



# *What's in a Water Act Workshop Report*



By Latin American Mission Program LAMP  
Kensington, PEI  
April 19, 2015



# Summary

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*“It’s a sunny day  
and this forum is  
well-attended.  
Have it repeated  
20 times around  
the Island.”*

‘What is in a Water Act’  
Workshop Participant

## ‘What’s in a Water Act’ Workshop

Every spring, Latin American Mission Program (LAMP) has an education session on some aspect of social justice. For 2015 we decided to focus on the subject of water, with the goal of empowering Islanders to become active in upcoming Water Act consultations. LAMP asked a number of community members to sit on a panel to discuss PEI’s future Water Act and invited the general public to engage in a discussion.

This workshop was held in Kensington, PEI on Sunday, April 19, 2015 and the format was a panel of three people who gave presentations followed by small table discussions. Even though it was the warmest day after a long winter, over 60 people, both young and old, participated. They came from diverse sectors: environment, farming, fishing, political parties, social justice, etc. All were genuinely concerned about our PEI water and open to discussing their expectations around a Water Act for sustainable future.

## Executive Summary

In 2014, the Select standing Committee for Agriculture, Environment, Energy and Forestry recommended to the PEI Legislature that the moratorium on deep-water wells not be lifted. At that time, the government promised to develop a Water Act which would be the framework for any future policies around water on PEI. As well there would be Island wide hearings to give the public a chance for input.

This was an important step to take and many watershed and environmental groups were happy with this decision. Our concern is that there be a genuine democratic process with meaningful input from community. We have recent experience of a very different kind with Plan B, where the final decision was made before public contribution was sought.



# Summary

The process used to consult the public is so important. That's what was heard loud and clear from both the presenters and participants at a recent workshop called "What's in a Water Act" coordinated by the Latin American Mission Program (LAMP). Over 60 people attended the workshop on a sunny Sunday afternoon in April. The workshop focused on the kind of process we need to create an effective Water Act for PEI.

Gary Schneider, Co-Chair of the Environmental Coalition of PEI shared ideas on public participation based on the principles of the '*Public Participation Guide for the Canadian Environmental Assessment Act*' produced by the federal government. "The focus of public participation is usually to share information with, and gather input from, members of the public who may have an interest in a proposed project." A good process does not have the decision made before listening to the public. It would include meetings across the island, a draft report with a period of time for public feedback.

Ann Wheatley from the Coalition for the Protection of PEI Water, and also a panelist, spoke about the values to be included in a Water Act. "A meaningful Water Act should be based on a set of values such as water as a human right, the right of people to a healthy environment, and water as a common good. To have any effect, a Water Act needs to be accompanied by well-thought out regulations, and monitoring and enforcement mechanisms. While the creation of a Water Act is essential, it will be for naught unless we articulate firm goals and objectives and develop strategies to achieve them."

Steven MacKinnon from National Farmers Union (NFU), shared anecdotal evidence on how rivers and streams have changed in his own farm over the past 200 years that his family has been living on it. He spoke of his concern about the lack of research into determining the amount of water we have.

The panelists and participants were in agreement that we have to get this right. Controlling our water supply is one of the most important things we can do. Once we have infusion of salt water or pollution into the water table it is too late. As Steven MacKinnon succinctly stated, "You can't un'ring a bell."



# Presentations

## Catherine O'Brien – Moderator & Facilitator

As an introduction to the panel discussion, Catherine told the group that she and some members of the Coalition for the Protection of PEI water met with some members of the Department of the Environment earlier this year and they were told that a White paper (discussion paper) was being prepared for Water Act Public Hearings. There would be a round of hearings to gather public opinion and then there would be another document produced, then another round of hearings.

Catherine then went on to:

- Introduce the agenda for the afternoon
- Introduce the panelists (see pages 15-16 for Panelists' Bios)
- Moderate questions and answers
- Facilitate table talk discussions (see pages 13-14 for the Table Talk Results)

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## Steven MacKinnon – Panelist

**Steven's Topic:** Agricultural practices with water and questions around these practices

The National Farmers Union (NFU) and the Environmental Coalition of PEI worked together in 2001 to lobby for a moratorium on deep-water wells. At that time when people started talking about permits etc., the public became concerned and began to ask how much water we had. So as a result of lobbying, a moratorium was put in place. The NFU is not against irrigation, but we don't know how much water we have.

My idea of a moratorium is that it gives the parties time to study and research the issue, but since the moratorium 14 years ago, the government has done little serious research or follow-up on the issue of water. We are part of two percent (2%) of the world's population that are totally dependent on groundwater.

When farmers were asking for permits for irrigation, the government was saying there was all kinds of water and irrigation wouldn't affect stream health. Documents from the Department of the Environment showed results of four tests they had done on a stream at North Brook. The Department used the results from this study to promote the giving out of permits. But everyone knows that every stream on PEI is different.



# Presentations

When the NFU made their presentation to the PEI Legislature Standing Committee on Agriculture, Environment, Energy and Forestry it seemed as if the members of the Committee hadn't even read the results of the few studies they did. So these people were making decisions and hadn't even looked at the research.

In 2001, when they were discussing whether to go with deep water wells, the scientists asked the question if drawing down 20% of the water would be significant for fish health. Many questions were raised by the scientists, but it seems that very little work has been done to answer those questions. It seems as if we are so small the Government doesn't want to put the time, the energy or the resources into this issue to give it the attention it deserves. In other jurisdictions such as Minnesota they have put a huge amount of money into researching the effects of irrigation on sandy soils. It would be helpful if we could benefit from some of this research. The scientists say there are so many unknowns and so many questions as to how much water we have, we definitely should err on the side of caution in deciding how much water we have to give away.

According to the Department of the Environment 2014 stats, we currently have 100 deep-water wells. They take out 3.3 billion gallons of water every year. Of this, the municipalities use 2.2 million gallons, the food processors take out 800 million gallons, and irrigation takes out 220 million gallons. If we have lots of water, that's ok. But we don't know. If we get salt-water intrusion, it will be serious. You can't 'un'ring the bell. We have to be very careful.

*“You can't  
'un'ring the bell.”*

Stephen MacKinnon  
National Farmers Union

Deep water wells cause a lot of divisions among farmers. If a well goes dry who is responsible as this person has to pay for a new well? If a watershed can only sustain one deep-water well, who gets it? What does it do to relationships with neighbours? There can be disputes over amount of fertilizer, what happens after heavy rains, times of drought.

Some farmers say that we need irrigation to increase our yield. According to a recent article in the Island Farmer, PEI yields are 290 hundredweight (Cwt) an acre. The average national yield is 294 Cwt. So PEI is up there in terms of yield. We haven't talked about return to the farmer. We can produce a lot more product but if don't get paid for it, it's not worth it.

This is a good time for all Islanders to look seriously at the water issue and think about what we want. I just want to know where we're at and how much water we have. What do we want to look like in 100 years?



# Presentations

## Gary Schneider – Panelist

**Gary’s Topic:** Public process in the development of the Prince Edward Island Water Act

In what almost seems like another lifetime ago, I co-chaired the Environmental Planning and Assessment Caucus of the Canadian Environmental Network. For years, I served as a member of the Regulatory Advisory Committee, a multi-stakeholder group that advised the federal Minister of the Environment on all things related to environmental regulation.

Of the many things we worked on, I am most proud of helping to develop the “Public Participation Guide for the Canadian Environmental Assessment Act”, which is still in use today. Though with this federal government, and the shift towards having the National Energy Board carry out most of the large-project assessments, it is barely recognizable. Yet the ideas are still sound and have value, whether for a specific project assessment or for involving the public in something like the creation of a provincial Water Act.

In most cases, governments at all levels consult the public because they have to – not because they like to engage with people, or that they even think the public has much to contribute. Either it is a legal requirement, or they are going to get more grief if they don’t hold some kind of consultation than if they do. It is often scary for them. They are much better at holding Open Houses – where you can flash a bunch of gorgeous maps and photos and consultants, but there really isn’t much of an opportunity for the public to interact among themselves, to hear the concerns of others in their communities and it is a poor substitute for a participatory process.

Many efforts at involving the public – and I’m thinking specifically of Plan B – are held after the decision to go ahead has already been made. So the public actually has no ability to impact the final decision – only to try to influence the mitigation of possible negative effects of the project. The provincial government had made the decision to take that federal infrastructure money long before the public was ever involved.

### **What is public participation?**

Public participation involves the process or activity of informing the public and inviting them to have input into the decisions that affect them.

The focus of public participation is usually to share information with, and gather input from, members of the public who may have an interest in a proposed project. Terms such as “participation,” “consultation,” “involvement” and “engagement” are often used interchangeably,



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although they may mean different things to different people. The International Association for Public Participation uses words such as “inform,” “consult” and “involve” to describe levels of public participation that have a corresponding increase in the opportunity for the public to influence or impact the process.

## Ensuring meaningful public participation

When providing opportunities for public participation, a responsible authority should ensure that the opportunities for public participation are meaningful.

This goal is set out in section 6 of the *Ministerial Guideline on Assessing the Need for and Level of Public Participation in Screenings under the Canadian Environmental Assessment Act*, which states: “The public should have an opportunity to have a say in decisions that affect their lives through a meaningful public participation process.”

## Key elements of meaningful public participation

Section 6 of the *Ministerial Guideline* identifies and describes eight key elements of meaningful public participation and states that public participation should exhibit all of the elements to be meaningful. The eight key elements are:

1. early notification
2. accessible information
3. shared knowledge
4. sensitivity to community values
5. reasonable timing
6. appropriate levels of participation
7. adaptive processes
8. transparent results.

***“Public participation involves the process or activity of informing the public and inviting them to have input into the decisions that affect them.”***

Gary Schneider  
Environmental Coalition of PEI

## Other elements of meaningful public participation

The Ministerial Guideline also states, “meaningful public participation reflects the principles of accessibility, impartiality, transparency, consistency, efficiency, accountability, fairness and timeliness, and recognizes that all parties have responsibilities in meeting these principles.”

This is an acknowledgment that additional elements may be essential to ensure meaningful public participation. “Meaningful” will be defined differently by different parties and may vary on a case-by-case basis.



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## Effects of meaningful public participation

Planning and implementing meaningful public participation will help to:

- make better informed, better quality decisions
- obtain valuable information about the environment and potential impacts
- enhance understanding of the public's interests, concerns and priorities
- create a positive foundation for working with interested parties to build trust, resolve problems, make informed decisions and reach common goals
- increase communication, transparency and accountability with the public
- avoid or minimize adverse environmental effects
- address public concerns early in the process, thereby reducing likelihood for conflicts, costly delays, stoppages, litigation, etc.
- correct misinformation or rumours about proposed projects
- align the project design with public priorities and expectations before significant resources have been invested in detailed project planning
- increase the credibility of EA decisions and decision makers

So, what would we like to see? A public process that I was involved with in 2004-2005 wasn't perfect but would be a process to build on. They had lots of public meetings across the Island and I think most participants felt that they a real opportunity to influence the outcome. And people could hear everyone's concerns and read the presentations on-line.

From my experience, a good process would include:

1. A commitment that the decisions have not already been made and that the public has the ability to influence the final decision.
2. Timing has to be fair to the public, not just meeting the needs of government. All too often, there is a short time frame; press releases sent out late on a Friday afternoon, that it takes place in the middle of harvesting season, etc.
3. There should be a white paper or discussion document that accurately frames the issues. This is particularly important as the province has already said that more wells wouldn't be a problem, though this has been discredited. We need to know which "experts" will be holding the pen. We have to get this right to achieve any sustainability.
4. The meetings should be held across the Island, at least 10-12, and I would avoid "stakeholder" meetings, where people are invited to speak in private. This is a very public issue and needs to be dealt with in a public manner.



# Presentations

5. There should be a separate web site for the Water Act, limited to respectful comments, where all presentations are posted.
6. There needs to be a feedback loop where participants will understand why, or why not, their comments fit into the final decision.
7. After the release of the draft report, there should be another period for the public to comment. Then a final report should be done, and the legislation drafted.

This is a huge decision and we can't afford to make a mistake. We need to be proud of this process every step of the way, and should expect it to take from six months to a year.

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## Ann Wheatley – Panelist

**Ann's Topic:** Values that a Water Act should contain

I would like to share my ideas about:

- The values that I feel should be reflected in a Water Act,
- Some issues or topics to be covered by a Water Act, and
- The need for a plan or strategy to protect PEI water.

A quick look at a few examples of written legislation, including laws related to the protection of water and the environment, will reveal:

- a) how so many laws just look exactly the same, regardless of the topic, in terms of format, language, definitions, and
- b) how dry they are – dry as in boring, and dry as in there is a disconnect between the law as it is written, and its subject – in this case the water that we want to protect because of its ecological, economic, social and spiritual importance.

Of course, laws need to be very detailed and technical and there are probably good reasons to use a common format and language. Nonetheless, there should be ways to create a framework for a new Water Act based on some shared values – water as a human right, as a public trust, and a common good, and the right of all people to a healthy environment.

One really simple way of doing this is to write a preamble or declaration into the Act, which is something that Manitoba did. Its water act includes a detailed introduction that includes, for example:



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WHEREAS an abundant supply of high quality water is essential to sustain all ecological processes, life-support systems and food production, and is paramount to the environmental, economic and social well-being of Manitoba now and in the future;

AND WHEREAS access to sufficient, safe, acceptable, and affordable water for personal and domestic uses is internationally recognized as a fundamental right of citizens;

We should be very clear about the purpose of a Water Act. It seems that many of us want a Water Act to protect the right of all Islanders to adequate amounts of clean water, to maintain water as a public trust, and to ensure that water and watersheds are managed sustainably.

But to corporations, water legislation may have a different meaning – it may be more about defining the terms that allow for control and exploitation of water.

If we agree that we want a law that upholds the principle of water as a human right and a common good, and not a law that simply protects and promotes rights of the private sector, how do we make sure that happens?

In the first place, peoples' voices must be heard at all stages of development of the Act (and how that should happen has been well-laid out by Gary Schneider in his presentation). Secondly, certain **principles** must be embedded in the law, including:

- **sustainability** – we can define sustainable development as “development that meets the needs of the present without compromising the ability of future generations to meet their own needs”, development that is socially, economically and environmentally sound
- the **Precautionary Principle** – which is about our duty to prevent harm, when it is within our power, even when we don't have complete evidence.
- Public participation, which means including ways for people to be involved in decision-making whether it's by consultation and forums, being a part of a committee or council, or by any other means. It also implies access to information, inclusiveness, and transparency... and it also recognizes the stake that all members of a community have in protecting water – not just those who may be directly affected by a decision. For example, when an application is made to install a water treatment system or alter a watercourse, it is not just the people directly downstream who should be consulted, it is the entire community. Because water is a shared resource, and a shared responsibility.
- **Indigenous Rights** – the Water Act also should recognize Indigenous rights to water. How these rights would be incorporated into the Act would have to be determined in consultation with the Mi'kmaq people of PEI and PEI First Nations.



# Presentations

***Water legislation covers a wide range of topics, from how much we use and how we use it to how we treat our wetlands, rivers and streams.***

It was one corporation's demand that the moratorium on high-capacity wells be lifted that really initiated the conversation about the need for a Water Act in 2014. And, it is clear that we need such legislation to address regulation of extraction and water use. But there are other topics that such an act would need to address.

We know that the problems we see in our waterways – anoxia, fish-kills, sedimentation and contamination – all originate on land. The Water Act will have to address the root causes of those problems. Currently the legislation that protects water is spread out over several different laws – the Environmental Protection Act, the Fisheries Act, the Farm Practices Act, the Crop Rotation Act, and as a Water Act is being developed, some aspects of those will need to be either incorporated or coordinated. This would be an ideal time to strengthen the other acts and accompanying regulations.

We could even model our approach on that taken by British Columbia when that province set out to develop a Water Sustainability Act a few years ago. The first step was public consultations. People said they wanted an Act that would:

- Protect stream health and aquatic environments
- Consider water in land use decisions
- Regulate and protect groundwater
- Regulate water use during times of scarcity
- Improve security, water use efficiency and conservation
- Measure and report large-scale water use
- Provide for a range of governance approaches

***“A commitment to making a law, as commendable as it is, does not get government off the hook for making real investments in the personnel, training and infrastructure that support enforcement of that law.”***

Ann Wheatley  
Coalition for the Protection  
of PEI Water

***To have any effect, a Water Act needs to be accompanied by well-thought out regulations, and monitoring and enforcement mechanisms.***

Laws are really only as good as the regulations that are developed and the mechanisms that are put into place to monitor and enforce those regulations and the resources that are allocated. We have seen here the effects of weak regulations (buffer zones, crop rotation) and inadequate monitoring and enforcement (limited number of officers, absence of Department of Fisheries and Oceans). So these things can be just as important as the law itself. A commitment to making a law, as commendable as it is, does not get government off the hook for making real investments in the personnel, training and infrastructure that support enforcement of that law.



# Presentations

## **Planning**

Good laws and comprehensive regulations combined with effective enforcement are essential to protecting our environment. But to protect our water, we also need to come up with a vision of what we want. We need to develop goals and strategies to ensure that the long-term protection of our water. The Council of Canadians has called upon the government of Canada to develop a national water policy – I would suggest that we need the same for Prince Edward Island.

In fact, in some places, British Columbia, Nova Scotia, Manitoba and Alberta, for example, much effort went into developing a policy or strategy, before work was started on creating legislation. Meaningful public participation was an essential element of developing each of those policies.

So, while that kind of planning can happen at any time, outside or parallel to the development of legislation, there are also some specific ways in which planning can be incorporated *into* a water act. For example, a Water Act could require communities and municipalities to have their own plans for managing water resources. I think this is the case in other provinces (Ontario, British Columbia, Manitoba).

Another way in which this could happen is through watershed groups, which have been developing plans – stewardship plans – for over a couple of decades now. These plans are developed in consultation with community members and attempt to take into consideration the interests of everyone living in or making a living in a watershed as well as the general interest of protecting the environment, sustainability. Some water legislation (Manitoba) contains specifics around watershed planning, including content, process and authority. This might be something PEI groups would be interested in, as so often very good plans are made, but without the power to implement them.

## **Closing**

We cannot presume that the next government will fulfill its commitment to develop a water act for PEI, let alone embark on a process that is grounded in the values of water as a human right, common good and public trust. We need to continue to advocate for this act, and once the process starts to roll out, we need to be prepared to offer input and to encourage others to do the same.



# Results

## Table Discussions Results

After the panelists' presentation, the participants broke up into small table discussion groups. They were asked to discuss the following questions:

1. What are your concerns about the PEI Water Act?
2. What are the elements that will make the development of the Water Act a truly democratic process that reflects the wishes of Islanders in regard to water?
3. How can we as citizens become more informed and engaged in the development of the Water Act?
4. How do we as Islanders ensure that our opinions are included in the results of the PEI Water Act community consultations and work to keep the process on track?

The following is a summary of the table discussion comments divided into the six categories. The raw results can be found at the end of this report.

### A) Fears *"The saying 'healthy as a trout' is no longer true."*

Water is most precious resource. It is all the more crucial to protect it when our only source of clean drinking water is groundwater. The participants expressed many fears about the threats against our water resources. The biggest concern was the fear that the moratorium would be lifted without consultation with the public. Other fears were: unsustainable farming practices, pesticide use, run-offs which cause fish kills, lack of adequate buffer zones, low nutrient values, to name a few.

### B) Water Use

There was a lot of concern about the **amount** of water we are using and how much water we have. There was an underlying inquietude as to how the aquifer operated and how we know how much water we have. Conservation needs to be more emphasized and practiced.

### C) Lack of Information

Many participants expressed alarm about what they perceived as a lack of good research and information about the amount of water we have. Determining the sustainability of our water sources is a complicated and highly specialized science. The participants felt that key decisions were being made without sufficient knowledge.

### D) Distrust of Government/Need for Transparency *"Patronage intimidates advocacy."*

There were various statements which indicated a distrust of Government in regard to having a real consultation where the views of islanders are taken seriously and they have meaningful input into the decisions around use and protection of water. Government has to convince citizens that their response to public consultations will not be only lip service.



# Results

## E) Democratic Process/Act

Participants want a truly democratic process in developing the Water Act. There was some cynicism in wondering if a democratic process was possible. Water is such a key resource in all aspects of our lives and when the sole source of our drinking water is groundwater, it puts the onus on all decisions regarding use and sources of water.

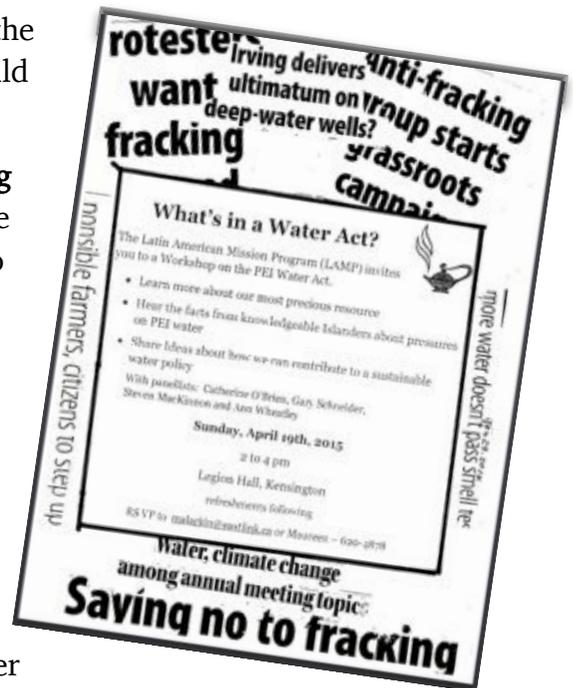
Participants expressed over and over again that they wanted this Water Act to be representative of ALL citizens. There was concern that certain powerful voices, especially those in the agricultural and food-processing sectors, would influence outcomes that would benefit only a few.

## F) Public Engagement/Keeping the Process Going

It is clear that Islanders want to be engaged in the process of developing the Water Act. They are also eager to be better informed. There were many suggestions of ways to do this: use the media, both mainstream and social; use networks; get involved in coalitions; organize educational events; write articles to the newspapers; etc. The process of developing a Water Act must be innovative in finding ways of engaging Islanders.

The participants also discussed ways of keeping the process on track. It was suggested that a Water Board be formed of professionals, academics and people on the front line, who could use their resources to keep the public informed and engaged. The Carver Commission was mentioned as an example of a model that was positive and democratic.

It is possible to have a truly democratic process for the development of a water act. But it cannot be rushed and it must take a long view in which all citizens are included in a creative and honest way.



*"We have never heard as much talk about water by the public as in the recent past."*

‘What is in a Water Act’  
Workshop Participant



## **Moderator - Catherine O'Brien**

Catherine O'Brien is an actor, director and producer of theatre. She performed for several years with the Charlottetown Festival, and is the Artistic Director at Harbourfront Theatre in Summerside. She also co-founded Young at Heart Musical Theatre for Seniors, now in its tenth season.

She is also an environmentalist and social activist. She became actively engaged on the island during the Plan B protest. Catherine is a member of the Citizens' Alliance and BlueDot PEI, and is Chair of the Coalition for the Protection of PEI Water.

## **Panelist - Steven MacKinnon**

Steven is a seventh generation farmer from New Argyle. His family has been farming for a little over 200 years. Up until three years ago, he had milk cows for 32 years. Currently Steven sells crops (grain and hay), has heifers and few beef, and does custom farm work for other people. Steven uses ecological practices in both his farm and wood lot management. He also has his own small sawmill.

Steven has been involved with agricultural community organizations since he was a child. He just finished six years on Agro Coop board of directors of which he was president for 2 years. Steven has served nearly 34 years in elected positions with the PEI National Farmers Union (NFU). Currently he is the NFU district director for PEI, a position which coordinates all NFU committees. Steven is proud of the work that the Island NFU has done in with other organizations on land-use commission and water coalition.

## **Panelist - Gary Schneider**

Gary Schneider co-chairs the Environmental Coalition of Prince Edward Island and started the Macphail Woods Ecological Forestry Project in 1991. The project demonstrates ecologically-sound forest management and restoration, and is heavily involved in environmental education.

Gary was a member of the provincial Round Table on Land Resource Use and Stewardship and has been an active proponent of organic farming practices. He lives in Wood Islands.

In 2004, Macphail Woods won the Canadian Geographic's Gold Medal Award in Restoration and Rehabilitation. The project has also received numerous awards for its work, including Environment Canada's National Environmental Citizenship Award in 1997, the Island Nature Trust's J. Angus MacLean Natural Areas Award in 1993 and the Nova Scotia Woodlot Owners and Operator's Association's Friends of the Acadian Forest award.



## Panelist - Ann Wheatley

Ann Wheatley is a member of Cooper Institute and the Coalition for the Protection of PEI Water and Save our Seas and Shores PEI. She has served on the board of my local watershed group, the Wheatley River Improvement Group, at various times over the past decade, and was one of the founding members of the PEI Watershed Alliance. While she was on the board of the Alliance, Ann participated in the development of a watershed strategy for Prince Edward Island.

Ann lives in - you guessed it - Wheatley River, and spends much of her free time walking beside, and depending on the season, skating, snowshoeing and paddling on the river, enjoying its tremendous natural beauty. While she's seen many changes, often negative, over the 25 years that Ann has been observing the river and streams in our watershed, the way in which people today are organizing and talking about the need to protect water gives me great hope.



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*Water Act workshop panelist Stephen MacKinnon addresses the audience and moderator Catherine O'Brien, left, panelists Ann Wheatley, and panelist Gary Schneider, advising them of the importance of water to our ecosystem, industries, and especially our people.*



# Partners

## Citizens Alliance of PEI ([www.citizensalliancepei.org](http://www.citizensalliancepei.org))

The Citizens' Alliance of Prince Edward Island was formed by people who came together in 2012 to “Stop Plan B” - a misguided, bloated highway project through a beautiful wooded and pastoral part of P.E.I. Though the government of the day ignored determined democratic opposition and creative protest and built that road, a group of Islanders forged an alliance to be a public voice for positive change...and we welcome you to join us.



We encourage active and ongoing debate regarding the choices for which we, both as individuals and as a community, must ultimately be responsible. Like any good watchdog (we were “WatchPEI” while being citizen environmental monitors of the Plan B project), we pledge to guard and warn; specifically to guard what makes the quality of life on this island so desirable, and to warn of pressures that may bring about its demise.

## Coalition for the Protection of PEI Water ([www.peiwater.com](http://www.peiwater.com))

By mid-January, 2014, PEI residents had some time to examine the proposal to lift the moratorium on high capacity irrigation wells brought forward to Government by the processing industry and the PEI Potato Board. This became the catalyst for a groundswell of thoughtful and informed opinions which flooded an array of media across the island.

The Citizens Alliance of PEI sent out invitations island-wide to engage people and organizations to meet and address this issue. From this, and subsequent meetings, The Coalition for the Protection of PEI Water emerged. Our organization is composed of concerned citizens and includes The Citizens Alliance of PEI, the PEI Watershed Alliance, Pesticide PEI, District 1, Region 1 of the National Farmers Union, Green Party of PEI, Environmental Coalition of PEI, Don't Frack PEI, Cooper Institute, several watershed groups, Council of Canadians, New Democratic Party of PEI, Sierra Club PEI, Save Our Seas and Shores. Among the coalition members are a number of physical, natural, and social scientists. The aim of this community-based organization is to share resources, skills and time to offer an informed, unified public voice to processes where this voice traditionally has limited access.



# Partners

## Environmental Coalition of PEI ([www.ecopei.ca](http://www.ecopei.ca))



The Environmental Coalition of Prince Edward Island began in the fall of 1989. At that time, there were many excellent conservation organizations active in the province – everything from the Island Nature Trust, the Natural History Society of PEI and many watershed organizations. But there were also large environmental issues surrounding land use, including pesticide use and deforestation, and no organization mandated to really take them on.

From the beginning, we looked to improve our Island environment and to educate ourselves and the general public on environmental issues. At that time, composting and recycling were just beginning to come in to favour in the province, energy conservation was talked about but not really pursued, forest restoration was in its infancy, and the links between pesticide use and cancer, as well as fish kills, were hot-button issues.

In 1991, we started the Macphail Woods Ecological Forestry Project on the Sir Andrew Macphail Homestead in Orwell. The project has grown to receive both local and national awards and attention and has managed to have a very positive influence on forest policy in the province. Over the past decade, we have also been active on energy issues – everything from presenting to various Standing Committees and the Island Regulatory and Appeals Commission, to producing educational material on energy conservation. In addition, we have participated in many national environmental initiatives and continue to work with Island schools to help instill a conservation ethic in students.

## National Farmers Union (NFU) ([www.nfu.ca](http://www.nfu.ca))

The National Farmers Union is a direct-membership organization made up of Canadian farm families who share common goals. Every member of the farm family - including children ages 14 to 21 - are full voting members of the Union. This structure recognizes that every family member contributes to the farm by working on it directly, or indirectly through off-farm employment.

Member families of the Union believe that through an organization that represents all commodities produced in Canada, it is possible to promote the family farm as the most appropriate and efficient means of agricultural production. Our goal is to work together to achieve agricultural policies which will ensure dignity and security of income for farm families while enhancing the land for future generations.



National Farmers Union  
Union Nationale des Fermiers



## Latin American Mission Program (LAMP) ([www.dioceseofcharlottetown.com](http://www.dioceseofcharlottetown.com))

We, the members of the Roman Catholic Diocese of Charlottetown and Island friends, are called together as a people to rejoice in our expression of faith and hope in the building of a just society.

LAMP's overseas missioning experience is a learning opportunity which helps us to be aware of our call to stand with the poor and dispossessed wherever they are. This experience helps us to be aware of the injustice within our own society.

Through the mission process, we can come to understand the way in which this injustice is connected with and contributes to a wider global injustice. This in turn moves us to create a just society for all peoples.

Our aims and purposes are:

- Sending out and receiving back missionaries
- Learning from the dispossessed and oppressed, both at home and in the developing countries, and standing with them in the building of a society of justice
- Developing and encouraging a Faith response based on the life and struggle of dispossessed peoples
- Participating in "return mission" by:
  - working with groups who are committed to social justice in Canada
  - developing education programs in PEI which analyze the causes of exploitation of the poor and which expose the reality of their lives

For more information on Latin American Mission Program (LAMP), please contact:

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# Raw Results

## Table Discussions Raw Results

### A) Fears

- Government will lift moratorium on high-capacity wells
- Water Act process is being driven by expectation from Irving corporate involvement
- What is the water situation going to look like in 100 years out?
- We will lose our good tasting water
- Nutrients in ground water is at lowest point ever
- Salt-water infusion is a concern. This is already happening in New Brunswick.
- Disappearance of fish
- Harmful potato farming practices such as:
  - Spraying
  - Plowing to extremities of fields and streams, with no buffer zones
  - Run-off which causes fish kills
- Even though some farmers not apply nitrates, nitrates can still be found in wells
- We have to test water in wells more now than in the past
- We belong to the 2% of world that has fine sandy loam, which is a rare, porous soil. This needs to be taken into consideration.
- The negative effect of torrential rains
- Noticing streams reduce in quantity and quality over the years
- If ground water is gone – everything is a concern. Look at Sable Island – there is nothing left but the horses. Also, California has extreme water shortages.
- Once water is polluted it is too late

### B) Water Use

- There is a large amount of water used by City of Charlottetown every day. This municipality uses a huge amount from the Winter River watershed. Expansions of Charlottetown and Summerside water systems – Do they continue to tap extended communities or start conserving?
- We can pump aquifers dry as in USA
- Is PEI one big aquifer? Do we really know? Or is there lots of water in one area and not elsewhere? A good Water Act must ensure sensitivity to all areas.
- Need to look at average usage on a watershed-by-watershed basis.
- Seems that new wells need to be dug deeper and deeper. They used to be dug between 30 and 50 feet. Today they are dug at 250-300 feet.
- We Canadians have the illusion that we are water rich in contrast to many African countries/regions.
- We need to see the social costs how other legislations affects our water.



# Raw Results

## C) Lack of Information

- No thorough research/evidence, nor baseline present
- Need good information – not necessarily lots of input, but informed input, in other words well-researched.
- That we have solid information in plain language before consultations begin
- ‘Experts’ from industry are questionable in their loyalties
- How many high capacity wells are there now? Where are they? Where is irrigation, fish processing, etc. taking place? We need a complete map of all wells.
- What is the effect of recharge and run-off on total water supply?
- Crops – analyze what crops are water pigs, i.e. 1 almond needs 1 gallon of water
- Citizens need to take responsibility (cannot be helpless) to become more informed and have to be better at watching

## D) Distrust of Government/Lack of Transparency

- No enforcement or political will
- Might lift moratorium or it’s already a done deal
- Commitment of government is suspect – not honest and true
- There is cynicism around politicians respecting opinions
- Current pattern of public consultations process is not a democratic process. History has shown that government only gives lip service.
- If there is hesitation and fear – government shouldn’t proceed until eliminated (patronage system)
- Cannot trust ‘politic speak’
- Figures – we need transparency around numbers

## E) Democratic Process/Act

- Needs to be a democratic process where we have equal opportunity to participate
- The Water Act should be representative of all citizens, not just those with a vested economic interest, and their input considered meaningful. Focus on economy and business should not preclude the voice of people.
- All opinions need to be included. The Carver Report is one example, and although it was not perfect, it did contain varied opinions.
- Need to engage on Islanders in policy process and ensure public is not overwhelmed
- Aboriginal voice/community needs to be included
- Water is important to farming
- Use today’s workshop as process as a template to develop public consultation process



# Raw Results

## E) Democratic Process/Act continued

- In terms of public consultations, 'the process' needs to:
  - be clear
  - have enough lead time and present timelines
  - provide enough information and ways to become informed
- We know there's a white paper that we know will be available before the consultations. After the consultations, there needs to be another document including ideas from the consultations. Then there needs to be a second consultation, and then a Water Act. A white paper demanded by every community, draft of Act, demand information from government committee to implement Act
- We have a right to clean water
- Values and principles include rights of non-humans such as animals, forests, etc. should be included
- Indicators of quality of life as important are as important as economic indicators
- Not just a 'Water' Act, but 'Clean Water' Act, one that values sustainable use, i.e. no further contamination
- Development of ecology impacts, not just water but a holistic attitude, water is part of all ecology
- Need to develop sustainable, clean Water Act and regulations/enforcement in tandem
- Much more than the moratorium needs to be discussed. This is just one small component of a Water Act. Other things to be covered are: nitrates, irrigation, ongoing community monitoring, etc.
- Need to have full disclosure of information both hard copies and online
- Need a forum for research and give input online
- Participants are interested in learning about the process of creating a Water Act, as we currently don't have one, and are willing to learn
- Water Act needs to have good monitoring on all wells. This should be done by a third (and independent) party.
- Not only corporations but other citizens who monitors – watershed groups?
- Develop a Water Board as part of Water Act to educate public, publicly funded, experts in water (i.e. hydrologists, professors, people on the front lines)



# Raw Results

## F) Public Engagement/Keeping Things Going

- Engage general population – they may take water for granted, but legislative hearings were well attended, also Council of Canadians. But still got to get more people informed.
- How to learn about it in school: online movie on EcoPEI site – Fish Tails; Malcolm Stanley and Wheatley River song and video, Environmental Fun Day at Central Queens, École Évangéline and Gulf Shore, etc.
- Forums and workshops – educational component and to help public understand and make educated decisions
- Ask political candidates about the Act and make them aware that Islanders are concerned and knowledgeable about water issues
- Need local community groups (independent) to understand the Act and that know about the subject of water (protection)
- Becoming involved: letters to the editors, articles to: The Guardian, Journal Pioneer, Eastern/Western Graphic, op ed by LAMP, etc.
- Articulate spokespersons such as those who spoke today are needed to bring us together and inform us
- Continue meeting across the province
- Work both personally and collectively to stay involved
- Coalition of interested groups to continue to apply pressure from various angles
- Need to overcome anger and distrust of government
- Need to have watchdogs on government bodies, actions, follow-up process

