

From: Tina Neurauter [tneurauter@highlands.ca]
Sent: May-18-10 10:43 AM
To: Living Water Smart ENV:EX
Subject: Input Submission - BC Water Act Modernization
Attachments: 05 18 - Water Act Modernization Submission.pdf

Innovation and Planning Team,

Council of the District of Highlands at its regular meeting of May 17, 2010 unanimously endorsed the attached submission regarding the BC Water Act Modernization.

Yours truly,

Tina Neurauter,
A/Corporate Officer
District of Highlands



Via e mail: livingwatersmart@gov.bc.ca

May 18, 2010

Water Act Modernization Submission

Ministry of Environment
Water Stewardship Division
P.O. BOX 9362
Stn. Prov Govt
Victoria, BC V8W 9M2

Re: Water Act Modernization (WAM) Discussion Paper

The District of Highlands congratulates the Province and the Ministry for initiating this timely review of the *Water Act* legislation. The Water Act Discussion Paper and its companion document, the Water Act Technical Background Report provides a consistent starting point for thoughtful as well as constructive discussion.

The current version of the *Water Act* was created under different circumstances when water was considered to be in plentiful supply, however with an anticipated population increase combined with the effects of climate change a contemporary *Water Act* must now reflect a more inclusive approach to resolve competing demands on a finite resource.

It is noted that approximately one million people are dependent upon groundwater in the province and that the areas experiencing most demand, and in some cases scarcity, include the Okanagan Basin, the Lower Mainland, the east coast of Vancouver Island and the Gulf Islands.

Within this context the District of Highlands with a population of approximately 2000 people is highly dependent upon groundwater drawn from some 800 individual household wells. The ratio of groundwater to surface water supply for domestic use is in the order of 95 to 5 percent. In essence the District of Highlands will continue to be highly dependent on groundwater at the household level and is unlikely in the future to meet its water service needs through centralized community infrastructure.

Given this situation the District is well aware of the need to be proactive in order to protect both the quantity and quality of groundwater in the future and as a result has assumed an active role to address the community's long term water

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sustainability requirements. Initiatives to date include the adoption of a three phase groundwater strategy that will provide the Highlands with the tools to support the protection and conservation of groundwater from a fractured bedrock source. A citizen led Sustainability Task Force provided a comprehensive report to council with recommendations regarding sustainability strategies including a water management component. From this initiative a series of water/energy conservation measures will be implemented at the household level. There has been for a number of years a lake stewardship monitoring program ensuring that lakes are not compromised through negative land use practices. Finally, the community has been most aware of the benefit of protecting greenspace and in that regard has, over the years, collaborated with agencies to establish a provincial park as well as a regional and local park. This has provided a twofold benefit, one protection of the watershed, hence groundwater, and two with regard to climate change, a carbon sink benefit for the capital region.

The foregoing information is provided as context for the District of Highlands interest in the Water Act Modernization initiative. The District supports each of the identified components of the *Water Act* review, namely to:

- Protect stream health and aquatic environments;
- Improve water governance arrangements;
- Introduce more flexibility and efficiency in the water allocation system;
- Regulate groundwater use in priority areas and for large withdrawals.

Notwithstanding that all of the components are interrelated and equally important from a comprehensive review aspect, it is however the fourth component, regulating groundwater that is of particular interest and relevance to the District Highlands.

Given that British Columbia is the remaining province in Canada that does not have groundwater regulation and that the 2007 State of Environment Report for the period 2000-2005 indicated that 35% of the observation wells throughout the province reflected a decline in aquifer levels, clearly the vulnerability of groundwater must be seriously addressed, particularly so when future climate change impact is added to the analysis.

The District of Highlands, while taking precautions to protect the water resource within its jurisdiction does not have a meaningful voice under the current *Water Act* to control or discuss withdrawals by others, no matter how significant they may be, whether within the District boundary or immediately adjacent to it. Ownership of the land entitles the right to the groundwater. The Water Act Modernization provides an opportunity to address this situation and allow for the development of long term water sustainability policies and regulations based upon a collaborative process that would, among other sustainable measures, recognize licensing of major withdrawals in priority areas.

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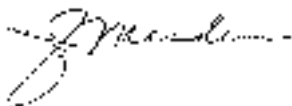
In summary, the District of Highlands supports the opportunity presented by the Water Act Modernization initiative to achieve the following objectives:

- To ensure the thresholds for groundwater withdrawals take into account ecological principles that ensures base flows for streams and recharge of the aquifer from surface water bodies.
- Priority streams and aquifers will be protected from the cumulative effects of upstream development and land use from the perspective of water quantity and water quality.
- Establish a province wide groundwater regulation over time, commencing with the licensing of high production wells in priority areas.
- Address groundwater and surface water licensing as an interconnected system for they are inextricably linked.
- Establish easy to use response mechanisms to address water scarcity
- Register all wells in the province.
- Operators of high production licensed wells required to measure and report actual water use and groundwater levels.
- Establish an equitable process that allows for input by those impacted on the granting of a license.
- To ensure the protection of the ecological health of watersheds the *Water Act* needs to be amended to move beyond the First in Time, First in Right (FITFIR) priority of water allocation of surface water and groundwater.
- Allocation decisions based upon long term sustainability principles.

In conclusion, the review of the current *Water Act* through the Water Act Modernization initiative is both timely and essential in order to move towards an integrated approach to water management in British Columbia that addresses both groundwater and surface water allocation on a watershed basis.

Thank you for the opportunity to comment on this important process.

Yours sincerely



Mayor District of Highlands