The committee also worked with governments to commemorate the anniversary on a wider scale through educational activities, stamps, minted currency and special publications. And it gave overdue recognition to the role of aboriginal people in aiding the French to adapt to a new world, even delivering its programming in three languages: English, French and tribal Passamaquoddy.

This legacy is being preserved. The US and Canadian governments have installed new interpretive facilities facing the island, a permanent exhibit has been opened in a new Downeast Heritage Center, and an educational curriculum has been developed and placed in 200 schools across New Brunswick and Maine. All of these will yield tourism benefits to the area.

The cross-border partnerships and experience gained from this event are now being applied to other economic initiatives.

### **Into the future**

Management collaboration along the international St. Croix is an on-going process, guided by a shared plan and small commission. A wide variety of interests are working together across the border to protect resources, support the local economy, provide recreational opportunities, honor heritage, and develop sustainably with all of these in mind.

Always, this relies on law, resources, people and coordination – and the greatest of these is people.

### **References**

St. Croix International Waterway Commission, 1993. *St. Croix International Waterway: A Heritage – A Future: Plan for Long-term Cooperative Management of the St. Croix International Waterway*. St. Croix International Waterway Commission, St. Stephen, NB.

