Adaptive Management in Canada: Water Law Reform and Scientific Uncertainty

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Outline

1. Introduction – Context
2. Water and Law in Canada
3. Approaches to Adaptation
4. Conclusions
Environment and Climate Change Canada:
https://www.ec.gc.ca/eau-water/default.asp?lang=En&n=45BBB7B8-1
HALALT FIRST NATION HOLDING BLOCKADE FOR THE WATER

by John Ahni Schertow on March 10, 2010

THINK WE HAVE LOTS OF WATER? IT'S ONLY AN ILLUSION

It's a new normal, Cowichan.

current conditions

Provincial drought conditions (Vancouver Island) - Level 1 - Normal
Stage 1 Water Restrictions in effect throughout Cowichan Region
2. Water Law in Canada

Systems of Water Law (provincial):
- Modified Riparian + Licences
- Civil Law
- Western Water Law
- Administrative – North & Saskatchewan

No constitutionally protected property rights in Canada
3. Approaches to Adaptation

Spectrum -
• None
• Holdback with water transfer (Alberta market)
• Under plans or comprehensive review
• In the public interest
4. Conclusions

- More science into law
- Watershed planning
- Comprehensive licence review
- Negotiated agreements
- Change water allocation approaches
Thank You

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