

MINISTRY OF ABORIGINAL RELATIONS
AND RECONCILIATION
BRIEFING NOTE

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I Prepared for the **INFORMATION** of Honourable John Rustad, Minister

II ISSUE:

Water Institute Concept Paper

III BACKGROUND:

CN/ED	✓
ADM	✓
DM	✓

First Nations communities and others impacted by the Mount Polley dam breach are questioning the quality of their water supply and the adequacy and effectiveness of regulations and processes in place to monitor and enforce water quality standards, particularly in relation to resource development. These concerns take on heightened significance following the Tsilhqot'in decision.

The Water Institute Concept Paper (see Attachment 1) points to diminished trust in government's approach to water management in the face of B.C.'s resource development and growing economy. The paper calls for government to set up a world leading institute for water monitoring, management and research in order to create stronger leadership, increased transparency and ongoing inclusion of First Nations.

Several ministries share responsibility for water. Government is presently investing significant effort and resources in transforming water management in B.C. through improved data management, monitoring and regulatory change (i.e. *Water Sustainability Act*) to protect our water resources while continuing to grow our economy. See Attachment 2 for background on Ministry responsibilities and water related initiatives, as well as concerns raised by First Nations and stakeholders.

A First Nations engagement strategy is currently being developed by the Ministry of Environment, s.16

s.16

IV DISCUSSION:

The Water Institute concept would increase research capacity in B.C. and would facilitate capacity building for FNs through their inclusion in research and data gathering. First Nations support for this approach would need to be canvassed and the First Nations skills training/capacity issues would need to be explored, including potential federal support for FNs participation.

Successfully implementing the new *Water Sustainability Act* (WSA) involves new responsibilities and will require that government approve new resources. Revising water pricing provides a potential mechanism to generate the funding necessary to fully implement the Act. Implementation will include many interests outside of government, including FNs.

There are a number of potential options and strategies for addressing the public's and particularly First Nations confidence in water quality, s.16
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s.16

V CONCLUSION:

The proposed Water Institute concept is a potential approach to address First Nations' and the general public's concerns with protection, management and enforcement of water quality standards in British Columbia. However, other ministries with responsibility for water may take the approach that timely implementation and resourcing of the WSA will demonstrate government's ongoing commitment to water management.

Attachment:

1. s.13
2. Backgrounder for Discussion on Water Institute Concept Paper

Barb Miles, A/Director, 250-356-1189,

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2. Some water related initiatives completed, underway or planned:

- Implementation of *Living Water Smart: BC's Water Plan*
- *New Water Sustainability Act*
- Water fees and rentals review
- Northeast Water Strategy, BC Water Science Strategy
- OGC – NE water tool (NEWT), water portal, frac focus, green fluids; research being undertaken by UBC, UNBC
- Human Health Risk Assessment of oil and gas development in NE
- Pilots for local watershed governance (Okanagan Basin Water Board)
- Transboundary Water Agreements (e.g. Mackenzie River Basin bilaterals)
- Cumulative Effects Framework
- Mining/SE Coal and the on-going science on Selenium
- Flood hazard land use management guidelines to include climate change impacts on sea level rise and flood risk
- Council of Federation Water Charter – Infostream Water Portal

3. s.16

- **Water Act Modernization** – widespread support for the consultation process and new *Water Sustainability Act*; water law reform long overdue
- **Water Pricing** – water is undervalued especially for large corporations such as Nestle; support for government's review of water fees and rentals
- **First Nations** – call for Aboriginal rights and title to water, governance and decision-making
- **Water availability** - particularly in relation to agriculture and food security; new tools in WSA (e.g. Agriculture Water Reserve)
- **Climate change** - impacts on the timing, amount and type of precipitation and the frequency and severity of drought and flooding events; WSA enables more flexible, adaptive management
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