

British Columbia's
Water Act
Modernization

Report on Engagement

“British Columbians are proud of our rivers, lakes, streams and watersheds and recognise that keeping them healthy is important to all of us. A plentiful amount of clean water is needed for our growing communities, economic growth, healthy food, clean energy and our beautiful environment.

As a finite resource, water’s limits must be recognized, which means that the days of taking our ‘unlimited’ supply of water for granted have passed.”

Premier Gordon Campbell
Living Water Smart

Executive Summary

The British Columbia Government is looking at ways to modernize the *Water Act* to respond to new challenges that exist for managing our water, including dealing with population growth and climate change. Modernizing the *Water Act* is an important commitment in *Living Water Smart: BC's Water Plan*. A modernized *Water Act* will better protect our water resources, and helping to keep our environment, economy and investment climate strong for future generations.

In December 2009, the Government initiated its engagement process on *Water Act* Modernization by launching the [Living Water Smart Blog](#). The purpose of the Blog is to provide information and a forum for British Columbians to discuss water issues and options for legislative change.

In February 2010, the Government invited submissions from British Columbians on a [Water Act Modernization \(WAM\) Discussion Paper](#). The Discussion Paper proposed eight principles to underpin a modernized *Water Act* as well as four goals, supporting objectives and possible solutions. The Discussion Paper and a supporting [Technical Background Report](#) were developed to further encourage dialogue on ways to modernize the *Water Act* and describe opportunities for using, sustaining and managing water resources in our changing environment.

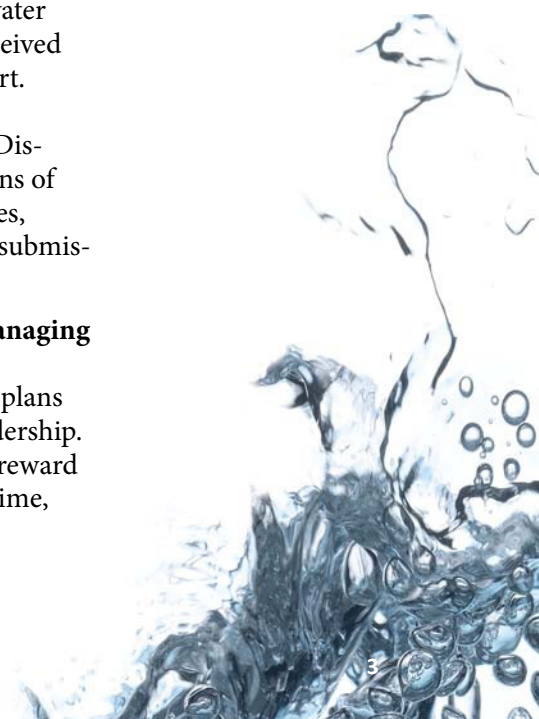
In addition to the Discussion Paper and submission process, the Ministry of Environment held a series of 12 one-day public workshops across the province during March and April 2010, including three sessions specifically for First Nations. The objectives of the workshops were to provide participants with contextual information about *Water Act* Modernization and explore potential solutions for water management.

In response, the Ministry received approximately 900 written submissions from a range of individuals, First Nation organizations and stakeholder groups. In addition, over 500 participants attended the *Water Act* Modernization workshops. Over 80 percent of submissions came from individual British Columbians. Formal submissions were made by a variety of sector groups including agriculture, energy, forestry, local government, mining, water industry, professional, community and environmental organizations. Comments received covered a broad range of interests and perspectives and are summarized in this report.

Overall, there was broad support for the eight principles and goals described in the Discussion Paper. Many submissions only addressed specific principles, goals and options of particular interest; others also provided valuable commentary on additional measures, concerns, suggestions as well as comments on the process itself. Key messages from submissions on *Water Act* Modernization included the following:

- **Develop clear standards, processes, responsibilities and expectations for managing BC's water.**

Respondents strongly supported standards-based, mandatory water allocation plans that are developed collaboratively, under the guidance of strong provincial leadership. Key to the success of these plans are proactive measures which encourage and reward efficient practices and reduce demand. This included calls to examine first-in-time, first-in-right and priority of use allocation options in times of scarcity.



- **Regulate groundwater extraction and use.**
 Respondents who addressed this issue strongly supported the regulation of groundwater in BC. Recognition of the important connection between surface and groundwater was a recurring theme in many submissions.
- **Improve current water governance arrangements.**
 Respondents strongly supported improving water governance but overall, expressed no clear preference for centralized, delegated or shared water governance options. Many submissions acknowledged that the specific approach will likely be a function of local conditions and interests, management issues and capacity. Respondents requested the opportunity to further evaluate the spectrum of options in greater detail.
- **Proactively protect drinking water, food production, clean energy and ecological health.**
 Respondents called for a water allocation system that prioritizes drinking water, food production, clean energy production and protects ecosystems. There was strong support for environmental flow and stream health standards while promoting efficiencies and recognizing non-consumptive water use in industry.
- **Recognize land - water connection.**
 Many respondents highlighted the land-water interrelationship and how land use practices affect water quality, quantity and timing of flow. There was substantial support for a modernized *Water Act* to protect watershed health in land use and resource development decisions and practices.
- **Balance ecological protection with economic priorities.**
 Many submissions called for balancing these competing interests through adaptive standards and effective, enforceable rules, integrated with related legislation and fee equity practices to create clear expectations and certainty for all water users.
- **First Nations interests must be respected.**
 First Nations view water of utmost importance and of high cultural and economic value. First Nations maintain that the WAM process does not meet the standards set in the *New Relationship* nor constitute meaningful consultation. These submissions maintained that further, continued dialogue is required.
- **The Province's timelines for modernizing the *Water Act* are too short.**
 Most submissions requested more time and additional opportunities to comment on *Water Act* Modernization proposals before final options are recommended to Government.

With help from experts and advisors in and outside of government, all feedback is being carefully considered and analyzed. Draft options to change the *Water Act* are currently being formulated. Further analysis of draft options will be undertaken on the costs, benefits, and the social, economic and environmental implications of proposed changes prior to making final recommendations to Government.

In reviewing this report, it is important to recognize the limitations of the analysis; the results are intended to illustrate broad trends, preferences and themes, rather than present detailed statistics. Moreover, government recognizes that some submissions were made by representative organizations or associations on behalf of many individuals or companies. As part of the Province's commitment to transparency, all submissions received are available online through www.livingwatersmart.ca. To protect privacy, personal contact information in these submissions has been removed.

Government will continue to use the Living Water Smart Blog, email updates and further releases to keep respondents, workshop participants and those interested in a sustainable future for BC's water, informed about the *Water Act* Modernization process.

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Agriculture and urban development in the Okanagan Valley