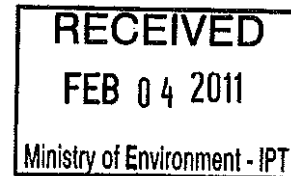




7170 Cheam Avenue  
P.O. Box 70  
Agassiz, British Columbia  
Canada V0M 1A0

Tel: (604) 796-2235  
Fax: (604) 796-9854  
Web: www.district.kent.bc.ca



January 30, 2011

FILE: 0400-20

Water Act Modernization Submission  
Ministry of Environment  
Water Protection and Sustainability Branch  
P.O. Box 9362  
Stn Provincial Government  
Victoria, BC, V8W 9M2

Dear Sir or Madam:

**RE: Water Act Modernization Submission**

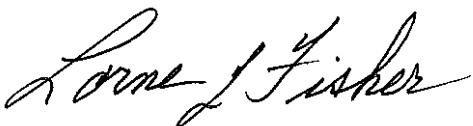
The District of Kent has reviewed BC's *Water Act* Modernization discussion paper and the *Policy Proposal* on the new *Water Sustainability Act*. The *Policy Proposal* contains many valuable suggestions for protecting fresh water resources and we appreciate the opportunity to comment and respectfully submit the following:

1. The "Area Based Approach" boundaries may need some further revision or should allow for flexibility based on local conditions. There is the potential error to group municipalities together that are not facing necessarily the same circumstances. Referring to the colour coded provincial map in Appendix B, Figure 3 of the *Policy Proposal* it appears that the District of Kent (Kent) may be included with other lower mainland communities in an area identified with "Significant water supply issues and risks to quality". Kent's water supply is from a highly productive Agassiz Aquifer with a significant natural recharge. The withdrawal rate from Kent's water supply wells is insignificant when compared with the flux of groundwater through the aquifer. The Agassiz Aquifer is classified by the Province as being highly productive with low demand. Kent should be included in the area identified with "Water supply and quality generally good" where province wide measures apply.
2. A secure and sustainable future water supply is essential for the increased demand and production of food. Continued commitment is needed from senior levels of government to protect and support the future agriculture water supply needs. Further clarification is needed on the priority for agriculture water use in relation to drinking water, stream health, ecosystems and development in general, and in times when water levels are low and license holders are required to minimize or stop using water if there are impacts on streams or rivers.

3. Additional information is needed on the types of economic instruments and/or incentives that may be used. For example, will agricultural land owners using groundwater be required to pay for permit fees/annual rentals fees or other monetary fees and provide measurements/reports on groundwater use? Will a municipality, utilizing groundwater as a source of drinking water, be required to pay similar user fees and provide reports on use? If so, have rates been discussed? Will rates be based on local conditions and adjusted based on available water supply? Will they increase in the future? These administrative and monitoring requirements will place an additional and unnecessary burden on the agricultural community, tax payers and municipal staff.
4. The Agassiz Aquifer is classified by the Province with a high vulnerability status. There is a considerable number of groundwater wells located in Kent that can potentially serve as a conduit for contamination. To minimize the vulnerability of the aquifer from potential contamination, regulatory mechanisms should be looked at that will allow municipalities to require the mandatory decommissioning of existing wells on private property when a municipal water supply system is available for connection.
5. Currently provincial compliance and enforcement both appear to be lacking in environmental matters. Will additional funding be provided to ensure resources are available for compliance and enforcement monitoring?
6. Financial sustainability is paramount to the success of any new policy structure. Both the provincial and federal responsibilities in all areas of water management and protection need to be funded accordingly. Concerns of delegating (downloading) responsibilities to lower levels of government will give rise to concerns of limited available resources and the ability to adequately manage the required work (additional monitoring, reporting, studies, planning and assessment requirements). Provincial funding needs to be provided for regulatory authority and data collection services. Smaller municipalities would be significantly challenged if new roles and responsibilities were shared or delegated without adequate resourcing.

I would like to thank you for the opportunity to provide feedback and look forward to the next steps in this important *Policy Proposal*. Thank you for your consideration and keeping us informed on the process.

Sincerely,



Lorne J. Fisher  
Mayor, District of Kent

pc: District of Kent Council  
Jared Wright, Senior Policy Analyst, UBCM