

From: SRWS ***PERSONAL IDENTIFIERS REMOVED***

Sent: Saturday, March 12, 2011 9:19 AM

To: Living Water Smart ENV:EX

Subject: Comments Regarding Water Act Modernization

Please find attached a letter from the Squamish River Watershed Society outlining our comments regarding the Water Act Modernization.

Thank you.

On behalf of the Squamish River Watershed Society,

Edith B. Tobe, RPBio
Executive Director
Squamish River Watershed Society
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www.squamishwatershed.org



SQUAMISH RIVER WATERSHED SOCIETY

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Attention:

Ministry of Environment, Water Protection and Sustainability Branch
P.O. Box 9362
Stn Province Government
Victoria, B.C. V8W 9M2

March 10, 2011

Dear Water Sustainability Act team:

Re: Feedback on British Columbia's Water Act Modernization Policy Proposal on British Columbia's new Water Sustainability Act

It is with great interest that the Squamish River Watershed Society (SRWS) submits this feedback letter on the policy proposals for the new Water Sustainability Act. The SRWS is a project based non-profit organization that has been actively promoting a holistic approach to watershed management since its inception in 1998, with committee roots that date back to 1993. In this time the SRWS has developed an extensive network of First Nations, governmental, non-profit, academic, industry, and community partners and connections. It would seem that the goals of the Water Act Modernization (WAM) process align well with our organizational mission and on the ground efforts. To help ensure that these goals are upheld in the legislation that supports the Water Sustainability Act we have detailed below what we feel are the key strengths and weaknesses in the policy proposals.

A key strength of this act is that it works to encourages British Columbians to be responsible water stewards through an area-based approach to integrated resources management. That said, the policy direction only asks decision makers to “consider” the following points:

- Provincial water objectives in land, water, and other resource use decision making
- Formula based in-stream flow assessments for all new groundwater and surface water decisions.

Asking decision makers to “consider” the points leaves room for ambiguity. This ambiguity is enhanced by proposal to attach guidelines and not standards to protect stream health and aquatic environments and consider water in land-use decisions. Previous WAM feedback that outlines a preference for standards to protect stream health and aquatic environments as guidelines are viewed to be not enforceable and too flexible seems to have been ignored.

Guidelines may work in a genuine area-based approach that embraces integrated resource management practices. Integrated resource management practices, however, require a paradigm shift in our traditional methods of water management. Paradigm shifts of this nature require capacity building

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and support. Standards can act as an external motivation to catalyze these shifts and truly encourage British Columbian's to be responsible water stewards.

Another key strength of the WAM policy proposals is that in problem areas and large ground water withdrawal areas ground water will be regulated. The SRWS considers this to be very important, in particular bringing into alignment existing water license user groups to the new policies. In Squamish there are several areas in which large water license withdrawals currently occur adjacent to fish bearing groundwater fed watercourses and during the summer drought periods this often results in the depletion of groundwater and the drying up of the watercourse, such has been occurring for the past few years along the Squamish Valley Golf Course. We would be very interested to better understand how the new WAM policy would address this type of situation.

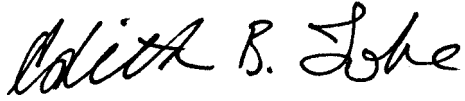
New fees are expected when a new licensing system is introduced. The policy proposal fails, however, to suggest how this new revenue stream can be optimized to support integrated resource management practices. It is one thing to say we are all going to work together, and it is quite another to realize this goal. Realizing this goal requires a funding commitment to support this complex processes.

The SRWS supports the policy direction to regulate water during times of scarcity and support the encouragement of licenses to implement efficiency and conservations measures. We do not however support the first-in-time first-in-right priority date approach. The policy is intended to promote water conservation and efficiency, what better way to encourage efficiency then to reward it with access during times of scarcity that comes second to a priority of use framework.

A key weakness in this the WAM policy proposal document is the brief mention of water markets in section 5.1. Discussion around water markets up until this point seems to be limited, verging on non-existent. Water markets were not brought up as a discussion point in the WAM Discussion Paper and have been entered as an un-explained point in the WAM Policy Proposal paper. It would seem that this may have stemmed from the cost-benefit and impact analysis phase of the WAM process given that from an economic vantage point water markets hold greater potential then they would from an ecological stand point. While water markets are a very sensitive topic, lack of dialog around this topic to date undermines the entire WAM engagement process. At this point the SRWS does not support the policy proposals that suggest the implementation of water markets. In the 2008 report Going With the Flow examines the potential and limit of water markets in Canada, downloaded from the Living Water Smart website, it details in the first paragraph of the executive summary that water as a tradable commodity is often severely contested. This paper goes on to state that if markets are to be successful, communities at minimum must have a role in ensuring adequate in-stream flow levels. Ensuring adequate in-stream flow levels requires a strong network of organizations working collaboratively to continually assess and monitor the cumulative impact of our actions over time. Integrated resource management planning can lay the ground work for meeting the minimum requirement for water market implementation. Given that integrated resource management is only now being legislated through the WAM the mention of water markets is very pre-mature, and something that should be addressed, if ever, when people have a genuine value for water as a life source and not a commodity. If water markets do come into legislative updates to the Water Act, we should explore methods of water trading that promotes regional sustainability and explores options for trading that are not economically based.

Finally a key strength of the WAM Policy Proposal document is its proposal to delegate responsibility for activities and decision to local or regional agencies. As an organization that has been working for 18 years to develop watershed based partnerships in the Sea to Sky Corridor we value this delegated approach and look forward to learning how through our efforts we can support area-based watershed management. Thank-you for facilitating this feedback opportunity and we look forward to reviewing the 2012 legislative advancements in the Water Sustainability Act.

Kind regards,

A handwritten signature in black ink that reads "Edith B. Tobe". The signature is written in a cursive, flowing style.

Edith B. Tobe, RPBio
Executive Director