

**PRESENTATION BY CORNWALL AND AREA WATERSHED GROUP (CAWG)  
TO THE PEI WATER ACT CONSULTATIONS  
DECEMBER 2, 2015**

**Slide #1** Issues that concern the development and design of a Water Act for PEI revolve around sustainability and the use of our resource.

**Slide #2** Sustainability is not free. As a provincial goal to increase sustainability, we'd like to be good groundwater managers with this Water Act, by ensuring ecological integrity to our sensitive watersheds and preventing depletion and contamination. In the case of high capacity wells, this would mean monitoring

- \* the position of wells relative to a stream or any other well in the area
- \* the pumping rate
- \* the time of year
- \* restrictions to rates in the summer months of low flow and
- \* duration of pumping,

as depletion of groundwater is scientifically proven to increase over time.

The time to monitor depends on the financial resources the province has, but the modeling programs the provinces uses, equipment such as monitoring stations, water quality testing labs, stream flow measurement devices, etc., and even the watershed groups themselves, are important facets to monitoring this vital resource, and should be considered in the Water Act. When it comes to high capacity wells, we believe there should be site specific monitoring, not a blanket application process, and that each well be examined site specifically, with a deeper look at how a well can affect other infrastructure (such as other wells and the ecosystem) as a 'screening process measure' (i.e. hazardous or negative impacts will be screened out this way) before any applications are approved provincially.

## VISION

We rely on 100% Groundwater in our province and we recognize our humanity and fragility, so we agree with the statement,

" A Plan is only as good as the Process."

**Slide #3** One of the visions for this Act should be for the Act to contribute to the Island's economic and social well-being, and it has an application to good governance as well, as it protects our livelihoods and communities.

We really need to be developing a Water Act from the future perspective of a system that will recognize our resources as they're valued by society and

nature, and not just as part of the economy.

## PURPOSE

Purpose>Principles>Policy>Regulation

**Slide #4** We would like the purpose of this Water Act to recognize Clean Water as a basic human right and to touch on intergenerational equity and the use of the precautionary principle.

We need the purpose for the Water Act to reflect the laws, principles and guidelines available that determine the regulations, so the Act deters any abuse of our resource. For example, upon first reading of the purpose of the Act, those who would want to apply for a high capacity well, in an area with 4 other high capacity wells within a residential area, would be deterred, knowing that if there were a chance that the residential water supply be compromised, the application would be rejected. The precautionary principle would not allow us to take the chance of compromising a human basic need, for the sake of profits.

We would like the following principles to be included ...

\* The Right to Clean Water as a basic need - Water is a Cornerstone for life! It needs to be recognized for what it is, a Human Right, a Basic Need, not an economic resource.

**Slide #5** \* The precautionary principle - If there is any commonsense risk, even without scientific evidence to prove it, we should decide to use caution and/or restriction regarding the matter. The precautionary principle brings in and confronts the fundamental relationship among social, ecological, and economic well-being, and our resource extraction. Adopting principles like these into the purpose of the Act will give it direction, demonstrating fundamental values.

\* The intergenerational principle - because really we are borrowing this resource from future generations.

This guidance in the purpose will pilot decision-makers and law-makers, it will challenge and also resolve disputes, and it will prepare us with a long-term perspective. We believe this is progressive legislation that sees us into the future.

## CONCERNS

Trade Agreements

**Slide #8** The TPP (Trans-Pacific Partnership) and other International Trade Agreements raise the issue of how we prevent the possibility of lawsuits based on our Water Act

legislation.

Global partnerships with our province in the future could threaten our water supply, our agriculture, our economy, our well-being.

It seems as though corporate life is consuming social livelihood in this way, and it's critical we find new engines to safeguard our resource. As of right now Canada is the most sued country by corporations in trade agreements.

Pollution

**Slide #9** Polluters should pay. This goes for any entity that degrades the environment.

We're given these resources from our parents and borrowing from our children, and we are responsible for being stewards of the resource. From an economic context, the resource has limitations on growth and profit. We need the Act to recognize what sustainable water extraction on PEI is.

We also need the Act to realize...

- \* Fees for industrial water use, Island-wide (regulated by rates)
- \* Licensing for non-domestic water use

**Slide #10** \*There is a cost to manage use and monitoring, but the revenue from fees and licensing should be used to fund watershed management groups, reinforcing the funding for these groups, providing realistic and predictable funding for the work they do and increasing their longevity and viability. There is no taxed based structure on PEI to contribute to managing our watersheds, only Federal Dollars at the moment.

**Slide #11\*** There is a Cost for environmental protection and watershed groups provide a service in this regard.

## ISSUES FOR WATERSHED GROUPS

**Slide #16** Budgetary Constraints

There is not enough revenue to watershed groups for adequate management that could contribute long-term to the province's vision in the Water Act. Since there is insufficient funding for watershed groups at the moment, the remedy is provincial support, and even delegating civil servants as watershed coordinators to ensure consistency and watershed group longevity. Our 27 active non-profit, community-based watershed groups really do amazing work!

The present Consultation process needs to be evaluated step by step, not just in 2 phases

(the before and after draft). We need a consultation about regulations, which to accept, which to re-evaluate and re-organize, and which to eliminate. We need to negotiate with Islanders, as is their right, as well as the future generations that they represent.

### Monitoring

We must have sufficient monitoring and assessment of the Island's water use to regulate groundwater allocation, as we adapt to climate change, as these changes will affect the recharge and discharge in watersheds and groundwater availability in the future.

### Clearcutting/deforestation

PEI is 36-40% forested at the moment, and Science tells us that clearcutting 30-40% of an area may increase percolation and recharge but it also increases runoff into streams. We recommend forecasting how much clear cutting can be done around our waterways now and into the future.

### Wellfields

Municipalities have rights to protect the waterways. By the same token, all wellfields need wellfield protection acts to regulate their use.

### Bare Soil

Leaving bare and exposed ground near waterways and estuaries poses a sedimentation issue when we have heavy rainfall, snow or wind events. We could even regulate that as much exposed ground be covered immediately as possible, to eliminate red rivers, eutrophication of our estuaries and habitat degradation.

### *Slide #12* Chemical Contaminants

In terms of effluent quality, there's a requirement to be met, to control runoff during weather events for stormwater and before release of treated sewerwater . Standards need to be reviewed to protect us from siltation and contaminants.

### Pesticides

Fish kills are directly related to erosional events, such as agricultural runoff, climate change, and high-intensity weather events.

*Slide #13* There is also the killing of other important species like amphibians and lobsters which impacts the food chain and ecology of our province, degrading the resilience of our communities. Surface water is connected to our estuaries, and monitoring right now is based on community reporting. We need standardized criteria and a monitoring strategy, and to also research, investigate, and pinpoint areas to be recognized as sensitive, so we can regulate them properly and increase sustainability.

**Slide #15** Island schools have known carcinogenic pesticides in their drinking water, and even though they claim the individual pesticides are under the hazardous levels, who knows what the cascade affects are. This is our health we're risking, which we shouldn't be. Parents and communities need to know immediately about the pesticides in their water, and that needs to be a regulation in this Act.

**Slide #17** Chemicals in our environment are found in our bodies, and a lot of them bind to our fat cells, and we never excrete them. They build up and can cause acute and longterm effects that lead to disease. Science has indirectly linked our cancer rates and respiratory illness on PEI to the heavy use of pesticides . Agriculture and cosmetic pesticide expenses on PEI are a whopping \$2,300,000, and 75% of this is spent on fungicides alone, which is a major contributor to water contamination.

**Slide #18** We see damaging large pesticide run off from agricultural fields because of the fields' size;

**Slide #19** there is no limit to field size and no regulation for soil erosion techniques, which could be mandated in our legislation to prevent water contamination. We don't want to be drinking water contaminated with pesticides today, and certainly not in 10 to 50 or 100 years from now!

Cosmetic pesticides have known carcinogenic and degenerative effects on health when we're exposed to them, especially in our water. Our children and our health are at risk as it is. When we have an island-wide ban, cosmetic pesticide companies will still be able to adapt, which has been shown with organic low-risk pesticides as alternatives in Nova Scotia.

Connectivity

Issues include fragmentation of habitat, from hung culverts and fish kill events, as well as dilapidated private stream crossings (landowners do not always have the funds to replace these or maintain them.) We would like the province to undertake regulations about renewal of stream crossing infrastructure.

SUMMARY

In conclusion, major issues in watersheds include erosion, chemical pollution, habitat fragmentation and surface water draw-down. Sensitive stream areas need recognition and protection.

Taking care of our resource now with this Water Act will ensure its sustainability into the future.

We don't need to condemn the domestic consumer for his or her choices. We need positive leadership to enact policy changes that phase out our excessive use of pesticides

and fertilizers in water. We need to safeguard the rules, and prevent unfettered use and increases to the rates of water consumption.

*Slide #20* Thank you for the opportunity to present our ideas to you this evening.