

Water Sustainability Act Update to Cowichan Watershed Board

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POLIS Project on Ecological Governance

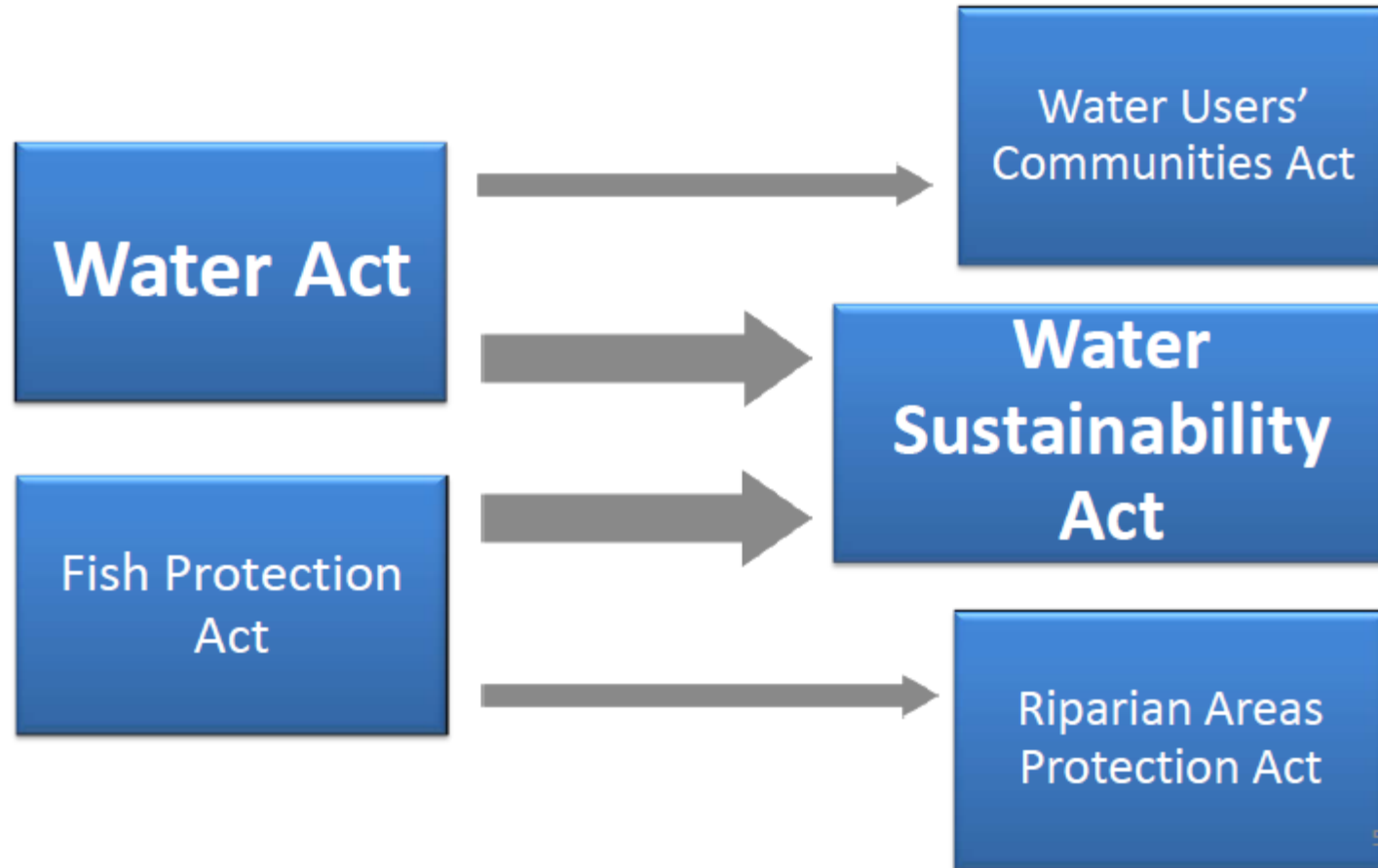
watersustainabilityproject

Water Sustainably Act – now in force

- **Replaces the 107-year old *Water Act***
- **Initial regulations:**
 - Water sustainability
 - Groundwater protection
 - Dam safety
 - Violation tickets & fines
 - Water districts
- **New fees & rentals**



How have the laws changed?



Groundwater – regulated for the first time

What? Groundwater withdrawals

What we had: Groundwater withdrawals unregulated & unpriced

What's new:

- Non-domestic groundwater users required to hold licence & pay fees/rentals
- Domestic users generally exempt
- 3-year transition period for existing licences



Some protections for environmental flows

What we had: Limited protection through regional policies or fish protection mechanisms

What's new in phase 1 regulations?

- Decision-makers **MUST CONSIDER** eflows when issuing new licenses (*non-domestic uses*)
- Critical environmental flow and fish population protection orders



Concerns with new regulations

- 1) Exemption to requirement to consider environmental flow needs for existing groundwater licences in 3-year transition period.
 - Potential to lock-in existing over-allocation
- 2) Potentially ecologically inappropriate mitigation requirements for sensitive stream habitat
 - “No net loss” approach
- 3) Exemption for deep/saline groundwater for oil and gas

What's next?

MoE's stated next steps

- **Focus on operations to implement WSA & regulations**
- **Policy and regulation development (initial priorities)**
 - Livestock watering
 - Measuring and reporting
- **Further policy and regulation development**
 - Water Objectives
 - Water Sustainability Plans
 - Governance
 - Dedicated Agricultural Water

POLIS' recommendations for phase 2 regulations



Awash with Opportunity

**Ensuring the sustainability of
British Columbia's new water law**

Monitoring & Reporting

- **What's needed?**

- All applicants provide baseline data
- All water users monitor & report withdrawals
- Establish publicly accessible water-use database
- Produce “state of our water” reports



Communities can promote wise use of water & encourage conservation and help establish which water parameters should be monitored.

Water Objectives

What's needed?

- **Water objectives that are:**
 - Specific and measurable;
 - Required for consideration;
 - Ecologically relevant

Communities can help advocate & establish locally appropriate water objectives; act on Advisory boards to inform development of water objectives.

