



The
WATERWEALTH
Project

Watershed Governance in the Heart of the Fraser

SYNTHESIS REPORT

October 31, 2014

Authored by: Ian Stephen and Natalie Jones



OUR MISSION

The WaterWealth Project is a citizen-driven campaign that works to amplify the voices of community members who love the place where they live, the nature around them, and the waters that sustain them.

ACKNOWLEDGMENTS

The WaterWealth Project is financially supported by a collection of foundations and grassroots donors. Special thanks goes to the Real Estate Foundation of British Columbia and Patagonia for their financial support that made this report possible and the workshops and community outreach that informed the findings in the report.

INTRODUCTION

The views reflected in this paper are curated from community outreach on the subject over the past year and in particular a Watershed Governance Workshop convened by the WaterWealth Project on October 16th, 2014 at the Stó:lō Research and Resource Management Centre in Chilliwack. The workshop was attended by a dozen knowledgeable water leaders from the region, representing perspectives from local government and the Regional District, First Nations, scientific expertise, as well as faith, restoration, and environmental organizations (Box 1).

Box 1: Participants in Watershed Governance Workshop – October 16, 2014

AJ Klein: Outreach Coordinator, WaterWealth Project

Carrielynn Victor: Rights and Title Technical Researcher - Stó:lō Tribal Council; Committee member - Ecologo Advisory Committee

Detmar Schwichtenberg: Chair Fraser Valley Watersheds Coalition

Dianne Astle: Minister, Carman United Church

Ian Stephen: Interim Director, WaterWealth Project

Lance Lilley: Watershed Planner, Fraser Valley Regional District

Lina Azeez: Watershed Watch Salmon Society

Monica Pearson: BSc, Dipl.Tech, RPBio, owner / principal Balance Ecological;;

Marion Robinson: Manager - Special Projects, Fraser Basin Council; Chair Cultus Lake Aquatic Stewardship Strategy

Mike Pearson: Ph.D. R.P. Bio., Aquatic Ecologist, Pearson Ecological

Mike Goold: Dip. NRM - PRRO, Referrals Manager, People of the River Referrals Office

Seppry Corpuz: Area resident, Shxwhà:y Village

CONTEXT

One of the Most Productive Freshwater Systems in the World

The Heart of the Fraser – the stretch of the Fraser River and its watershed that flows between Hope and Mission – is one of the most productive freshwater systems in the world. These waters boast unique aquatic ecosystems, world-renowned fishing, tourism and recreational opportunities, while also sustaining vibrant communities and local economies. The region has been home to the Stó:lō: "People of the River" since time immemorial and prior to European contact was one of the most densely populated regions of indigenous peoples in North America. The region is rich with sites of historic, cultural and spiritual significance. There are many issues impacting or threatening to impact the health

of the watershed, including urban development, logging, gravel mining, and private hydropower projects.

Local Residents Have a Special Connection with Fresh Water

People in our region have a special connection with fresh water. In 2013, we conducted a community survey in our region. In this survey of 370 local residents, 93% of respondents agreed with the statement that protecting the health of our land, water and natural ecosystems should be a priority, even at the risk of slowing down economic growth. 85% of respondents were very concerned about the destruction of habitat for fish, eagles and other wildlife, while 81% were very concerned about the disappearance of wild salmon. Our communities love to fish, swim, recreate and enjoy the incredible richness of this beautiful and abundant watershed. These waters also have an immeasurable spiritual and cultural importance, especially for our indigenous communities.

A Growing Movement Towards Local Control with Provincial Oversight

Freshwater in British Columbia has been the focus of stewards, community organizers, academics, policy writers, and beyond for many decades. The conversation amongst this community is abuzz with questions and hypotheses about how best to protect and sustain the unique and precious water wealth we have in this province. As the shortcomings of existing management regimes become increasingly apparent, community and watershed-based groups are becoming frustrated and working to have agency in decision making - these voices are increasingly vocal in the conversation about water governance.

This conversation is timely and continues to grow in depth and intensity as the sense of urgency rises. The pressure is on with myriad threats such as ever-expanding population and urbanization; changing climate and the related threats of extreme weather events; rapidly increasing pressure for industrial activities and infrastructure; intensive, large-scale agricultural operations; and so forth. In the face of the unique cumulative impact these various threats pose within each watershed, it is evident that a blanket approach to governance across all watersheds in the province will not suffice. There is a need for something more tailored to suit the uniqueness of each watershed, responsive to a community's needs, and nimble in the face of ever-changing pressures.

New Legislation May Offer New Tools

On May 29, 2014, the B.C. Water Sustainability Act received Royal Assent. The Act explicitly considers watershed governance. Under Part 4 of the Act there are provisions for the creation of Water Sustainability Plans that present an opportunity to develop locally relevant watershed plans if they

assist in preventing or addressing conflicts between water users or the needs of water users and environmental flow needs, risks to water quality or aquatic ecosystem health, or will identify restoration measures in relation to damage aquatic ecosystems. These provisions provide the potential for greater local control over water decisions than the general provisions of the Water Sustainability Act. In West Coast Environmental Law's comments on these plans, they stated that:

“The WSA contains extensive powers related to developing “Water Sustainability Plans” and equally extensive powers related to implementing them (ss. 64-84). While Water Use Plans have been a feature of BC water law for some time, the WSA allows the development of these plans to be delegated to other groups (if the BC government wishes), and provides a fairly detailed legal structure for them.

The WSPs are extraordinarily powerful and broad, and could be a very useful tool for a community seeking to improve water management.”

A Watershed Moment?

With the context outlined above, we feel this is an excellent time to look at our own watershed governance in the region of the Heart of the Fraser and ask ourselves if there are ways we can strengthen how we protect and restore fresh water. How can we more effectively engage local residents in the decisions that affect them? How can we develop shared decision-making between indigenous and non-indigenous communities? How can we identify the values that we share in common and want to see protected?

These questions were the impetus for the community discussions that the WaterWealth Project has held over the past year and for convening a workshop on the specific topic of watershed governance. Outlined below are the key themes that have heard through these conversations.

KEY THEMES

The themes outlined below emerged out of the workshop discussion and our community outreach. They reflect both the challenges and opportunities that were identified by participants.

1. Need a Common Vision and Understanding of Shared Values

Challenges

Fresh water protection is complex and presents many challenges. Water is essential for health and well-being, for growing food, for recreation, for spiritual and cultural needs, and is also a critical economic input. In our region there are many different users of fresh water from towns and cities, to agricultural operations, to gravel mining companies, and the fish, birds and other wildlife that are indicative of our region's vibrant and productive ecosystem. Balancing these needs and understanding the cumulative impacts of multiple uses places many demands on water planners and managers. In recent years, there have been a number of positive initiatives to address this complex web of needs and pressures (discussed in more detail in Theme 3), but both scientific metrics and traditional knowledge suggest an ongoing loss of ecological integrity. While the status quo does not seem to be sufficient to prevent the degradation of fresh water systems in the region, the public has yet to fully engage with the decision-making process, and are leaving it to government to take care of it for them.

Opportunity

We live in a special and unique place that people have a strong connection with. A major reason for the love of this region is fresh water – the rivers, lakes and aquifers that flow through the land and breathe life into this place. Fresh water is a connector and despite the different uses of water, there is reason to believe many values we have towards water are shared.

Identifying these shared values was seen as a key starting point in making progress on fresh water governance. As one participant in the workshop asked: "We all have different walks of life, but what is it we can be the same on?" Another participant stated that during recent community and business outreach they were shocked to find how much a wide variety of people care about water and know about water. It was also stated that taking time to translate Stó:lō indigenous laws that are built into the

"[C]reating that ownership in the heart so that the values are reflected in all our walks of life. We all have different walks of life, but what is it we can be the same on?"

Marion Robinson, Fraser Basin Council

Creation story would likely reveal and reinforce that many of these values are shared between indigenous and non-indigenous communities; they are just communicated and understood in different ways. This idea of shared values for water correlates with public opinion research undertaken in recent years, which has outlined that ‘fresh water is a resource that is subject to an uncommonly common consensus’ when compared to other natural resources and issues (Box 2).

It was clear from this conversation that *developing a common vision based on shared values is a critical first step in moving forward on any new watershed governance arrangements for this region.*

Box 2: BC Freshwater Insights – Public Opinion Research

Public opinion research has shown that care for, and concern about, fresh water is an issue that cuts across political, demographic and geographic lines. Through focus groups and public opinion studies, it is clear that British Columbians share many of the same values and connections with water. One such study was *Freshwater Insights BC 2013: A Survey of British Columbian Attitudes on Fresh Water*, undertaken by McAllister Opinion Research and sponsored by the Real Estate Foundation of British Columbia and the Vancouver Foundation. This public opinion study found that 93% of British Columbians agree that water is our most precious resource; 95% view quality and abundance of fresh water as vitally important to health and well-being in their region and 87% say local communities should have a greater say in decisions affecting fresh water. The research has found that water connects to ideas of prosperity, quality of a life and very strongly to a sense of “home.”

Source: <http://www.refbc.com/news/bc-public-opinion-study-93-say-water-our-most-precious-resource#.VFD0gsnsqIF>

2. Define What we Want Watershed Governance to Look Like in this Region

Challenges

A significant challenge identified by the participants was the fragmentation of responsibilities and powers for water management between municipal, provincial and federal governments. There is inadequate communication between these different levels of government and as a result water is falling through the cracks. It was also identified that the public does not feel empowered and engaged in decision-making related to fresh water protection

Opportunity

A point was made that there is an important distinction between ‘government’ and ‘governance’. Another participant explained that governance is a process, government an entity, and highlighted how the Polis Project had outlined in its Blueprint report the winning conditions for watershed entities that would take on governance on a watershed basis.

However, it was stated that what these entities would look like is still left quite vague and would need to be defined by each region to suit local conditions. A distinction was also made between ‘watershed planning’ and ‘watershed governance.’ A plan has a defined start and end, whereas governance is ongoing. Another opportunity that was highlighted was the potential for co-governance in partnership with First Nations. It was stated during discussion that it would be important to secure provincial buy-in for any emerging watershed entity and that the Water Sustainability Act might provide that opportunity although another participant felt that there was a risk that the Water Sustainability Act would simply result in downloading responsibilities without the resources to local government.

“Local people and government bodies can come together to propose who would be involved and what would be governed. Most of us would agree that some kind of governance using watershed values makes sense and is pretty well accepted in theory if not in practice.”

Dr. Mike Pearson, Pearson Ecological

Box 3: What is Watershed Governance?

“The overarching goal of watershed governance is to provide alternatives to current systems of governance and planning that focus too narrowly on water as a singular resource, isolating it from broader interactions across sectors and within ecosystems. As a starting point, watershed governance involves reorganizing our decision-making processes to align with the ecological boundaries of watersheds, instead of political borders. It deals with rules and procedures that pay explicit attention to the ecological context to promote the health and function of our water sources and surrounding watersheds.

Two critical aspects define the concept. The first relates to scale. Water managers have long viewed watersheds as the critical scale to effectively – and holistically – deal with integrated water resource management. This focus on the watershed is increasingly embedded in water management practices (and, indeed, resource-management practices more generally). The second aspect concerns decisions. Governance is about the process of decision making, implementation, and being able to hold those who make decisions to account. In the context of water, a simple principle of governance needs to be respected: water is fundamentally a public trust and those who are impacted – now and into the future – must have a meaningful say in decisions.”

Source: Polis Project on Ecological Governance -“When Opportunity Splashes”

http://poliswaterproject.org/sites/default/files/2014-08-01_MunicipalWorldArticle.pdf

What is clear from the discussion is that there is an opportunity for this region to *begin defining what type of watershed governance we need to support stronger communication between different levels of government (including First Nations), stakeholders and local communities at the watershed scale. It is also clear that governance powers and responsibilities must be drawn down by ready local entities, not downloaded by senior government.*

3. Build on Existing Efforts & Initiatives (A Foundation Already Exists)

Challenges

There have been numerous local efforts to improve both water management and governance in the region. Creating something new carries the risk of re-inventing the wheel and ignoring lessons learned from these efforts. Yet, it was agreed that conditions in many of our water bodies are getting worse and that protections at the federal level had diminished while there is uncertainty around the capacity of the provincial government to follow through on the commitments in the Water Sustainability Act.

Opportunity

We are fortunate in this region to have a number of prior and existing watershed initiatives to build on and these have created strong foundations for watershed governance. These initiatives include the Chilliwack River Watershed Strategy, Cultus Lake Aquatic Stewardship Society, and the efforts of the Fraser Basin Council. Official Community Plans in the region have also highlighted the need for a more integrated approach between land use and water management. As well, there are a number of examples in British Columbia outside our region from which we can learn (Box 4).

To build on this conversation, *there would be merit in conducting a comprehensive assessment of existing efforts and initiatives in the region, as well as other models or inspiring examples from outside the region. This study could be paired with a gaps analysis to understand how best to capitalize on these efforts without re-inventing the wheel.*

“We need to build on what we have. The Chilliwack River Strategy led to a number of spin offs, such as the Cultus Lake Aquatic Stewardship Society, Chilliwack River Valley OCP, a literature review, mapping the watershed, and strengthening the Fraser Valley Watersheds Coalition. We can’t forget that we’re not reinventing the wheel.”

Lance Lilley, Fraser Valley Regional District

Box 4: Previous and Existing Watershed Initiatives

Chilliwack River Watershed Strategy 2004-2009

“In 2004, a project team of representatives from land and water government agencies came together to begin to develop a strategy for the future of the Chilliwack River Watershed. The purpose of the Chilliwack River Watershed Strategy is to provide a common understanding of watershed values, based on sound science and local knowledge, to assist in decision making that will promote and improve the sustainability of the Chilliwack River Watershed.” --

<http://www.chilliwackwatershedstrategy.ca/background.html> Outcomes include a document database pertaining to the watershed and the on-going Cultus Lake Aquatic Stewardship Strategy.

Coquitlam River Watershed Roundtable 2011-

Development started in 2007 with the City of Coquitlam, Kwikwetlem First Nation, DFO, Watershed Watch Salmon Society and support from the City of Coquitlam River Aggregate Committee. Administrative “Core Committee” consists of 18 members from the City of Coquitlam, City of Port Coquitlam, Kwikwetlem First Nation, Metro Vancouver, BC Hydro, DFO, BC Ministry of Energy, Mines and Natural Gas, and representatives of the Aggregate Industry, Real Estate Development, Outdoor Recreation, Stewardship, Education and Arts and Culture. Coordinates and implements activities which will promote the long-term sustainability of the Coquitlam River watershed

Cowichan Watershed Board 2010-

A recommendation of the Cowichan Basin Water Management Plan. The board consists of three members appointed from among CVRD directors, two members appointed by Cowichan Tribes, four appointed jointly by Cowichan Tribes and CVRD, one recommended by DFO, and two recommended by the Ministry of Environment. Mandate to “provide leadership for sustainable water management to protect and enhance environmental quality and the quality of life in the Cowichan watershed and adjoining areas”

<http://cowichanwatershedboard.ca>

Okanagan Basin Water Board 1970-

Established under the Municipalities Enabling and Validating Act, with taxation powers to address water issues for the three Okanagan Regional Districts. Board consists of representatives from three Regional Districts, the Water Supply Association, and the Okanagan First Nation tribes. Activities include watermilfoil control, wastewater infrastructure funding, water research and management, and advocating Okanagan interests to senior government.

Fraser Basin Council 1997-

A charitable non-profit society with a board selected by federal, provincial, local, and First Nations governments. Focus on “healthy water and watersheds, action on climate change and air quality and strong, resilient communities and regions.”

4) “Set the Data Free” - Information Needs to be Pulled Together & Made Publicly Available

Challenges

Currently, there is great uncertainty as to how much scientific data exists and where it is housed. One participant identified that there is an incredible amount of information and data on watersheds but it is in 100 different places. Another participant stated that even government does not know where all the information is located with some in drawers of people who are retired and filed away where people are unable to access it. It was suggested that much of this information is not being collected by senior governments anymore but by civil society organizations and local governments.

Opportunity

“We need to have the data. Even though the information isn't enough to make decisions, the more we have and the better organized and more accessible, the more successful we'll be. If people want to feel they're part of a watershed they need to know what's going on, the conditions and we need to be able to address conditions where they are with the people exactly”.

Detmar Schwichtenberg, Fraser Valley Watersheds Coalition

There was strong consensus that finding a way to pull together this information and make it more readily available and understandable would benefit all parties, including governments, professionals, NGOs, and the public. It was also suggested that this could be a good action item that could be initiated right away and help put in place a foundation for a future watershed governance entity. It was highlighted that the Chilliwack River Watershed Strategy made an effort in this regard, compiling a document database of over 200 documents related to the watershed and making it available through the project website. A potential partner for such an effort is the University of the Fraser Valley Centre for Environmental Sustainability.

It was clear from the workshop discussion that *a really useful and tangible action that would move the region towards stronger watershed governance would be the creation of some kind of central repository for information on watershed health, including water quality, fish, water use and other key data points.*

5) Engage the Public – Watershed Governance Requires Community Support

Challenge

Concerns were raised that the public is not engaged when it comes to water and that the issues are too complex for them to understand. A suggestion was made that the public lacks interest and prefers to leave matters to the government. Other participants believed that the lack of engagement was not due to lack of interest or caring. It was more to do with residents not feeling empowered and that as a society we have offloaded responsibility from the people to professionals when in reality there is a lot more that communities could do themselves. Participants also discussed that people likely don't know how to engage, are not aware of opportunities for engagement, or those opportunities do not yet exist.

Opportunity

It was identified by multiple participants that having the public more engaged in watershed governance is critical to its effectiveness to ensure that decisions reflect the values and needs of the community and redress potential power imbalances with private industries that currently have the ear of governments. It was suggested that having a watershed governance entity could provide a forum with which the public could get information and engage more readily. It was also seen as important to find ways to engage people in connecting directly with water, whether in a spiritual sense, or through activities that strengthen watershed health, such as monitoring and reporting. A comment was made about the New Zealand experience where the Maori people are now managing the waterways and are directly connected with the water, rather than being in an office far away.

Stronger community involvement in decision-making processes and restoration/protection and monitoring initiatives is a critical element of making progress on watershed governance.

"If you develop a connection with the water, it becomes a voice in your mind."
Carrielynn Victor, Rights and Title Technical Researcher - Stó:lō Tribal Council

CONCLUSIONS

This is a critical time in the region known as the Heart of the Fraser. We are incredibly fortunate to live in one of the most productive and abundant freshwater systems in the world. Yet, there are growing pressures and threats on this region that are taking their toll and ecological indicators suggest the health of this watershed is deteriorating. Meanwhile, we are seeing a rise in local concern and awareness of fresh water issues, and a growing recognition that water pollution and degradation can have a very real impact on their daily lives, whether it is in the water they drink, or through the fish that they eat, their ability to recreate safely, or their cultural or spiritual well-being.

We are also incredibly fortunate to have many passionate and knowledgeable water champions in our region who have already taken leadership on a number of successful collaborative water protection initiatives. There is a strong foundation on which to move forward in developing new forms of watershed governance. In doing so, we have to ensure that we are not encouraging the downloading of provincial responsibilities to local governments without the resources, but are supporting empowered communities working together to take on shared decision-making on their own terms and with the necessary capacity and authority to succeed. The insights from the community dialogues over the past year, and particularly the watershed governance workshop, have offered some strong direction for moving forward. It is clear there is a long path ahead but we are blessed in this region with incredible resources, both natural and human. Our wealth is in our water. It is time to ensure it is protected.

Key Insights:

- 1. Developing a common vision based on shared values is a critical first step in moving forward on any new watershed governance arrangements for this region.**
- 2. Begin defining what type of watershed governance we need to support stronger communication between different levels of government (including First Nations), stakeholders and local communities at the watershed scale. Governance powers and responsibilities must be drawn down by ready local entities, not downloaded by senior government.**
- 3. There would be merit in conducting a comprehensive assessment of existing efforts and initiatives in the region, as well as other models or inspiring examples from outside the region. This study could be paired with a gaps analysis to understand how best to capitalize on these efforts without re-inventing the wheel.**

- 4. A really useful and tangible action that would move the region towards stronger watershed governance would be the creation of some kind of central repository for information on watershed health, including water quality, fish, water use and other key data points.**

- 5. Stronger community involvement in decision-making processes and restoration/protection and monitoring initiatives is a critical element of making progress on watershed governance.**

Appendix A - Winning Conditions for Watershed Governance – Status Report

In preparation for the Watershed Governance Workshop, the WaterWealth Project conducted an assessment of current readiness and existing conditions on our region compared against the winning conditions identified in the Polis Project's "A Blueprint for Watershed Governance in British Columbia" <http://poliswaterproject.org/sites/default/files/POLIS-Blueprint-web.pdf> A refined version of this table is outlined below.

Winning Conditions	Status Report
Enabling Powers in Legislation for Watershed Entities	<ul style="list-style-type: none"> • Potential in Water Sustainability Act (WSA) to delegate powers to watershed entities. Not enabled yet through regulation. • No active conversations between the region and the Province about delegation.
Co-Governance with First Nations	<ul style="list-style-type: none"> • Poor communication between different levels of government. • Lack of knowledge/understanding of indigenous issues and perspectives. • Uncertainty/disagreement within Indigenous communities of who properly represents Rights and Title holders. • New initiative to begin developing an indigenous watershed plan with Ts'elxwéyeqw Tribe.
Support From & Partnership with Local Government	<ul style="list-style-type: none"> • Good examples of partnerships between local government and other governments for previous initiatives such as the Vedder River Management Committee and the Chilliwack River Strategy. • OCPs support protection of environmental integrity. • Local government WSA submissions support watershed governance but express reservations about downloading of costs • No formal partnerships between local government and others to develop watershed governance in the region.
Sustainable Long-Term Funding	<ul style="list-style-type: none"> • Province is considering a new water pricing structure, which may create some resources for watershed governance.
A Functional Legal Framework for Sustainable Water & Watershed Management	<ul style="list-style-type: none"> • Provincial framework under the WSA being developed, and government staff or capacity constrained. • Loss of federal fisheries protection and capacity.
Availability of Data, Information & Monitoring	<ul style="list-style-type: none"> • Plenty of data and information that has been collected but it is scattered and governments have lost the capacity to gather it.
Independent Oversight & Public Reporting	<ul style="list-style-type: none"> • No real oversight at this stage.
Assessing Cumulative Impact	<ul style="list-style-type: none"> • No cumulative impact assessment process. Most decisions are made in a piecemeal way.
Continuous Peer-to-Peer Learning & Capacity Building	<ul style="list-style-type: none"> • Support provided by Polis Project and the Canadian Freshwater Alliance including learning from other regions in BC and more broadly in the community.