

# A Review of the State of Watershed Governance in British Columbia: A review, exploration of case studies and opportunities to advance a provincial approach

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POLIS Project on Ecological Governance

**watersustainabilityproject**



**University  
of Victoria**

Centre for  
Global Studies

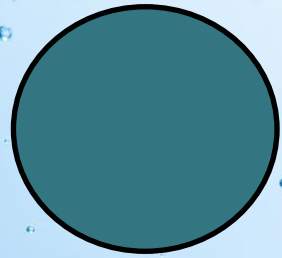


**THE UNIVERSITY  
OF BRITISH COLUMBIA**

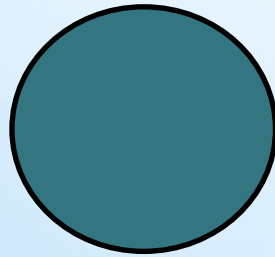




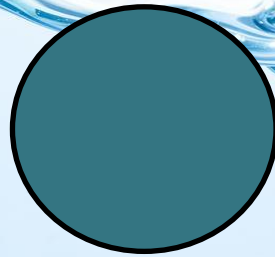
# *Presentation Flow*



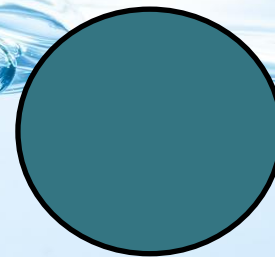
- Introduction and overview



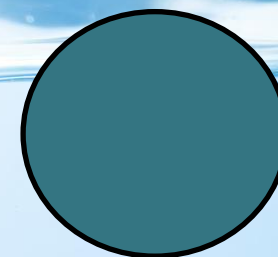
- Watershed governance in B.C. and winning conditions



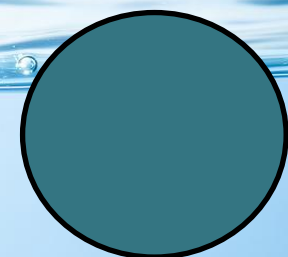
- Watershed governance frameworks in other provinces



- Exploration of a watershed board framework for B.C.



- WSA tools for improved governance



- Conclusion and questions

# POLIS Project on Ecological Governance



- University-based think and “do” tank at the University of Victoria’s Centre for Global Studies
- Where academic research, practical policy and law reform on sustainability meets government and community action
  - *Established in 2000 by Eco-Research Chair of Environmental Law & Policy*

What does  
governance  
shaped  
by principles of  
ecological  
sustainability look  
like ?



POLIS Project on Ecological Governance

**wildfireresilienceproject**



POLIS Project on Ecological Governance

**watersustainabilityproject**



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**bioculturalethics**



**University  
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Global Studies





The  
Intelligent  
Use of Water™

# "Big Ideas" in the Water World

## Watershed Governance

... shared decision making at the watershed scale ...



## New concept of infrastructure

conservation/soft path  
... cheaper, faster more  
sustainable



## Watershed Security & Source Drinking Water Protection



## Rivers with rights!



## Water- Focused planning



## Public Trust Doctrine



## Eflows & water law



United Nations  
**DECLARATION**  
on the RIGHTS  
of **INDIGENOUS**  
**PEOPLES**

## Water, co-governance & reconciliation

# What do communities care about?

*Dealing with  
Extremes of  
Climate*



+



*Local Control*



*Drinking Water*



*Salmon (fish)*

# Governanc e

....the process of societal decision making...

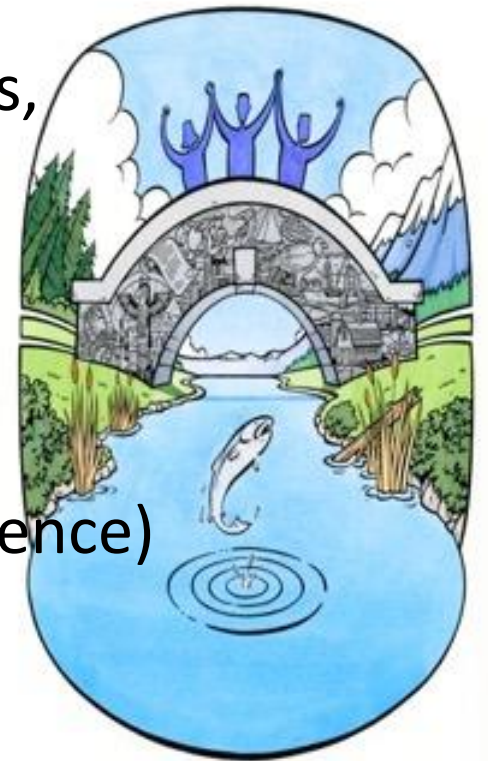
*Who -- What -- How  
&  
Accountability*

**Power**



# Re-Thinking Governance in a Watershed Context

- Government is critical to governance, BUT **governance is broader than government**
  - ✓ Engage key actors—civil society, First Nations, business and industry, community
- Both **formal & informal** structures – scale matters
  - ✓ Legislative (regulatory) and persuasive (influence) to create a watershed culture
- **Long-term sustainability** of watersheds
  - ✓ integrate natural ecosystem into all aspects of decision-making





# Who Decides?



Complex Water(shed)





**More than just pushing paper around**



# Evolving Water Governance Across Canada

- History of top-down, state-driven regulatory approaches – technical focus
- Indigenous rights and title around water remains uncertain and largely ignored
- Some experimentation with markets in Alberta
- International trend towards increased protection for water in nature and sharing of authority locally ...
  - ✓ Quebec, Ontario, Alberta, NWT ...BC?
- ✓ In Canada – certainly BC – Indigenous authority including Indigenous water law rapidly emerging in a shared authority (co-governance) approach



*Water governance  
is complex*



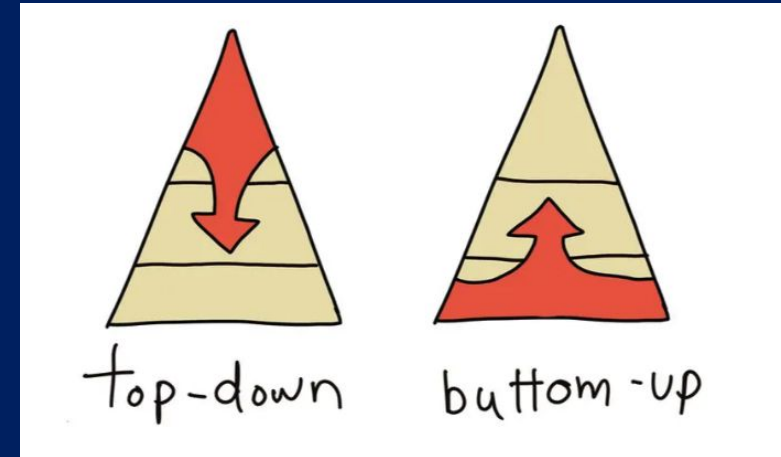
# Watershed Governance

Etymology: circa... 2005

1. **A helpfully open-ended concept**, by nature ambitious, with space for communities to define in their own ways
2. **Generally...decision making that is:**
  - Place-based- aligned w ecological boundaries
  - locally adapted
  - based on co-governance
  - informed by local capacity and expertise

**Keywords:** co-governance, local control, whole of watershed, form-follows-function  
- **it's an evolution**

**Sr. gov enabling function -  
functioning legal framework,  
bringing policy tools, resources,  
rules**



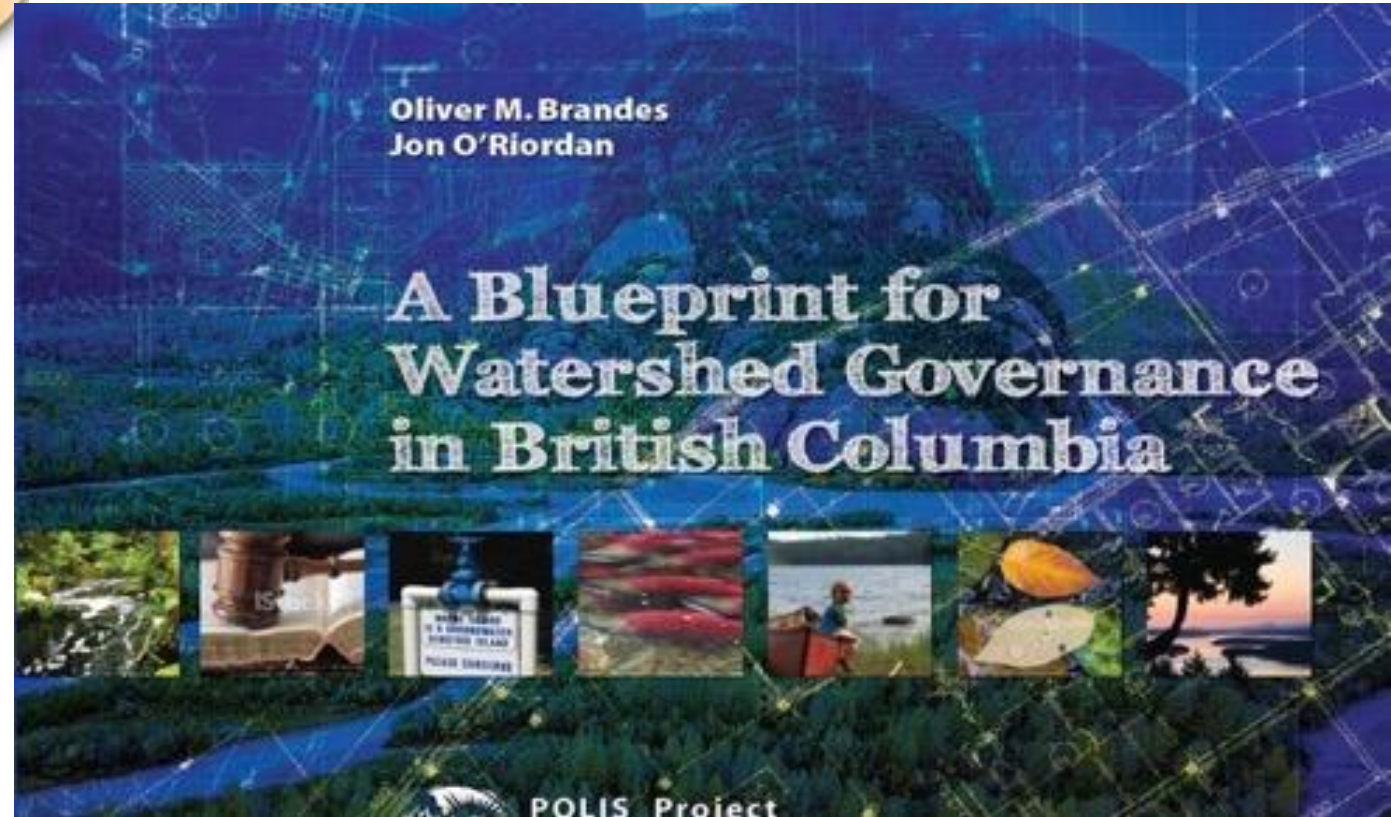
**Local leadership and  
capacity for  
co-governance**

# 9 Winning Conditions

*Understanding and creating the conditions for the shift towards watershed governance.*



- **Co-governance**
- **Legal framework**
- **Sustainable long-term funding**
- **Functioning Legal Framework**
  - Data/monitoring & knowledge
  - Attention to cumulative impacts
  - Peer to peer learning and amplifying local capacity





# Tracking Watershed Governance Initiatives in British Columbia

<b>WSA "Pilots"</b>	<ul style="list-style-type: none"> <li>• Koksilah (Water Sustainability Plan)</li> <li>• Nicola (Nicola Watershed Governance Partnership and the Nk'e?xép Management Committee)</li> <li>• Skeena (Wedzin kwah Water Sustainability Project)</li> <li>• Hullcar (Hullcar Aquifer Response Plan)</li> <li>• Fort Nelson First Nation (WSP scoping)</li> </ul>
<b>Other notable G2G plans and arrangements</b>	<ul style="list-style-type: none"> <li>• Haida Gwaii Management Council</li> <li>• Gwaii Haanas Archipelago Management Board</li> <li>• B.C./Tahltan Klappan Plan &amp; Decision-Making and Management Board</li> <li>• Gitanyow (LUP)</li> <li>• Sechelt</li> <li>• Bulkley-Morice (FLP)</li> <li>• Lakes Resiliency Project (FLP)</li> <li>• Sunshine Coast (FLP)</li> <li>• Columbia River Salmon Reintroduction Initiative (CRSRI)</li> <li>• Okanagan Lake Responsibility Planning Initiative/Collaborative Leadership Table</li> </ul>
<b>Indigenous-led watershed planning &amp; gov initiatives</b>	<ul style="list-style-type: none"> <li>• Xení Gwetin Watershed Plan</li> <li>• ?Elhdaqox Dechen Ts'edilhta</li> <li>• Syllx siwkw Strategy</li> <li>• Fraser Salmon Management Council</li> <li>• Yinka Dene Policy / MoU with RD Bulkley Nechako</li> <li>• FNFN Water Strategy</li> <li>• Gitanyow Wilp Wli Litsxw Meziadin Indigenous Protected Area</li> <li>• Other BC IPCAs (some in development):               <ul style="list-style-type: none"> <li>Kitasoo/Xai'xais - Kitasu Lugeyks</li> <li>Tla-o-qui-aht Tribal Park</li> <li>Kaska Dena - Dene K'éh Kusān</li> <li>Ktunaxa – Qat'muk</li> <li>Okanagan Similkameen National park Reserve</li> <li>Ashnola</li> </ul> </li> </ul>
<b>Watershed 'entity'</b>	<ul style="list-style-type: none"> <li>• Cowichan Watershed Board</li> <li>• Coquitlam River RT</li> <li>• Nechako River Watershed RT</li> <li>• Bowker Creek Initiative</li> <li>• Islands Trust</li> <li>• Tlell Watershed Society</li> <li>• Fraser Basin Council</li> <li>• Columbia Basin Trust</li> <li>• Shuswap Watershed Council</li> <li>• Nicola Steering Committee</li> <li>• Salmon River Watershed Roundtable</li> <li>• Columbia Basin Trust</li> <li>• Kettle River Watershed Authority</li> <li>• Kootenay Lake Partnership</li> <li>• Lake Windermere Ambassadors</li> <li>• Okanagan Basin Water Board</li> <li>• Athabasca Watershed Council</li> <li>• Lesser Slave Watershed Council</li> <li>• Might Peace Watershed Alliance</li> <li>• Shawnigan Basin Authority (developing)</li> <li>• Kettle River Watershed Authority</li> <li>• Skagit Watershed Council</li> <li>• Yukon River Inter-Tribal Watershed Council</li> </ul>
<b>In-depth studies – demonstrated capacity</b>	<ul style="list-style-type: none"> <li>• Gibsons, Sunshine Coast</li> <li>• Central Kootenay – Creston Valley</li> <li>• Comox</li> <li>• Peachland</li> </ul>

Ontario	Manitoba	Quebec	Alberta
Conservation Authorities	Watershed Districts	OBVs (organismes de bassins versants / watershed organizations)	Watershed Planning & Advisory Councils
<p><i>Conservation Authorities Act (1990)</i></p> <p><i>With additional authorities emerging from Clean Water Act (2006)*</i></p>	<p><i>Watershed Districts Act (2020)*</i></p> <p><i>With additional authorities emerging from Water Protection Act (2004)*</i></p>	<p><i>Loi sur la gestion de l'eau (Water Management Act) (2009)</i></p>	<p><i>Water for Life: Alberta's Strategy for Sustainability (2003)</i></p>
<ul style="list-style-type: none"> <li>• 36 Conservation Authorities</li> </ul>	<ul style="list-style-type: none"> <li>• 14 Watershed Districts</li> </ul>	<ul style="list-style-type: none"> <li>• 40 Watershed Organizations</li> </ul>	<ul style="list-style-type: none"> <li>• 11 Watershed Planning &amp; Advisory Councils</li> </ul>
<ul style="list-style-type: none"> <li>• Municipal levies – 53%</li> <li>• Self-generated revenue – 35%</li> <li>• Provincial grants &amp; Special Projects – 8%</li> <li>• Federal Grants or Contracts – 4%<sup>1</sup></li> </ul>	<ul style="list-style-type: none"> <li>• 36% Provincial grants</li> <li>• 12% Municipal levies</li> <li>• 11 % Federal Grants</li> <li>• 41% additional provincial and municipal support; NGO<sup>2</sup></li> </ul>	<ul style="list-style-type: none"> <li>• 17% Provincial core funding</li> <li>• 2% Wage subsidies</li> <li>• 70% Project grants</li> <li>• 7% Service contracts</li> <li>• 2% Membership fees</li> <li>• 2% Event registrations<sup>3</sup></li> </ul>	<ul style="list-style-type: none"> <li>• 30% Provincial core funding</li> <li>• 50% Project grants</li> <li>• 20% in-kind support from board, committee, volunteers, GoA technical staff<sup>4</sup></li> </ul>



# Other Provincial Board Frameworks

1. <https://conservationontario.ca/conservation-authorities/about-conservation-authorities>
2. <https://gov.mb.ca/sd/pubs/water/watershed/2023-24-cd-annual-report.pdf>
3. <https://robvq.qc.ca/wp-content/uploads/2022/06/rapport-annuel-2021-2022.pdf?>
4. <https://mightypeacewatershedalliance.org/wp-content/uploads/2023/03/WPA-C-Compendium-2021-2022.pdf?>

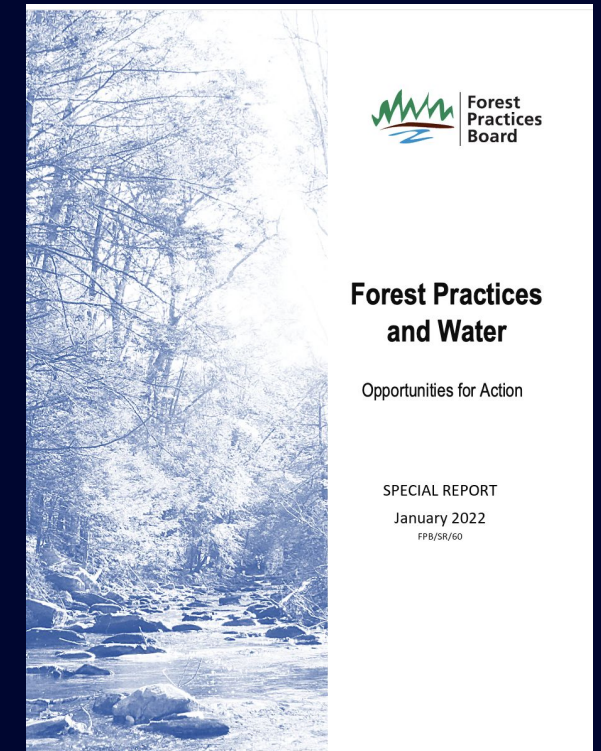
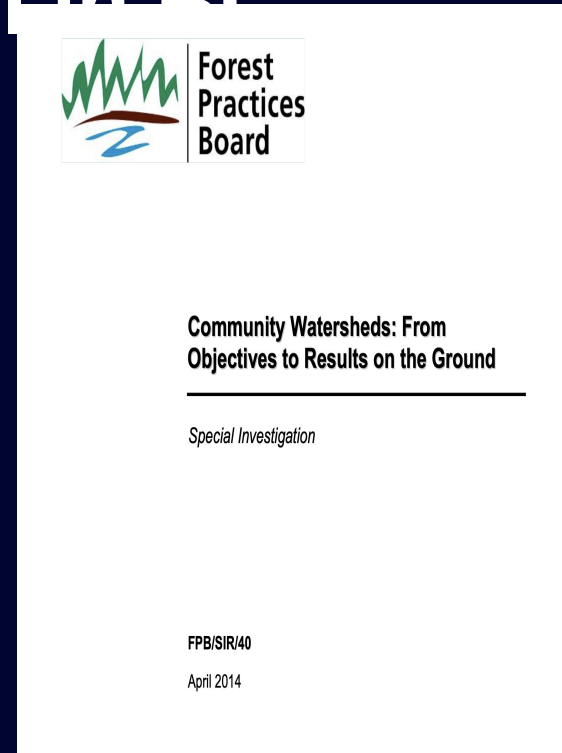


# Community Watersheds - an Under-Utilized Tool in BC

466 provincially designated community watersheds

The vast majority of these are open, highly-multi-use watersheds

Yet many community watersheds are vulnerable and at risk of losing function



Two key reports from the Forestry Practices Board suggest:

- Revising government's objective for community watersheds with an emphasis on source water protection
- Strengthening the content and approval of FSPs (while FLPs have been introduced to eventually replace FLPs, many FSPs will still be active for the next 5-10 years, and change is necessary now).
- Increased provincial monitoring in regard to drinking water protection.
- Improving public involvement in forest/landscape planning
- Managing cumulative effects as a legal requirement in all watersheds
- Reducing impacts of historical practices on water through a renewed program of watershed restoration



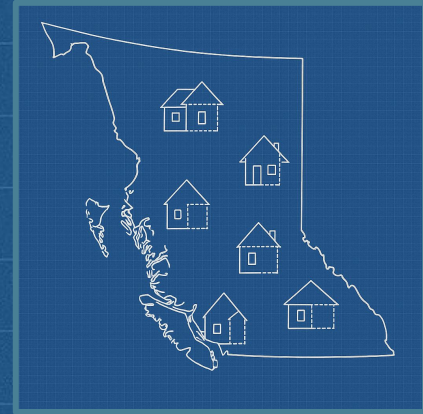
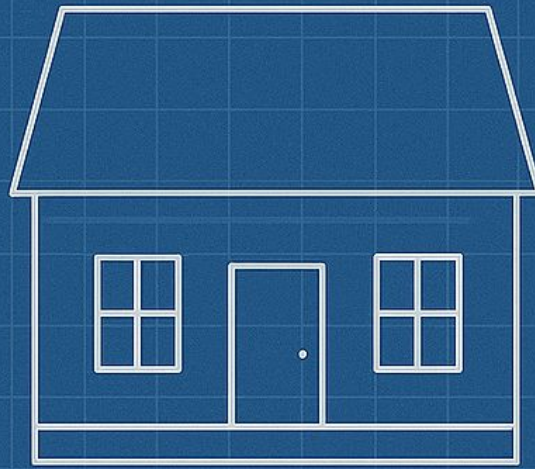
## KEY TRIGGERS FOR WATERSHED BOARDS

- 1) Indigenous Co-governance and Local government partnerships
- 2) Strong support from community (local leadership)
- 3) Potential for sustainable funding (including local leveraging)
- 4) A developed State of Watershed report (attention to cumulative impacts)
- 5) Conflict & dispute; interest in building social cohesion
- 6) Intention to explore and use provincial tools to solve local problems (e.g. WSA, FLPs, Community Watersheds, etc..)

***Watershed boards will  
not be appropriate for  
every community!***



# BUILDING WATERSHED BOARDS: COMMON FRAMEWORK, LOCAL DESIGN



Essential Functions	Potential Functions
<ul style="list-style-type: none"><li>• Visioning &amp; Planning</li><li>• State of Watershed reporting</li><li>• Drinking water source protection</li><li>• Formal input into land-use decision-making</li></ul>	<ul style="list-style-type: none"><li>• Water allocations/reallocations</li><li>• Setting environmental water quality requirements</li><li>• Green infrastructure development</li><li>• Restoration</li><li>• Monitoring and reporting</li></ul>

# Watershed Board Activities

*\*\*Subject to co-governance and  
UNDRIP principles (DRIPA alignment)*

Essential Functions	Potential Functions (Additional possible shared powers)
<b><i>Visioning &amp; Planning</i></b> -Flood and drought planning -Watershed planning	Water Allocations/Reallocations -eFlows protection and thresholds
<b><i>State of the Watershed Reporting</i></b> -information and watershed health assessments -increase h2o IQ	Setting Environmental Water Quality Requirements -cumulative impacts
<b><i>Drinking Water Source Protection</i></b> -awareness raising -conservation and restoration programs	Green Infrastructure Development Restoration priorities Maintain/sustain Natural Defences
<b><i>Formal Input into Land-Use Decision-Making</i></b> -water-land connections -conflict resolution	Monitoring and Reporting

## **BIG QUESTIONS**

How to Fund?

How to Get Started?

Legislated v Policy?



# Water Sustainability Act – Spectrum of Tools

## eFlow and Fish Protection Orders

- Short term orders to reduce or suspend water use



## Area based regulations:

- specific areas and unique thresholds

## Sensitive stream designation

protect at-risk fish populations; license terms and conditions



## Water Objectives

- Provides water-land, eFlows + quality linkage
- Potentially powerful as influences other decision-makers

## Water Sustainability Plans

- Triggered by conflict
- Binding & can change licences



# *Winning on Water with better watershed governance*

01

**FROM:** division/conflict over water (Salmon River)

**TO:** collaborative solutions & social cohesion (Cowichan Watershed)

02

**FROM:** reacting to a cycle of crises (instability)

**TO:** government has a plan to keep BC safe & get ahead of crisis

**FROM:** people feeling despair (overwhelmed by threats)


03

**TO:** local watershed projects across BC that collectively demonstrate a story of 'hope' for the future



- Hub for Local Economic Development
- Strengthen community defences: Drought, Fire and Floods- reduce costs
- Boards ensure a good use of resources - \$\$



A close-up photograph of a person's hand holding a small amount of water. The water is being poured or released, creating a spray of droplets and a thin stream. The background is blurred, showing what appears to be a wooden structure. The text is overlaid on the image in a large, black, serif font.

Move from  
managing the  
watershed  
to  
managing  
people in the  
watershed.

# *Questions*

