

# WATER GOVERNANCE REGIONAL WORKSHOP REPORT

## Prince George Workshop – March 4, 2008

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### Background

Over the past five years, issues related to water quantity, access and quality have become more prevalent in British Columbia, leading to questions about how decisions related to water are made and, consequently, advanced sustainable water governance as a key priority. As part of the B.C. Water Governance Project, the BC Ministry of Environment, the Fraser Basin Council, Georgia Basin-Vancouver Island Living Rivers, and Fisheries and Oceans Canada hosted a series of 4 regional conversations across the province in early 2008. These workshops engaged and gathered input from a wide range of people, including federal, provincial, local government and First Nations, industry, agriculture, and stewardship sector representatives.

The purpose of the workshops – held in Langley, Prince George, Nanaimo and Kelowna - was to share information and explore opportunities for advancing water governance in British Columbia. The focus was on stimulating productive dialogue on challenges and solutions. On the ground experiences of those who deal with water-related decision-making were explored against the backdrop of current academic knowledge on water governance. Over the course of the day, workshop participants worked in plenary sessions and in small groups to discuss what was currently working with respect to water governance in the province, governance challenges that they face in their work or organization, changes required to respond to those challenges and critical factors for ensuring that these governance changes are successful. This report summarizes the presentations and discussions from the second regional workshop, held in Prince George, on March 4, 2008.

### Why Water Governance? Presentation by Lynn Kriwoken, Ministry of Environment

**Governance:** the process through which decision-makers are chosen, stakeholders articulate their interests, decisions are made, and decision-makers are held accountable.

**Management:** the operational, on-the-ground activities related to regulating water and conditions of its use.

In the context of water, governance relates to the processes by which decisions are made and different interests are articulated in matters concerning access to water resources, the delivery of water services, the protection and conservation of water and aquatic ecosystems including their associated riparian area, and land use issues as they impact water. The system of water governance provides the framework by which our water systems are managed. The distinction between governance and management is important. The focus of this initiative is specifically on governance.

Within British Columbia a patchwork of water governance approaches has evolved in response to local issues. It is time to systematically review water governance in British Columbia and seek effective solutions. This need to examine water governance stems not only from the inefficiencies that the patchwork create, but also that fact that we are seeing a number of

pressures on the water resource, government's role is transforming, and there are new expectations respecting public and First Nations participation. In response to these drivers, the *B.C. Water Governance Project* commissioned a research paper to examine issues and opportunities for water governance within this new landscape. This research paper, written by Linda Nowlan and Karen Bakker from the University of British Columbia, focuses specifically on 'delegated' (also known as 'devolved', 'shared' or 'distributed') water governance. It was structured around the three following questions:

- ❖ What are the barriers to delegating water governance?
- ❖ Do the potential advantages of delegating water governance to lower scales outweigh the disadvantages?
- ❖ Which issues/aspects of decisions about water should be delegated, and which should not?

The results of this study provide much of the basis for discussion at these regional workshops.

### **Why Water Governance – Questions & Comments**

- Research paper missing detailed analysis of the issues with respect to fisheries renewal
- What does delegation mean – very difficult with respect to FN

The group also discussed the principles of water governance that were outlined in the Nowlan and Bakker paper. Participants brought attention to a number of perceived gaps in the paper:

- The ecological concept of sustainability needs to be integrated into the proposed principles.
- Scientific information – including traditional knowledge – must be incorporated.
- It is not only that we need better information, but this information needs to be communicated.
- The role of the federal government is not addressed.

### **WATER GOVERNANCE ON THE GROUND**

Four local participants provided insights on the water governance challenges that they face in their work and experience living in North-Central BC and governance-related solutions.

#### ➤ **Bruce Gaunt – Northern Health Authority**

The Northern Health Authority works with the drinking water program, governed by new Drinking Water Protection Act & Regulations. The Act was the direct result of the Walkerton tragedy.

- It has brought regulators and water system operators together through training of operators, rapid reporting of water quality results.

- While in the fifth year of the legislation, there are still many challenges.
- Still forty communities with boil water advisories in the North.
- Working with resorts to ensure that clients are adequately informed of the water quality risks.
- Public attitudes towards water are also a challenge.
- Low appreciation for the value of water and resistance to paying for this resource.
- Also general resistance to adding chemicals to water for purification – something that is necessary for virtually all surface water.
- Small water systems have to borrow on commercial markets.
- Breadth of coverage of the Act – covers all water systems for domestic purposes.
- Constantly discovering new water systems – water inventory has increased by 50% since early 2000s – many of those being discovered are not compliant
- Not all suited to larger systems of governance.

#### *Questions*

- INAC came out with requirements for drinking water plans – potential duplication; how is Health Authority responding to INAC requirements?
  - Not much overlap between water systems for Aboriginal and non-Aboriginal.
  - Aboriginal systems may have lessons that can be applied to other rural communities.

#### ➤ **Alberto DeFeo – City of Williams Lake**

First challenge that they face in Williams Lake is with respect to conservation. We are quickly losing aquifer capacity and we have state of the art water facilities but don't have the ability to maintain the infrastructure.

- Lack of process.
- Found dichotomy between traditional ways of managing water and emerging ways of water management that are more proactive – that start from a set of goals and work backwards.
- Need to do more education about the importance of water conservation.
- Need to create a vision – focused mainly on the problem and not where we want to be.
- Looking only at a traditional delivery models?
- Looking at challenges with respect to resources and costs – money that is available is challenged in different directions, not water conservation.
- Created a committee to deal with water management issues – broad mandate.
- Goal to have extensive opportunities for public participation – and engage public meaningfully in the decision making process.
- Need a longer term sustainable plan – 25 years.
- Local governments have limited capacity – fringe areas are requesting service and municipalities do not have the capacity to help them.

#### ➤ **Rick Krehbiel – UNBC, Environmental Planning**

We are presently in a state of gridlock with respect to First Nations governance. Larger structures are not proving to be helpful in resolving governance at the local level. Three initiatives currently underway that have an impact on water governance:

- Framework Agreement of FN Land Mgmt: transfers jurisdiction and authority to manage land and natural resources on Indian Act – FN manages its reserve land and natural resources under a Land Code, Band Council is governing authority.
- BC Treaty Negotiations: include agreement for water reservation (domestic, industrial and ag) as well as public participation in water planning processes
- Local government relations – service agreements and Comprehensive Master Agreement for coordinating planning between FN and local governments
- Barriers to governance is capacity: social capacity, institutional capacity, individual capacity – particularly within FN communities

*Questions:*

- FN have not been establish a system that works with their traditional systems of governance and other systems of governance
- What can be done in the event that treaties are not established for a long time in this province? What can be done in the interim?
- First step to get people to start talking each other; second step is information – sharing of assumptions, knowledge, nature of respective perspectives, establish MOUs or other agreements to lay out how to work together

➤ **Marg Evans – Cariboo-Chilcotin Conservation Society, Water Wise Program**

Water Wise's elementary school program hits 50 schools – twice per year, giving students challenges that they take back to their homes. The program raises awareness about what water use behaviours: what good behaviours are and how to change them.

- Program has coincided with drop in water use.
- Need to go face-to-face with people in order to change habits and behaviours – at the place where they can make decisions.
- Have established a water shepherds program – working with garden programs.
- Working with various partners, i.e. Pacific Salmon Fdn.
- There are simple practical measures that can make a major impact on water shortage issues.

**PARTICIPANT PERSPECTIVES**

Workshop participants worked in small groups to discuss governance challenges that they face in their work or organization, changes required to respond to those challenges and critical factors for ensuring that these governance changes are successful. Key points from these discussions are summarized below.

➤ **Water Governance Challenges**

- The system is characterized by a patchwork of legislation and conflicting responsibilities.
- Decision making is siloed and disjointed, even within and among Ministries.
- There is a lack of understanding about the governance system for water – and a lack of clarity about who is responsible for what.
- Stakeholders are not included in the process.
- Issues are addressed as they arise; the system is capable of merely responding to problems.
- The system lacks a long term vision – and consideration of the full water cycle.
- There is a lack of political will with respect to making decisions about water governance and acting on community recommendations.
- First Nations are not adequately involved in decisions that impact the water systems that they depend upon for their livelihood.
- A lack of current information about the number and range of water users and their relative impact on the water systems.
- Managing the upstream impacts of development and industry – dispersed sources of pollution.

➤ **Proposed Changes to Water Governance**

- Establish a watchdog committee to monitor the entire watershed and report on changes and trends.
- Increase opportunities for local communities, First Nations and other stakeholders to be included in decision making processes.
- Establish local/community-based watershed planning processes with decision-making power; decision making should not be purely political.
- Bring water users together to discuss their respective goals and values so as to develop a collective vision for our water systems and area-based limits of acceptable change.
- Enhance leadership at the federal/cross-jurisdictional level.
- Establish incentives for conservation.
- Establish leaders that are willing to take risks and implement local watershed plans.
- Ensure that First Nations are consulted on decisions that stand to impact their watersheds.
- Dedicate resources to raising public awareness about the value of water and the importance of conservation through targeted and ongoing education
- Create an overarching and long term vision for the water system that considers the full water cycle/ecosystem.
- Harmonize agencies and establish an area-based approach.
- Establish an inventory of water issues and a set of indicators to monitor trends and impacts.
- Develop a dynamic governance framework with the flexibility to allow for changes in management.
- Establish a provincial working group to represent communities: Aboriginal and non-Aboriginal.
- Convene a regional leadership summit on water governance with government and other stakeholders.

➤ **Critical Success Factors in Implementing Governance Changes**

- Expertise and adequate human resources to follow through.
- Greater understanding at the local level about how individuals/communities impact on the broader water system.
- Greater role of science in decision making.
- Adequate follow through on recommendations and commitments.
- More education.
- Political will.
- Greater trust between players in the system.
- A collaborative approach that includes communities, First Nations, industry, property owners and government working together and taking responsibility.
- Sufficient funding and appropriate administrative mechanisms.

## **FUNCTIONS & RESPONSIBILITIES IN WATER GOVERNANCE**

Participants worked in small groups to discuss the governance roles and responsibilities that would exist in an ideal system and contemplated the implications of recommended changes to governance.

### ➤ **Science & Information Gathering**

#### **Governance Roles & Responsibilities**

- Province should coordinate the data.
- There should be a single information repository to prevent loss and duplication.
- Scientists, stewardship groups and communities should contribute information and establish quality standards.
- Universities should verify data.

#### **Implications**

- Major funding required.
- Smaller/rural communities might be left out.
- Greater accessibility – fewer filters.
- Proprietary concerns – freedom of information.
- Will require criteria to ensure level playing field.
- Will need to train/build capacity among communities and First Nations in order to enable them to contribute their knowledge.

### ➤ **Standard & Target Setting**

#### **Governance Roles & Responsibilities**

- Scientists establish criteria.
- Local governments/stewardship groups define the values.
- Province ensures consistent standards.
- Federal government should coordinate process.
- Targets should be set locally – at the municipal/regional level.
- Local/regional governments should be able to determine how standards are met.
- Local enforcement of standards.
- Require strong set of guiding principles for results-based regulation.

#### **Implications**

- Will require a level playing field.
- Will result in increased safety and quality.
- Reduced duplication.
- Harmonized standards.
- Financial costs.
- Local communities might be overly focused on shorter term/costs.
- Collaborative process will require time.
- Need to ensure accountability and an appeals process.

➤ **Planning**

**Governance Roles & Responsibilities**

- Province should provide the budget, framework and tools for local-level planning – ensure that we are building on past research and lessons learned.
- Plans should be developed at the local level.
- There should be feedback loops between different levels.

**Implications**

- Must incorporate the needs of new business into the plans.
- Will require broad framework for consultation.
- Financial costs.
- Will require the establishment of timelines.

➤ **Allocation & Permitting**

**Governance Roles & Responsibilities**

- Province maintains responsibility for establishing and implementing guidelines for fair distribution of water but creates mechanisms to enable local input.
- Local watershed committees (with representation from industry, First Nations, local government, community) make recommendations.
- Develop water budget.

**Implications**

- Existing power structures/hierarchies will be disrupted.
- Time limits and controlled access.

➤ **Monitoring & Reporting**

**Governance Roles & Responsibilities**

- Local groups should do monitoring and stewardship.
- Province should provide funding and support for local monitoring.
- Support should also be provided for local education, incentives and metering.

**Implications**

- Training will be required.
- Partnerships will be established.
- Existing granting programs will have to be revisited and restructured to make them easier to apply for and applicable to activities such as metering.
- Greater awareness of water issues.

➤ **Compliance & Enforcement**

**Governance Roles & Responsibilities**

- Continued roles for both local and federal governments.
- Encourage compliance through education and the engagement of all types of water users.
- Organizations/associations need to take responsibility for self policing.
- Overall monitoring by the Province.

**Implications**

- The creation of overarching objectives.

- More self policing.
- Flexibility in what is enforced.

## **INNOVATIVE SOLUTIONS TO GOVERNANCE CHALLENGES**

### ➤ **Access to Funding**

Funding needed for:

- Compliance and enforcement.
- Research, analysis and information gathering: the identification of knowledge gaps and the development of an inventory.
- Mapping.
- Seed funding for a coordinating body/local water management agencies.
- Public education and behaviour change.
- Planning.

Potential funding sources:

- Tax on bottled water.
- Reallocation of water rental revenues from the Province.
- Water metering: domestic and industrial.
- Restructured grant money/funding programs.
- Industrial processes that presently do not pay for usage.
- Settlement trust funds/New Relationship Trust.
- Watershed conservation/improvement tax benefit.
- Covenants/land purchase/lease/protection model.
- Regional tax model.
- Free market environmental economy.

### ➤ **People Capacity**

To improve the capacity of people to be more meaningfully involved in water governance:

- Education and increased understanding about opportunities that already exist.
- Payment for involvement.
- Mentoring programs.
- Establishment of regional point-people with a mandate to engage individuals on a one-to-one basis and build capacity.
- Training of First Nations through the New Relationship Trust.
- Celebrate successes.

What governments and other institutions can do to improve citizen engagement in water governance:

- Increase the number of opportunities for stakeholder dialogue and raise awareness about existing opportunities to be involved.
- Compensate people for their time and travel costs.
- Reward involvement.
- Encourage people to become involved, emphasize the importance of being involved and ensure that their participation is meaningful.
- Provide interagency training on water governance.
- Have specialist support available.

- Share information about the watershed.
- Make public engagement a requirement of government programs and provide necessary support.

### ➤ **Information Needs**

Information needed:

- Regular reports on the state of the watershed.
- Info for landowners about surface runoff, hydrology etc.
- Basic information to make up a “water budget” – showing how much we have, the rate of usage, the rate of recharge – water account information.
- Information about what is going on in the watershed: who is doing what.
- Automated data on water quality and quantity.
- Info on the full ecosystem impacts and risks.
- Mapping information.
- Longitudinal data – that is maintained despite changes in government.

Means of obtaining information:

- Annual Watershed Day – to bring together all water users to share information.
- Better reporting of the information we already have.
- Publishing of data in a widely accessible manner.
- Resource people/“Education officers” to provide advice on what information exists and where to find it.
- Prioritizing information needs – focusing on key knowledge gaps.
- Establishing a role for information coordination.
- Development of online data products.
- Broader collection of basic data.
- Refined data on watershed atlas – with smaller watersheds delineated.

### **COMMON THEMES, PRIORITY ISSUES AND RECOMMENDED NEXT STEPS**

- Feds: step up! Do research/science and monitoring
- Province: don't give away the farm!
  - Show leadership
  - Be visionary
  - Set standards
  - Empower local governance
- Local/regional level: planning is key
- Who decides?
- Province can't only delegate governance, it must delegate management functions
- Not business as usual anymore – water too important!
- A good business case for community/local watershed stewardship is critical
- Information has to be more than western science, it must also use traditional knowledge, cultural values and stories
- Necessary to set people free and establish a safe place to do business
- Ride the wave of green awareness!

## PRINCE GEORGE PARTICIPANTS - 4 MARCH 2007

<b>Name</b>	<b>Organization/Company</b>
Alberto DeFeo	City of Williams Lake
Alex Kulchar	Nechako Valley Reg. Cattlemen's Assoc.
Alison MacNaughton	Fraser Basin Council
Bill Klopp	Ministry of Environment
Brandy Dickey	Cariboo Regional District
Bruce Gaunt	Northern Health Authority
David Marshall	Fraser Basin Council
David Wiebe	Community Futures
David Maloney	Min Forests & Range
Ed Mazur	Nechako River Residents' Action Coalition
Elmer Thiessen (Dr.)	Williams Lake Water Community Advisory Cttee
Glenda Waddell	CANFOR, PG
Guy Scarfe	DFO - Williams Lake
Harry Nyle	Reg. Dist Kitimat Stikine
Henry Klassen	Nechako Watershed Council
Jackie Brown	Lheidli T'Enneh Band
James Casey	WWF-Canada
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Joan Chess	Fraser Basin Council
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Sean Sharpe	Ministry of Environment
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Tina Chestnut	DFO
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Wayne Strang	Cariboo Pulp & Paper