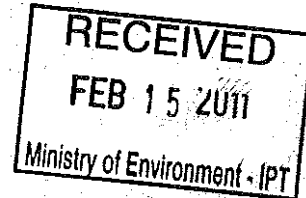


**SUNSHINE COAST
REGIONAL DISTRICT**

1975 Field Road
Sechelt
British Columbia
Canada V0N3A1

Tel. 604.885.6800
Fax: 604.885.7909
Toll Free 1.800.687.5753
Web Site: www.scrd.ca



February 7, 2011

Water Act Modernization
Ministry of Environment
Water Protection and Sustainability Branch
PO Box 9362
Stn Prov Govt
Victoria, BC V8W 9M2

Re: Water Sustainability Act

Thank you for the opportunity to participate in the Water Act Modernization process. Please accept this letter as the Sunshine Coast Regional Districts (SCRD) formal response outlining the Board's collective comments and concerns on the policy proposal for the new Water Sustainability Act (WSA). This letter begins with a comment on the overall approach to modernizing the Water Act followed by comments on the WSA proposed Framework and certain policy directions. The format for the comments is as follows:

Framework or Policy Direction from WSA

- Interpretation of the Framework or policy from the WSA
 - Comment on the interpretation

Holistic Approach – One Water Act

The SCRD is encouraging that a holistic approach to managing our water resources be considered in this modernization process through the development of a single Water Act that is recognized as the overriding priority in the hierarchy of Provincial Acts. Ideally, the WSA will promote consistency in watershed management and recognize the various uses, sources, and impacts relating to water resource management.

A New Water Sustainability Act: Framework

- Our understanding is that the Province is proposing three levels of action for water management depending on the severity of existing problems in different areas. Of those three actions, precautionary measures appear to only apply to areas with known and chronic water problems.

H:\WP\2011\02\INFRA\ms - ltr - WSA submission 02-07-11.docx



ELECTORAL AREAS: A/ Egmont, Pender Harbour B/ Halfmoon Bay D/ Roberts Creek E/ Elphinstone F/ West Howe Sound
MUNICIPALITIES: District of Sechelt / Sechelt Indian Government District / Town of Gibsons

- Precautionary approaches, such as water resource assessments, should be consistent throughout the Province. It is strongly suggested that the Precautionary Principle be a fundamental element in the WSA so water problems are addressed before they become chronic. In order to achieve a 'sustainable' approach to water management, environmental measures must anticipate, prevent, and address environmental degradation in all community watersheds. If there are threats of irreversible damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

1. Policy Direction – Protect Stream Health and Aquatic Environments

- This policy appears to only require new water licenses, excluding new small-scale licenses, to consider environmental flows.
 - New small-scale licenses and existing licenses should have to follow in-stream flow guidelines as well.

3. Policy Direction – Regulate Groundwater Use

- The WSA appears to regulate large ground water extractions in problem areas only.
 - Cumulative impacts from all groundwater wells should be considered in the WSA. It is suggested to map all of the aquifers that supply drinking water in order to prevent non-problem areas from becoming problem areas as a result of new small wells being drilled without regulation or monitoring. Also, those applying for water licenses should have to clearly define the need of that license and higher priority should be placed on applications in areas with no alternative water supply.

4. Policy Direction – Regulate During Scarcity

- This policy appears to be taking a staged approach to manage water in times of scarcity only where deviating from the First in Time First in Right rule to importance of use will only be considered in exceptional circumstances.
 - Water conservation efforts should be continuously encouraged and enforced by both the Province and Local Governments. Importance of use should always hold precedence over the FITFIR rule during times of scarcity.

5. Policy Direction – Improves Security, Water Use Efficiency, and Conservation

- It appears that local water conservations initiatives will remain in the hands of local governments.
 - Although this level of engagement at the local government level has proven to satisfy the need for having a water conservation program, water conservation efforts may prove more successful with increased support from the Province. One method to consider for a strengthened water conservation approach is to change Provincial building codes to promote grey water and rainwater harvesting systems.

6. Policy Direction – Measure and Report

- It is our understanding that this policy direction establishes requirements for licensed surface and groundwater users to report actual use. These requirements do not apply to domestic license holders and small private well owners unless they are in potential problem areas.
 - The SCRD is encouraging that reporting requirements for all water use be consistent throughout the Province, not just in problem areas.

7. Policy Direction – Enable a Range of Governance Approaches

- There appears to be no overriding priority for fresh water resource decisions in this proposed Act.
 - Local Governments, as the purveyors of drinking water to their communities, are responsible for the provision of safe drinking water and should have full control over land use within their drinking watersheds in order to fulfill their mandate. Although the proposed Act does delegate some responsibility to local or regional agencies, it appears that these responsibilities will be more on the development of management plans through collaboration rather than delegating land-use control. More emphasis should be placed on enabling a more localized watershed management approach. This arrangement would allow local governments to develop management strategies that are unique to their areas while meeting standards and guidelines set out by the Province.

Conclusion

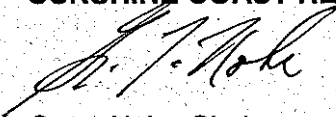
Proactive water resource management measures need to be addressed at the local level, where local governments, as the purveyors of water, have full control over land use within their drinking watersheds in order to fulfill their mandate of providing safe drinking water to their communities. In order to achieve this goal, the new WSA should be recognized as the overriding priority in the hierarchy of Provincial Acts, where the Precautionary Principle is considered in all land use decisions affecting water resources.

As stated by one of the SCRD Board members, “emphasis needs to be placed on the preciousness of our water [in this modernization process]”. It is significantly easier to prevent water problems than it is to solve them. The SCRD sincerely hopes that the result of this modernization process allows for a holistic approach to managing our water in way that protects water resources for all water users both now and in the long term future.

Thank you for receiving our submission. We look forward to the results from this stage of the Water Act Modernization process.

Yours truly,

SUNSHINE COAST REGIONAL DISTRICT



Garry Nohr, Chair
ms/gn