

# Prince Edward Island *Water Act*

November 2017



Communities, Land  
and Environment

# Consultation Process

- **Public Release – March 16, 2017**
  - Draft *Water Act*
  - Policy Framework
  - Inside the Water Act - Plain language
  - Addressing the recommendations from the EAC public consultations
- **Four regional public meetings – April 2017**
  - West, Central, Charlottetown, East
- **Online submission of comments**
  - deadline April 18, 2017

# Summary of Consultations

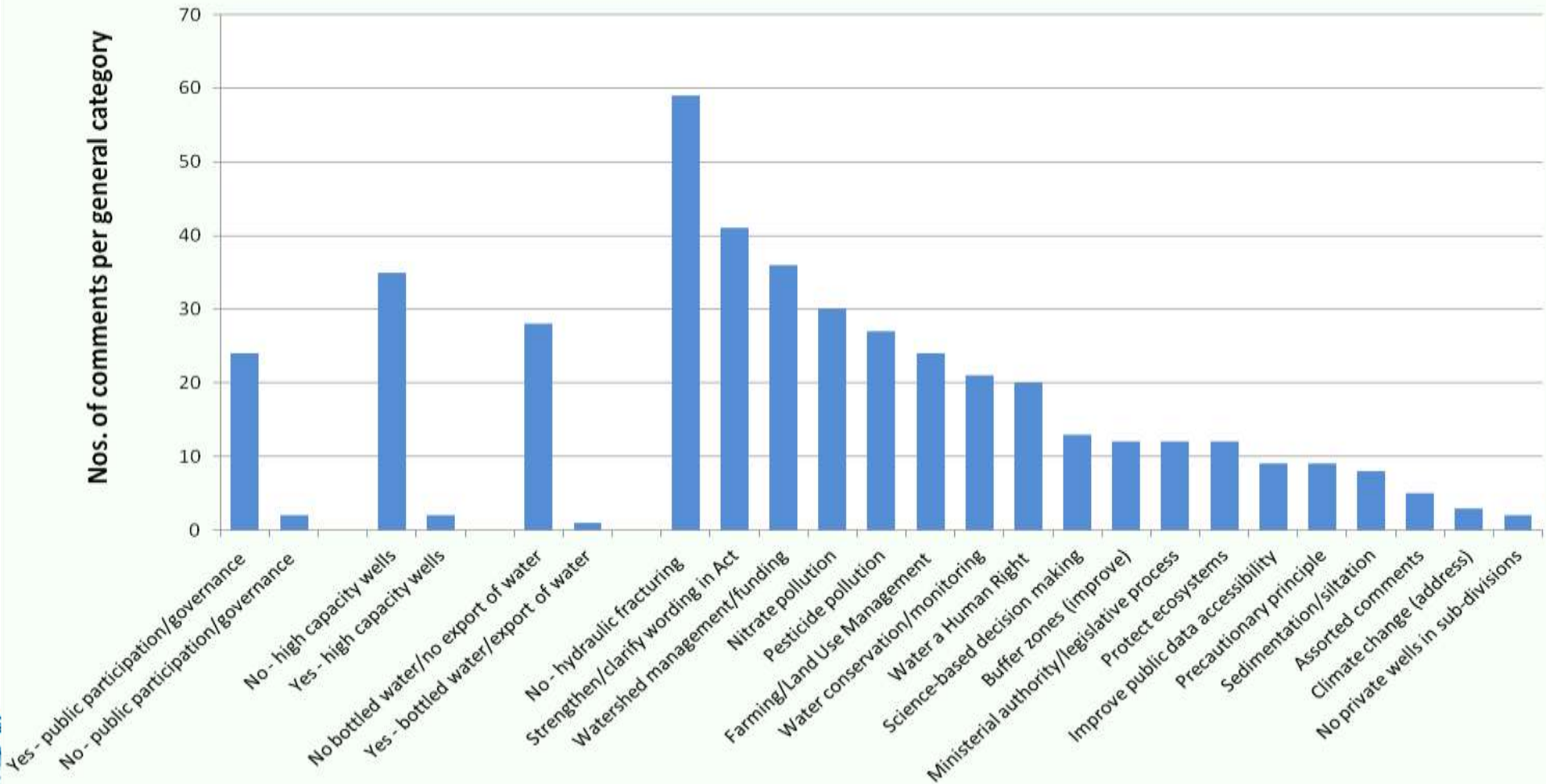
- 100+ submissions
- 10 public presentations
  - Public Meetings
    - Westile - 30+ attending, no presentations
    - Summerside - 30+ attending, one presentation
    - Charlottetown - 80+ attending, 6 presentations
    - Pooles Corner - 70+ attending, 3 presentations
- All presentations, submissions and audio recordings of the public meetings are online

# List of Public Presenters

- Council of Canadians
- Don Mazer
- Federation of Agriculture
- PEI Potato Board
- National Farmers Union
- Omar Kamdel
- Cooper Institute
- Winter River/Tracadie Bay Watershed Asso.
- Environmental Coalition of PEI
- Coalition for Protection of PEI Water

# What we Heard

## Areas of public concern by general category



Data from submissions, presentations and open-mike comments.



# ***Water Act***

## ***November 2017***

- Part I - Interpretation, Purpose and application
- Part II - Authority and Administration
- Part III - Protection of Water
- Part IV - Water Management Areas
- Part V - Water Withdrawals and Wastewater Discharges
- Part VI - Water Supply and Wastewater Systems
- Part VII - General, Appeals, Offences and Penalties
- Part VIII - Regulations

# Addressing Key Public Concerns

## 1. No Hydraulic fracturing

- Section 1 new definition and a new Section 19 prohibits hydraulic fracturing.

## 2. High capacity wells for Ag irrigation

- Water extractions will be addressed in regulations once the research on stream flow has been completed

## 3. Wording Clarity

- Revised Draft Act has been amended to include numerous suggestions from the public (may to shall)
- Requirement to consider the purpose of the Act when making decisions. Section

# Addressing Key Public Concerns

## 4. Watershed Management support

- Part IV - new water management areas will fully engage residents (watershed associations).

## 5. Nitrates / Pesticides /Land-use Mgt.

- Part IV, Section 31 - Nutrient management and Integrated Pest Management initiatives will be critical components of any Water Sustainability plan



# Addressing Key Public Concerns

## 6. Water Export / Bottled water

- Part V – Section 41, prohibits the export of water from the province including bottled water.

## 7. Public Input

- Public consultations required for new regulations or substantive changes to regulations. Part VIII, Section 76(5)



# Other Important Changes

## 8. Multiple Wells

- Multiple wells will be considered as one for withdrawal calculations. Section 40(2)

## 9. Penalties

- Alternative options for penalties such as removal of financial advantage, requiring community service, payment to environmental orgs. or educational orgs. etc. Section 74

## 10. Burden of Proof

- Providing clarity on who has burden of proof in different situations. Section 75

# Next Steps

# 2018 Regulations

**2017**

**ACT**

**Legislature  
Nov. 2017**

**Draft Regulations  
Consultation  
Spring/fall 2018**

**LGIC Regulations  
Fall/Winter 2018**

**Draft *Water Act*  
Consultation  
Mar.2017**

**EAC Report  
May 2016**

**White Paper  
Sept 2015**

*Questions???*



**Website : [www.princeedwardisland.ca/wateract](http://www.princeedwardisland.ca/wateract)**