



Sent to you previously on February 21, 2023

RE: Seeking Indigenous input on new regulatory enforcement tool to protect water resources

The *Water Sustainability Act* (WSA) came into force in 2016 strengthening B.C.'s ability to ensure a sustainable supply of fresh, clean water that meets the needs of B.C. residents today and in the future. While the WSA strengthened water management in B.C., including licensing groundwater for non-domestic use and stronger protections for aquatic ecosystems, we are aware that gaps remain.

We continue to hear from Indigenous communities that water violations are a concern, and that action is needed to limit unauthorized water use and activities. Water availability varies across the province and supply in some watersheds is insufficient to meet existing and new demands. In other watersheds, water quality concerns are the key concern. Climate change is expected to shift historic weather patterns, such as reducing rainfall and increasing temperatures during summer months, which may increase the gap between water supply and demand in water systems. Healthy water supplies and good water quality are critical to the survival of keystone species like wild salmon, food security, drinking water and are foundations of social justice and equity.

In recognition of these challenges, the Province is embarking on the development of a new enforcement tool under the WSA known as Administrative Monetary Penalties (AMPs). AMPs are financial penalties that can be imposed on individuals or organizations who fail to comply with legal requirements, an order given by a Ministry official, or a requirement of an authorization (permit, license, approval etc.). AMPs are commonly used in other B.C. laws as a compliance and enforcement tool. For example, under the *Forest and Range Practices Act*, penalty amounts are prescribed by regulation with a maximum penalty of \$500,000.

In support of the *Declaration on the Rights of Indigenous Peoples Act* (Declaration Act) [Action Plan](#), B.C. is looking to develop this regulation with the insight and advice of First Nation governments, as representatives of First Nations peoples. To date, this proposal has been shared with the new

BC: FN Water Table, a collaborative body that addresses water and watershed security issues of concern between First Nations in B.C. and the Province of B.C. through co-development and consensus and upholds United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and *Declaration Act* reconciliation objectives.

We are inviting input and ideas through the following venues between now and the end of June:

- Email us to receive updates and invitations to upcoming surveys.
- Register for a webinar conversation at one of the options below:
 - Conversation/webinar #1: March 21, 12pm -1:30pm
 - Conversation/webinar #2: March 29, 930- 11am

Send comments and/or schedule a time with the Province by emailing CE.NRS.Solutions@gov.bc.ca.

Please see this factsheet for more information.

Sincerely,

On behalf of the Ministry of Forests & the Ministry of Water, Land & Resource Stewardship