

Thursday, November 26, 2020

(Via e-mail)

The Honourable Daniel Allain
Minister of Local Government and Local Governance Reform
Place Marysville, P.O. Box 6000
Fredericton, NB E3B 5H1

Dear Minister Allain:

**Subject: Local governance reform in the francophone regions of New Brunswick
Brief presented by the *Commission sur la gouvernance***

Since last year our Commission has been conducting research on the issue of governance in Acadie, research that is part of a process to ensure the continuity of French life and culture in Atlantic Canada. Although this research is still ongoing, we are pleased to share with the members of your government today, as part of the exercise to develop your local governance reform, some of our preliminary findings.

The observations and recommendations in this short brief will therefore focus on four themes related to local governance: 1) the recognition of the distinct characteristics of the province's predominantly francophone and anglophone regions, 2) the designation of "predominantly francophone regions" and "predominantly anglophone" regions in New Brunswick, 3) the powers of these regions, and 4) the mandate and election of regional representatives.

The distinctiveness of New Brunswick's regions

New Brunswick is home to some of the oldest established communities and regions in the country, dating back to well before the Confederation of Canada in 1867 and before the creation of our province in 1784. Memramcook, founded in 1698 by Pierre Gaudet, remains French speaking to this day and after more than 320 years, the main home of the Gaudet family in Atlantic Canada. History also recognizes the essential role that this community and the Collège St-Joseph played from 1864 onwards in what has aptly been dubbed the Acadian Renaissance.

The other Acadian communities of the Beauséjour region (southeast NB), the Acadian Peninsula, Kent County, the Chaleur region, Restigouche and Madawaska also share a rich history of French presence in our province, many having been established in the aftermath of the *Great Upheaval* or *Grand Dérangement* beginning in the 1760s. All of these regions, without exception, continue to host a predominantly Acadian and French-speaking population today.

A similar parallel can be drawn with the English-speaking regions of New Brunswick. It is well known, for example, that the main home of the Steeves family in Canada is found in Albert County, descendants of the first American settlers who came to settle there in the 1760s. We find similar backgrounds in all English-speaking regions of the province.

This unique feature of New Brunswick, characterized by a deep regional identity factor, testifies to the real rootedness of the different peoples of this province to their territory. It is a strength not only to be recognized, but to be used as a lever to foster the future prosperity of these regions and of our province. In other words, the sense of belonging to the Miramichi region, Charlotte County, the Acadian Peninsula or Madawaska, as well as the desire to build prosperous and happy communities in these regions, must be celebrated as one of New Brunswick's greatest strengths.

We therefore recommend, as part of your local governance reform, to bear in mind and recognize the importance of the distinct characteristics of New Brunswick's regions, whether they are predominantly francophone or predominantly anglophone.

The designation of “predominantly francophone” and “predominantly anglophone” regions

A year ago, the *Commission sur le territoire et la toponymie* shared with your government a summary of its research on the linguistic landscape, particularly with respect to the language of signage on public spaces and highways, and the importance of the identity factor of this signage for the peoples who live in these regions. This line of research is quite widespread in Europe, where tangible efforts are made to preserve and present the dominant language of minorities in the regions (Brittany, Corsica, etc.).

In New Brunswick, although the dominant language of the Acadian regions is French, public, road and even tourist signage in these regions still feature English as the dominant language. This situation contravenes the provisions of New Brunswick's *Official Languages Act*, a matter which our province's Office of the Commissioner of Official Languages has reported every year since 2011. In this example, the predominantly French-speaking regions may well want to promote their unique identity to visitors and newcomers, but the signage policy is the responsibility of the Department of Transportation, which decrees that, for reasons of “road safety,” the dominant language of signage throughout New Brunswick is English. This is one example among others that denies the distinct character of francophone regions and hinders their development.

In its brief sent last year, that Commission recommended that you **use the mapping established by the network of Regional Service Commissions to define the predominantly francophone regions of New Brunswick**. In this map, the predominantly francophone regions of the Acadian Peninsula (see Appendix A - Region 4), Chaleur (Region 3), Restigouche (Region 2), Northwest (Region 1 - Madawaska-Victoria), and Kent (Region 6) are well delineated.

The only exception to this rule is the Southeast Regional Service Commission, which is predominantly anglophone but includes a distinctly francophone subregion (Dieppe, Memramcook, Shediac, Cap-Pelé, Beaubassin East, etc.), a distinctly anglophone subregion (Riverview, Albert County, Sackville, Port Elgin, etc.) and the bilingual City of Moncton. As recommended by the *Commission sur le territoire et la toponymie* last year, **a delimitation exercise for this francophone subregion would have to be completed as part of the implementation of your reform, ideally through the Southeast Regional Service Commission itself.**

As a reminder and according to Statistics Canada's 2016 Census data, the counties and subregions of New Brunswick that are predominantly francophone are, in order of importance:

- Madawaska and the northern part of Victoria – over 95% francophone
- Gloucester (Chaleur and Acadian Peninsula) – over 85% francophone
- Kent – approximately 70% francophone
- Beauséjour (southeast subregion) – approximately 70% francophone
- Restigouche – over 65% francophone

The powers of these regions

It is generally accepted that one of the side effects of the “Equal Opportunity” reform program was the loss of local decision-making power formerly held by county governments. While this move was intended to alleviate the strong regional disparities of the time through centralization measures, the elimination of local decision-making power continues to disadvantage rural regions of the province, both predominantly francophone and predominantly anglophone.

Today, these regions are not calling for a return to the past, but for a return of decision-making power that will allow them to better manage their destiny and thus contribute to the overall prosperity of the province. The *Regional Service Delivery Act* gave only a few responsibilities to the Regional Service Commissions that were created in 2012, including local development planning services and solid waste management services.

The development and implementation of rural development plans is not part of these responsibilities, as the population of the Anse-Bleue LSD realised in 2019. Nearly 90 percent of its residents signed a petition opposing an energy project on their territory and a resolution opposing it was passed by the Acadian Peninsula Regional Service Commission. Despite this obvious consensus, the decision rests with the Province, which could decide otherwise.

A similar issue occurred in Sainte-Marie-de-Kent 20 years ago with a large-scale hog factory project. An operating permit was granted in 1999 by the provincial government of the day, without any real prior public consultation. The opposition to the project led by the residents of this community and the municipalities of the region was intense and they finally won their case in 2006.

Yet the solution to the issue of regional governance has existed for a very long time in Canada, particularly in neighbouring Nova Scotia and Quebec. It is the regional municipality model, which would strengthen the powers and responsibilities of Regional Service Commissions. We therefore strongly recommend that your government adopt such a model to resolve the development (and the democratic) deficit in New Brunswick's regions.

The following table outlines some of the areas of jurisdiction led by counties in Nova Scotia and regional municipalities in Quebec, two provinces that are sources of precedents capable of serving New Brunswick and its regions well:

Table 1: Comparison of areas of jurisdiction with N.S. counties and MRCs in Quebec

Field of competence	N.S.	Quebec	N.B. (current)
Development, building inspection plans	Yes	Yes	Yes
Waste management	Yes	Yes	Yes
Emergency measures	Yes	Yes	Limited
Rural plans	Yes	Yes	Limited
Administration of unorganized territories (UTs)	Yes	Yes	X
Water and sewer services	Yes	Yes	X
Leisure, recreational infrastructure and parks	Yes	Yes	Limited
Tourism development	Yes	Yes	X
Economic development and diversification	Yes	Yes	Limited
Attracting and welcoming newcomers	Yes	Yes	Limited
Forestry and agricultural development	x	Yes	x
Dangerous and unsightly premises	Yes	Yes	x
Public safety and fire	Yes	Yes	x

Taking charge of the administration of unorganized territories (UTs or LSDs) by these new entities will allow all residents of the province to be served by a local government, thereby promoting the economic and social development of the entire province. New Brunswick's regions are asking for no less to secure their future and **there is no need to force communities to amalgamate to achieve this. On the other hand, there will be costs associated with increasing services in the regions and the important step to establish regional representation, making any move to better harmonize property tax rates more justifiable. The equalization formula will also need to be adjusted to ensure the success of this reform.**

Mandate and election of regional representatives

The establishment of a regional governance model must necessarily be accompanied by an electoral process by universal suffrage in order to fill the democratic deficit and ensure greater accountability for the economic and social development of the regions. **We therefore recommend that a minimum of five (5) representatives per region be elected to manage the affairs and interests of these regions, and in a general election every four years as is the case for municipalities.**

We thus conclude this brief by thanking you for your interest in taking these recommendations into account when developing your important local governance reform.

Bernard Richard Pierre Foucher

Bernard Richard and Pierre Foucher, Co-Chairs
Commission sur la gouvernance



APPENDIX A – Map of Regional Service Commissions

Regional Service Commissions
Commissions de services régionaux

