

From: Rick O'Neill [mailto:***Personal Identifiers Removed***]
Sent: Friday, November 15, 2013 11:20 AM
To: Living Water Smart ENV:EX
Cc: Simons.MLA, Nicholas LASS:EX; john.weston.c1e@parl.gc.ca
Subject: A Water Sustainability Act for BC: A Legislative Proposal

I am attaching my submission on behalf of the Alliance 4 Democracy Sunshine Coast. I will also paste it into this email in case anyone has a problem opening my attachment.

Thank you.

Richard H. O'Neill

On behalf of the Alliance 4 Democracy, Sunshine Coast.

November 12, 2013

To: livingwatersmart@gov.bc.ca

Cc: Nicholas Simons MLA - Nicholas.Simons.MLA@Leg.bc.ca.

John Weston MP - John.weston.c1e@parl.gc.ca

Re: A Water Sustainability Act for BC: A Legislative Proposal

I have reviewed the proposal on behalf of the Alliance 4 Democracy, Sunshine Coast, and wish to provide our comments regarding priorities.

The Legislative Proposal offers some good features for BC's new Water Sustainability Act, however there are some serious omissions.

Environmental services must be recognized as a priority in the Water Act. Environmental flows are critical to healthy functioning watersheds and must be clearly prioritized over other non-essential human uses.

1: Inclusion of the Public Trust Doctrine: (PDT)

The new act must contain a clause which imbeds the Public Trust Doctrine into the new legislation. (PTD)

The PTD is required to protect ecological values, ensure water for future needs, engage the public and protect public interests. These features are an essential part of the effort to modernize the BC Water Act.

The PTD is essential to safeguard water and associated ecological resources from sale or impairment by government or through interferences by others that would shift control to private interests for primarily private purposes.

The PTD is a fundamental tool in achieving the goal of Living Water Smart in BC.

2: Improvement of the Water Allocation System

A new allocation system is required which will provide more specific information about the volume and impact of the use of the water.

The new Water Act must require cost recovery to provide monitoring, management, and enforcement, so that those who impact water quality or quantity contribute to the costs of protection to a degree appropriate to their impact or benefit.

3: Protection of Streams, Aquifers, and Aquatic Environments must be the top priority of any new Water Act.

It is no longer acceptable to treat environmental flows as secondary priorities. Protecting water for communities and Nature, fish and other non-human values, must be defined and must be mandatory, not simply “guidelines” which may be ignored.

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4: Local government agencies, and the public, municipal councils and Regional boards, must be included in decision making which affects their area.

5: The Water Sustainability Act must apply to all water users, and must be binding on all sectors including the Oil and Gas and Forestry sectors, with No Exceptions.

Progressive nations around the world are now incorporating the Precautionary Principle in all legislation which affects the Environment.

The Water Sustainability Act must state that access to clean water must be considered a public and human right which must trump any industrial or commercial usage.

The government must also recognize and respect First Nations rights and title in all aspects of drafting and implementation of the new Water Sustainability Act.

Thank you for your consideration of our concerns.

Yours truly,

Richard H. O'Neill

On behalf of the Alliance 4 Democracy, Sunshine Coast.

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