

Honourable George Heyman, Minister of Environment and Climate Change Strategy  
PO Box 9047 Stn Prov Govt  
Rm 112, Parliament Buildings  
Victoria BC, V8W 9E2

February 2021

**Re: B.C. Water Leaders Statement of Priorities for the Watershed Security Strategy and Fund**

Dear Honourable George Heyman,

On January 21<sup>st</sup>, 2021, the POLIS Water Sustainability Project convened a joint meeting between B.C. Water Leaders and government staff (ENV, FLNR, MIRR) on the *Future of Water and Solutions Going Forward*. We provide this letter and Statement as follow up to the January meeting and as part of ongoing dialogue, with direction from Water Leaders to support timely, effective implementation of your watershed security mandates.

We are encouraged by government's reinvigorated focus on water, and commend the cross-Ministry mandate to "protect clean water, including through the creation of a Watershed Security Strategy and the associated Watershed Security Fund." This commitment provides a foundation for integrated action—not only on water, but on many interrelated priorities, including UNDRIP implementation, economic recovery, land use planning, and climate mitigation and adaptation.

Water Leaders have extensive research, expertise, networks, and programs that directly link to government's new watershed security mandates. For over a decade, the group—diverse experts, practitioners, and champions from First Nations, salmon, water, wildlife, and community organizations across B.C.—has convened regularly with Ministry staff to discuss water and watershed reforms and initiatives. Natural dynamic tensions exist around approach and pace of change, but nonetheless Water Leaders' intent has always been to offer timely and relevant solutions and resources.

The enclosed Statement extends several previous Water Leaders submissions to offer specific direction to government's new mandates and the current context. We identify three key overarching expectations:

- 1. Clarity on timelines and points of contact.** Water Leaders wish to actively work alongside government to shape the Watershed Security Strategy and Fund. To support a partnership approach and provide value-add to policy development, we need a clear plan with timelines, regular detailed updates, and ongoing engagement.
- 2. Sequencing actions and initiating the high-priority work now.** Developing a strategy is not an endpoint and implementation needs to begin now. Several foundational actions must be accelerated in the short-term (e.g., groundwater regulation, WSA tools deployed in pilots, environmental flows protections, co-governance approaches, science development)—in conjunction with broader engagement on deeper reforms and plans over the next four years (e.g., DRIPA/WSA reform, B.C. wetlands strategy).
- 3. Clarity on integration between Ministries and related policy areas.** Watershed security is a fundamentally integrated commitment, and we see this positively reflected in the cross-ministry approach highlighted in mandate letters. However, the vision and plan for *how* integration will happen remains uncertain. Government needs to establish the mechanisms and capacities to execute and support on-the-ground initiatives (e.g., land and water planning pilots) and effectively integrate policies embedded in mandate letters.

Water Leaders are strong supporters of government's efforts and are committed to helping bring watershed security commitments to fruition. We would be pleased to arrange a time to discuss the enclosed Statement and our ideas around next steps with you and your staff.

On behalf of the BC Water Leaders network,



Rosie Simms, Research Lead and Project Manager  
POLIS Water Sustainability Project, University of Victoria

## Statement of Priorities for the Watershed Security Strategy and Fund

The following five priority areas are consistent with past Water Leaders Submissions.<sup>1</sup> The specific actions reflect Water Leaders' comments at the January 2021 meeting, and draw on related research and resources.

### *Overall Resources to Support the Watershed Security Agenda and Fund*

- Watershed Security Agenda for British Columbia (POLIS and contributors, November 2020)
- A Watershed Security Fund for British Columbia: Building Resilience and Advancing Reconciliation (BC Freshwater Legacy Initiative, BC Wildlife Federation, First Nations Fisheries Council & POLIS, 2019)

### Priority #1: Bring freshwater laws, policy, planning, and decision-making into alignment with UNDRIP

If government takes UNDRIP implementation, joint and consent-based decision making, and governance seriously as part of the watershed security mandate, it must make a firm commitment to a watershed approach and **support and resource co-governance across scales**. “No Nations left behind” requires attention paid to all watersheds and Indigenous nations over time, and thus a well-resourced and pan-provincial approach.

#### **Specific actions:**

- Resource and support **ongoing regional governance tables** related to integrating water and land decision-making—including completing 3-5 Water Sustainability Plans with collaborative decision-making with Indigenous nations.
- Build **government staff capacity** for supporting and implementing co-governance approaches.
- Initiate **WSA DRIPA reform** and implement the recommendations in *Towards a Water Sustainability Act First Nations Engagement Framework: Working Group Recommendations for Collaborative Development of Regulations and Policies*, including in co-developing the Watershed Security Strategy Fund and Strategy.

### *Relevant Water Leaders Resources*

- Declaration on the Rights of Indigenous Peoples Act and High Priority Water Sustainability Act Reforms (*First Nations Fisheries Council, 2020*)
- Towards a WSA First Nations Engagement Framework: Working Group Recommendations for Collaborative Development of Regulations & Policies (*First Nations Fisheries Council, 2019*)
- Incorporating Indigenous Interests into, or Operating in Parallel with, Decision Making under the Water Sustainability Act (*Environmental Law Centre, 2020*)

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<sup>1</sup>See, for instance: *2019 Update & Progress—B.C. Water Leaders' Statement of Essential Elements for Freshwater Protection*. Available online: <https://poliswaterproject.org/polis-research-publication/update-and-progress-b-c-water-leaders-statement-of-essential-elements-for-freshwater-protection/>

## Priority #2: Link land and water in a modernized strategic land use planning regime under the Watershed Security Strategy

The forthcoming Watershed Security Strategy offers a potentially powerful way to elevate the priority of sustainable water management and governance in a broader integrated provincial approach. While we await further details on the Strategy, we emphasize the need to move on specific “no regrets” activities. In particular, we note the importance of explicit integration of water, watershed, and source protection considerations in modernized land use planning, with multiple Indigenous nations working in their respective watersheds with the provincial government as equal partners at the decision-making table.

### Specific actions:

- **Clarify the interlinkages** between various policy initiatives related to effective land and water planning (e.g., sourcewater protection, WSA tools, Old Growth Strategy Review recommendations, modernized land use planning, Watershed Security Strategy).
- Implement an overarching **modernized land and water planning framework** with key identified elements including:
  - Attention to UNDRIP and governance;
  - Sustainable resourcing;
  - Considering water in all plans and making water protection a primary focus in high-risk watersheds; and,
  - Deploying Crown legal and policy tools while recognizing Indigenous laws and structures of authority.

### *Relevant Water Leaders Resources*

- [Water Sustainability Plans: Potential, Options, and Essential Content](#) (ELC/POLIS, 2019)
- [Towards Watershed Security: The role of water in modernized land use planning in B.C.](#) (POLIS, 2020)

## Priority #3: Integrate water within the Climate Adaptation and Preparedness Strategy

Extreme droughts and floods are amplified by climate change and have severe implications for community security and economy, wild salmon populations, and long-term watershed health. **Integrating water within the Climate Adaptation and Preparedness Strategy** is paramount to a resilient future for BC communities.

### Specific actions:

- Require water decisions be informed by climate change scenarios (as opposed historic climate information).
- **Review the British Columbia Drought Response Plan** and ensure sufficient regulatory tools and resources are available to decision-makers to anticipate and respond to regional drought.
- Implement a province-wide **environmental flows regulation** with more detailed flow identification in at-risk watersheds.
- Conduct a robust gap analysis to identify the **systems required for integrating decision making** across ministries and programs.
- Through BC’s Flood Management Strategy, WSA authorizations, and improvements to infrastructure funding program criteria, ensure new and upgraded **flood control works preserve or improve ecological connectivity** and support aquatic habitat restoration.

*Relevant Water Leaders Resources*

- [Tapped Out: A Special Report on Water Scarcity and Water Solutions in British Columbia](#) (*Watershed Watch Salmon Society, 2019*)
- [Submissions to 2020 Climate Adaptation Strategy consultation—Watershed Watch and POLIS](#)

## Priority #4: Provide dedicated resources via a Watershed Security Fund

Without dedicated resources, watershed projects simply cannot be developed or sustained. Creating an independent **Watershed Security Fund**—as committed to in mandates—is the only way to build on initial stimulus investments and support the necessary work on the ground. Water Leaders have provided extensive direction on the form and function of a Watershed Security Fund.

**Specific actions:**

- Develop the Fund **independent from and external to government**, building on the learnings and infrastructure from the initial stimulus investments.
- Scope **federal funding** leverage opportunities.
- Structure the Fund **reflect reconciliation commitments** and model a co-governance approach, with governance participation from Indigenous and non-Indigenous watershed experts and knowledge holders. The Fund also needs to provide sustainable funding to support Indigenous capacity and partnerships through **distinct and dedicated pots that are specifically available to First Nations** to address challenges in their territories.
- Prioritize a **review of water rentals** and increase rentals for major users to promote water conservation and efficient use; commit to a regular review of water rentals (3-5 years) to help depoliticize rental changes.

*Relevant Water Leaders Resources*

- [A Watershed Security Fund for British Columbia: Building Resilience and Advancing Reconciliation](#) (BC Freshwater Legacy Initiative; BC Wildlife Federation; First Nations Fisheries Council; POLIS, 2019)
- [Lessons Learned: The Sustainable Funding for Watershed Governance Initiative](#) (Watersheds BC, 2019)

## Priority #5: Develop a rigorous provincial strategy for water monitoring, knowledge, data, and compliance and enforcement

BC has a key opportunity to build a coordinated and collaborative provincial water monitoring and reporting program that ensures Indigenous Knowledge and community-based monitoring are informing decision making at all levels of government.

**Specific actions:**

- Accelerate the work already underway via the **Collaborative Water Monitoring & Reporting Initiative** (BC Water Funders Collaborative & Province).
- Ensure capacity (staff & funding) to support coordination and additional monitoring.
- Ensure **Indigenous knowledge and community data** are being used appropriately and effectively in decision making, including supporting the necessary knowledge governance infrastructure.
- Require **water use measuring and reporting** by licenced water users.

#### *Relevant Water Leaders Resources*

- [Water Monitoring in British Columbia: Scanning the Data Landscape](#) (BC Water Funders Collaborative, 2018)
- [Summary Report: Workshop on Regional & Local Collaborative Water Monitoring in British Columbia](#) (BC Water Funders Collaborative, 2018)
- [Watershed Governance Dispatch: Pooling Shared Information and Knowledge Governance](#) (POLIS, 2019)
- Regional initiatives: [Columbia Basin Water Monitoring Collaborative and Data Hub](#); [Okanagan Environmental Flows Needs Project](#)
- [Workshop summary report: Expanding Water Monitoring in Canada's Upper Columbia Basin](#) (LLC, 2020)

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#### **Appendix: Water Leaders Participants at January 21<sup>st</sup>, 2021 Water Leaders & Government Dialogue**

**Jennifer Archer**, BC Freshwater Legacy Initiative

**Zita Botelho**, Watersheds BC

**Oliver Brandes**, POLIS

**Jessica Clogg**, West Coast Environmental Law

**Deborah Curran**, UVic Faculty of Law & Environmental Law Centre

**Neil Fletcher**, BC Wildlife Federation

**Tom Gleeson**, UVic Faculty of Engineering

**Kat Hartwig**, Living Lakes Canada

**Aaron Hill**, Watershed Watch Salmon Society

**Steve Litke**, Fraser Basin Council

**Lana Lowe**, Fort Nelson First Nation

**Mabel Martinez**, BC Water Funders Collaborative

**Lisa Matthaus**, Organizing for Change

**Tim Morris**, BC Freshwater Legacy Initiative

**Jonathan O'Riordan**, POLIS and ACT

**Susi Porter-Bopp**, First Nations Fisheries Council

**Danielle Paydli**, Canadian Freshwater Alliance

**Rosie Simms**, POLIS

**Nikki Skuce**, Northern Confluence

**Tessa Terbasket**, Okanagan Nation Alliance

**Coree Tull**, Canadian Freshwater Alliance

**Anna Warwick Sears**, Okanagan Basin Water Board

**Roberta Webster**, Rivershed Society of BC