



April 18, 2017

Ellen's Creek Watershed Group  
36 Kirkdale Road  
Charlottetown, PE  
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Re: Public Consultation Draft Water Act

The Ellen's Creek Watershed Group (ECWG) made a presentation on the proposed Water Act during the early round of consultations. Now that a draft Water Act is out for public consultation, our first observation is that there is not enough time for the depth of discussion this subject merits. Our second observation is that, however welcomed are the general objectives laid out in the draft Act, none has any measurable component to them nor are they accompanied by specific measures with the result that these will be left to regulations for which no schedule for consultations is offered.

Nevertheless, ECWG offers the following comments at this point for Act itself or its subordinate legislation:

- 1) Specific water protection measures should be stated accompanied by progress measures and annual reporting of progress.
- 2) The moratorium on agricultural high capacity irrigation wells should only be lifted where broad public good will be served but never where the use is for private gain as would be the case for most agricultural applications.
- 3) If the moratorium on agricultural high capacity wells is ever to be lifted, it should only be done for organically based agricultural operations and never for farms that use industrial pesticides and nitrate-based fertilizers.
- 4) Financial and other incentives should be offered to convert to organic agriculture in tandem with a strong communications campaign making PEI's agricultural brand ORGANIC.
- 5) Annual targets should be mandated for the reduction of residential and commercial water use with annual reporting on target achievement.
- 6) Urban development proposals and building permits should approved only after environmental and sustainability measures are adopted as part of the permitting process.
- 7) All pesticide and non-organic fertilizers should be phased out over 15 years with increasing incentives to use organic methods phased in at the same rate as these toxic compounds are reduced.

8) Current watercourse buffer zones are now linear and fixed. These should be replaced by degree of slope in the riparian and an assessment of adjacent forest cover because degree of slope and the quantity and quality of nearby forest cover are better suited for the protection of watercourses. Put simply, the greater the degree of slope and the less forest cover the wider the buffer zone.

9) Wherever science is to be used to justify changes that affect watersheds and watercourses, the science must always be peer reviewed and the scientific precautionary principle must apply when this is not certainty of the environmental effects of proposed changes.

Respectfully,  
Chairperson, Ellen's Creek Watershed Group