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Office of the Mayor

File No. 0400.50

June 1, 2010

Honourable Barry Penner
Minister of Environment
PO Box 9047 Stn Prov Govt
Victoria, BC
V8w 9E2

MINISTRY OF ENVIRONMENT
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CLIFF# 127075

Dear Minister Penner:

Re: British Columbia's Water Act Modernization

The District of Hudson's Hope supports the District of Maple Ridge's submission requesting that following the technical analysis stage, the Water Act Modernization process return to the same level of transparency that the process for submissions was founded on, as defined in the attached submission.

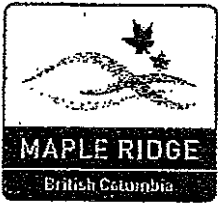
Sincerely,

Karen Anderson
Karen Anderson
Mayor

DISTRICT OF HUDSON'S HOPE

/mim

Attachment: 12 pages



*Deep Roots:
Greater Heights*

BC WATER ACT MODERNIZATION

INPUT SUBMISSION

SUBMITTED BY

MAYOR AND COUNCIL

DISTRICT OF MAPLE RIDGE

To: Ministry of Environment
Water Stewardship Division

Submitted via email to: livingwatersmart@gov.bc.ca
April 30, 2010



We would like to compliment the WAM provincial team for their efforts in engaging members of the Province in dialogue framed by the WAM Discussion Paper. Our District was afforded an opportunity to participate in the meeting held in Vancouver on April 21, 2010 and found the comments were very much aligned with beliefs and concerns that have been raised within our community.

Before we outline our position on the document's outlined principles and options, we would first like to address three areas where we feel consideration is warranted to better assist both the process and the final outcome. These three areas of concern are: the WAM process; legislation interdependence; and implementation tools and support. A discussion of these topics follows, after which our input is provided according to the submission structure in the Discussion Paper.

Thank you in advance for the consideration of the aforementioned three points of concern, and our submission in full.

WATER ACT MODERNIZATION PROCESS

In regards to the process following the April 30, 2010 deadline for input submissions, we accept that time must be given for proper technical analysis of the feedback obtained from the process; however, we have strong concerns that the steps following the technical analysis do not appear to be inclusive of the public. Instead, it appears that there will be no disclosure to the public until the final public policy proposals have been drafted. It is our understanding that the technical analysis will be presented in a closed meeting structure to the government. Considering the contents of the submission to the government are the words of the public, we would expect that the public would be afforded full access to the contents of the findings.

Therefore, we strongly encourage the Province to offer a continuation of the transparency that has been a strongpoint of the process to date. Every British Columbian is affected by the health of our waterways and systems, and many work tirelessly to protect them, as evidenced by the many participants in the process to date. It would be a natural expectation that these same British Columbians continue to be involved. We trust that you will hear this from the WAM team, as it has apparently been a theme throughout the province. We thank you in advance for your consideration of this matter, as continued transparency in this process will enhance credibility of the final document.

Thank you for your consideration of these three areas of concern, not specifically identified in the submission guideline. Following is our input on the principles proposed in the discussion paper, and the objectives and proposed options for each of the four goal areas.

PRINCIPLES

Prior to reviewing each of the listed principles we would like to provide comment on the exclusion of related values. We believe that without a stated set of values, the principles are merely statements, as opposed to beliefs that support our values as British Columbians. As such, we would like to provide our values in this regard.

Knowing that water is intrinsic to life, yet is exhaustible and vulnerable, B.C. commits to ensuring both the quantity and quality of water will be preciously guarded for all future generations through the following values:

- a holistic approach to the efficient management, enhancement and protection of B.C.'s water
- shared responsibilities inclusive of all levels of government, local agencies and organizations—we are all stewards of the environment
- priority on environmental health for the greater good
- systems thinking as opposed to myopic
- the right to use comes with responsibilities
- disregard for the environment will have significant consequences
- clear lines of communication are integral to achieving and maintaining public confidence and overall effectiveness.

Input specific to proposed principles

1. Too vague - This principle should speak to a commitment of continually establishing and reviewing minimum levels that are required to sustain the environment; all other uses being secondary.
2. Appropriate

The process of designating sensitive streams has stagnated and no new sensitive streams have been designated since the original 15. Many other equally important streams are under increasing pressure and need to be designated before they become moribund, or all streams should be considered sensitive.

The Federal and Provincial responsibilities must be properly delineated. Presently, there appears to be confusion as to who is responsible for changes around a stream, which, when reported, has left the public with a sense of unresponsiveness on the part of both levels of government. One agency should be designated as responsible for the overall health of the stream and that agency should have clearly defined expectations, responses, and measures in order to be held accountable for all actions—otherwise the standards and/or regulations that are implemented from this review will be of no value.

Water quality objectives MUST be included. This should not be a consideration but an imperative.

Options for Objective One

Our preference is for the adoption of environmental flow standards that the decision maker must adhere to with an opportunity for applicants to be able to appeal a decision if there is clear justification. Environmental flow standards should set the bar high and science should guide appeal discussions. Guidelines are too subjective and we strongly disagree with using them.

Objective Two

The same can be said for objective 2. Without clear baseline data, available water is not known and there is an element of risk to over-allocating resources to the detriment of the environment. Science- and data-driven decision making should be included in the objective, which would be more reflective of the principles. Flows may change over time; therefore, licenses issued should be reviewed periodically and if necessary adjusted to the changing conditions.

Options for Objective Two

B and C are the preferred options.

Our district would like to see more resources allocated to the task at hand to ensure that more stringent standards are required with respect to environmental flow standards. The District is in favour of supporting both these options whereby priority areas would have required water allocation plans developed by the Province and in other areas, the decision maker must consider the water allocation plan of the Province, with requirements to explain reasons for any decisions that do not follow the plan's recommendations.

should be discussed and developed as part of the shared model. What gets measured gets done.

- The framework must be funded. We would be amenable to fee discussions.
- Currently there is a huge disparity in what agricultural users pay for water. Those users that have access to water licenses pay essentially nothing for their water. Those that do not have access are paying vastly higher municipal rates. Water licensees should, at the very least, pay enough to cover the costs to administer a properly run system. (An example is attached - see Schedule A.)
- If licensees were to pay a more reasonable price for the water that they use, there would be a financial incentive to invest in water conservation techniques; there would also be a more level playing field across all agricultural users.
- The final model must be a collaborative, integrated, holistic one that facilitates better lines of communication between all levels of government and their associated agencies. Preferably, we would like to see government agencies streamlined so that there is a recognizable agency taking the lead on this work in order to facilitate access to information and overall responsiveness from the government. All legislation should be streamlined and aligned to ensure seamless protection and enhancement of our water systems.
- Education should be a strong component of all plans.
- We believe in strong penalties for abuses.
- Incentives should be offered for reduced consumption—possible consideration to rebate program.

GOAL THREE: INTRODUCING MORE FLEXIBILITY AND EFFICIENCY INTO THE WATER ALLOCATION SYSTEM

We support all of the objectives as defined in goal three, but we believe each must be founded on science and supported by improved technology.

We strongly encourage the review of all existing water licenses.

We strongly encourage the use of incentives to encourage the reduction of water needs. This is inclusive of working with existing plans and incorporating best practices in Regional Growth Strategies and Official Community Plans. Ensure plans work to reduce usage.

Objective Two Option

Flexibility is provided to water users and decision makers to quickly adapt to changing environmental, economic, and social conditions. The District encourages greater collaboration between government agencies and license holders using Option A guidelines. Further, as suggested in Option L above, if data is collected it will be much easier to adapt to changing conditions. Conditions will be known in real time and not when it is too late to mitigate serious situations as they occur.

We encourage a proactive, as opposed to a reactive, system.

Objective Three

Objective Three Option

The District encourages the Province to consider that prioritization of water licenses should be based on priority of use; for example human consumption needs and not on FITFIR. Therefore, we support Option B—priority of use rather than FITFIR.

Objective Four

The District would like Options A, B, and C considered in order to address temporary water scarcity. Using these options the decision makers can determine on a case by case basis the effects on water users and balance with environmental protection. Potentially, all users would have to reduce use on a proportional basis, and a hierarchy of priorities would be established for user needs. The focus must be to ensure the baseline that supports environmental needs is maintained.

Addressing long-term water scarcity may require a combination of E and F, but definitely we support F as a starting point.

GOAL FOUR: REGULATING GROUNDWATER EXTRACTION AND USE

We agree that there needs to be regulations on the use of groundwater, especially in the area of business. However, we once again strongly urge that every objective is inclusive of both quantity and quality of water discussion and focus. Greater integration is required in terms of standards for surface water quality and groundwater. Determination of extraction limits and regulations needs to be discussed further with municipalities prior to legislation being developed. We would highly recommend further consultation for this area.