From: ***PERSONAL IDENTIFIERS REMOVED***
Sent: Wednesday, April 28, 2010 4:56:26 AM
To: Living Water Smart ENV:EX
CC: ***PERSONAL IDENTIFIERS REMOVED***
Subject: WATER ACT MODERNIZATION (WAM) comment submission

April 28, 2010

To the B.C. Living Smart program administration:

Regarding Water Act Modernization,

Decisions regarding the protection of water supplies will have an effect on other jurisdictions across Canada. PLEASE ATTEND TO THESE IMPORTANT POINTS in the public interest.

• the right to clean water is internationally recognized as a human right and part of the commons, owned collectively by all and held in trust by governments to manage in the public interest

• the public requires a broadened scope of discussion for true water protection, which includes impact of allowable land use i.e. resource extraction activities

• The Water Modernization Act should not remove responsibilities for regulation of uses and protections to other acts e.g. Section 9 of the Water Act devolves water protection to various other Ministries Acts (Forestry, Mining, Gas & Oil)

• Watershed Reserves need to be re-established for source protection from forestry and other resource extraction activities.
Watershed reserves would protect our drinking water supplies.

• Collaborative independent science, traditional knowledge and local history must inform all allocation decisions. Decisions related to water protection must be based on the Precautionary Principle, firmly placing the burden of proof on those whose proposed activities or Modernization might impact water quality, rather than reliance on mitigation after damage.

• Regarding the proposed Governance model: Since no funding or local decision making powers have been established for the proposed Water Modernization Act, there should not be any change in legislation related to water until broader scope, full funding and full and meaningful public consultation is part of the process

• FITFIR (First in time, First in right) should remain unchanged since it is a self-regulating system for over-allocation problems, i.e. — "if it's not broke, don't fix it" . Modifying FITFIR could allow governments to remove water rights from established farms and public water systems and other violations of human rights.

• Domestic Use licensed use should NOT be changed to a "permitted" use in order to retain legal rights

• Meaningful public consultation must be undertaken in any further steps in

government decision making regarding water.

- The government must ensure that First Peoples are consulted on any proposed changes to water use and that their social and cultural practices associated with water are respected and accommodated

Respectfully submitted,
PERSONAL IDENTIFIERS REMOVED