From: ***PERSONAL IDENTIFIERS REMOVED***
Sent: April-29-10 8:25 PM
To: Living Water Smart ENV:EX
Subject: Comments regarding modernization of the Water Act
Attachments: Commentsmodernization of the Water Act.pdf

Follow Up Flag: Follow up
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Dear Mr. Penner, please accept my attached comments regarding the Modernization of the Water Act.

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April 29, 2010

Dear Minister Penner and the Living Water Smart Team,

Re: Water Act Modernization- Discussion Paper Feedback

I am writing to urge you to take clear, proactive measures to protect British Columbia's water resources. I think that the following changes must be incorporated into the Water Act enabling it to be stronger, more efficient and effective at securing BC's water needs for the future.

Goal 1: Protecting Stream Health and Aquatic Environments

- The precautionary principle must be applied to the Water Act to protect ecosystem and watershed health.
- The Water Act must be the overriding piece of legislation that determines what is able to occur in watersheds. Currently the Act does not protect stream, ecosystem or watershed health.
- Government needs systems in place for accountability and for education around water conservation.
- For any in-stream work, regardless or size or classification (even non classified streams a Riparian Area Regulation (RAR) assessments must be conducted, regardless of jurisdiction. This legislation needs to apply and be enforced province wide. The Water Act needs to recognize wetlands of all sizes and their critical processes.

Goal 2: Water Governance

- The Water Act must inform, interact and be inclusive of all functions and levels of government, including other pieces of legislation such as the Drinking Water Protection Act, the Land Act, the Fisheries Act, among others. There must be a holistic approach to ecosystem management.
- The Act needs to be built around logical watershed boundaries, not political boundaries. Management and planning needs to happen closer to where the water is actually being used, with meaningful community involvement in the decision making process. I would like to see a process in place that allows for all stakeholders to be involved in planning where water is concerned.
- Community relationships that have already been established around water issues need to be leveraged for water allocation decisions.
- Bill 30 rulings need to be reversed, allowing local governmental bodies to have meaningful input.

Goal 3: Flexibility and Efficiency in Allocation

- Water license applications need to have an expiry date, so that private industry can't hold onto water rights.
- We must have a licensing/permitting system that prioritizes water uses, such as ecosystem and domestic uses above irrigation uses for golf courses and lawns.
- First in Time, First in Rights system needs to have restrictions under low flow conditions and this must be enforced.
- The impacts of climate change must be taken into consideration, including an assessment of how it will impact the ability to meet ecosystem and domestic needs.

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Goal 4: Groundwater Extraction

- Groundwater extraction and use must be regulated for all large withdrawals and the word 'large' must be clearly defined.
- Of particular importance, Oil and Gas exploration companies must have to pay for all water uses and must be responsible for tracking how much groundwater they extract and use.

In addition, it is essential that the public be involved at all levels for this modernization process as it moves forward. Currently, there is a lack of public input opportunities beyond this initial comment period. I also ask that there be a clear commitment from the province for funding the implementation of Water Act changes.

Yours truly,

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