

From: Norma Miller [mailto:nmiller@bcrea.bc.ca]

Sent: Friday, November 15, 2013 10:14 AM

To: Living Water Smart ENV:EX

Cc: Minister, ENV ENV:EX; Chandra Herbert, Spencer LASS:EX; Robert Laing; Damian Stathonikos

Subject: Response to Water Sustainability Act legislative proposal

The British Columbia Real Estate Association (BCREA) has reviewed the policy proposals for a new *Water Sustainability Act (WSA)*, in light of the important role water plays in the lives of all British Columbians.

BCREA is on record as supporting the modernization of the *Water Act* and the concepts put forward in the policy proposals for the *WSA*. Specific comments related to each of the key proposals are offered in the attached document. BCREA believes more details are needed before substantive feedback can be provided; therefore, several of BCREA's responses are questions, as opposed to feedback.

Thank you for the opportunity to participate in this process, and BCREA looks forward to additional opportunities to provide input as the *WSA* and the regulations are fully developed. If you would like to discuss any of the Association's observations further, please contact BCREA Manager of Government Relations Norma Miller (604.742.2789, nmiller@bcrea.bc.ca) to schedule a meeting.

BCREA represents 11 real estate boards and nearly 19,000 REALTORS® on all provincial issues, providing an extensive communications network, standard forms, economic research and analysis, government relations, applied practice courses and continuing professional education. To demonstrate the profession's commitment to improving Quality of Life in BC communities, BCREA supports policies that encourage economic vitality, provide housing opportunities, respect the environment and build communities with good schools and safe neighbourhoods.

Submitted on behalf of Robert Laing, BCREA Executive Officer.

Norma Miller

Manager of Government Relations

British Columbia Real Estate Association

1420 – 701 Georgia Street West | PO Box 10123, Pacific Centre | Vancouver, BC V7Y 1C6

604.742.2789 | nmiller@bcrea.bc.ca

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November 15, 2013

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

Submitted by email: livingwatersmart@gov.bc.ca

RE: *Water Sustainability Act*: Legislative Proposal

The British Columbia Real Estate Association (BCREA) has reviewed the policy proposals for a new *Water Sustainability Act (WSA)*, in light of the important role water plays in the lives of all British Columbians.

BCREA is on record as supporting the modernization of the *Water Act* and the concepts put forward in the policy proposals for the *WSA*. From a practical perspective, BCREA strongly encourages the government to realistically gauge its capacity and that of local governments to effectively implement the provisions outlined.

In 2010, BCREA recommended that one provincial ministry should manage all aspects of water governance. Given the complexity involved, the Association realizes that may not be feasible.

Specific comments related to each of the key proposals are offered below. BCREA believes more details are needed before substantive feedback can be provided; therefore, several of BCREA’s responses are questions, as opposed to feedback.

Key proposals	BCREA responses
Protect stream health and aquatic environments	The Association supports development of a consistent, science-based approach to the establishment of Essential Flow Needs and Critical Environmental Flows.
Consider water in land use decisions	Regarding the land-water connection and Water Objectives, BCREA recommends that private property rights also be considered and protected. When private property is expropriated or its use

1420 – 701 Georgia Street W, PO Box 10123, Pacific Centre, Vancouver, BC V7Y 1C6

President Jennifer Lynch | President-Elect Jake Moldowan | bcrea@bcrea.bc.ca | 604.683.7702 (tel)
Past President Jim McCaughan | Chief Executive Officer Robert Laing | www.bcrea.bc.ca | 604.683.8601 (fax)



Key proposals	BCREA responses
	<p>limited, the owners should be compensated through an efficient, timely and transparent process.</p> <p>When Water Sustainability Plans are created, BCREA encourages the retention of the requirement for public and stakeholder consultations, to allow property owners the opportunity to provide input.</p> <p>What method will be used to connect Water Sustainability Plans to properties impacted by them; that is, will notice be indicated on title, or in some other way? This information could be important to real estate consumers, and REALTORS® need to know where to look to find it.</p>
Regulate and protect groundwater use	<p>BCREA is pleased that most domestic users of groundwater will be exempt from licensing, and suggests the legislation clearly state that this exemption does not apply in areas that are serviced by municipal or community water systems.</p> <p>Without a requirement for wells to be registered in the WELLS database, or for domestic users to be licensed, how will all groundwater users be informed of the requirement for and definition of beneficial use?</p>
Regulate during scarcity	How will unlicensed users be notified of restrictions in times of scarcity?
Improve security, water use efficiency and conservation	<p>How will unrecorded users be informed of the requirement for and definition of beneficial use?</p> <p>Like Water Sustainability Plans, BCREA strongly suggests that the development of area-based regulations include public and stakeholder consultations, providing property owners with the opportunity to offer input.</p> <p>What method will be used to connect area-based regulations to properties impacted by them; that is, will notice be indicated on title, or in some other way?</p>

Key proposals	BCREA responses
Measure and report	The Association fully believes that measurement is a necessary component of management. By requiring large water users to measure and report their water use, the business case for conservation begins to emerge. Additional examination and consultation on water pricing and rentals may make that business case even stronger.
Enable a range of governance approaches	BCREA appreciates the strong provincial role in governance, with the provisions for local input. The Association looks forward to further consultations to develop the concepts for other governance approaches, in which roles and responsibilities must be clearly defined.

Thank you for the opportunity to participate in this process, and BCREA looks forward to additional opportunities to provide input as the WSA and the regulations are fully developed. If you would like to discuss any of the Association's observations further, please contact BCREA Manager of Government Relations Norma Miller (604.742.2789, nmiller@bcrea.bc.ca) to schedule a meeting.

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Yours sincerely,



Robert Laing
Chief Executive Officer

Copies: Hon. Mary Polak, Minister of Environment
Spencer Chandra Herbert, MLA, Vancouver – West End