B.C.’s Water Sustainability Act

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Mike Wei, P.Eng.
Water Protection and Sustainability Branch
BC Ministry of Environment
livingwatersmart@gov.bc.ca

What’s new?

- *Bill 18 - Water Sustainability Act* received Royal Assent on May 29, 2014
- Development of priority regulations underway
- Engaging on new fees and rentals proposal
- Expect to bring Act into force by regulation in 2016
Clean and abundant water is essential

- Public health and well-being
- Thriving communities, a growing population
- Healthy ecosystems and fish populations
- Food production and nutrition
- Strong diverse economy

A long history of regulating surface water

Number of Water Licences (Surface Water)

- Domestic
- Irrigation
- Industrial
- Waterworks
- Storage (non-power)
- Waterpower
- Storage (water power)
- Other

Number of licences rounded for presentation
Our water is under pressure

- Naturally flow sensitive areas
- Population growth and urbanization
- Climate change
- Existing water allocation restrictions
- Competing demands

A central piece of the legislative framework for water
What we’ve heard

- Support for groundwater regulation
- Consideration of Environmental Flow Needs should not be discretionary
- Systematic approach to addressing demand during times of scarcity
- Respect First Nations relationship with water
- Area-based tools needed
- Water is undervalued. Fees and rentals should be reviewed

Seven water policy directions

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
1. Protect stream health and aquatic environments

- Consider environmental flow needs in new water allocation decisions, including groundwater
- For existing licences, allow temporary restrictions to protect critical environmental flow needs
- Expand prohibitions on dumping debris into streams and aquifers

2. Considering water in land use decisions

- Consider water objectives in resource and land use decisions
- Develop water sustainability plans
3. Regulate and protect groundwater use

- Manage surface and groundwater as single resource
- Most uses will be licensed; fees and annual rentals
- Domestic uses excluded
- Date of first use would guide priority date
- Improve understanding of aquifers

Groundwater use in current Water Act and new Water Sustainability Act

<table>
<thead>
<tr>
<th></th>
<th>Surface Water user</th>
<th>Groundwater user (current Water Act)</th>
<th>Groundwater user (Water Sustainability Act)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Licence Required</td>
<td>Yes</td>
<td>No</td>
<td>Yes (non-domestic)</td>
</tr>
<tr>
<td>Application fee and Annual Rentals</td>
<td>Yes</td>
<td>No</td>
<td>Yes (non-domestic)</td>
</tr>
<tr>
<td>Water right</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
<tr>
<td>May be regulated during scarcity</td>
<td>Yes</td>
<td>No</td>
<td>Yes</td>
</tr>
</tbody>
</table>
Domestic groundwater use exempted from licensing

- Domestic wells (exempt from licensing)
- Small-medium, non-domestic (<250 m3/day)
- Large, non-domestic (>250 m3/day)

4. Regulating water use during scarcity

- All users could be regulated during scarcity – including groundwater
- Retain FITFIR with important exceptions:
  - Ensure water supply for essential human and livestock needs
  - Allow temporary restrictions to protect critical environmental flows
- Retain Section 9 of Fish Protection Act (Minister’s authority to order override of FITFIR)
5. Improving security, water use efficiency and conservation

- Expand beneficial use requirement
- Set water conservation targets and carry out audits
- Make water licences reviewable
- Allow area-based regulation for specific regions
- Create agricultural water reserves

6. Measuring and reporting water use

- Require large volume users to measure, record and report water use
- Smaller volume users to measure in specific circumstances under “area-based” regulations
- WSA would not require mandatory meters in households
7. Enable a range of governance approaches

- Increase flexibility in governance arrangements to better suit local needs
- Allow for delegation of some activities or decisions to agencies outside of government
- Support the creation of advisory groups
- Clear and consistent provincial framework

Key implications for users

- New requirement to licence non-domestic groundwater
- Fees/rentals for licensed groundwater use
- Requirements for measuring and reporting
- Greater information requirements for new water applications
- Potential for more regulation to protect environmental flow needs
Emerging groundwater science issues

- SW-GW interaction and stream depletion
- Springs hydrogeology
- Fractured rock hydrogeology
- Aquifer water objectives
- Occurrence of fresh and saline groundwater in deep geological formations in NE BC

Next steps

2014/15:
- Continue delivery in accordance with current Water Act and regulations
- Update water fees and rentals regulation
- Develop WSA supporting policies and regulations
- Development of IM/IT system to support groundwater licensing

2015/16:
- WSA and key regulations come into force
Thank you!

Website: [http://engage.gov.bc.ca/watersustainabilityact/](http://engage.gov.bc.ca/watersustainabilityact/)

Email: livingwatersmart@gov.bc.ca
       Mike.Wei@gov.bc.ca

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