Governance for Source Water Protection in Canada

Synthesis Report

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**Water
Policy and
Governance
Group**

October, 2012

Water Policy and Governance Group: About Us

The Water Policy and Governance Group is a multi-university, collaborative research team based at the University of Waterloo. Our focus is water governance and water policy, emphasizing Canadian experiences. Major themes in our research program include collaborative water governance, water security, source water protection, water allocation, and adaptation to climate change. We carry out practical, policy-relevant research that contributes solutions to these problems.

Our success is grounded in our network of researchers and partners across Canada and around the world. Graduate training is a central part of our mission. We accomplish our goals in large part because of our excellent graduate students, post-doctoral fellows and research associates.

We are grateful to the Faculty of Environment, University of Waterloo, for providing the WPGG with dedicated research space and administrative support.

Preface

This report summarizes the results from a study that brought researchers and practitioners together to explore and discuss challenges and opportunities relating to governance for source water protection in Canada. The study used a combination of on-line tools and a workshop held on May 9-10 in Guelph, Ontario titled "Governance for Source Water Protection in Canada". It was undertaken by the Water Policy and Governance Group on behalf of the project team for the Canadian Water Network project *Governance for Watershed-Based Source Water Protection in Canada: A National Assessment*.

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This report should be cited follows:

de Loë, R.C. and D. Murray. 2012. *Governance for Source Water Protection in Canada Synthesis Report*. Waterloo, ON: Water Policy and Governance Group.

Ce rapport est disponible en français.   www.governanceforwater.ca

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Executive Summary

Water governance refers to the ways in which societies organize themselves to make decisions and take actions that affect water. Of particular concern are the ways in which decisions are made, the people and organizations who are involved in making those decisions, and the roles they play. Contemporary water governance in Canada is characterised by a growing emphasis on the use of markets and other economic instruments, and on the creation of partnerships, multi-stakeholder councils and forms of shared and collaborative governance. As a result, responsibility for governance relating to activities such as source water protection increasingly is being divided among government and non-government actors, including private industry and industry groups, Indigenous peoples, non-governmental organizations and individual concerned citizens. This trend raises important questions about effectiveness, capacity, legitimacy and accountability.

Between 2008 and 2012, the Water Policy and Governance Group at the University of Waterloo (www.wpgg.ca) led a team of researchers working with a national network of practitioners to investigate practical solutions for improving source water protection (SWP) governance processes and outcomes in Canada. The project, *Governance for Watershed-Based Source Water Protection in Canada: A National Assessment*, was funded primarily by the Canadian Water Network, with additional support provided from partner resources and other complementary grants.

To support the final stages of the larger four-year CWN project, the Water Policy and Governance Group led a study in early 2012 that set out to create a dialogue among practitioners and researchers. Our goals were to advance understanding of challenges facing people and organizations involved in SWP; to identify and discuss potential solutions to these challenges; and to jointly identify priorities for further research. Three tools were used in this process: (1) an online *pre-workshop survey* allowed practitioners to share their insights; (2) a *workshop* was designed to bring practitioners and researchers together to discuss critical themes identified through the pre-workshop survey; and (3) an online *post-workshop survey* permitted study participants to provide additional thoughts on key governance challenges and opportunities. The pre-workshop survey was completed by 36 practitioners involved in water governance in Canada at scales ranging from local to international. They represented governments (local, provincial/territorial, federal), First Nations, non-government organizations and industry. Of this group, 31 attended the May 9-10, 2012 workshop. The post-workshop survey was completed by 30 participants. This report provides a synthesis of key messages that emerged from this "ground-up" study.

Key challenges for source water protection governance in Canada identified through the surveys and from discussions at the workshop related to the following themes:

- Delegation of authority and responsibility;
- Collaborative approaches to water governance;
- Rights and roles of First Nations;
- Watershed-scale governance; and

■ Leadership and the need for an overarching framework.

When asked to identify future research priorities – that is to identify research questions that researchers should focus on – practitioners identified priorities that included the following:

■ Learning from other places (policy transfer);

■ Better understanding the strengths and limitations of collaborative approaches to water governance; and,

■ Developing and sharing effective policy tools.

In addition to revealing important insights about challenges and solutions for source water protection governance in Canada, this initiative demonstrates that practitioners have a clear, detailed and nuanced grasp of the challenges facing water governance in Canada. Ultimately, the project highlights the importance of collaboration between researchers and practitioners.

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1. Introduction

Between 2008 and 2012, the Water Policy and Governance Group at the University of Waterloo (www.wpgg.ca) led a team of researchers working with a national network of practitioners to investigate practical solutions for improving source water protection (SWP) governance processes and outcomes in Canada. The project, *Governance for Watershed-Based Source Water Protection in Canada: A National Assessment*, was funded primarily by the Canadian Water Network, with additional support provided from partner resources and other complementary grants.

Our overall focus in the four-year *Governance for Watershed-Based Source Water Protection in Canada* project was on identifying challenges, sharing solutions with partners, and creating opportunities for learning and innovation in Canadian water governance. Findings from research completed under this project are available at the project web site (www.governanceforwater.ca) and from individual project researcher publications.

To support the final stages of the larger four-year CWN project, an initiative designed to crystalize the perspectives of on-the-ground practitioners from across the country on SWP governance challenges and solutions was launched. Our overall goal was to create a dialogue among practitioners and researchers regarding shared governance challenges, potential solutions to these challenges, and priorities for further research. This initiative utilized three research tools: (1) an online *pre-workshop survey* that allowed practitioners to share their insights; (2) a *workshop* facilitated by the research team (May 9-10, 2012 in Guelph, Ontario); and (3) an online *post-workshop survey* that gave practitioners a chance to provide additional thought on key governance challenges and opportunities. This approach allowed for highly focused discussions at the workshop.

The pre-workshop survey was completed by 36 practitioners involved in governance for SWP at scales ranging from local to international. Participating practitioners demonstrated a wide range of experience in the field of water governance (see Appendix, Section 6). In their current employment positions the practitioners represented governments (local, provincial/territorial, federal), First Nations, non-government organizations and industry. However, their previous experiences demonstrated a high degree of cross-sector and multi-context knowledge. Of this group, 31 participated in the May 9-10, 2012 workshop, and 30 completed the post-workshop survey.

This report is a synthesis of critical themes and key messages that emerged from the pre-workshop survey[1], discussions that took place throughout the workshop, and insights collected via the post-workshop survey.

- Section 2 briefly provides background information on water governance and SWP in Canada.
- Section 3 synthesizes findings from the pre-workshop survey, the workshop itself, and the post-workshop survey relating to key governance challenges and opportunities.

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[1] A detailed analysis of findings from the pre-workshop survey was supplied to the workshop participants. In this report our focus is on themes and issues that emerged through the synthesis that occurred at the workshop.

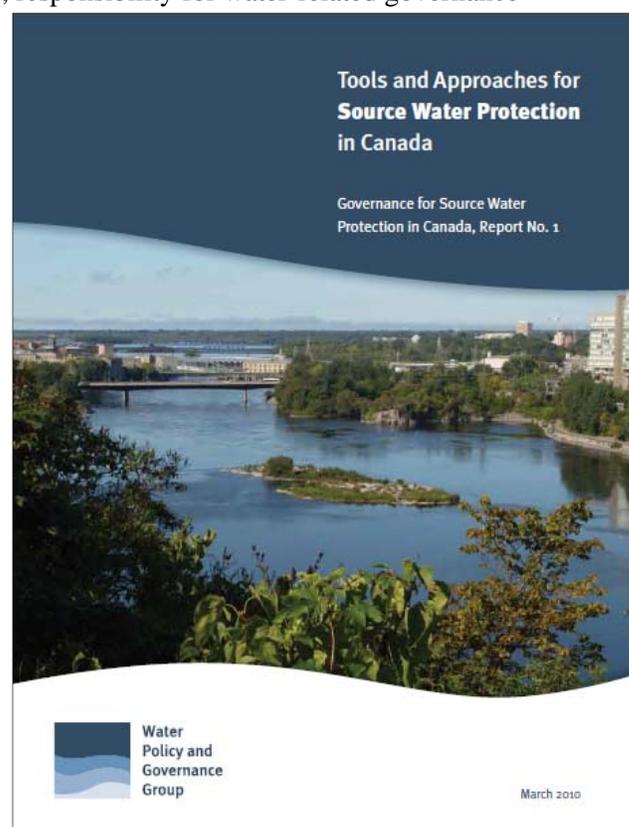- Section 4 presents major findings from the portion of the workshop that focused on identifying research priorities.

- Section 5 summarizes conclusions and offers recommendations.

- The appendix (Section 6) provides a profile of the study participants. The enormous breadth of experience evident in this profile highlights the credibility that should be assigned to the findings from this study.

2. Water Governance and Source Water Protection in Canada

The term "water governance" means different things to different people. A commonly cited definition from the Global Water Partnership defines water governance as "the range of political, social, economic and administrative systems that are in place to develop and manage water resources, and the delivery of water services, at different levels of society"[2]. In plainer terms, water governance refers to the ways in which societies organize themselves to make decisions and take actions that affect water. Of particular concern in the context of governance are the ways in which decisions are made, the people and organizations who are involved in making those decisions, and the roles they play.

Historically, water governance in Canada has occurred in a top-down fashion, with government agencies playing leadership roles, and being accountable for their decisions. Contemporary water governance in Canada is adding to this foundation. Governments continue to be central actors because their constitutionally-defined responsibilities have not changed. However, there is a new and growing emphasis on the use of markets and other economic instruments, and on the creation of partnerships, multi-stakeholder councils and forms of shared and collaborative governance. As a result, responsibility for water-related governance functions is increasingly being divided among government and non-government actors, including private industry and industry groups, Indigenous peoples, the public sector, non-governmental organizations and individual concerned citizens. This raises important questions about effectiveness, capacity, legitimacy and accountability.

Our focus in the larger four year study, and in the initiative summarized in this report, was on governance for SWP. Our interpretation of SWP is broad[3]. We suggest that SWP is most closely linked with drinking water safety. However, we argue that a broader, more integrative perspective is appropriate. From this perspective, we were concerned with protecting sources of water for all human uses, and we recognized that protection of source waters for people contributes to the maintenance of watershed conditions that support aquatic and terrestrial ecosystems.

Tools and Approaches for **Source Water Protection** in Canada

Governance for Source Water Protection in Canada, Report No. 1

Water Policy and Governance Group

March 2010

[2] Global Water Partnership. 2003. *Effective Water Governance: Learning From the Dialogues*. Stockholm, Sweden: UNDP.

[3] Simms, G., Lightman, D. and de Loë, R. 2010. *Tools and Approaches for Source Water Protection in Canada*. Governance for Source Water Protection in Canada, Report No. 1. Waterloo, ON: Water Policy and Governance Group. Available at www.governanceforwater.ca and www.wpgg.ca.

The multi-faceted nature of SWP makes it an appropriate focus for investigating the broader challenges of contemporary water governance in Canada. When defined broadly, as we have done, SWP is a highly complex task that involves a diverse range of actors and responses. Governance for SWP requires different tools and approaches to account for the many ways in which human activities affect land and water resources. From our broad scan of SWP activities in Canada's provinces and territories, project researchers identified a host of strategies being used to protect source waters in Canada. In some jurisdictions SWP is operationally distinct from related land use planning and water management policies. In other cases, it occurs through a host of activities that contribute to watershed management goals.

Research by project team members during 2008-12 has revealed a host of governance challenges that are commonplace across Canada. These challenges are discussed in detail in a second report prepared for the larger CWN project: *Challenges for Water Governance in Canada*[4]. An important finding from this work is the extent to which governance is inextricably linked with local circumstances. As a result, simple solutions that are independent of context do not exist.

While "cookie cutter" solutions to SWP governance challenges do not exist, it is possible to learn from the experiences of others so that basic building blocks of successful governance can be identified. Governance researchers around the world are identifying these building blocks through their work. However, governance researchers also are identifying solutions by learning from the experiences of practitioners in particular places. It is for this reason that this report is based on a "ground-up" approach where practitioners drove the agenda.

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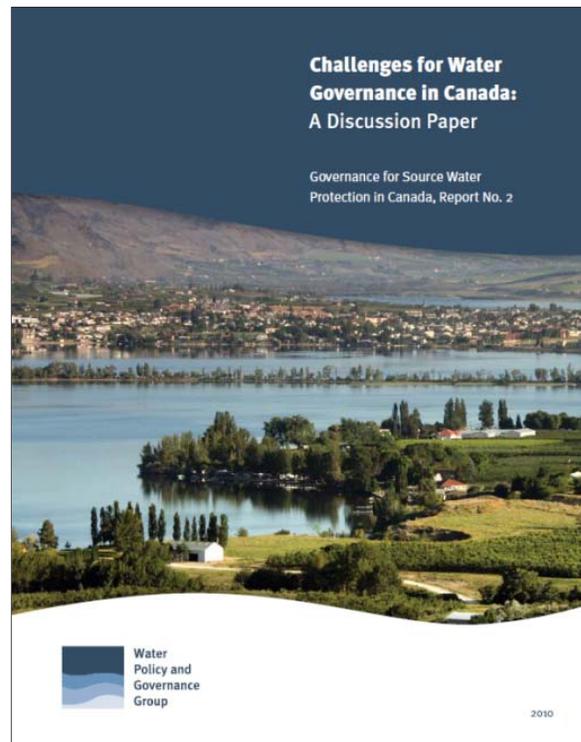
[4]   Simms, G. and de Loë, R.C. 2010. *Challenges for Water Governance in Canada: A Discussion Paper*. Governance for Source Water Protection in Canada Report No. 2. Waterloo, ON: Water Policy and Governance Group. Available at www.governanceforwater.ca and www.wpgg.ca

3. Key Challenges and Potential Solutions

In this section we synthesize findings from the three data sources used in the study.

- The pre-workshop survey allowed a diverse group of practitioners to identify the challenges they saw as important, to prioritize those challenges, and to point towards feasible solutions.

- The workshop was designed based on the information collected through the pre-workshop survey. At the workshop, practitioners and researchers held face-to-face discussions around specific challenges and solutions.

- Finally, the post-workshop survey provided an opportunity for the practitioners to provide supplemental information.

Analysis of the ideas collected through the pre-workshop survey revealed common challenges around which there was considerable agreement – along with a diverse and sometimes conflicting set of potential solutions to those challenges. This provided a solid foundation for the discussion in the workshop. These discussions were wide ranging, and added new challenges and opportunities to a very lengthy listed generated through the pre-workshop survey. In this section, we focus on several themes emerged that were considered critical by workshop participants. These included authority and responsibility, engagement/ collaboration, rights and roles of First Nations, watershed governance, and leadership.

3.1. Delegation of Authority and Responsibility

Participants suggested that in many water governance contexts (including SWP) the delegation of responsibility is typically not accompanied by the delegation of decision-making authority (i.e., the power to make decisions). In this scenario local scale organizations are often tasked with the responsibility to plan for and implement water management actions, but the authority to make decisions about what actions are appropriate continues to reside with government. In the pre-workshop survey this was identified as a situation that constrained action and prevented the development of sustainable local governance organizations.

In the workshop, however, a different, more nuanced perspective on this challenge emerged. Participants in the workshop confirmed the perspective that there has been a shift toward the delegation of responsibility for water governance and that this often is not accompanied by the delegation of authority for decision making. However, several participants argued that authority (power) for decision-making should continue to reside with the Provincial and Federal government (as articulated in Canada's constitution) and cannot (and should not) be delegated. Furthermore, participants noted that the delegation of authority from governments to local water governance organizations would raise problems with regard to legitimacy and accountability. There was broad agreement that delegation of authority was difficult as it is hard to delegate accountability, which, within our representative democratic system, resides primarily with ministers of the Crown. This formal accountability structure does not readily facilitate the delegation of decision-making authority.

Participants suggested that instead of focusing on the delegation of decision-making authority, perhaps the real area of concern is the tension that often exists between government and watershed organizations when there is disagreement over the roles and responsibilities of the involved stakeholders. Local water governance organizations often desire more control over decisions that affect water within their region. To resolve this tension, some participants suggested, it is necessary to clarify current accountability structures in Canada. Specifically, they emphasized that the goal should be to make more informed decisions at the Provincial level, rather than devolving decision making authority to the local level. In effect, they sought a "re-statement" or clarification of roles and responsibilities, with the goal of providing a clearer foundation for creating effective water governance processes and institutional arrangements. In making this point, participants reinforced that they were neither advocating that provinces and the federal government should act alone, nor calling for a reduction in participatory approaches to decision-making. There is collective responsibility and water governance should include multiple stakeholders.

Related to this point, participants argued that a mismatch often exists in the expectations of government and community stakeholders as to the roles and responsibilities of each in the decision-making process. Ontario's *Clean Water Act*, which provides the basis for source water protection in this province, was held up as an example of a system that clearly articulates the rules of engagement: who is involved in decision making, how decisions are made, and the roles and responsibilities of the various actors. More generally, participants noted that reviews of current water governance processes within each province would be desirable. These reviews should focus on identifying how effectively governance is occurring, and where improvements could be made. Participants argued that this review process should not simply be a one-off exercise. Instead, formal, periodic reviews are essential.

3.2. Collaborative Approaches to Water Governance

Many workshop participants indicated that collaborative approaches to water governance are increasingly being implemented in Canada. Indeed, many participants said that such approaches may be necessary to implement water governance within the current problem context, which is characterised by considerable jurisdictional fragmentation. The following were identified as benefits resulting from a collaborative approach to water governance:

- Collaboration can increase the social legitimacy of decisions.

- Collaborative processes can serve as a tool for conflict resolution through their ability to bring stakeholder groups together and encourage relationship building.

- Collaborative processes allow participants to communicate information directly to other participants and to learn from others.

- When First Nations participate in collaborative processes their perspectives have a better chance of being heard (but see below).

At the same time, numerous challenges were also identified by participants as resulting from moving toward a collaborative approach to water governance.

- It is often hard to get the right people together, that is, to get the people with the authority to act on outcomes from the collaborative process to participate.

- In many respects, decision making authority for source water protection in Canada is vested with governments. Thus, collaborative processes can provide the perspectives of participants, but there is no guarantee that those perspectives will inform decision making.

- Collaborative processes are not the right tool to address every problem. Identifying when collaborative processes are appropriate and when they are not is an important (and as yet unanswered) question.

- Outcomes from collaborative processes (unless formally endorsed by government) are often non-binding; this can lead to a failure to follow-through.

- Finally, it was emphasized by some participants that participation of First Nations in collaborative processes may not be seen as desirable by those Nations for a host of reasons.

Through the pre-workshop survey and the workshop, participants identified a number of ways these challenges could be addressed. Some suggested that in the academic literature collaborative approaches are largely depicted as voluntary. However, in practice, implementation of collaborative approaches is often driven by regulations. This was not depicted as a negative, but as a necessity. Participants emphasized that there is often a high degree of interest at the beginning of collaborative approaches as stakeholders work together to develop the plan, but when it comes to implementation enthusiasm/participation drops off. Having a clear policy framework to support collaborative processes was identified as critical to address this concern.

Such a policy framework would provide numerous benefits. For example, it would ensure a clear commitment to collaboration from governments, and it should motivate participants and encourage a stronger effort towards implementable results. Ultimately, participants suggested, locating collaborative processes clearly within a policy framework would provide a "stick" to keep collaborative processes going, and would provide a "safety net" if collaborative processes failed. In the absence of policy frameworks, specific memorandums of understanding regarding the purpose of collaboration and how outcomes would be implemented by governments and other actors could be helpful.

Participants also helped to clarify when collaborative approaches are most appropriate, arguing that collaborative approaches work better at the level of making strategic (direction setting) decisions. Collaborative approaches were identified as not well suited to making operational decisions. Instead, participants suggested that collaborative approaches to governance for SWP should aim to develop a good strategic plan to guide operational decisions by those who actually had the authority to take actions.

Finally, at the workshop participants stressed the key role that properly trained facilitators and coordinators play in making collaborative processes work. Establishing these positions was identified as essential. It was suggested that the need for a properly trained facilitator or coordinator should be clearly articulated in the

policy framework supporting collaborative approaches. Participants argued that facilitators should not vote in proceeding but should hold a neutral position.

3.3. Rights and Roles of First Nations

A lack of clarity over the rights and roles of First Nations was identified by participants as a key water governance challenge. Several participants noted that First Nations' perspectives are not currently well represented in water governance, and emphasized that First Nations peoples hold distinct water-related values that are not reflected within the dominant perspective of water as a resource and/or commodity. Participants identified the need for the recognition of First Nations rights and roles in water governance, and incorporation of Indigenous concepts and teachings into decision making.

From the outset participants identified both the importance and difficulty of finding solutions to this challenge. Participants indicated that in many areas of Canada discussion of First Nations rights, values, and roles simply is not taking place within water governance processes. Indeed, some suggested that discussing these questions was largely avoided by governments. An important message from several participants was that a failure to recognise the constitutional, legal and treaty rights of First Nations will undermine the effectiveness of water governance in Canada. This creates the potential for conflict (legal and extra-legal). Additionally, they suggested, it represents a missed opportunity to include the knowledge, skills, and support of First Nations people in water governance processes.

Participants recognized the fact that questions of Indigenous rights and title to water are complex and often will be addressed by courts. However, they also argued that opportunities exist at the local scale to demonstrate acknowledgement and understanding of First Nations perspectives, to find ways to work with First Nations on common water governance challenges. Several examples were identified where this was occurring quietly and behind the scenes at the watershed scale.

3.4. Watershed-Scale Governance

In the pre-workshop survey participants noted that within Canada there is a movement towards governance organized around watersheds. This reflects a global trend. Within the pre-workshop survey participants identified both benefits and challenges for water governance of focusing on watersheds. At the workshop, participants explored the challenges and opportunities of organizing governance for SWP around watersheds. Problems linked to legitimacy were a central issue. At the core of this discussion was the question: what qualifies someone to make decisions? Legitimacy was discussed at length from two perspectives:

- Legitimacy derived from having democratically elected representatives ('legislated' legitimacy); and,

- Legitimacy derived from the process of the stakeholder's engagement in more local scales of decision-making ('social' legitimacy).

Discussion centred on the role of elected representatives and the 'legislated' legitimacy that they provide to decision-making. Participants also noted that the complexity and fragmented nature of responsibility for water

in Canada necessitates the development of 'social' legitimacy in decision-making processes. Watershed governance that brings together multiple stakeholders in a decision-making process was seen as a way to develop 'social' legitimacy.

However, watershed-scale approaches to governance also were identified as being problematic. Some participants argued that watershed boundaries rarely correspond to the boundaries of organizations with decision making responsibilities; additionally, watershed boundaries do not necessarily provide the most appropriate boundaries for stakeholder representation in decision making processes. A solution offered by participants centred on the importance of supporting watershed-scale governance with a policy framework that clearly defines roles and responsibilities and establishes decision making and implementation responsibilities. Through providing clear government support and defined operating procedures, both 'legislated' and 'social' legitimacy can be gained. Social legitimacy can be further gained through developing the content of policy frameworks through consultation.

3.5. Leadership and an Overarching Framework

At the workshop, participants explored the issue of leadership from several broad perspectives. They defined the primary role of leaders as being to set a vision in accord with prevailing social values and a sense of public (rather than self) interest. Leadership requires follow-through and consistency. It can, but does not always, involve direct responsibility (maintaining the ability to delegate responsibility). In this sense, it was argued that leadership happens at different levels of government (local, watershed, First Nations, Provincial, and Federal). Indeed it was noted that successful water governance requires leadership at all levels.

At the local scale participants identified that it is important to develop champions to steer governance processes in positive ways. Leadership positions exist, but it is important to fill these positions with people who will encourage results and positive action. An opportunity was identified to create water leaders more deliberately through training and capacity building. Participants identified that such actions are key for successful water governance.

Participants suggested that provincial/territorial and Federal governments can provide leadership for water governance by establishing clear, strategic visions. Leadership at the provincial scale was identified as essential to integrate the multiple actions that occur at the watershed level and to help to distribute resources equitably. Participants noted the current trend in Canada toward a loose model of federalism, where provinces and territories act independently. There is potential for the Federal government to show leadership through the development of a renewed federal water policy. Such a policy framework could encourage a consistent approach to water governance in Canada and may help in transboundary governance challenges (between provinces, territories, and with the United States of America).

A broader perspective on leadership also emerged through the study. In the pre-workshop survey, some of the study participants argued that the current water policy framework creates challenges for water governance and identified a need for a new and/or revised policy framework that exhibited a higher degree of coordination

among the various actors. They indicated that the current policy framework in Canada is disjointed and noted a need for clearer articulation of the roles and responsibilities of key actors. Furthermore, they suggested that the existing goals and objectives for water governance in Canada often are not clearly defined, meaning that there is no clear strategic vision towards which organizations involved in governance for water can work towards. This gap contributes to many of the governance-related problems discussed at the workshop and raised in the pre-workshop survey. As a result, participants argued that an overarching water policy framework is needed that would permit coordinated action towards a strategic vision within the existing division of authority.

Participants offered two main recommendations relating to the development of an overarching water policy framework. First, a policy framework needs to be practical and implementable. That is, the framework must be able to guide action and should not exist merely as a political document. Second, an overarching water policy framework is not useful unless there is ongoing political support for the strategic vision and decision-making processes that the framework sets out. Participants acknowledged the challenges associated with maintaining such a framework when political cycles and economic pressures are prone to change over time.

4. Future Research Directions

At the workshop, practitioners were asked to apply their knowledge, skills and experience to the challenge of identifying research priorities. Our goal was to identify research areas that have the potential to offer real and timely benefits for practitioners. This would occur, we suggest, because practitioners had identified these as research needs. Key research priorities that emerged from the workshop are discussed below.

4.1. Learning From Other Places (Policy Transfer)

Participants argued that a general lack of information existed regarding other water governance processes. Information exists, but it is fragmented and sometimes inaccessible (e.g., when key information is contained in academic journals that are available only via subscription). To address this need, workshop participants suggested that water governance approaches across Canada should be catalogued systematically, and the information about each process made available in an easy to access location. Participants noted that such information will enable them to learn more efficiently from the experiences of others.

Participants also indicated that simple descriptions of water governance approaches would not be sufficient. They suggested that practitioners need to be able to compare processes, to identify governance approaches that are being implemented in similar contexts to their own, and to have enough information available about each approach to be able to identify solutions to water governance challenges that may be applicable to their own situations. In order to be able to determine the transferability of other models, descriptions of water governance approaches should include, at a minimum, information about their structure, driving funding sources, authority and accountability model, and contextual factors that may affect success[5].

4.2. Collaborative Approaches to Water Governance

Building on the first example, participants were strongly interested in questions regarding the success and applicability of collaborative approaches. As a secondary concern, participants were interested in answers to procedural or operational questions relating to the implementation of collaborative approaches.

Workshop participants pointed to the need for research to chronicle and evaluate collaborative water governance approaches. This was essential, they argued, to allow for identification of critical success factors for collaborative water governance and the barriers that impede successes. The objective would be to identify how to address barriers to promote successful collaborative approaches to water governance. Such research would help to answer broader questions surrounding collaborative water governance. Examples of such questions included the following:

- When is collaboration an appropriate way to address jurisdictional fragmentation?

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[5]   Additional information about policy transfer and lesson learning is available in a report published at www.governanceforwater.ca and www.wpgg.ca: Swainson, B. and R. de Loë. 2010. *Exploring the Role of Policy Transfer in Water Governance*. Water Policy and Governance Group, University of Waterloo: Waterloo, ON.

- What can collaborative approaches actually achieve?

- How do collaborative approaches compare to other approaches (e.g., traditional regulatory mechanisms)?

In terms of procedural concerns, participants noted that getting the right people to participate in collaborative approaches is important, yet there is little guidance in the academic literature to assist in this. In this context, participants identified a number of research questions they wanted to see addressed:

- What is the public interest? How do we define it?

- Who is representative of the public interest?

- Who should be represented within collaborative governance approaches?

Importantly, one workshop practitioner offered an overarching challenge to the workshop participants. This person suggested that if governance is premised on an ability to make decisions, then *collaborative* governance in Canada is a myth because the authority to make decisions remains with governments. Hence, this participant argued that so-called "collaborative governance" bodies are little more than advisory councils because they lack decision making authority. Addressing this challenge through identifying the actual roles played by the various water-related collaborative bodies that exist in Canada is thus an important research priority.

4.3. Developing and Sharing Effective Policy Tools

Building again on specific question about the role of collaborative governance, workshop participants called for better understanding of the range of policy tools that can support governance for SWP, their advantages, disadvantages and potential applications. Participants were interested in answers to the following questions:

- What are the available policy tools that can support governance for SWP (and governance for water more broadly)?

- In which contexts/scenarios are the various policy tools best suited?

- What are the strengths and weaknesses of the various tools, and what are the potential outcomes from each policy tool?

- What opportunities exist to modify policy tools if evaluation shows that the desired objectives are not being achieved?

Questions such as these reflect the fact that practitioners understand that there is no "one size fits all" solution to water governance challenges. Hence, they are seeking a nuanced and detailed understanding of how policy tools work and in what context they are best applied. Answers to questions such as this will help practitioners to select and tailor appropriate policy tools to suit their own context.

5. Conclusions and Recommendations

In Canadian water governance, there is new and growing emphasis on the use of markets and other economic instruments, and on partnerships, multi-stakeholder councils and other forms of shared and collaborative governance. This report presents key findings from a study that drew on the insights of an extremely experienced and diverse group of practitioners of Canadian water governance. Our overall goal was to identify and evaluate key water governance challenges and solutions, and to define research priorities. We accomplished this in a "ground-up" fashion, in other words, by relying on the practitioners to define challenges, solutions and research opportunities. SWP provided a specific grounded context for exploring governance challenges and for discussing solutions – but it was clear throughout the study that many of the challenges and solutions are broadly relevant in the water domain.

Key challenges for water governance in Canada identified in the study related to the following themes:

- Delegation of authority and responsibility;

- Collaborative approaches to water governance;

- Rights and roles of First Nations;

- Watershed-scale governance; and

- Leadership and an overarching framework

When asked to identify future research priorities – that is to identify research questions that researchers can help in answering – practitioners identified priorities that included:

- Learning from other places (policy transfer);

- Better understanding the strengths and limitations of collaborative approaches to water governance; and,

- Developing and sharing effective policy tools.

In addition to these specific findings, an important overall finding from this study is that a "ground-up" approach offers real benefits. Many of the challenges and research priorities identified by practitioners during this study resonate with perspectives offered in the academic literature. This demonstrates that practitioners have a clear, detailed and nuanced grasp of the challenges facing water governance in Canada. At the same time, it provides "real world" validation for the kinds of insights produced through academic research, and offers confidence to researchers who are seeking the next steps for water governance research.

Collectively, the key challenges, solutions and research priorities identified through this study allow researchers who are concerned with improving governance for SWP (and governance for water, more broadly) to map future research directions. A clear message from the workshop is that "new" approaches to water governance in Canada are being implemented on the ground, but fundamental questions about determinants of success and failure are not always being asked or answered. Questions remain regarding the contexts and scales in which different approaches and policy tools are most appropriate; and what new roles

and responsibilities for water governance actors mean for concerns such as effectiveness, capacity, legitimacy and accountability. In effect, practice is leading theory: implementation of new approaches to governance is outstripping our knowledge of when, where, and how to implement such approaches to facilitate their best chance of success.

Through this study, opportunities were identified to address the kinds of challenges that concerned practitioners. Participants identified the value and importance of learning from each other and suggested that more systematic analysis and documentation of experiences from other jurisdictions (in Canada, and around the world) is a way to facilitate this knowledge transfer. Participants also suggested that a clearer understanding of the benefits and limitations of different governance approaches and policy tools was needed to support decisions about which approaches to use in different contexts. These insights point to real and valuable ways for researchers to contribute to practice. Ultimately, the project highlights the benefits of collaboration between researchers and practitioners.

6. Appendix: Participant Profile

The study involved 36 practitioners drawn from across Canada and representing the different kinds of sectors and organizations that tend to be involved in governance for source water protection. This appendix provides a brief profile of the practitioner participants; members of the research team are not included in these tables. Importantly, 31 of the 36 practitioners who completed the pre-workshop survey attended the workshop. The profile (below) is for all 36 participants.

Years of Experience in the Water Field

In selecting participants, the goal was to recruit experienced practitioners. As indicated below, we were successful in recruiting people whose professional experiences provided a sound basis for commenting on the governance challenges raised.

Years of Experience	Number
1 to 3	0
4 to 6	5
7 to 10	7
11 to 15	9
16 to 20	2
21 to 25	2
26+	11
Total	*36*

Current Employers

Responsibility for water is widely shared in Canada among public and private sector organizations at all levels. Therefore, we sought a group of practitioners who represented the many relevant sectors involved in governance for source water protection in Canada.

Organization	Number
Federal government	2
Provincial/territorial government	8
Local government	3
First Nations government	3
Industry	1
Consulting firm	1
Watershed management organization	6
Non-government organization (environmental, conservation, industry, First Nations)	12
Total	*36*

Water-Relevant Employment Experience

We expected that a highly experienced group of practitioners would have employment experiences beyond their current employers. To measure this, we asked participants to identify all water-relevant employment experiences they had during their careers. Collectively the participants had extremely diverse experiences across the public and private sectors, and within all levels of government.

Organization	Number Reporting
Local Government	9
Provincial/Territorial Government	18
Federal Government	13
First Nations Government	4
Watershed Management Organization	12
Consulting Sector	8
Industrial or Commercial Firm	3
Farming Business	2
Environmental Non-Government Organization	15
Other Non-Government Organization	8
K-12 or College Education	2
University researcher	9
Other Organization	3

Areas of Water-Related Expertise

The focus of the study was on governance for source water protection. However, a key finding from previous research in the larger four year project[6] is that "source water protection" typically includes a vast range of activities beyond the specific realm of drinking water. For example, many of the measures that are required to protect sources of drinking water relate to land use planning. To capture the range of water-related experience of the practitioners involved in the study, we asked them to identify all the areas in which they had current or previous water-related expertise. The results, below, demonstrate tremendous breadth of experience.

Organization	Number Reporting
Source water protection	30
Drinking water provision	19
Irrigation	11
Drainage	12
Industrial water supply	7
Wastewater management	17
Habitat protection and restoration	19
Floodplain management	12

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[6] Simms, G., Lightman, D. and de Loë, R. 2010. Tools and Approaches for Source Water Protection in Canada. Governance for Source Water Protection in Canada, Report No. 1. Waterloo, ON: Water Policy and Governance Group.

Organization	Number Reporting
Water allocation/permitting	20
Well stewardship	8
Land use planning	21
Transboundary water management	19
Watershed planning	30
Hydroelectric power	8
Other	13

Provinces/Territories Where Participant Issue Understanding is Strongest

Finally, in recruiting practitioners our goal was to capture the many different perspectives that exist in Canada. Recognizing that practitioners may have experiences in different parts of the country, we asked them to identify all the provinces/territories in which they believed they had significant and relevant experiences. Ontario and Alberta were most strongly represented. Newfoundland and Labrador was the only jurisdiction in which no practitioner claimed strong understanding of the issues. Nonetheless, all regions from coast-to-coast-to-coast were represented.

Province/Territory	Number Reporting
Yukon	1
Northwest Territories	5
Nunavut	1
British Columbia	8
Alberta	11
Saskatchewan	2
Manitoba	7
Ontario	21
Quebec	2
New Brunswick	4
Nova Scotia	5
Newfoundland and Labrador	0
Prince Edward Island	3