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Sent: May-12-10 8:12 AM
To: Slater.MLA, John LASS:EX
Cc: Living Water Smart ENV:EX; Minister, AL AL:EX; Minister, ENV ENV:EX; Kriwoken, Lynn ENV:EX
Subject: BCAC WAM submission
Attachments: Water Act Modernization Final Submission.pdf

John Slater
Parliamentary Secretary for Water Supply and Allocation

Attached please find the BC Agriculture Council (BCAC) submission to the Ministry of Environment's public consultation process on the modernization of Water Act. This submission is made on behalf of farmers and ranchers from across British Columbia as represented through the BCAC's member associations. Thank you for your consideration.

Regards,
Andy

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BC Agriculture Council Water Act Modernization Submission



British Columbia Agriculture Council

Submission to:

Water Act Modernization Consultation Process

The BC Agriculture Council (BCAC) appreciates the opportunity to provide a formal submission to the Ministry of Environment's public consultation process on the modernization of the provincial *Water Act*. The BCAC represents the collective interests of BC's primary agriculture producers, representing an estimated 14,000 farmers and ranchers through their membership in sector farm organizations from across the province (Appendix A). A number of these organizations have submitted formal submissions to the *Water Act* modernization consultation process:

- BC Cattlemen's Association
- BC Cranberry Growers Association
- BC Fruit Growers Association
- BC Grain Producers Association
- BC Milk Producers Association
- BC Landscape and Nursery Association

This submission will reinforce the key issues that have been brought forward by the BCAC member organizations in their submissions – a central theme of which is that water is a shared resource that all water users must take responsibility for. Farmers and ranchers depend upon a secure supply of water for their livelihoods and therefore recognize the vital importance of this consultation process.

BC Agriculture is facing Major Economic Challenges:

British Columbia has a strong agricultural heritage that was built on the province's unique climatic, geographic and demographic diversity. Agriculture's true contribution is often

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overlooked because of the diverse nature and scope of this important industry. With some 250 different crops and livestock produced on BC's farms and ranches, the agriculture and agri-food industry is a significant contributor and a stabilizing factor providing jobs and opportunity in many of the province's rural and regional economies.

Agriculture plays a significant and important role in the provincial economy overall, with the many activities associated with the production, processing, distribution and sale of food providing employment for over 290,000 people, representing 14% of the provincial workforce and generating over \$35 billion in revenue. The BC agriculture sector is, however, seriously challenged in meeting its full potential. BC has consistently provided less support to its agriculture sector than other provinces have – investing approximately two percent of the GDP that is generated from agriculture and food into supporting the sector, compared to over ten percent in the provinces of Alberta, Saskatchewan and Quebec.

This lack of support is no doubt at least partially responsible for the negative farm income situation seen in BC in recent years. Statistics Canada¹ numbers indicate that realized net income for BC farmers and ranchers was over \$200 million in the red in 2008, which followed significant losses in both 2007 and in 2006 – so we have witnessed an unprecedented three consecutive years of negative net farm income in BC. All indications are that improvements have not been made to these numbers in 2009 and early 2010.

The economic situation facing farmers and ranchers emphasizes the need for the Ministry of Environment to seriously consider the needs of this important sector in the *Water Act* modernization process.

Meeting the Future Food Security Needs of British Columbia:

Meeting the future food security needs of the province will depend upon our ability to address the economic pressures facing agriculture and to maintain the productive capacity of our agricultural lands over the long-term. This is a societal interest that cannot be taken for granted. By 2030, BC's population is expected to grow by 30% to 5.5 million people – further increasing the development pressures on our farmland resources and, at the same time, increasing the need to have a productive agricultural land-base in BC.

British Columbia faces the unique situation of having less than five percent of the total provincial land-base with the potential for agricultural production – a reality that served as the impetus for establishing the Agricultural Land Reserve (ALR) through provincial legislation in the mid-1970's (Figure 1). The objectives were to both preserve agricultural land over the long-term and to enable and accommodate farm use on BC's agricultural land.

¹ Source: Statistics Canada – <http://www40.statcan.ca/101/cst01/agri02j-eng.htm>

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Figure 1: BC's Agricultural Land Reserve

Significant steps have also been taken to ensure that the environmental integrity of this limited agricultural land is protected over the long-term. Through initiatives such as the Environmental Farm Plan (EFP) program and the beneficial management practices being implemented on BC farms, the agriculture sector is identifying and reducing environmental risks on farms and is establishing itself as being on the leading edge in the management of its natural resources. Much of the focus of these programs has been specifically on protecting BC's water resources and improving efficiencies in water use, particularly with respect to agricultural irrigation. The BC Cattlemen's Association also manages and delivers the Farmland-Riparian Interface

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Stewardship Program (FRISP), which has been effective in protecting and enhancing water quality, riparian vegetation and fish habitat on ranchland.

The contributions provided to society from agriculture also go far beyond maintaining an agricultural land-base for future generations. BC's farming and ranching landscapes provide for protection of open space, clean air and water, wildlife corridors and habitat, conservation of biodiversity, as well as tourism and recreational opportunities.

Addressing BC's food security needs in the face of a changing climate is presenting further challenges. While some research suggests that BC may experience improved agricultural capability as a result of climate change, increased uncertainty and costs associated with weather damage for BC's agricultural operations is also likely. BC also imports significant amounts of food from areas which have recently experienced drought and other production challenges, further demonstrating the need to maintain an adequate agricultural production capacity in British Columbia.

Meeting the future food security needs of the province is a societal responsibility that will depend upon our ability to maintain the productive capacity of our agricultural lands over the long-term. The ALR was created to protect agriculture lands for food and agricultural production, which is of little value if reasonable access to affordable water is not assured.

BCAC Recommendation:

1. *A safe, secure, affordable and adequate water supply for livestock and crop production on all agricultural lands in BC, both within and outside the ALR, be established as a fundamental priority of the provincial government and be explicitly recognized as a key principle of a modernized Water Act.*

The remainder of the BCAC submission will underscore agriculture's priorities within the context of the four goals of the *Water Act* modernization process, as outlined in *British Columbia's Water Act Modernization – Discussion Paper*.

Goal 1 – Protect stream health and aquatic environments:

The BCAC recognizes the fundamental role of our water resources to the well-being and proper functioning of ecosystems, which is why stream health and the protection of aquatic environments has been a major focus of the EFP and other environmental initiatives undertaken by the agricultural sector. Buffer zones, erosion control, riparian area management and enhancing wildlife habitat are just some of the examples of work recently undertaken. The agriculture sector should also be acknowledged for the existing reservoirs and dams that were created by farmers and ranchers for agricultural use – as this infrastructure has contributed

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significantly to flood control, has reduced erosion during spring runoff thereby expanding local land use options, and has provided for public recreation and enhanced fish habitat.

BCAC Recommendations:

2. *That the Province provide resources and funds to further expand existing agricultural water storage structures and to build new water storage systems that will benefit both agricultural production capacity and fish habitat.*
3. *That current water allocations be recognized, respected and honoured. During water shortages, conflicts among users, drought or where large unlicensed use is occurring, we request that the Province have a plan in place to ensure all users are aware and understand what measures will be taken.*
4. *That clearly defined and predictable processes which fully consider agricultural user needs be established on a regional basis for dealing with conflicting requirements of fish and agriculture during periods of drought.*
5. *That the Ministry of Environment provide direct financial support towards the Environmental Farm Plan program established under the Federal-Provincial Growing Forward agreement, as the objectives of the program are fully consistent with the Ministry's goals in protecting stream health and aquatic environments (http://www.ardcorp.ca/index.php?page_id=14).*

Goal Two – Improve water governance arrangements:

The *Water Act* modernization process should address the broader issues of overlap with other provincial and federal Acts, and recommend mechanisms by which conflict and controversial issues can be effectively addressed. Improved, effective communication among all authorities and stakeholders is key for successful water governance in the Province.

BCAC Recommendations:

6. *That the Province retain overall responsibility for water licensing, governance and enforcement of the Water Act. The BCAC also supports the delegation of water management functions to a local authority such as a Water District where there has been clear demonstrated support for this delegation by the farm community within the region.*
7. *That the extensive array of provincial legislation on water be consolidated into one concise Act dealing with all aspects of water and water uses and that the necessary*

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funding and personnel to effectively manage, adjudicate and enforce all aspects of this new Act be put in place.

8. *That the Province work with local and regional watershed groups to set priorities and guidelines, inform water users of these requirements, and ensure that they are followed. As part of this process, it is important that tangible benefits to water users of adopting conservation practices be identified and publicized.*
9. *That local agricultural water users be included in any regional watershed group or advisory board established for the governance of regional water issues.*

Goal Three – Introduce more flexibility and efficiency in the water allocation system:

The BCAC recognizes that the wide range of regional needs with respect to water allocation strategies does require flexibility and the introduction of efficiencies, but any changes implemented must retain the key principle of establishing priority for water for agricultural purposes.

BCAC Recommendations:

10. *That the First in Time First in Right (FITFIR) allocation system be maintained in a modernized Water Act, as it is a fundamental principle in providing security of supply for agricultural water users. In areas where there has been a delegation of responsibility to a local authority such as an Irrigation District, provisions should provide for the establishment of a water sharing plan involving all users during times of drought or water shortages.*
11. *That any transfers of water rights from an agricultural user to provide for flexibility not be transferred out of agriculture, but only to other agriculture water users. The concept of establishing an agriculture water reserve in watershed allocation systems would recognize the importance and value of water for agriculture production and discourage the transfer of water licenses to other purposes. It is critical from BCAC's perspective that water does not become a traded commodity.*
12. *That the beneficial use of water requirements in the existing Water Act be amended to ensure that there is no disincentive to implement water conservation practices.*
13. *That all water fees for agricultural users be based on rates set appropriately for agriculture, and which consider the agriculture sector's overall ability to pay.*

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Goal Four – Regulate Groundwater Extraction and Use:

The BCAC recognizes the significance of BC's groundwater resources, and supports the development of an improved knowledgebase of this resource in order for both governments and users to make informed and rational decisions.

BCAC Recommendations:

14. *That a provincial registry of wells be established in the province to obtain a better understanding of BC's groundwater resources.*
15. *The BCAC supports the proposal to regulate groundwater use in priority (critical) areas.*
16. *That existing groundwater users be protected by recognizing their water uses in the development of any regulations for groundwater, with the objective of ensuring those who have already discovered, developed and maintained this water source will continue to have their privileges/rights respected.*
17. *That the practice of deep injection of water into oil and gas wells for extraction purposes be either eliminated entirely or, at the very least, restricted to the use of a limited amount of grey water.*

Conclusion:

Amending this crucial legislation, the provincial *Water Act*, has enormous direct implications on the income and livelihood of literally thousands of farm and ranch family businesses across British Columbia.

BCAC Recommendation:

18. *That the BCAC, on behalf of its members, be given the opportunity to provide further substantive input to the changes being contemplated by the provincial government as it moves to the next Phase of its modernization of the Water Act consultation process.*

Respectfully submitted,

BC Agriculture Council

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Appendix A – BCAC Member Organizations:

B.C. Cattlemen's Association cattlemen.bc.ca #4-10145 Dallas Drive, Kamloops, BC V2C 6T4	B.C. Poultry Association #230-32160 South Fraser Way, Abbotsford, BC V2T 1W5
B.C. Chicken Growers Association bcchicken.ca Box 581, Abbotsford, BC V2T 6Z8	B.C. Turkey Growers Association bcturkey.com #106 19329 Enterprise Way, Surrey BC V3S 6J8
B.C. Cranberry Growers Association bccranberrygrowers.com 21538-87B Ave, Langley, BC V1M 2E6	B.C. Wine Grape Council bcwgc.org Box 1218, Peachland, BC V0H 1X0
B.C. Blueberry Council bcblueberry.com #140 - 32160 South Fraser Way, Abbotsford, BC V2T 1W5	Certified Organic Associations of B.C. certifiedorganic.bc.ca #202 - 3002 32nd Ave, Vernon, BC V1T 2L7
B.C. Broiler Hatching Egg Producers bcbhec.com 180 - 32160 South Fraser Way, Abbotsford, BC V2T 1W5	F.A.R.M. Community Council forums.bcac.bc.ca 11260 McBride Timber Road North, Prince George, BC V2N 6K2
B.C. Egg Producers Association bcegg.com 150-32160 South Fraser Way Abbotsford, BC V2T 1W5	Fraser Valley Bush Bean Growers Association bcveg.com #207-15252 32nd Ave, Surrey, BC V3S 0R7
B.C. Fruit Growers' Association bcfga.com 1473 Water St, Kelowna, BC V1Y 1J6	Fraser Valley Cole Crop Growers Association #100, 32160 South Fraser Way, Abbotsford, BC V2T 1W5
B.C. Grain Producers Association bcgrain.com Box 6004, Fort St. John, BC V1J 4H6	Fraser Valley Corn Growers Association bcveg.com #207-15252 32nd Ave, Surrey, BC V3S 0R7
B.C. Grape Growers Association grapegrowers.bc.ca 451 Atwood Rd., Grand Forks, BC V0H 1H9	Fraser Valley Pea Growers Association bcveg.com #207-15252 32nd Ave, Surrey, BC V3S 0R7
BC Greenhouse Growers' Association bcgreenhouse.ca #108 - 7565 132nd St, Surrey, BC V3W 1K5	Fraser Valley Strawberry Growers Association bcstrawberries.com #100, 32160 South Fraser Way, Abbotsford, BC V2T 1W5
B.C. Landscape & Nursery Association bclna.com #102-5783 176A St, Surrey, BC V3S 6S6	Horse Council of British Columbia hcbc.ca 27336 Fraser Highway, Aldergrove, BC V4W 3N5
B.C. Milk Producers Association bcmilkproducers.ca 3236 Beta Ave, Burnaby, BC V5G 4K4	Okanagan Kootenay Cherry Growers Association bccherry.com R.R. #5, S76, C2, 37070-149 Street, Oliver, BC V0H 1T0
B.C. Pork Producers Association bcpork.ca PO Box 8000-280 Abbotsford, BC V2S 6H1	Raspberry Industry Development Council bcraspberries.com #130 - 32160 South Fraser Way, Abbotsford, BC V2T 1W5
B.C. Potato & Vegetable Growers Association bcveg.com PO Box 18585, Delta, BC V4K 4V7	United Flower Growers' Co-op ufgca.com 4085 Marine Way, Burnaby, BC V5J 5