

# Watershed Governance

## Overview

Governance is at the heart of watershed security. Figuring out the ideal organizational structures, people to involve, and methods to approach different water management problems is a part of determining what good governance looks like for watershed security in British Columbia (B.C.).

## Governance approaches

Watersheds across B.C. face different risks and pressures. There are also various interests in each watershed (e.g., related to food security, cultural identity and spirituality, conservation, drinking water). There is no one-size-fits-all approach for watershed governance in B.C. Rather, a range of factors need to be considered, including:

- ▶ Indigenous and non-Indigenous communities' capacity to participate in collaborative processes.
- ▶ The Province's obligations to Indigenous Peoples under the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) and the *Constitution Act*.
- ▶ Variations in ground and surface water, land and water, and ecosystems.
- ▶ Historical, socio-economic, and political norms across watersheds.
- ▶ Private and public land ownership.
- ▶ Treaties and agreements with First Nations, strategic land-use plans and other legal commitments within a watershed.
- ▶ Existing governance processes and commitments in watersheds.

## Types of Possible Watershed Governance Arrangements

Communities in B.C. are using a range of watershed governance arrangements to address threats to water quality, quantity, and aquatic ecosystems. What governance arrangement(s) is most suitable, who should be involved, and what responsibilities should be shared is important to consider for different watershed security issues and contexts. More generally, the most common watershed governance arrangements are listed below as examples for consideration:

### Centralized Governance Arrangement

- ▶ **Provincial Authority**—The provincial government controls all decision-making, usually drawing on scientific expertise. First Nations and non-government stakeholders have limited participation. The duration of these processes vary but often have a very specific and often narrow mandate. This is the predominant form of governance at the provincial scale.

### Indigenous Reconciliation-Based Arrangement

- ▶ **Government to Government (G2G)**—Co-governance approach—there is a formal agreement between a First Nation, or a group of First Nations, and the provincial government to work together on specified objectives. Local and federal governments may also be part of a G2G agreement. Local stakeholders (e.g., multi-actor arrangements, as listed below) may be engaged. These agreements are long-term in nature and may be expanded over time as relationships and projects evolve. The Province is supportive of G2G arrangements and sees them as critical for the future of water governance and reconciliation.

## Governance and Reconciliation

Indigenous peoples have a special relationship with the Crown, which requires a renewed government-to-government relationship based on respect, recognition, the exercise of Aboriginal title and rights, and the reconciliation of Aboriginal and Crown titles and jurisdictions. Treaty and G2G agreements recognise and respect Aboriginal and Treaty rights protected under the *Constitution Act* and the inherent rights of Indigenous peoples affirmed in the *UN Declaration on the Rights of Indigenous Peoples* (the UN Declaration).

## Multi-Actor Arrangement

- ▶ **Multi-level**—Different levels of government come together with the goal of improving water management. Typically, these arrangements are collaborative and long-term, and sometimes involve non-governmental stakeholders. Government agencies retain decision-making power under their jurisdictions and legislative mandates. An example would be a multi-year project with a First Nation, local government, provincial government, and the federal government working together.
- ▶ **Consultative**—Government-led projects with a specific goal for policy reform. Consultation and/or engagement is conducted with First Nations and a range of stakeholders. Typically, these arrangements are limited in duration and decision-making power is not shared, for instance, a process where one government asks others for input on a particular policy process.
- ▶ **Delegated**—An independent body that is legally formed to take actions on a particular water issue(s). A range of governmental and private stakeholder groups are typically represented, for example, a project that is entrusted to a collaborative body.
- ▶ **Multi-stakeholder**—These arrangements are usually short-term, specific to a particular project, and involve diverse stakeholders. Activities included in multi-stakeholder governance arrangements include collaborative learning, conflict resolution and mediation, risk assessment and risk reduction strategies, for example, an inclusive roundtable formed to address a specific issue.

Involving multiple levels of government (local, provincial, federal, First Nation), Indigenous partners, and other stakeholders can foster local stewardship and reduce environmental uncertainties and conflict. However, challenges may limit the effectiveness of watershed governance arrangements if they are not addressed early. Some challenges may include the lack of involvement of First Nations and/or interested stakeholders, the need to balance trade-offs, and a lack of funding. While some of these challenges may be unavoidable, others may be pre-emptively addressed through good planning.