



**our water bc**

---

# Terms of Reference

---

## **Our Water BC**

*June 2019*

### **I. INTRODUCTION**

Our Water BC is a province-wide network of organizations working collaboratively to ensure waters in BC are healthy and thriving for everyone who lives here. We were initiated to build collaboration around the passage of the Water Sustainability Act in BC and we have evolved to both ensure its implementation and to build a tent for water defenders to join together and advance significant provincial-level wins for water in British Columbia.

### **II. PURPOSE**

To unite freshwater advocates, defenders and stewards in an alliance focused on building a public movement that supports greater legal protections for the health of BC's waters.

### **III. GUIDING PRINCIPLES**

1. We endorse the key [freshwater priorities](#).
2. We acknowledge and value the diversity of participants and priorities within all member organizations.
3. We agree that collaborative relationships are key to a successful coalition.
4. We work within an environment of respect.

### **IV. STEERING COMMITTEE**

Inaugural steering committee is made up of founding members of the network, including: Canadian Freshwater Alliance and Watershed Watch Salmon Society.

#### **A. Responsibilities**

1. Day to day operations
2. Seek out and incorporate policy advice from key experts (e.g. Polis Water Sustainability Project - University of Victoria, Organizing For Change, BC Freshwater Legacy Initiative, and BC Water Funders Collaborative)
3. Recruit and onboard new member organizations
4. Create networking opportunities for members
5. Host regular meetings

6. Develop campaign materials within scope of priorities
7. Act as spokespeople for Our Water BC

## **V. MEMBERS**

### **A. Definition**

1. Organizations who engage proactively in some or all OWBC activities.
2. Members self-identify when and how they engage beyond membership endorsement.

### **B. Opportunities**

1. Join networking opportunities with other groups working on freshwater health in BC.
2. Access to trainings, webinars and other knowledge-based opportunities for your group and your members.
3. Member stories and projects can be profiled on the OWBC website, within media, etc.
4. Opportunity to access support for events focused on freshwater priorities (financial, marketing, etc.).
5. We all get to be part of a larger movement to leave a lasting legacy for healthy freshwater in BC!

### **C. Responsibilities**

1. Endorse the key [freshwater priorities](#)
2. Participate in, and encourage your members and supporters to participate in, action appeals, when/where appropriate.
3. Host events profiling key freshwater priorities
4. Members agree to acknowledge Our Water BC membership on their website.
5. Share logos

### **D. Data-sharing**

1. In cases where members engage in campaign dissemination and list-building opportunities the following protocol for data-sharing will be followed:
  - a) Either via a microsite development or by using a unique recruiter URL, the recruiting entity will be supplied, as requested, with a complete list of the names and contacts they have recruited in to the initiative. They are welcome and invited to engage those supporters as they wish.
  - b) The Canadian Freshwater Alliance will retain a master contacts list and will engage that list on specific opportunities within the scope of OWBC priorities.

## **E. Communication**

1. Members of the network are invited to participate in regular calls to share resources, successes, challenges, etc. and build collective strategies, when/where appropriate
  - a) Quarterly OWBC Member Calls
    - (1) To share local conversations
    - (2) To promote upcoming opportunities
    - (3) To evaluate the success of tools
    - (4) To explore new tools to advance our mission
    - (5) To share/promote communications and promotional opportunities
  - b) Join closed Facebook Group for members

## **F. Decision-making**

1. We strive for consensus among members and steering committee in all decisions affecting directions for OWBC.
2. In times when consensus can not be achieved, we will default to a 2/3rds majority vote of members.

The Terms of Reference for OWBC shall be reviewed annually by the members.

## Essential Actions to Ensure Freshwater Protection

The B.C. Water Leaders network commends the recent progress by government related to fresh water, in particular the Nicola Government-to-Government Agreement on watershed sustainability, and the Hullcar Aquifer Review and initial implementation efforts. We are encouraged by the headway the Ministries have made in advancing the *Water Sustainability Act*, and the ongoing efforts to engage Indigenous governments and organizations. Our network of water leaders and funders was also inspired by Minister Donaldson's remarks at our social function in early November, in which he emphasized the importance and priority of water both for his Ministry, his constituents, and for the province as a whole.

As introduced in the accompanying covering letter, our group of B.C. water leaders has identified a number of key priorities to advance in the coming year. Additional detail is provided here to support government's efforts to act on water. We reiterate our offer to continue to meet with government staff and Ministers in the implementation of these freshwater priorities.

### Reconciliation

#### ***Priority #1: Advance reconciliation with respect to freshwater planning and decision-making.***

This government has committed to reconciliation (including implementing UNDRIP and the Truth and Reconciliation Commission Calls to Action) across all Ministries. Working in Government-to-Government forums with Indigenous nations on freshwater priorities is the key to reconciliation.

#### *Specific actions needed for the next 12-18 months*

- ✓ Resource and support a robust First Nations WSA Engagement Framework, via the work that has begun in partnership with the First Nations Fisheries Council to establish a new approach to Indigenous engagement on WSA policy and regulations.
- ✓ Resource and support 3 additional Environmental Stewardship Initiatives.
- ✓ Advance Indigenous partnerships (and watershed co-governance) through two additional watershed governance pilot projects, modeled on the successful Nicola Watershed Governance pilot. These additional pilots should have good regional coverage—options could include land use and water-centric planning in the Skeena, and support for integrated planning and co-governance arrangements on Vancouver Island. These pilots should explicitly be designed to help government develop the necessary regulations and policies to support *Water Sustainability Act* implementation, and lay the groundwork for a deploying a larger program in additional (5-10) regions in the coming years.

*What British Columbia stands to gain:* True reconciliation means Indigenous and non-Indigenous communities need to be working collaboratively at a watershed level to maintain sustainability and resilience. Without reconciliation, local economic development and sustainable resource management will simply not be possible.

## Adaptation to the Changing Climate

### ***Priority #2: Place water at the center of a modernized strategic land use planning regime.***

We support the new government land use modernization initiative. Effectively preparing for a changing climate will require new approaches to land use and water management. We emphasize that sustainable land use planning cannot succeed without explicit attention to the synergies and connections between land and water. While we acknowledge the Nicola Government-to-Government initiative as a critical forum to begin bridging land use and water planning, further opportunities are needed to test out a variety of different policy and regulatory tools that address a range of land use issues. We urge a strong and explicit link between land and water use planning in developing the land use modernization program in FLNRORD.

*Specific actions needed for the next 12-18 months:*

- ✓ The Environmental Stewardship Initiative and commitments must be tied explicitly to sustainable freshwater management and co-governance, and thus should be specifically used as opportunities to implement key provisions of the *Water Sustainability Act*, including:
  - Water Objectives;
  - An environmental flows regime (including an environmental flows regulation);
  - Enhanced drought preparation and planning; and,
  - Water Sustainability Plans to demonstrate the range and power of the WSA as a tool to build resilient local economies while balancing sustainability.
- ✓ Follow through on recommendations from recent detailed independent expert reports for professional reliance and source protection. Specifically, we endorse the proposed changes identified in the 2018 *Final Report of the Review of Professional Reliance in Natural Resource Decision-Making*, and the 2017 report: *From Crisis To Solutions: Towards Source Water Protection and Nutrient Management in the Hulcar Valley*.
  - As a first step, our group would like a detailed government response to these recommendations and are willing to support the work needed to bring these recommendations into effect.

*What British Columbia stands to gain:* A long-term, preventative approach to address cumulative impacts; build resiliency in the face of climate change; support healthy wild salmon populations; and reduce conflict on the land base through more engaged local interests and stronger rural economies.

### ***Priority #3: Build a B.C. Water and Climate Resiliency Strategy***

Extreme droughts and floods are amplified by a changing climate and will be part of B.C.'s future. These extreme events will have severe implications for community security and economy, wild salmon, and long-term watershed health. A *Water and Climate Resiliency Strategy for B.C.* would integrate a range of mechanisms to build water resilient ecosystems and communities in B.C.'s diverse regions.

*Specific actions needed for the next 12-18 months:*

- ✓ Develop and implement a *Water and Climate Resilience Strategy* that would include:

- A province-wide environmental flows regulation (as part of the *Water Sustainability Act*): the primary precautionary approach to drought and ensuring water for salmon and healthy watersheds.
- As part of robust land use planning processes (see #2 above), reduce forest disturbance and implement riparian restoration to protect rivers and salmon; implement fish-friendly flood control; set WSA Water Objectives for quality and quantity; and include regional drought and flood plans.
- 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 by reducing water use during periods of water scarcity.

*What British Columbia stands to gain:* Enhancing water resiliency is urgently needed to support wild salmon, ensure climate adaptation, and protect community drinking water sources. This can be achieved only by ensuring sufficient water for nature. A focused water-centric resilience approach will help shift British Columbia away from the current expensive and unsustainable perpetual crisis management approach, to instead be prepared to adapt and respond as the full impacts of a changing climate become apparent.

## Conservation and adequate Funding for Water Management and Monitoring

### ***Priority #4: Provide adequate resources to implement the innovative legal, policy, and management tools needed to protect freshwater.***

An identified barrier to the effective deployment of many of the tools outlined in this document is insufficient resources and staff capacity. Water protection must be a government priority that includes additional staffing (e.g. for monitoring, planning, and enforcement) and resources for aquifer mapping, tracking water use, and preparing for droughts, floods and a changing climate. Ensuring adequate financial resources is critical to ensure B.C. can effectively prepare and deploy the legal protections available in the WSA and beyond.

No one simple funding solution exists—instead a mix of sustainable funding options must be pursued.

*Specific actions needed for the next 12-18 months:*

- ✓ Create a *Water Sustainability Fund*. This separate fund should be made available immediately to support watershed-based activities led by Indigenous and non- Indigenous communities to contribute to the economic and environmental transition that is required in rural B.C. Critical activities include local stewardship initiatives, riparian and habitat restoration efforts, and area-based planning. Many examples of such funds exist, including the previous *Living Rivers Trust*.
- ✓ Prioritize a review of water rentals and increase rentals for major users to promote water conservation and efficient use, and ensure sufficient resources are available to fully implement the *Water Sustainability Act* (e.g. increasing monitoring, and completing watershed governance pilots across the province). A review of water rentals was a core government platform commitment, and strong public support exists for government to review the price industrial users pay for water and ensure these are fair.
- ✓ Commit to a regular review (every 3-5 years) of water rentals by independent experts to help depoliticize water rental changes, and ensure citizens of B.C. receive a fair return

on water resources. Committing to a regular review through a blue-ribbon panel of experts will ensure the Province is getting the best advice and support to make the difficult—but necessary—decisions to provide sufficient resources and capacity to effectively manage and govern water resources.

*What British Columbia stands to gain:* Embracing water conservation must be an overarching objective for British Columbia—and adequate water pricing and monitoring provides the foundation to any conservation strategy. Early investment will avoid significant future costs, and offer local communities better opportunities to effectively leverage their resources, expertise and capacity for action. Adequate resourcing will enable implementation of real protections for water and salmon, with adequate staff capacity, compliance and enforcement, support for Indigenous nations to co-lead watershed initiatives in Government to Government forums, and effective and equitable stakeholder and community engagement.

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

After several years of government retreat from land and water management, the B.C. government needs to adequate data and monitoring to now reposition itself to an effective land manager. This provincial strategy should not only include data collection/management, but also effectiveness monitoring (is your framework going in the right direction?) and compliance monitoring (are your rules being followed?).

*Specific actions for the next 12-18 months:*

- ✓ Mandatory metering and reporting of all water use data by major water users as part of the forthcoming measuring and reporting regulation. This information should be provided in a central repository that can be shared and used by all British Columbians.
- ✓ Embedded conditions for more data in licenses issued by both FLNRORD and the Oil and Gas Commission.
- ✓ Implement recommendation #31 of the *Review of Professional Reliance in Natural Resource Decision-Making*: Government establish an independent review body for natural resource practices and decisions, which would investigate public complaints, audit on-the-ground practices, and contribute to ongoing improvement of regulations.

*What British Columbia stands to gain:* This strategy will ensure science- and evidence-based decisions using best-available information (western science and Indigenous knowledge). Via adequate monitoring and a compliance/enforcement strategy, it will also ensure that there are real consequences when rules are broken. This will build community support and trust that government is executing its functions and duties effectively for the benefit of all British Columbians.