

Sunshine Coast Regional District

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

RE: British Columbia Water Sustainability Act: Legislative Proposal

The following comments were included as feedback for the policy proposal in a letter dated February 2, 2011; these comments have not been addressed in the Legislative Proposal and are resubmitted for consideration.

Holistic Approach – One Water Act

The SCRD is encouraging that a holistic approach to managing our water resources be considered in this modernization process through the development of a single Water Act that is recognized as the overriding priority in the hierarchy of Provincial Acts. Ideally the WSA will promote consistency in watershed management and recognize the various uses, sources, and impacts relating to water resource management.

A New Water Sustainability Act – Framework

Our understanding is that the Province is proposing three levels of action (province-wide measures, known problem areas, chronic problem areas) for water management depending on the severity of existing problems in different areas. Of those three actions, precautionary measures appear to only apply to areas with known and chronic water problems. Precautionary approaches, such as water resource assessments, should be consistent throughout the Province. It is strongly suggested that the precautionary principle be a fundamental element in the WSA so water problems are addressed before they become chronic. In order to achieve a 'sustainable' approach to water management, environmental measures must anticipate, prevent and address, environmental degradation, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

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Policy Direction - Protect Stream Health and Aquatic Environments

This policy appears to only require new water licences, excluding new small-scale licences to consider environmental flows. New small-scale licences and existing licences should have to follow in-stream flow guidelines as well.

Policy Direction - Regulate and Protect Groundwater Use

The WSA appears to regulate large ground water extractions in problem areas only. Cumulative impacts from all groundwater wells should be considered in the WSA. It is suggested to map all of the aquifers that supply drinking water in order to prevent non-problem areas from becoming problem areas as a result of new small wells being drilled without regulation or monitoring. Also those applying for water licence should have to clearly define the need of that licence and higher priority should be placed on applications in areas with no alternative water supply.

Policy Direction – Regulate During Scarcity

This policy appears to be taking a staged approach to manage water in times of scarcity only where deviating from the First in Time First in Right rule to importance of use will only be considered in exceptional circumstances. Water conservation efforts should be continuously encouraged and enforced by both the Province and Local Governments. Importance of use should always hold precedence over the FITFIR rule during times of scarcity.

Importance of use addressed under essential use allowances during times of scarcity.

Policy Direction – Improves Security, Water Use Efficiency, and Conservation

It appears that local water conservation initiatives will remain in the hands of local governments. Although this level of engagement at the local government level has proven to satisfy the need for having a water conservation program, water conservation efforts may prove more successful with increased support from the Province. One method to consider for strengthened water conservation approach is to change provincial building codes to promote grey water and rainwater harvesting system

It is our understanding that grey water and rainwater harvesting systems will be addressed in the BC Building Code in 2014.

Policy Direction – Measure and Report

It is our understanding that this policy direction establishes requirements for licenced surface and groundwater users to report actual use. These requirements do not apply to domestic licence holder and small private well owners unless they are in potential problem areas. The SCRDP is encouraging that reporting requirements for all water use be consistent throughout the Province, not just in problem areas

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Policy Direction – Enable a Range of Governance Approaches

There appears to be no overriding priority for fresh water resource decisions in this proposed Act. Local Governments, as the purveyors of drinking water to their communities are responsible for the provision of safe drinking water and should have full control over land use within their drinking watersheds in order to fulfill their mandate. Although the proposed Act does delegate some responsibility to local or regional agencies, it appears that these responsibilities will be more on the development of management plans through collaboration rather than delegating land-use control. More emphasis should be placed on enabling a more localized watershed management approach. This arrangement would allow local governments to develop management strategies that are unique to their areas while meeting standards and guidelines set out by the Province.

The Sunshine Coast Regional District would appreciate the opportunity to provide feedback on Water Sustainability Plans; the framework for governance approaches; and guidelines/standards for environmental flow needs, once the details have been developed by the Ministry.

Should you have any questions, please do not hesitate to contact the undersigned.

Yours truly,

SUNSHINE COAST REGIONAL DISTRICT



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