

# A Snapshot of Key Features of the new *Water Sustainability Act*

**T**HE BC GOVERNMENT introduced the *Water Sustainability Act* in the spring of 2014, more than 100 years after the original *Water Act* came into force.

While many important considerations for practitioners have yet to be fleshed out in regulations that will accompany it, the new *Act* does lay out a framework which includes many significant changes to the status quo management of the province's freshwater resources.

## 1. Stream health and aquatic environments

- > Consideration of environmental flows will be required in new water allocation decisions and amendments for both groundwater and surface water. Exemptions will apply, and this requirement will not apply to existing groundwater users who will be issued licenses when the regulation of groundwater for non-domestic uses begins.
- > Prohibitions on dumping debris around streams and aquifers will be enhanced.

## 2. Water in land-use decisions

- > There are provisions for the development of Water Sustainability Plans and Water Objectives for individual ecosystems in order to integrate land-use planning and water management. There is provision for a delegated authority (i.e. local organization) to implement them.

## 3. Groundwater regulation

- > Non-domestic users will be required to apply for a license for groundwater

withdrawals and will pay annual fees. Until now, BC has been the only province without such a system in place.

- > Well-drilling requirements will be updated and more information concerning well use will be collected to improve understanding of interactions between surface and groundwater in the province.

## 4. Water scarcity

- > Government will have authority to regulate groundwater during times of scarcity by implementing temporary restrictions to ensure environmental flows and avoid significant or irreversible harm to ecosystems.
- > The Minister's current power (introduced in 2009) to reduce water use in order to maintain critical fish habitat will stand.
- > The *Act* leaves considerable discretion to the regulator to determine how restrictions will be implemented (i.e. which users/uses will receive priority).

## 5. Water use availability, efficiency, and conservation

- > The 'beneficial use requirement' will be extended to all users. This requires water to be used according to the terms and original intent of licenses, and for it to be used efficiently.
- > Government will have the authority to set conservation objectives and conduct audits.
- > Large water users will be issued thirty-year licenses (there is no term limit currently), and repeated short-term authorizations (subject to

lower reporting requirements) will be permitted for water use in the same location and for the same purpose.

- > The *Act* provides allowance for area-based regulations to tailor management to specific water management challenges, and for the development of agricultural water reserves to protect existing allocations and ensure water is available for additional agricultural uses.

## 6. Large-scale water use

- > Large-scale users of water (yet undefined) will be required to measure, record, and report water usage.

## 7. Governance

- > The *Act* allows for considerable flexibility concerning governance options for water management, including delegation of all authority to local entities.
- > The *Act* provides for the establishment of advisory committees appointed by the Minister of the Environment as a means of achieving local governance. 

The *Water Sustainability Act* is likely to have implications for many applied biology professionals, as well as other professionals in the natural resources disciplines. The province states that they hope it will lead to effective and forward-thinking management of BC's freshwater ecosystems, as well as the groundwater resources that support them. The College looks forward to reviewing and reporting on the regulations being developed to accompany the *Water Sustainability Act*.