



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

November 15, 2013

File: 5240-01
Engineering Department

Dear Sir/Madam:

Re: A Water Sustainability Act for B.C. Legislative Proposal

The City of Chilliwack has reviewed the document "A Water Sustainability Act for B.C. Legislative Proposal". Overall, the City supports the recommendations and agrees that implementation of the proposed changes will improve water management in B.C. Of particular importance is the need to regulate groundwater withdrawals in the Province.

The information provided at this stage is high-level, which limits the extent to which stakeholders can assess the proposed changes. The overall impact and effectiveness of the legislation will depend on:

1. What is ultimately included in regulations and subsequent policies. The details in the regulations are critically important so it is essential that the Ministry carry out additional consultation to allow stakeholders to review and provide input before the regulations are passed.
2. Whether the Ministry will be able to secure sufficient resources to administer and enforce the legislation. The proposed changes will require substantial resources including additional staffing and a significant expansion to monitoring networks (precipitation gauges, stream flow gauges, and groundwater monitoring wells). It will not be possible to develop effective Water Sustainability Plans or evaluate major water takings without a significant amount of background data collected over a period of many years.

In addition to the above general comments, we have the following concerns with specific aspects of the proposed legislation:

3. The legislation would not provide enough security for municipal water systems. There should be a mechanism to secure water for municipal supply systems that takes into account future demands based on projected population growth. While the proposed legislation includes a provision for the establishment of Agricultural Water Reserves, there is no similar consideration for core Municipal uses.
4. The reporting threshold of 250 m³ per day is high, and we are concerned that it will not allow for adequate monitoring and protection against the cumulative effects of smaller users.

5. Using Area-Based Regulations to assist with water management in areas more prone to water shortages is a reasonable approach, and it should be a Ministry priority to identify those areas and implement the regulations.
6. The proposed flexibility regarding governance is positive, so long as it does not result in increased responsibility at local levels, without adequate funding support. As noted in the document, the implementation of alternative governance approaches requires careful consideration and the clear definition of roles, responsibilities, activities, and accountabilities to ensure all aspects of water management are adequately addressed (e.g. Aboriginal rights and title).
7. It is not clear who has the responsibility for Water Sustainability Planning nor who would finance the plans. This includes multi-jurisdictional watersheds.
8. Although the FITFIR model is the easiest to implement it will not necessarily lead to the highest and best use of water. The Ministry should give consideration to a water exchange where water rights can be bought and sold so that allocations are more market efficient.

Thank you in advance for considering our comments and concerns as you finalize the legislation and implementation framework. Please contact the undersigned at 604.793.2907 if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "David Blain". The signature is written in a cursive, flowing style.

D.A. Blain, M.A.Sc., MBA, P.Eng.
Director of Planning and Engineering

DB/tk