

Response to Questions for stakeholders in preparation for the House of Commons Standing Committee on Environment and Sustainable Development's study on freshwater.

1. *Introductory Information*

a) Which Issues related to protecting and managing freshwater does your organization work on?

Mirror Lake Water Users Community (MLWUC) is a rural community of approximately 47 households who share a common water diversion from Bjerkness Creek in Mirror Lake, Central Kootenay. The licence for the freshwater diversion has been in operation since 1971. Currently we form part of the 4500 or so small water systems in BC and, sadly, are one of the 496 water suppliers currently on a water advisory in the Interior Health Region alone.

Our main issues are related to:

1. The protection of our freshwater source or flexibility to select an improved source.
2. Managing an aging, and increasingly failing, infrastructure that delivers water to the community.
3. The inability to fully comply with Federal and Provincial water quality requirements due primarily to financial constraints, but exacerbated by a lack of specialised knowledge on the part of the volunteers who maintain the system.
4. How to protect the health of the community in the absence of affordable water treatment capabilities.
5. The pursuit of funding to aid in the installation of a water treatment plant in a community that does not have the resources available to fund this themselves.
6. The lack of clarity in published information on water quality, treatment and regulation, multiplicity of information sources, variation in regulatory interpretation and apparent lack of any consistent federal and provincial approach to providing access to potable water for Canadians.

2. *Interaction and Collaboration with federal departments and agencies*

a) Does the organization interact with federal departments an/or agencies on freshwater issues and with which departments and/or agencies

Yes.

| Department or Agency | Reason for engagement |
|----------------------|--|
| Health Canada | Legislation relating to Canada Water Act and the Department of Environment Act |
| | Water Quality Information |
| | Access to Canada Water Act annual report (although the latest available copy is only for 2018) |
| | Canadian drinking water quality guidelines |

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| BC Health | BC Water Protection Act |
| | BC Water Sustainability Act |
| | BC Drinking Water Regulation |
| | BC Water User's Community Act |
| BC Environmental Protection & Sustainability | Dam Safety Regulations |
| | Emergency Planning |
| | Dam Inspection Reviews |
| | Assistance with issues pertaining to annual dam cleaning |
| | Crown Land authorizations |
| | Resources for Water system operators |
| Forests, Lands, Natural Resource Operations and Rural Development | |
| - Victoria Office | Submission of annual Assessment Roll to Water Comptroller |
| - Victoria Office | Assistance with matters relating to Water User Community Issues |
| - Kootenay Boundary Office | Crown Land authorizations |
| BC Ministry of transportation and Infrastructure | Permits for access roads, pipe laying etc. |
| Front Counter | Any issues pertaining to individual licences held by community members |
| | Information regarding change of licence from one source to another |
| Interior Health | Maintenance of Water Operating Permit |
| | Consultation regarding water related health issues |
| | Permits for changes to delivery system and water treatment plant construction |
| Guidelines for water quality and maintenance | |
| - Thompson Rivers University | Small Water systems guidebook |
| - BC Ministry of Health – Health Protection Branch | Water System Assessment User's Guide |
| - Federation of Canadian Municipalities | Monitoring water quality in the distribution system |
| | Deterioration and inspection of water distribution systems |
| - Union of British Columbia Municipalities | Financial Best Management Practices |
| Regional District of Central Kootenay | Small value funding applications |

The above listing represents a multitude of departments at all levels of government. Negotiating through the various departments and attempting to remain compliant to the various regulations in

effect is a daunting task which frequently results in failed outcomes and frustration in dealing with a fragmented and often disorganized system.

b) Do the specific freshwater issues targeted by your organization fit within the mandate of a given federal department and/or agency or do they relate to more than one department and/or agency? If more than one, have you been able to identify a lead department and/or agency with which to engage?

There is no lead department or agency with which we, as a small water system, are able to engage. Given that our water system is run by volunteers (mostly retired) and with tenure on the board being of relatively short duration there is a dire lack of continuity and knowledge building. MLWUC has taken the step of assembling a Management Guide for use by the current and future board which has assembled together the practical, financial, administrative and legislative requirements of running a small water system. Our current Guide was produced from 2 years of hard work and still remains a work in progress. An overarching body who could produce a complete guide rather than the expectation that unqualified volunteers are able to navigate the myriad of Acts, Regulations and piecemeal information bulletins currently available, would be an invaluable tool to ensure that a compliant, effective and health promoting water system is attained in accordance with the United Nations Sustainable Development Goal 6 for Clean Water and Sanitation and to which Canada aspires.

c) Have you encountered notable successes in engaging with the federal government on freshwater issues? If so, please specify. If you have not had success in doing so, what in your opinion is the reason (e.g., no program available tailored to your needs, no identifiable service or unit within a department and/or agency with which to engage)?

None to date. There appears to be no direct channel or relevant programme available to rural small water systems. Unfortunately, the Federal Government's focus on the provision of potable water to Indigenous Communities, while laudable, ignores the very real fact that there are a considerable number of rural small water systems without potable water and often without the means to adequately address the situation. Regardless of the size of a water system the health hazards remain the same. Whilst the majority of small water systems have 'muddled through' during the past decades, the real and current threat to health through climate change, population growth and decaying infrastructure make it imperative that small water communities have a ready access to accurate information, training, encouragement and financial support in order to avoid a potential health catastrophe.

d) Do you foresee engaging with the new Canada Water Agency? If so, in what way? What are your organization's expectations with respect to the Agency?

On the issues of water treatment and standards there are inconsistencies across provinces. Federal funding sources for water systems and quality improvement are geared towards large municipalities and Indigenous Nations. Likewise current legislation requires that small communities of more than 6 water users are required to provide infrastructure, adhere to testing protocols, install treatment plants and employ qualified staff in a manner equivalent to that of a large municipality. Little cognizance is taken of the fact that most small water systems are manned by volunteers with minimal technical knowledge and limited available man hours. Additionally, many rural communities with small water systems are also economically distressed – more so during Covid times – and are unable to meet the funding requirements for the installation of approved treatment systems and the repair of aging infrastructure. Demands that small water systems meet the ever expanding standards at the same level of large municipalities, as required by a variety of federal and provincial acts and regulations, continually move the goal of potable water out of reach of many rural communities.

It is hoped that the Canada Water Agency would be able to direct funding towards small water systems for the purpose of the installation of water systems and water quality improvement. A funding mechanism is required which allows for progress but does not impose the burden of multi generational debt on a community; or increase the risk to directors and officers from both regulatory and financial challenges. The continually escalating costs for those unable to keep up and who face the prospect of having their water system taken over by the province at rates which are unaffordable is a very real concern in the rural areas.

Additionally, our hope is that the Canada Water Agency will be able to define Standards that are consistent across provinces as well as making them appropriate to the limitations experienced by small water system communities. (Designs and standards should support the acquisition of affordable systems and treatment options that can advance water quality in small, cash strapped, communities without their necessarily having to meet all of the increasingly stringent and expensive standards required of large communities or municipalities)

3. Federal Water Legislation, Policies and Regulations

a) Does your organization interact with federal departments and/or agencies on policies, legislation, regulations, or funding programs related to freshwater? If so, please specify.

Given that many small water systems are unable to comply – either in part or in full – with the current legislation, there is a natural inclination NOT to engage with federal or provincial departments or agencies. The wish to avoid possible recriminations and/or fines results in a ‘keep your head down’ approach on the part of small water system managers and, conversely, there is little supportive engagement from government agencies at any level.

A single point, proactive approach towards educating/informing the public regarding the risks to communities from contaminated water, using a holistic approach that covers from source to tap, and promotes watershed protection, water treatment and supply mechanisms would be advantageous. The information may be in the public domain already, but visibility and public awareness is low, possibly because there are simply too many points of reference when searching for information.

The Canada Water Agency could be the medium for the generation of proactive support, engagement and encouragement for small water system managers.

b) Can you identify any current gaps in federal water legislation, policies, regulations, and/or initiatives, or in general across jurisdictions? If so, please specify.

1. The expansion of funding pipelines for small water community systems in order for them to meet appropriate standards.

2. There is a lack of clarity regarding regulations and approved treatment approaches. A federal standardization that takes into consideration the specific conditions and capabilities of small water water systems, and adjusts regulations accordingly would encourage more small water systems to strive for compliance to meaningful regulations.

3. All layers of government appear to be pushing costs, and increasing responsibilities, down to small communities without the provision of support and funding to enable them to comply.

c) Do you feel the federal government could play a more effective role in protecting watersheds in Canada? If so, which watersheds and how?

BC and Alberta watersheds are continually threatened, or are actively at risk, from insufficiently regulated logging and mining. These threats manifest as both a direct risk of pollution from their activities and transport, as well as an indirect risk from the destruction of habitats, soil erosion, reduced slope stability, etc., resulting in even broader threats to the local communities. The Federal Government could provide a network of support and information that allows for a proactive rapid reaction to both active and potential threats to watersheds.

The same support and information network, together with a coordinated watershed monitoring system, could equally be used to mitigate the real and potential health and supply threats due to contamination and climate change issues.

One clear need in this area is to suspend all activity in a watershed while assessments are carried out – not to allow destructive and potentially risky “survey and preparation” activities while a judgment is pending which is currently the case (e.g. in the Oldman in Alberta and various BC logging activities).

d) Are there areas of freshwater policy, legislation and/or regulation where you feel the federal government should play a greater role?

1. Funding for small water system improvements.
2. Better training and engagement to build awareness of water quality issues and measures for communities.
3. Capacity building avenues to be provided to build the competence and management capabilities of small water management. This should be viewed as an encouragement process and the Canada Water Agency should be seen as a ‘go-to’ resource for water system management, NOT as a policing institution.
4. In the promotion of nationally approved treatment options, such as POE UV or high dose UV, in line with global trends and scientific research.

e) Are there areas of freshwater policy, legislation and/or regulation that you feel the federal government should vacate and leave to another level of government or to the private sector?

No

f) Are you aware of instances where federal freshwater policy, legislation, regulations, and/or initiatives have clearly benefited from your organization’s input?

No

4. Collection of information and data

a) Do you believe that there is sufficient data collected and made available publicly about freshwater in Canada?

There is a large volume of data available throughout Canada. However, the problem lies not in availability, but in accessibility. The mere publication of information on multiple websites does not increase public awareness of the availability of the information. Finding information is extremely difficult as it is generally spread around multiple government departments, agencies, universities and private companies with no clear linkages between related materials.

b) Do you believe there should be improvement in freshwater-related data-sharing?

Yes. Water quality variance, water quality understanding and water quality risks are not widely understood and such information requires dissemination in a clear and practical manner. A central resource that caters to all of the aspects of water system management and is available in increasing levels of complexity would be a boon to all water system managers.

c) Is there any specific type of data or information you would like the federal government to provide to freshwater stakeholders?

1. Suitable treatment system “patterns” or reference designs should be made available that communities can adopt and apply for grants to implement.
2. Practical guidance on management responsibilities, finance controls, asset management, health hazards, water source protection etc

d) Has your organization experienced challenges obtaining well-organized data from the federal government on issues relating to freshwater?

Yes, most certainly. There are too many provincial bodies involved never mind federal. There is a lack of coordinated information regarding explicit rules to follow at local, regional, provincial and federal levels.

Additionally, Federal policies under the incumbent Government are often in contradiction to provincial and local government positions, often resulting in confusing and contradictory information being available from different sources.

e) Is the lack of standardized data or information across government jurisdictions a problem or challenge for your organization in accomplishing its objectives with respect to protecting and managing freshwater?

The lack of standardized data has most definitely provided a challenge to MLWUC accomplishing its objectives. Large amounts of time have been spent attempting to discover the department or agency who is likely be able to help, followed by an equally long wait to connect with ‘an authority’ only to discover that the query you wish to have resolved can only be answered by another department at another government office. This process is often repeated multiple times without ever achieving an acceptable response. Frustration with the inability to find answers whether during routine maintenance, strategic planning, or during an emergency can all lead to serious non-compliance issues and the potential for health dangers to the community we are trying to serve.

5. International and business issues

a) Should Canada play a greater role internationally in helping find solutions, either through government and/or the private-sector involvement, to the challenge of global freshwater security?

Yes, constructively engaging directly with water suppliers at all levels, as well as engineers and researchers will enable Canada to be an equally constructive partner and leader on the global stage.

Private-sector involvement should be viewed critically with regard to international involvement in order to avoid the danger of commercial bias

b) Do you feel Canadian private-sector companies, including financial institutions, can and should play a role internationally?

They can. It's a business decision made by the private-sector company as to whether to do so, but consumers should be aware of whether their offering contributes to freshwater security or not.

c) What role can the federal government play in better supporting freshwater-related academic research, R&D, businesses, products, and services?

1. Ensure that the support is geared towards improved and protected freshwater supply and not commercial interests.
2. Engage productively and openly with stakeholders at all levels in order to achieve a balanced outcome that does not unduly place small communities under stress or threat.