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Partner Organizations

Brooklyn Creek Watershed Society
Comox Valley Land Trust
C.V. Environmental Council
Comox Valley Nature (CVNS)
Millard-Piercy Watershed Stewards
Morrison Creek Streamkeepers
Project Watershed Society
Tsolum River Restoration Society

Supporter Organizations

Arden Area Residents Association
Black Creek Streamkeepers
Comox Town Residents Association
C.V. Water Watch Coalition
Forbidden Plateau Road Residents Association
Friends of Comox Lazo Forest Reserve
Friends of Strathcona Park
Mountaineer Avian Rescue Society
Oyster River Management Committee
Perseverance Creek Streamkeepers
Plateau Road Resident's Association
Saratoga and Miracle Beach Residents Association

Funding Partners

Real Estate Foundation of B.C.
Community Gaming Grant
RBC Blue Water Fund
Comox Valley Regional District

www.cvconservationstrategy.org

Submission to the Ministry of Environment Water Sustainability Act

Our Views:

Due to the limited time allotted for public response, and the complexity of the issues addressed by the proposed Water Sustainability Act (WSA) we are presenting only general comments. The 30 day window allotted for consultation has not been sufficient to provide a meaningful response. Several months more time is needed to engage with the Ministry and for community-based discussion to take place.

1. Key Proposals

The following key proposals outlined in the WSA identify important environmental goals and actions for the protection and management of water:

- Protect stream health and aquatic environments;
- Consider water in land use decisions;
- Regulate and protect groundwater;
- Regulate water use during times of scarcity;
- Improve security, water use efficiency and conservation;
- Measure and report large-scale water use; and
- Provide for a range of governance approaches

However, the proposed WSA does not adequately provide for the implementation of these goals and actions.

2. Concerns that should be addressed in the new legislation:

Environmental Flows—are crucial to the function of healthy watersheds and must be protected as a priority over human uses.

- Environmental Flow Needs (EFN) and Critical Environmental Flows (CEF) must be embedded in Provincial Water Objectives (WO).
- All decision-makers must be obligated to consider WOs that include explicit efficiency, conservation, “beneficial use,” and EFN requirements.
- Explicitly allow decision-makers to refuse to issue a licence if it negatively affects an aquatic ecosystem

Public Trust and Beneficial Use—must be included and clearly defined in the legislation and should ensure the following:

- Any use of licensed water is subject to the broader public use and interest, and must be used efficiently.
- Ensuring environmental flows and essential household needs should be priorities above other uses
- WSA should ensure that the province owns and manages the water resource so that private entitlements to water do not impair the public resource.
- The WSA should supersede all other legislation with no exemptions allowed

Equitable access to water- must be a fundamental principle of the water act.

- The current First In Time-First In Right allocation principal does not provide equitable access to water or ensure EFN. This allocation principal must be changed and not extended to ground water licensing.
- Licenses must be subject to review and monitoring and have an end date.

Community control of drinking watersheds- communities must have a meaningful role in decision making in matters that affect the quantity and quality of water in drinking watersheds.

- The proposed “range of governance approaches” outlined in the act are vague and do not provide for a meaningful decision making role for communities in the management of drinking watersheds.

Other Concerns

- Decision making in all matters under the WSA should be fully transparent, allow for public input and be subject to audit
- Monitoring and enforcement must be robust and fully resourced. License fees should be adequate to cover the costs of monitoring and enforcement.
- Lack of oversight and accountability
- Proposed exemptions should be not be allowed. The WSA should supersede other legislation so that EFN, CEF and WO are applied to all users on a watershed basis throughout the province.

Submitted on behalf of the Comox Valley Conservation Strategy community partnership by,
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