Watershed Governance and the Water Sustainability Act

Workshop on Advancing Watershed Conservation and Sustainability in BC

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Ministry of Environment
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Overview

• Policy snapshot
• What’s happening now
• Scarcity tools
• Governance tools and considerations
Policy snapshot

1. Protect stream health and aquatic environments
2. Consider water in land use decisions
3. Regulate groundwater use
4. Regulate during scarcity
5. Improve security, water use efficiency, conservation
6. Measure and report
7. Enable a range of governance approaches
Current Status of WSA

• *Bill 18 - Water Sustainability Act* received Royal Assent on May 29, 2014

• New fees announced in Feb 2015

• Program funding for implementation included in Budget 2015

• Focus in 2015/16 is priority regulations

• Bring Act into force by regulation, including new water pricing and groundwater licensing in 2016
# WSA Implementation

<table>
<thead>
<tr>
<th>PHASE</th>
<th>OBJECTIVES</th>
<th>TIMING</th>
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<tbody>
<tr>
<td>Phase I</td>
<td>• Scoping, engagement, development of policy documents</td>
<td>2009 to 2013</td>
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<td>Phase II</td>
<td>• Development of Bill</td>
<td>Aug 2013 to May 2014</td>
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<td></td>
<td>• Royal Assent</td>
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<td>Phase III</td>
<td>• Regulation Development</td>
<td>Apr 2014 to Dec 2015</td>
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<td></td>
<td>• Business processes and IM/IT – e.g., Groundwater Licensing System</td>
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<td>• HR planning, recruitment and training</td>
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<td>• Communications and Engagement</td>
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<td></td>
<td>• First Nations Strategy</td>
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<td>• Government approvals</td>
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<td>Phase IV</td>
<td>• WSA Brought into Force with Initial Set of Regulations</td>
<td>January 2016</td>
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<td>• GW Licensing</td>
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<td>Phase V</td>
<td>• Complete of Outstanding Regulations</td>
<td>Post Implementation</td>
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<td>• Program Review</td>
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Water Sustainability Act
Strategic Framework

1. Authorize diversion & use of surface and ground water

Obtaining an authorisation

- Application Submitted
- Application Acceptance
- Complete correct application
- 1 B. Application Review
- Decision Support
- Recommended decision
- 1 C. Decision
- Authorization Instrument
- 1 D. Oversight & Administration of Licence & Regulatory Requirements
- Sustainable use of water resources

Jan 2015

Legend:
- Input
- WQA Activity
- Output
- Enabler

Other objectives, e.g. FRPA
Joint works agreements
Other policy/guidance docs
Date of first use policy for existing groundwater
Water Objectives
Close a source
EAA Reversible Projects Reg
Bi-lateral agreements
Environmental flow needs policy
Excl. (domestic) groundwater users
Hydraulic connectivity policy
Objectors
Sensitive Stream Designations
FN Consultation Report
Water Reserves & Restrictions
Interest in land for appurtenency
Other policy/guidance docs
Appeals
FN Consultation Report
Groundwater Production Regulation
Construction of in-stream works requirements
Beneficial use requirements
Dam Safety Regulation
Water Regulation

Other policy and guidance documents
Date of first use policy for existing groundwater
Requirements for application

FCEC eLicensing system
BC Online
Staff Resources
Rights to Expropriate Land for Works

eLicensing system
WELLS Database
Staff Resources
Other water related我不将
FN Consultation CRTS System

eLicensing system
Staff Resources
WELLS Database
Qualified Professionals
Staff resources
Licence Admin (amend, xfer, cancel, etc.)
Regulating water use during scarcity

- All users could be regulated during scarcity – including all groundwater users
- FITFIR would be retained, with exceptions
- Ensure water supply for essential human needs
- Allow temporary restrictions to protect critical environmental flows
- Retain Section 9 of *Fish Protection Act*
Enable a range of governance approaches

- Consider the WSA as a whole
- Develop a clear and consistent provincial framework
- Support area-based management
- Increase flexibility to better suit local needs
Opportunities

- Advisory Boards
- Water Sustainability Plans
- Designated activities
- Voluntary

Looking to build opportunities that:

- Build capacity and understanding
- Foster collaboration, trust, innovative change
Operationalizing governance

- Significant levels of detail needed
- The need – why, when and where
- Clarity and specificity – decisions, activities, roles, responsibilities
- Who is involved and the characteristics of groups
Policy considerations

- Use the appropriate tool for the situation
- Match abilities with responsibilities
  - Technical expertise
  - Organization sustainability, history, development
- Understand the impacts
  - Decision neutrality
  - Social, environmental, economic impacts
- Understand the accountability
  - Public reporting
  - Appeals
Next steps – 1-3 years

- Initial focus is priority regulations, work on governance to follow
- Complete a work plan, including engagement activities
- Identify opportunities for continued work with partners
Questions, comments, advice?

Thank you
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Transitioning to the Water Sustainability Act

Water Act

Part 1. Definitions and Application
Part 2. Licensing, Diversion and Use of Water (FITFIR)
Part 3. Water Users’ Communities
Part 4. Water Management Plans
Part 5. Wells and Ground Water Protection
Part 6. General

Water Sustainability Act

Part 1. Interpretation and Application
Part 2. Licensing, Diversion and Use of Water (FITFIR)
Part 3. Protecting Water Resources
Part 4. Enforcement
Part 5. General
Part 6. Regulations
Part 8. Consequential Amendments
Water Sustainability Act
Strategic Framework

3 Protect Water Resources – Work In and About Streams

Policy & Guidance Documents
Habitat Officer Conditions
Fisheries Act & DFO

Direction to Proponent (Habitat Officer)

Policy & Guidance Documents
Users’ guide to Working In and About Streams

Standards and Best Practices for Instream Works

Sustainable protection of water resources

WSA G. 11 Changes in and About a Stream provisions

4 Users’ Guide to Working in and Around Water

“Notification” form or “Approval” application submitted

Consultation and Referrals
- Legal Objectors
- Agency Referrals
- First Nations

IMIT Systems

Staff resources

3 A. Acceptance of “Notification” form or “Approval” application

Policy & Guidance Documents
Sensitive Stream Designation

Review Committee

Policy & Guidance Documents

3 B. Notification/ Application Form Review

Recommendation “Notification” or “Approval”

Sustainable art of stream to include “Wetland”

Direction to Proponent (Habitat Officer)

Policy & Guidance Documents
Users’ guide to Working In and About Streams

Standards and Best Practices for Instream Works

Sustainable protection of water resources

WSA G. 11 Changes in and About a Stream provisions

3 C. Notification if no direction from Habitat Officer, proponent may commence work after 45 day term

IMIT Systems for Changes In About a stream

Staff resources

3 D. Decision for Approval by Statutory Decision Maker under WSA G. 11

Authorization instrument authorizes work

Site Visit

Notifications and Referrals

IMIT Systems for Changes In About a stream

Staff resources

Jan 2015

Legend

Input
WSA Activity

Output

Enabler
Governance – conceptual framework

- **Goals, Objectives**
  - Protect stream health, improve governance, Introduce more flexibility and efficiency, regulate groundwater extraction and use

- **People**

- **Protection of the Resource**
  - Environmental flow needs, water sustainability plans, water objectives, mitigation measures, managing sensitive streams science/information/research

- **Sustainable water for BC**
  - Other statutes/agreement types
  - WSA: Act & Regulations

- **Decisions, Administration**

- **Other government, non-government initiatives**