

AWCS COMMENTS ON THE BC WATER SUSTAINABILITY ACT (WSA) – 14 NOV 2013

The seven key areas of proposed legislative change outlined in the pre-amble are appropriate, but there is no indication of the relative priority that each one will have when the actual legislation is tabled. As always, the devil is in the details.

While there is an acknowledgement of the importance of **Environmental Flow Needs** (EFNs), there is an understandable reluctance to define, in scientific terms, what these needs entail. Without stronger words of protection, the **WSA** will only pay lip service to this fundamental aspect of sustainability, even for humans.

The integration of water in land use planning requires that **Water Objectives** be delineated for the different types of watersheds throughout the diverse areas of the province.

The importance of **Water Sustainability Plans** must be enshrined in legislation that will empower local governments to be actually able to ensure the security of water and watersheds in their areas. There is a need for more clarity on governance options that will allow stakeholders to effectively participate in local land use planning which will assure watershed protection. Increased flexibility must NOT come at the cost of lax oversight regulations.

The intent to provide increased certainty in chronic water shortage areas and during emergencies is welcome; however, local agencies/governments need the authority to participate fully in these situations. This highlights the challenge of not having an over-arching Act that ensures that water-related decisions are made for the benefit of the common good of all BC residents, not just special interest groups.

Measuring and Reporting is meaningless, if other ministries that have competing interests can circumvent the WSA (and even ignore articles in their own act which are supposed to protect the environment). The lack of actual requirements for monitoring and measuring by the Oil and Gas Commission, for example, can allow the withdrawal and disposal of fresh and saline water without any substantive oversight. Under the current legislations commercial entities involved in oil and gas activities have unfettered access to BC's water without accountability to the people of BC.

The statement that "saline ground water should not be regulated" is symptomatic of the attitude that commercial interests are exempt from real stewardship of a most important natural resource ie water.

The Water Sustainability Act must ensure that water is treated as a public trust and that the public's participation and oversight will be enhanced.