From: ***PERSONAL IDENTIFIERS REMOVED***
Sent: Tuesday, April 27, 2010 9:51:14 PM
To: Living Water Smart ENV:EX
Subject: WAM Comment submission

"WAM Comment Submission" to:
> livingwatersmart@gov.bc.ca
>
> For me the whole WAM concept is a NON-SOLUTION to a real problem.
> After years and years of mismanagement of our water supplies through
> removal of any watershed protection, the government is now positing
> that we are the problem and must therefore scap with each other over
> remaining supplies while they continue to refuse to protect
> watersheds.
>
> I personally am going to request that they do NOTHING, that is
> maintain the Status Quo governance model, until that can address
> citizen concerns as follows:
>
> 1) Watershed protection from resource extraction activities,
>
> 2) Committed provincial funding to implement any changes,
>
> 3) Full public consultation prior to introducing legislation to change
> the Water Act, or barring that a referendum on proposed changes to the
> Water Act
>
> 4) No changes to license status for domestic use (surface water or
> well licenses)
> ---that is, DO NOT change to a "permitted " use status due to
> potential loss of legal rights
>
> 5) Maintain FITFIR (first in time, first in right) as a working (not
> broken) self-limiting system that stops over-allocation of water
> supplies and deters commodification of water to new applicants for
> water with deep pockets to pay for rights
>
> 6) Include wording in the Water Act that acknowledges water as
> a human right, collectively OWNED by all as a common resource held by
> the Crown, and the government of the day responsibility to manage
> water as a public trust in the interest of the people.
>
> 7) Local decision making power on all water allocations (not just
> public consultation)
>
> 8) We do not need legislation to protect use from ourselves. We need
> legislation with teeth to protect our watersheds and pristine water
> systems from resource extraction activities including IPPs
> (Independent Power Projects).
>
> Following find my notes from the April 16th WAM Workshop in Nelson
> where you can see all of these concerns (and many more) expressed by
> the attendees.

NOTES on WAM WORKSHOP:
> Well, the Kootenays did themselves proud at the workshop!
>

> The workshop got off to a great start with Glen Davidson, Director of
> the Water Stewardship Branch and BC Water Comptroller, declaring that
> the government OWNS the water. Kirstin Olsen’s hand shot up. One of
> the moderators informed her that questions should be held until after
> the speaker was finished. So, as soon as he was finished, she was
> called on and she stated: The people own the water; the government
> doesn’t own the water. They called on me (hand waving wildly) next and
> I asked Mr. Davidson if he did not agree that the government holds all
> common resources in trust to be managed in the public interest. He
> agreed. That in fact water was part of the commons and therefore owned
> collectively by all? He agreed. That government in fact was vested
> with the powers to manage our water. He agreed. (So they know how to
> behave in public meetings, but are still trying to push the BS.)
>
> After some more blah, blah, blah speeches we got down to business.
>
> The Principles Discussion
> Each table was asked to discuss the "principles" among themselves and
> report back to the group with comments, questions or other values
> related to water.
> Here is the government statement we were commenting on:
> 4 Principles
> WAM is an opportunity to ensure the principles underlying the Water Act respond
> to modern expectations, as well as promote stream health and water
> security. These
> principles have underpinned the development of this discussion paper and, once
> finalized through engagement, will help to guide the policy development process.
> Your views are welcome on the following proposed principles:
> 1. BC’s water resources are used within sustainable limits.
> 2. First Nations social and cultural practices associated with water
> are respected
> and accommodated.
> 3. Science informs water resource management and decision making.
> 4. Water resource legislation, policy and decision making processes as well as
> management tools are integrated across all levels of government.
> 5. Rules and standards for water management are clearly defined, providing
> a predictable investment climate across the province.
> 6. Flexibility is provided to adapt to extreme conditions or unexpected events
> on a provincial, regional or issue-specific level.
> 7. Incentives are created for water conservation that consider the
> needs of users
> and investors.
> 8. Rights to use water come with responsibilities to be efficient and
> help protect
> stream health.
>
>
> The groups came back and pretty much trounced the government's principles.
>
> 1) Definitions
> First there were lots of requests for definitions of the government's
> spin terms:
> Stewardship, sustainability, industry pressures, investment, science
> (as in: who's science?, comprehensive science data needed, and science
> is not holistic must add local knowledge and history to science),
> At least half of the groups said the government must define water as a
> basic human right.

> "real" value of water: government must not define water as a
> commodity, one table asked "Is water a business now?"
>
>
> 2) Enforcement and Funding
> Almost every table mentioned the lack of funding. The sentiment being
> that none of this would mean anything if the senior level of
> government didn't commit dollars to the initiative (which they haven't
> so far as we know) and insure enforcement.
> Two groups mentioned local government had been dis-empowered to
> protect water supplies and this needed to change.
>
> 3) Industry
> Industry and investment were main part of the government's values.
> This was completely rejected by the groups.
> They talked about the commons, human rights, basic survival needs,
> ecosystem needs as opposed to industry/investment needs, and requested
> government commitment ($) to regulate resource industry, stated
> "investment climate" in the province is not working for local
> communities (that is, the public).
>
> 4) Protection
> EVERY group mentioned source protection/watershed protection from
> resource extraction activities as a main basic value!
> Comments included: Need to have Water Act override all other acts,
> reforest/restore degraded watersheds, integrate all water protection
> that is spread across various ministries, all resource extraction
> activities should come under water act, dedicate dollars to regulate
> resource industry, source protection is not a political
> decisions--must come from local level, protect communities from
> resource extraction landslides, separation of water use from land use
> doesn't work must incorporate land use into act
>
> 5) Missing values (shows government attitudes, as one group pointed out)
> These are the "not mentioned" items pointed out by the groups:
> quality and quantity of water, watershed reserves (need to
> re-established), application of precautionary principle (prove safe
> first, not mitigation after damage), Sinixt Nation not notified of
> workshop, all license holders should have been notified of workshop,
> more public involvement needed as next steps progress, hold a public
> vote (referendum) on changes to the Water Act, difference between
> urban and rural communities not acknoledged, agriculture not mentioned
> in values--growing food is part of our survival, need a resourced ($)
> public agency that is not privatized and fragmented, water is basic to
> survival of all life forms.
>
> 6) Miscellaneous comments:
> Most incentives in the discussion paper are negative incentives.
> Since First Nations are a level of government will they have veto power?
> First Nations traditional knowledge is not a different value than most
> rural people hold in regards to water.
> Government should seek input from Maude Barlow as UN Advisor on Water
>
> So you get the drift!
>
> After that we broke into groups for the separate workshop sessions we
> had signed up for.

> We could only sign up for one group in the morning and one in the
> afternoon (2 of the 4 sessions). There was public comment/concern
> about this since the sessions covered the 4 Goals of the Ministry:
> 1) Protect stream health,
> 2) New Governance Model,
> 3) Allocation (flexibility and efficiency of licensing),
> 4) Groundwater regulation.
>
> Here are my notes on the reports back from the sessions. This was to
> reflect the top 3 conclusions of each session on each topic.
> Protect Stream Health:
> Group 1
> 1) Scope of discussion so limited it may not protect stream
> health--Need an integrated approach to watershed protection
> 2) Use the precautionary principle and incorporate local decision making power
> 3) Water Act should have precedence over all other Ministries with
> systems for accountability & enforcement
>
> Group 2
> 1) Instream flows (IFN) Guidelines implemented over time as the
> science is slowly developed.
> 2) Watershed reserves should be legislated for watershed protection
> 3) Public to be educated to conserve water use and protect stream flows
>
> Governance:
> Group 1
> 1) Funding must be guaranteed
> 2) Local decision making and planning a necessity
> 3) Local planning supported by funding
> Group 2
> 1) Applicability of Water Act to all water uses for true source
> watershed protection
> 2) Local decision making required
> 3) Adequate government Funding with no downloading
>
> Allocation: Flexibility and Efficiency
> Group 1
> 1) Watershed/source protection required
> 2) Good government data interface required (IT used now is archaic)
> 3) FITFIR not broken, don’t fix it & Domestic use should retain
> license rights (not become permitted right)
>
> Group 2
> 1) Efficiency must be better defined in terms of allocations
> 2) Concern over legal rights of licensed use vs. permitted use
> 3) FITFIR: if modified must put environment and people first including
> food growing
>
> Groundwater;
> Group 1:
> 1) Regulation of large users, but holistic regulations to include all users
> 2) User pays over certain volume of use
> 3) Metering concerns: 1st step to privatization and commoditization of water
>
> Group 2:
> 1) One size doesn’t fit all
> 2) Interaction of surface and groundwater must be considered

> 3) Monitoring of water (surface and ground) requires funding
> 4) Priorities for water usage need to be established with public input
>
> So if they listen to the people, we would get
> • a broadened scope of discussion on water protection
> • public involvement enlarged to cover further steps in the process
> (the government model shows the workshop/comments as our one kick at the can)
> • water would be recognized as a human right and part of the commons,
> so owned collectively by all
> • Water Act (Section 9) would not devolve some uses and protections
> to other acts
> • We would have watershed reserves re-established for source
> protection from forestry and other resource extraction activities,
> • collaborative science, traditional knowledge and local history
> would inform all allocation decisions
> • FULLY FUNDED local government governance model with local decision
> making power
> • FITFIR would remain
> • domestic use licensing would remain in order to retain legal rights
> • FULLY FUNDED enforcement for all users with precautionary principle
> functioning
>
> It was good to see so many passionate and informed comments from the community.
> Unfortunately, unless they listen to what the people are saying in the
> Workshops, our only recourse will be in the courts.
>
>***PERSONAL IDENTIFIERS REMOVED***

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