



FACT SHEET: DELEGATED WATER GOVERNANCE

The past decade has heralded a shift in approaches to water across Canada, marked by the emergence of new watershed based delegated governance models, a demand for higher standards of drinking water, and the increasingly active voice of citizens in environmental policy and management.

Definitions of Governance

The following definitions help to clarify the meaning of 'water governance', which differs from the more technical and operational term 'water management'.

- **Governance** "the process through which decision-makers are chosen, stakeholders (including citizens and interest groups) articulate their interests, decisions are made, and decision-makers are held accountable. Governance is distinct from management."
- **Water governance** "is the range of political, organizational and administrative processes through which interests are articulated, input is absorbed, decisions are made and implemented, and decision makers are held accountable in the development and management of water resources and delivery of water services".
- **"Delegated (or 'devolved' or 'shared' or 'collaborative') water governance** may be broadly defined as the involvement of non-state actors in decision-making for water management; this frequently (but not always) implies the delegation of decision-making to lower scales of governance such as the watershed, municipality, or region".

Key Questions to Address When Delegating Governance

- "What are the barriers to delegating water governance?"
- "Do the potential advantages of delegating water governance to lower scales outweigh the disadvantages?"
- "Which issues/aspects of decisions about water should be delegated, and which should not?"
- "On which issues and to what degree should decision-making power be shared or distributed (distribution); and who should it be shared with (participation)?"

Topics for Delegation

Certain topics are well suited to delegation, whereas others should be handled by the province (or other government body) to ensure protection of public and environmental health.

- Topics that should not be delegated: decision-making authority over quality and quantity standards for water sources; licensing and water allocation powers.
- Topics appropriate for delegation: relative distribution of broad water use categories once an allocation scheme has been set; suggestions for water improvement or restoration projects; proposals for local water protection, conservation, recycling or reuse by-laws over a region with multiple jurisdictions; creating integrated solutions

for problems that have not been successfully addressed through command and control programs (ex. nonpoint source pollution, urban runoff, reform of agricultural practices, integrated land-water use planning); non-regulatory topics (ex. public education and awareness).

Types of Delegated Governance

- ***Collaborative engagement processes.*** Short-term and advisory, these processes (often involving collaborative learning, conflict resolution and mediation, or the National Research Council's analysis and deliberation framework) are intended to move a group of diverse stakeholders through a project planning exercise in a short period of time. BC Hydro's use of Collaborative Committees to build Water Use Plans is an example of this type.
- ***Collaborative watershed partnership.*** Long-term (5 or more years) and advisory, these partnerships provide a forum for discussion and information sharing between government and non-government stakeholders about water management. The government retains power, but has a forum to vet decisions with the community at large. BC's Fraser Basin Council is an example of this type.
- ***Collaborative panels.*** Short-term (generally 1-2 years) and authoritative, these panels often involve experts collaborating with government to address a problem or initiative to guide policy reform. Consultation is more limited and specifically targeted than in other types. The BC Drinking Water Review Panel is an example.
- ***Collaborative agencies.*** Long-term (5 or more years) and authoritative, these partnerships are formal bodies with a wide range of stakeholders (public & private) empowered to implement water management decisions. BC's Okanagan Basin Water Board and Ontario's Conservation Authorities are examples of this type.

Factors of Success for Delegating Water Governance

- ***Effective leadership.*** Through clear structuring of process, sustainable financing and adequate human resource support, ability to implement recommendations.
- ***Interpersonal Trust.*** Through transparency and respect for rule of law.
- ***Committed Participants.*** Open or closed participation, adequate range of participants.
- ***Sufficient Scientific Information.*** Necessary for sound decision-making, needs to be made accessible to participants.
- ***Sufficient Funding.*** Sustainable funding necessary to support collaborative bodies.
- ***Manageable Scope of Activities.*** Important to limit the scope and set targets.
- ***Policy Feedback.*** A formal mechanism is needed to deal with recommendations from delegated water governance bodies.