

From: Brown, Bob ENV:EX
Sent: May-04-10 9:15 AM
To: Living Water Smart ENV:EX
Subject: FW: Submission from Hornby Local Trust Committee re Water Act Modernization
Attachments: Submission Water Act Modernization Mar 22.pdf

From: Becky McErlean [mailto:bmcerlean@islandstrust.bc.ca]
Sent: Monday, March 29, 2010 1:19 PM
To: Botelho, Zita ENV:EX
Cc: Yep, Dolly ENV:EX
Subject: Submission from Hornby Local Trust Committee re Water Act Modernization

As requested by your offices, please find the electronic version of the Submission from the Hornby Island Local Trust Committee for Water Act Modernization.

Thank you,

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*Preserving **Island** communities, culture and environment*



Hornby Island Local Trust Committee

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March 22, 2010

File Number: HO/05

Water Act Modernization Submission,
Ministry of Environment,
Water Stewardship Division,
PO Box 9362,
Stn Prov Gvt,
Victoria, BC,
V8W 9M2.

Dear Sirs:

Re: Submission from the Hornby Island Local Trust Committee on Water Act Modernization

This submission is from the Hornby Island Local Trust Committee, a local government within the Islands Trust that has authority for land use planning and regulation for Hornby Island BC.

The submission provides background about the groundwater resource on Hornby Island, a history of processes to address its protection and recommendations for modernization of the Water Act.

Background - The groundwater resource on Hornby Island

Dependency upon the groundwater resource is high. Residential, commercial, agricultural and institutional uses rely almost exclusively upon groundwater as the major source of water supply.

Aquifers on Hornby Island are unconfined fractured bedrock aquifers and are classified as highly vulnerable. The two aquifers where the bulk of the Island's population live are classified as highly and moderately developed (with rankings of 15 out of a maximum of 21).

Water demand in these aquifers is concentrated in three subdivisions with lots generally 0.2 hectares in size or less, most of them containing individual ground water wells and on-site sewage systems. Two thirds of the Island's drilled wells are on these small lots. In 1989, a Ministry of Environment report estimated that the demand for water in these areas had reached as much as 83% of the estimated ground water available. Since then, Hornby's year-round population has increased by at least 19%.

Water quantity is a major seasonal concern. About 80% of precipitation falls in the winter months. Hornby Island has the highest seasonal variation in ferry traffic in the BC Ferries system with a high peak in July and August. Almost half of dwellings are only occupied seasonally. The two observation wells on Hornby Island show significant seasonal variations in water levels, with a general downward trend over the 1990s and 2000s.

Water quality is a major concern, with evidence of seawater intrusion in areas where there is small lot subdivision of waterfront properties. Studies have shown a significant number of wells with unacceptably high levels of fecal coliform.

Water conflict issues are emerging, particularly with respect to the commercial extraction of groundwater from wells in residential lots in order to transport and sell water to property owners experiencing problems with water quantity and quality.

History - Processes to address groundwater protection on Hornby Island

A Hornby Island Planning Study conducted in 1971 by the Comox-Strathcona Regional District first documented concerns about the groundwater resource on Hornby Island.

The Hornby Island Groundwater Pilot Project conducted in 1994 through a partnership between the Ministry of Environment and the Islands Trust produced a final report which recommended that all of Hornby Island should be considered for designation as a Groundwater Management Area as envisioned in the province's discussion paper *Stewardship of the Water - A Review of British Columbia's Water Management Policy and Legislation* with the selection of appropriate management tools that are commensurate with the problems at particular locations.

The Pilot Voluntary Groundwater Protection Project was conducted in three phases from 1998 to 2002 as a joint project of the Ministry of Environment and the Islands Trust; it generated a Groundwater Protection Strategy and informed the review of the Official Community Plan.

The Water Stewardship Project is an ongoing, non-government group of volunteers that has been very active in conducting programs, research, testing, community education and advocacy.

The Hornby Island Official Community Plan was adopted in 2004 by the Hornby Island Local Trust Committee following a review process that included a major focus upon groundwater protection. The OCP includes many policies that address groundwater protection including Policy 4.5.9. which requests the Province to “*introduce groundwater protection regulations which will enable water licensing, the regulation of well-drilling and the establishment of Groundwater Management Areas*” and to “*consider designating Hornby Island as a groundwater Management Area.*”

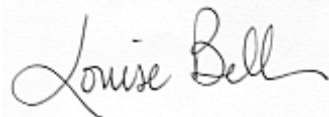
Recommendations - Modernization of the Water Act

The characteristics of the groundwater resource on Hornby Island and the demands made upon it plus the history of processes to address groundwater lead to the following input from the Hornby Island Local Trust Committee with respect to comments being solicited by the Water Act Modernization Discussion Paper.

1. The Hornby Island Local Trust Committee strongly supports the regulation of extraction and use in priority areas and for large withdrawals, provided this is carried out to ensure appropriate measures are used selectively to address particular local circumstances.
2. The Hornby Island Local Trust Committee suggests that the threshold for what are considered “large” withdrawals should be based upon the characteristics of particular aquifers and the demand upon them, with a low threshold for fractured bedrock aquifers. Where there is localized high demand in relation to productivity, the threshold could be not much higher than the volume required for normal domestic purposes.
3. The Hornby Island Local Trust Committee suggests that options for determining priority areas should include heavy groundwater extraction and use, known quantity and quality concerns, potential for conflicts between groundwater users, aquifers with potential for salt water intrusion and communities that are largely dependent upon a vulnerable groundwater resource.

4. The Hornby Island Local Trust Committee recommends that there should be local involvement in developing a water management plan in priority areas with participation by all agencies whose authority has impact upon the water resource, but that a single Provincial authority should retain ultimate responsibility for protecting the resource.
5. The Hornby Island Local Trust Committee recommends that active support for conservation and for rainwater catchment/storage through creating incentives and removing barriers should be considered as important as regulatory approaches in addressing groundwater protection.
6. The Hornby Island Local Trust Committee recommends that when decisions are required with respect to the allocation of scarce water resources priority should be given to ecosystem requirements, drinking water needs and food production.
7. The Hornby Island Local Trust Committee notes that Section 4 of the *Water Act* already provides for the designation of areas for the purpose of developing a water management plan and recommends that this, or a similar provision, should be retained in the *Act* and implemented in a timely fashion.
8. The Hornby Island Local Trust Committee would support Hornby Island being designated as - or within - a priority area (or area designated for the purpose of developing a water management plan). If the Province is considering establishing a pilot area, Hornby Island could be a good choice. It has already been the subject of two pilot projects supported by the Province. Appropriate policies are in place in the Official Community Plan. A Groundwater Protection Strategy has been developed. An active local organization has fostered good community understanding of groundwater and its protection.

Thank you for receiving and considering this submission.



Louise Bell
Chair - Hornby Island Local Trust Committee

cc:
Hornby Island Advisory Planning Commission
Hornby Island Water Stewardship Project
Executive Committee of Islands Trust Council
Director of Trust Area Services