

From: Graeme, Ian ENV:EX
Sent: May-05-10 10:52 PM
To: Living Water Smart ENV:EX
Subject: FW: WAM comment from Wildsight
Attachments: wildsightregional_WAM_comments4_2_.pdf

From: Rachel Darvill [mailto:rachel@wildsight.ca]
Sent: Friday, April 30, 2010 9:21 AM
To: Living Water Smart ENV:EX
Subject: WAM comment from Wildsight

Please see the attached comments that are being submitted on behalf of Wildsight.

Thank you,

Rachel Darvill, Upper Columbia Program Manager
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April 29, 2010

Water Act Modernization
Water Stewardship Division
Ministry of Environment
P.O. Box 9326 Stn Prov Govt
Victoria, BC
V8W 9M2

Dear Minister Penner and the Living Water Smart Team:

RE: BC Water Act Modernization (WAM)

Wildsight promotes biodiversity, healthy watersheds and healthy communities in southeastern British Columbia. The southern Rocky Mountains, the Columbia River Headwaters, and the Columbia Mountains have glaciers, rivers and lakes of such significance that they are considered to be the water towers of North America. Wildsight is proud to help protect these precious ecosystems for all species.

Wildsight urges you to take clear, proactive measures to protect British Columbia's water resources for our environment and for future generations. We support strong comprehensive standards which are enforced, for protecting water, stream health, wetlands and watersheds. Wildsight strongly encourages collaborative regional governance with community involvement to implement these standards that are imbedded into the four goals. Regional watershed boundaries for decision-making processes must override current political boundaries.

To achieve the highest standards possible, Wildsight envisions a new Water Act that incorporates the following into the four goals defined in the WAM discussion paper:

Goal 1: Protecting Stream Health and Aquatic Environments

- The precautionary principle must be applied to the Water Act to protect ecosystem and watershed health.
- Water allocations to sustain natural ecosystems must be fulfilled before consideration of any other uses.
- The Water Act must be the overriding piece of legislation that determines what is able to occur in watersheds. Currently the Act does not protect stream, ecosystem or watershed health.
- The Water Act needs to recognize wetlands and their critical processes.

- Government needs systems in place for accountability and for education around water conservation.
- Riparian Area Regulation (RAR) assessments must be conducted under regional or municipal legislation. There should be a penalty in place for regional districts/municipalities that don't comply with RAR legislation.
- The province needs to put a priority on water conservation rather than allocation and supply management.
- "You can't manage what you don't monitor". A robust monitoring system needs to be put in place. A significant lack of baseline data for water quality and quantity, for both groundwater and surface water, exists in the province. A cooperative effort by government and communities is required. More support and trust needs to be given to the non-government organizations that are implementing water monitoring programs aimed at protecting watersheds and water resources in the long term.

Goal 2: Water Governance

- The Water Act must inform, interact and be inclusive of all functions and levels of government, including other pieces of legislation such as the Drinking Water Protection Act, the Land Act, the Fisheries Act, among others. There must be a holistic approach to ecosystem management.
- Land-use plans must be tied together with water plans for source and watershed protection.
- The Act must be built around logical watershed boundaries, not political boundaries.
- Management and planning needs to happen closer to where the water is actually being used, with meaningful community involvement in the decision making process. We would like to see Regional Water Boards with multi-stakeholder involvement and adequate funding in place for board members, with no government downloading.
- The hierarchy for decision-making around water issues must be clearly defined..
- There must be transparency, alignment and trust on all levels of the board, along with accountability, effective communication and cooperation.
- Community relationships that have already been established around water issues need to be leveraged for water allocation and management decisions.
- Bill 30 rulings need to be reversed, allowing local governmental bodies to have meaningful input.
- The Water Act needs to look at long-term planning, with a long-term funding strategy in place.

Goal 3: Flexibility and Efficiency in Allocation

- Water license applications need to have an expiry date, so that private interests cannot simply hold onto water rights and commodify water tenures.
- We must have a licensing/permitting system that prioritizes water uses, such as ecosystem and domestic uses above irrigation uses for golf courses and lawns. The hierarchy for water use must be clearly defined.
- Currently 'domestic use' is undefined and this needs to be clearly defined in the Water Act. For example, washing your car or watering your grass should not have priority over human consumption for survival needs.
- The First in Time, First in Rights system needs to have restrictions under low flow conditions and this must be enforced.
- The impacts of climate change must be taken into consideration, including an

- assessment of how it will impact the ability to meet ecosystem and domestic needs.
- It must be stated that BC will not be involved in a water trade or involved with water markets, so that the BC government can't sell our public resource.
 - Water must not become a commodifiable good. We do not want bulk water export out of the country, or even out of our province.

Goal 4: Groundwater Extraction

- Groundwater extraction and use must be regulated for all large withdrawals and the word 'large' must be clearly defined. There needs to be mandatory consideration to protect in-stream flows.
- Of particular importance, Oil and Gas exploration companies must pay for all water uses and must be responsible for tracking how much groundwater they extract and use.
- Surface and groundwater are connected and this needs to be considered and evaluated before allocation decisions are made.

In addition, it is essential that the public and non-governmental organizations be involved at all levels for this modernization process as it moves forward. Currently, there is a lack of public input opportunities beyond this initial comment period.

We ask that there be a clear commitment from the province for funding the implementation of Water Act changes.

Wildsight believes that this process will be of incredible value for the future of BC if the above recommendations are incorporated in the modernization of the Water Act . We hope that this process is efficient and effective at securing BC's water for future communities and the environment.

Sincerely,



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