

THE *BIG* EDDY

Water District	Watershed Number*	Source	User	Reserve Area Requested**
Revelstoke	1a	Clachnacudainn Creek		15.3
"	1b	Greely Creek		20.3
"	1c	Hamilton Creek	City of Revelstoke	5.6
"	1d	Bridge Creek		1.7
"	1e	Napoleon Creek		1.2
"	2	Dolan Creek	Big Eddy W.W.D.***	1.7



A History of the Big Eddy Waterworks District and its Long-Standing Battles to Protect the Dolan Creek Watershed Reserve



By Will Koop, September 30, 2013
 B.C. Tap Water Alliance (<http://www.bctwa.org>)

2. THE BIRTH OF THE DOLAN CREEK WATERSHED RESERVE AND CONTROVERSIES OVER BC'S EARLY WATERSHED RESERVES

*Our Cities and Towns require unlimited supplies of pure water.*¹⁴

.....

*For many generations the people of North America “couldn’t see the forest for the trees.” Trees mean logs and logs mean lumber; and both mean employment, trade and wealth. The forest, on the other hand, means not only logs but climate, moisture, soil conservation, water-control, fur, game, fishing, aesthetic values, recreation and health. These supplementary values are imponderables, but quite possibly of an aggregate social value in excess of pure commercial values. Any forest administration, therefore, that fails to give them a place in management plans is only half aware of its responsibilities.*¹⁵

.....

Mr. King asked the Hon. the Minister of Lands the following questions: 1. What precautions are taken by the Department for the protection of watersheds which form a source of domestic and irrigation water-supply?...

*The Hon. Mr. Kenney replied as follows: 1. Before any sale is made a joint report and recommendations are required of the District Forester and the District Engineer of the Water Rights Branch and due regard is paid to irrigation interests and domestic water users. The Chief Forester may disallow a timber sale where any logging may adversely affect these interests. Not infrequently a selection cutting will safeguard the supply of water and control erosion, stream-flow, and floods, and at the same time maintain the stand in perpetuity. Where contamination may be the chief consideration, the Chief Forester may likewise disallow any timber sale application.*¹⁶

2.1. The Big Eddy Trustees Request a *Land Act* Watershed Reserve

As so many other community, village, township, urban, and city Water and Improvement Districts formed before them, it didn't take very long for the Big Eddy Trustees to acquaint themselves with their newly formed responsibilities. And, like most of them, on November 4, 1950 Secretary Clough wrote to the government, in this case E.L. Scott, the Forest Ranger located in a small Ranger Office house in the community of Big Eddy, requesting “*this as our application to the Forest Branch for a reserve of the timber in the valley of Dolan Creek as a water shed for our source of supply.*”

Secretary Clough's reference to a “water shed,” alternatively spelled ‘watershed,’ were the terms used by government for a long period of time to denote a ‘community watershed’ or an ‘irrigation watershed’ source. It wasn't until the 1970s when the term ‘community watershed’ was first pegged by the BC government and began to take force to replace the older term. Whenever the word

¹⁴ Lands and Forests Service, Annual Report, 1946, page II-78.

¹⁵ B.C. Forest Service Annual Report, 1939, page E 11.

¹⁶ Journals of the Legislative Assembly of the Province of British Columbia, March 8, 1945. Question by Liberal Party MLA (Columbia Riding) Thomas King to Liberal Lands Minister E.T. Kenney (Skeena Riding). Comments made during the Sloan Commission on Forest Resources. Note that the Minister was not asked to comment on watersheds with “Watershed Reserve” tenures.

Mr. E.L. Scott
Forest Ranger
Revelstoke, B. C.

Box 25
Revelstoke, B. C.
November 4, 1950

Dear Emory:

The Big Eddy Water Works District was incorporated in March, 1950 and we are using Dolan Creek which flows from the south into the Tonkawatla River approximately a mile from the Columbia River.

Would you kindly accept this as our application to the Forest Branch for a reserve of the timber in the valley of Dolan Creek as a watershed for our source of supply.

Trusting this will meet with your approval, I remain.

Yours truly,



W. Clough
Secretary to the Trustees of
The Big Eddy Water Works District

‘watershed’ appeared in early government mapping manuals and handbooks for both Land Department and Forest Service planning procedures it often signified a source or a location of outright resource protection, and the term even appeared as a special identity in land status or Ownership Code sections.¹⁷

Almost all of these early Reserves registered on the Lands Service Departmental Reference Maps and on Forest Service Forest Atlas Reference Maps had thick, dark blue lined boundaries¹⁸ to identify their purpose and were registered with Lands Department file numbers in a central Registry. And, marked in bold italics, placed there to caution administrative Crown Land planners and government staff reviewing Forest Service Reference Atlas Maps, was the standard phrase, *No Timber Sales*. It has not been established exactly when the *No Timber Sales* proviso was no longer incorporated by mapping and planning personnel on legal provincial planning Reference Maps over the domestic and irrigation Watershed Reserves (it most likely began to end sometime in the 1950s), or when it first began, but it was once a golden rule. No doubt the three words bothered and irritated private industry and some government foresters when the sustained yield logging mandate over BC provincial forestlands was underway in the 1950s. The neglect or alteration to include the remindful proviso later served its purpose to bring forgetfulness and confusion to the function and nature of the Watershed Reserves. With the eventual exclusion of the phrase, the only map traditions that remained were written references to the “O” file Lands Registry file numbers associated with the Reserves, along with the blue boundaries and words identifying the area as a Watershed Reserve. These early maps that showed the *No Timber Sales* logo over community and irrigation watersheds were, apparently, never shown or disseminated to the public, and never seemingly provided or included in later public inquiries and in forest management reports.

¹⁷ See Appendix A for information on Ownership Codes.

¹⁸ There were earlier exceptions to this later standard color coding for community and irrigation watersheds: some of these Reserves were identified by orange, red or even yellow line boundary coloring.



Recent image from Google Earth showing the town of Big Eddy (center, right) and its neighbour City of Revelstoke (far right). The Columbia River, regulated by BC Hydro's Revelstoke dam located just north and upstream of this photo, naturally divides Big Eddy and Revelstoke. The two urban centres are connected by three bridges: the Trans Canada Highway bridge; the Canadian Pacific Railway bridge; and an old metal bridge for single vehicle access. The name of Big Eddy is derived from a large whirlpool area so named just north of the town. To the left and immediately west of Big Eddy is most of the Dolan Creek watershed, bounded in yellow dotted lines. The hydro transmission line right-of-way in the right portion of the watershed was the subject of great controversy in the late 1970s and early 1980s.

When the Big Eddy Trustees first requested the Forest Service to grant them a Crown *Land Act* Reserve over Dolan Creek, the Service would have had to notify and consult with its joint partner Crown Lands staff to also facilitate and register the land reservation request on Lands Departmental Reference Maps. Those were, or were supposed to be, the rules. At that time, in 1950, the Forest Service was legislatively and administratively linked at the hip to the Lands Department, under the *Lands and Forests Act* created on April 5, 1945, unlike its later 'stand alone,' 'single purpose' and autonomous agency legislation on July 6, 1978, the creation of the *Ministry of Forests Act*, after which it aggressively sought to abduct and take political control over the administration of community watersheds from the Ministry of Environment.¹⁹ Prior to 1945, the Forest Service was a subservient agency under the administrative authority of the Lands Department since the Forest Service's creation thirty-three years previous in February, 1912.

It was common knowledge by B.C.'s water users/ purveyors in 1950, the understanding that the lands and forests – everything that constituted the physical attributes of water sources within community drinking watersheds – should be protected. Apparently, all of the community watersheds were, or were supposed to be. For instance, in the larger urban provincial centres in southwest and in southeast BC:

- the three Greater Vancouver Water District watersheds, the Capilano, Seymour and Coquitlam, were fully protected under Crown Lease provisions of the *Land Act*;

¹⁹ When the Ministry of Environment was created in 1975, it amalgamated the Water Resources Department and the Water Rights Branch under its new domain. The Ministry of Lands became a separate entity.

- Victoria City’s private watershed lands above Sooke Lake that were purchased (in 1925), owned and operated by the City were still intact and in a protected state;²⁰
- Nanaimo City’s Jump Creek watershed located in private forest lands owned by forestry tycoon H.R. MacMillan, British Columbia’s first Chief Forester, was still unlogged.²¹
- The City of Nelson;
- Rossland City.



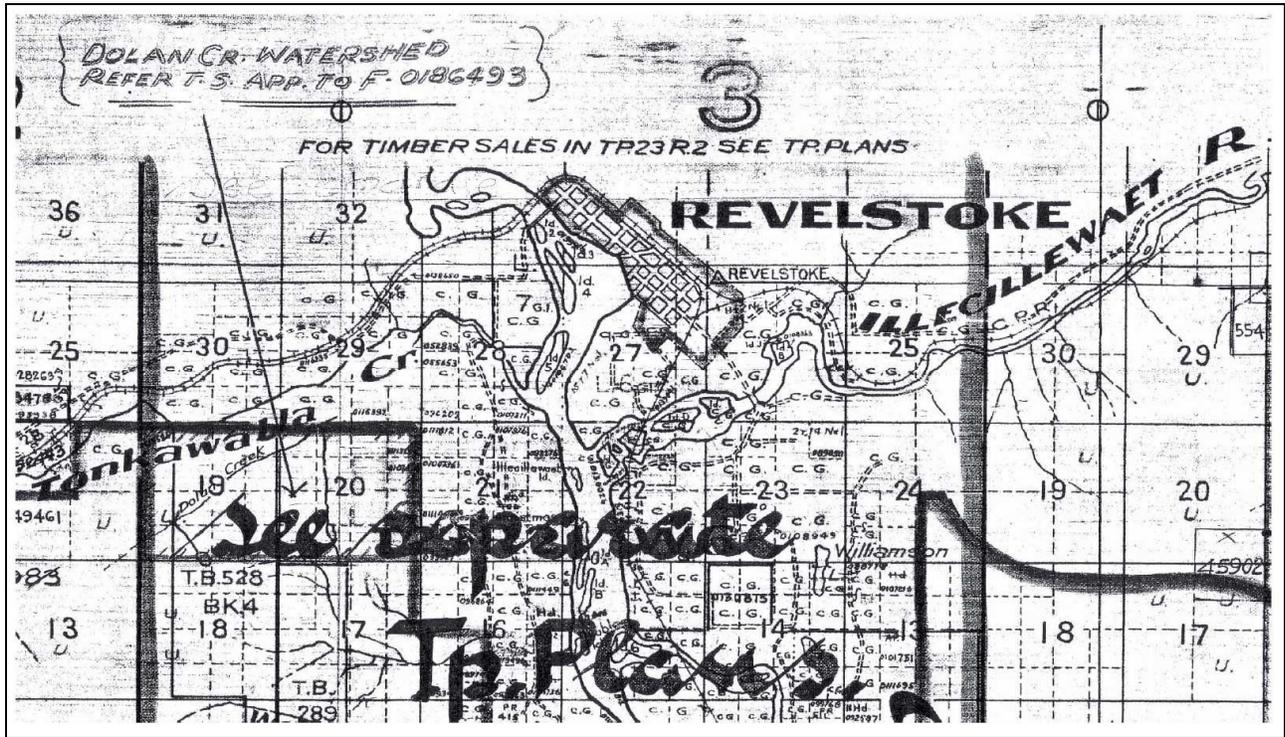
Above: aerial photo of Jump Creek, circa 1947. Source: U.B.C. Special Collections, H.R. MacMillan/ MacMillan Bloedel Records. The Jump Creek watershed, the source of drinking water with the former Nanaimo Water Works District, is seen here in an undisturbed state, before H.R. MacMillan began logging it in 1955.

It was a natural immediate response, and perhaps also an immediate accompanying suggestion from a provincial agent in the Water Rights Branch, that the newly incorporated Big Eddy Waterworks District request the Crown lands within Dolan Creek be withheld from exploitation and reserved for “single use”, a term that a small contingent of administrative foresters were uncomfortable with, and more so, it seemed, as the years passed.

This “single use” legacy was not just confined to B.C., but was widely recognized and practiced in many jurisdictions in Canada, and particularly in the United States, in fact recognized internationally. As identified in a critical 1933 federal United States, two-volume, 1,600-page

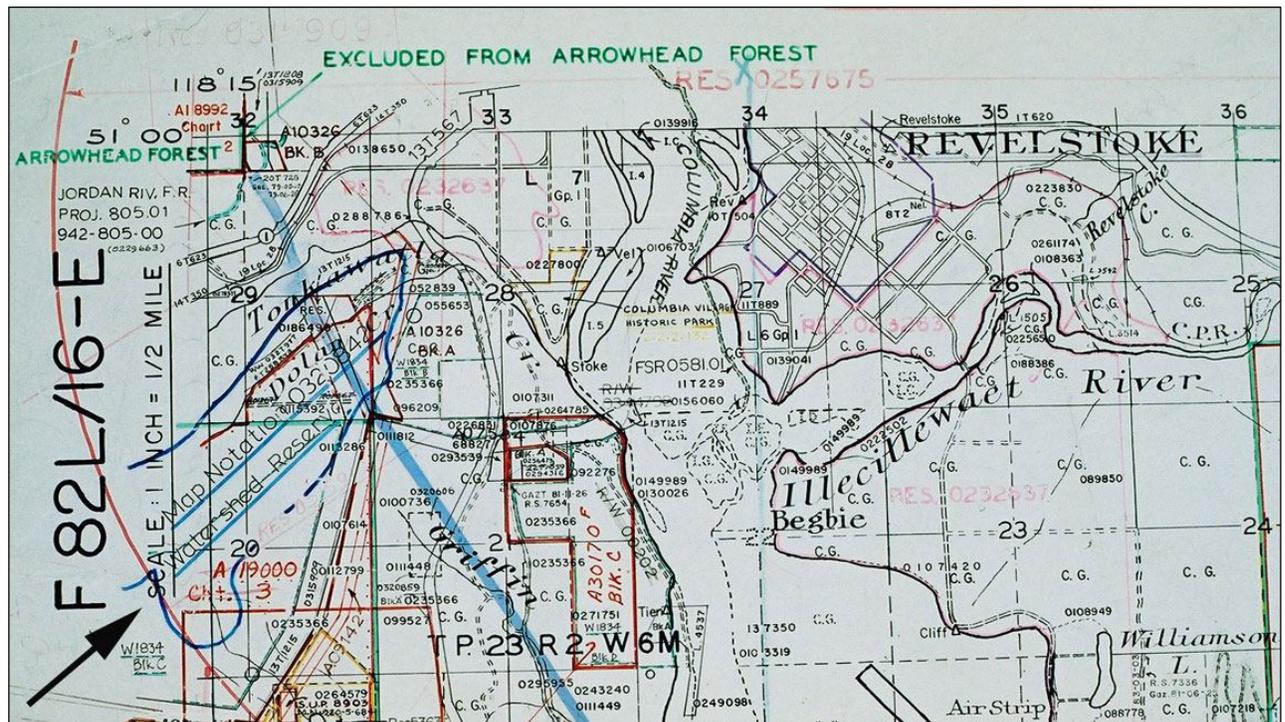
²⁰ Great public controversy raged as logging began in Victoria’s pristine coastal watershed in the early 1950s. A later court ruling in 1994 found the controversial logging operations conducted in the watersheds contravened the *Greater Victoria Water District Act*.

²¹ Reportedly, BC forestry tycoon H.R. McMillan began logging the pristine Jump Creek in 1955.



Above: copy of a Forest Atlas Map (82K/NW-W, 82L/NE-E) that first registered the Dolan Watershed Reserve in about 1951. The map references the watershed name at the top left, provides a reference to a file number, and an arrow pointing to the watershed location. Note that the map does not state *No Timber Sales*, as earlier maps always did.

Below: a more recent map made sometime in the 1970s showing the Dolan Watershed Reserve, its blue boundary, and the more recent Lands Department file number (see large black arrow showing the location of the Dolan Reserve).

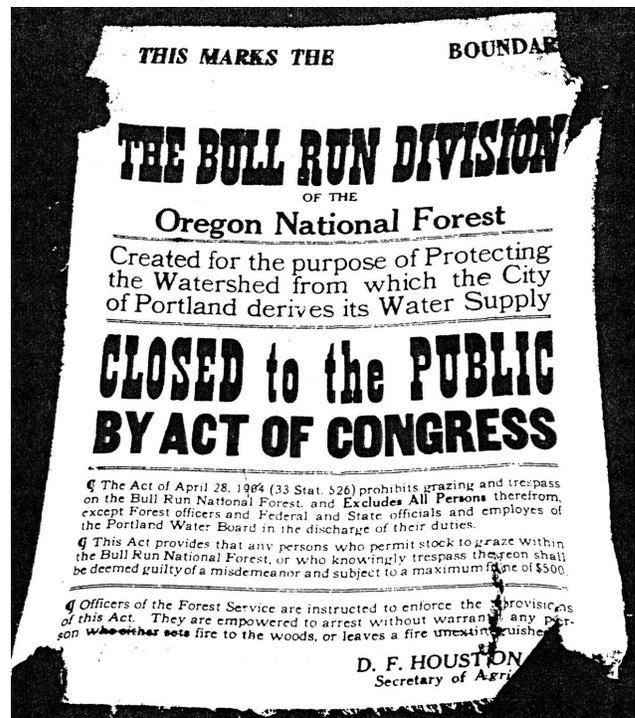


document, *A National Plan for American Forestry* (otherwise referred to as the Copeland Report), since the vast plundering of American forests in the late 1800s amendments were made federally to re-constitute and categorize community watershed lands on national reserve forest lands as “*protection forests*” under a land category of “*single purpose*”, for domestic water use only:

The national forest enterprise has been the most conspicuous single effort in the development of American forestry. The great significance of the national forest enterprise lies in the fact that it has been a trial on a grand scale of Federal public administration of a great natural resource in the public interest. This has been a radical departure from the traditional American policy of private ownership of natural resources and their exploitation for private profit.

*Another formula for the administration of public forest lands demands exclusive attention to a single objective. This concept is exemplified by the national parks, power withdrawals, and **municipal watersheds** The exclusive-reservation formula has a definite place in public-land management but applies to areas of outstanding importance or quality where one use has overwhelming dominance.... **Most of these municipal watersheds are within national forests and have been set aside as special reserves on which other uses are restricted or entirely eliminated.** [Bold emphases]*

Revealed in Oregon State newspapers in 1977 were summary statements by federal politicians and top U.S. Forest Service administrators, noting that there were about three thousand (3,000) such municipal drinking watersheds dispersed throughout America’s federal forestlands.²² The reference to the 3,000 watersheds emanated from many questions revealed in the March 1976 Oregon Supreme Court Justice Burn’s decision which ruled that the U.S. Forest Service was guilty of “illegal” logging in the City of Portland’s Bull Run Watershed Reserve which had been protected by federal statute since 1892: the Forest Service had trespassed and allowed commercial logging in the Bull Run since 1958. An internal U.S. Forest Service document from 1952, uncovered by a City of Portland school teacher in a Freedom of Information request in the late 1980s, described how an Oregon State federal forest supervisor forged a detailed step-by-step strategic plan to deceive and trick Portland City’s Water Department administrators in order to invade the protected Bull Run. Unbeknownst to British Columbians, the U.S. Forest Service’s underhanded invasion of the Bull Run Watershed Reserve in 1958 most likely and quietly set forth a feverish precedent and devilish chain reaction for similar underhanded activities by the BC Forest Service’s top administrators.



²² I.e., *Bull Run Draws Duncan Ire*, published in the Oregonian, February 26, 1977.

The U.S. Forest Service's illegal logging agenda in the Bull Run originated from an organized national agenda by the U.S. forest industry in the late 1940s to invade all of America's protected drinking watersheds, with the specific aim to alter their protected status ("single use") and access the reserved timber, thereby creating an international domino effect on the protection policy: i.e., the source of B.C. Chief Forester McKinnon's quote from 1963 below, "*the problem of protection*". The timber industry's multiple cross-border association company members and foresters in western Canada simply followed suit to invade BC's community and irrigation watersheds.

Right: Copy of a AWWA document from 1995. Note the Canadian flag.

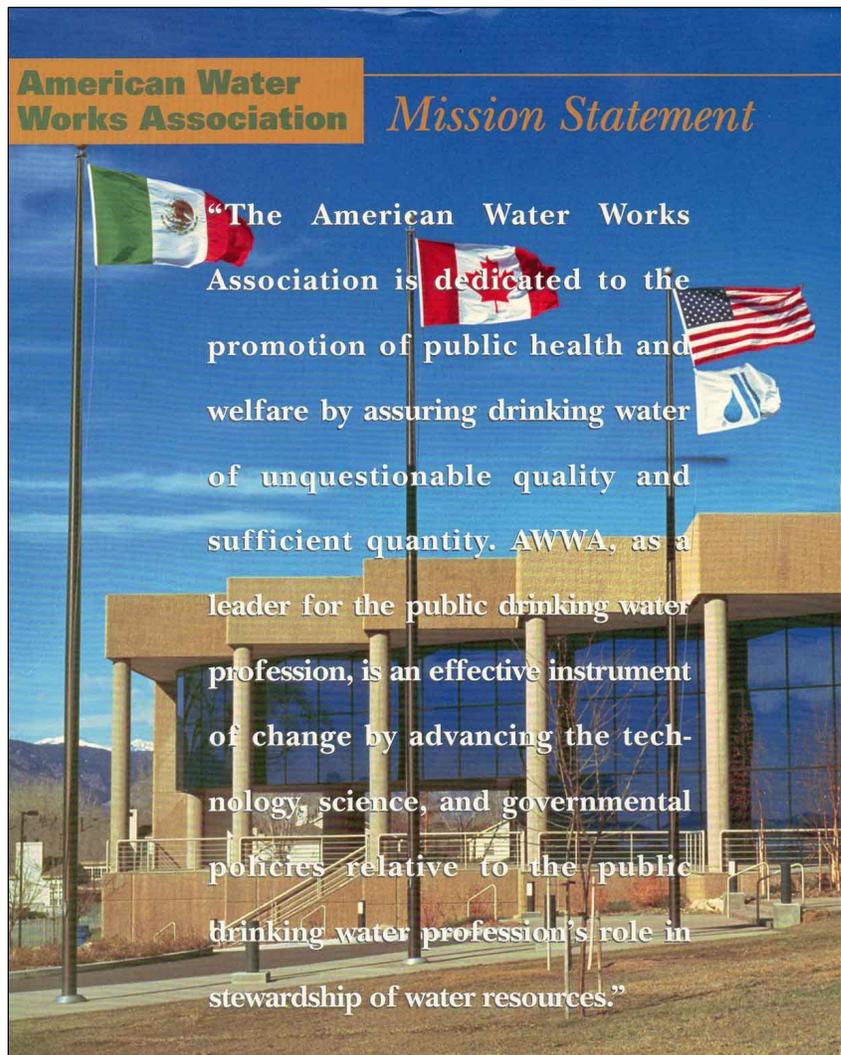
The American foresters advocating this invasion were aided by a small group of similar-minded professional accomplices, professional engineers associated with and operating within the American Water Works Association (AWWA), a large national membership with direct ties to the small town and municipal administration of America's vast network of water works systems that were hooked into these protected watersheds.²³ By 1973, a new extension or branch of the AWWA, the B.C. Water and Waste Association, was established in British Columbia, whereby members adopted the same watershed management philosophy against the explicit protection of community watersheds.

2.1.1. Colonel Parlow's Proviso

Revelstoke Forest District Ranger Scott forwarded the Dolan Creek Watershed Reserve application to his immediate chain of command in the Kamloops Forest Service District (Regional) office. On November 29, 1950 District Forester (Colonel) A.E. Parlow responded to the Big Eddy Waterworks District with the following:

We have reference to your letter of November 4 last addressed to our Ranger Scott in Revelstoke in connection with application for reserve of timber in the Dolan Creek watershed.

²³ See Chapter 8.4 for summary information about the AWWA as partner promoter with the Forest Service.



Watershed reserves of this nature are dealt with as a Departmental map reserve²⁴ [underline emphasis] on the understanding that the right to dispose of Crown timber by the Department is maintained but with all proper safeguards of the domestic water supply and elimination of logging operation hazards. To this end a notation has accordingly been made on our maps in respect to the Dolan Creek watershed.

What Colonel Parlow related in his letter to the Big Eddy Trustees about their Watershed Reserve rights amounted to a bluff, as in a big style poker game, a political deception and, apparently, an early new test case on the trusting public. The trickery in the wording to water users meant to muddle the rights they had over Watershed Map Reserves was later refined and perfected ten years later by way of instruction in an internal December 29, 1960 Forest Service memo sent by Assistant Chief Forester L.F. Swannell to regional provincial Forest Service administrative Foresters. In that memo, Swannell wrote how his foresters' "letters" of reply to a "District Water Engineer, Municipal Clerk or Irrigation District":

should be worded to suit the individual cases according to the legal status of the area, and care should be taken not to imply that the party concerned has any timber disposal rights or priorities which do not legally exist. In the case of a timber sale in a municipal watershed reserve, for instance, rather than asking if the municipality has any objection to the proposed sale, it is preferable to state that the sale is proposed and ask if there are any special conditions they wish us to consider for insertion in the contract. [Bold emphases added.]

There is a likely possibility that Swannell picked up and perfected his trickster memo language during his service as Kamloops District Forester in the 1950s. In fact, both Swannell and Colonel Parlow were bonded by another service, as both had left the Forest Service to serve in the Canadian armed forces during the Second World War and returned to fight another battle, as it were. In 1952, Swannell was transferred from his duties as the Prince George District Forester to replace Parlow as the Kamloops District Forester, where Swannell remained until his promotion to Victoria headquarters as Assistant Chief Forester in 1958. And it was in the Kamloops District office that J.R. Johnston, another Canadian armed forces colleague, served as Swannell's Assistant Forester until Swannell's departure to Victoria. When Swannell left for Victoria, Johnston was promoted to serve as the Prince Rupert Regional or District Forester for a few years until his reassignment as Nelson District Forester in 1962, where he remained for the following sixteen years, until 1978.

In 1950, Kamloops District Forester Parlow was able to manufacture a deception because the Big Eddy Trustees mostly likely did not understand the Reserve legislation and its policy and failed to challenge Parlow and the government. All of the Big Eddy's internal correspondence records from 1950 to 2000 that were reviewed for this report indicate that the Trustees never fully understood this Reserve legislation, and never came to terms with it, a very strange and mysterious thing indeed. As narrated in Chapter 7, they almost came to understand it in the 1980s during the Integrated Watershed Management Plan (IWMP) discussions and review process about Category One Watershed Reserves, a term first coined in 1977 by the BC Task Force on community watersheds to identify smaller Watershed Reserves under six square miles in area. Over 150 Category One Reserves were destined to be baptized from their limbo state as Section 12 *Land Act* Watershed

²⁴ In the 1980s, the BC government defined "Map Reserve" in the BC Lands policy manual as "withdrawal of an area from disposition to provide temporary protection of the land base and its resources from use and development." See Appendix A for Reserve legislation and definitions.

Map Reserves to Section 11 Order-in-Council Watershed Reserves²⁵ by the provincial government in the early 1980s, but the Ministry of Forests' top administrators interfered and railroaded the scheduled baptism by BC's Executive.

There are numerous indications from government and incorporated community records that, oddly, for a lengthy period of time none of BC's water purveyors, or researchers and lawyers investigating Crown land planning, really began to question or grapple the meaning behind the Reserves until the early 1990s.²⁶ That's when Sunshine Coast Regional District residents began serious investigative inquiries into the Reserves,²⁷ and is when the Regional District filed a legal writ with the Supreme Court in November 1992 that included information about legal tenure powers attributed to the Chapman Creek Watershed Reserve, a watershed which had been severely logged since it became a Reserve in 1973.

In the B.C. Tap Water Alliance's recent investigation of South Pender Harbour's twin Watershed Reserve on the Sunshine Coast over Haslam and Silversands Creeks, similar probing questions and inquiries on the status of its Watershed Reserve had been made by the South Pender Harbour Waterworks District in the early 1980s.²⁸

This apparent state of general confusion and ignorance well indicates the success perpetrated by administrators in the Forest Service meant to cloak, disguise and ignore the Reserves. Had the legal understanding of the *Land Act* Reserve legislation fully manifested itself to the Big Eddy Trustees, or to other water purveyors for whom the Reserves were established and then to be cared for by government, the Reserves would have been properly managed.

As discussed below in section 2.2. about the City of Revelstoke's Greeley Creek Watershed Reserve, Kamloops Regional forester Parlow was very familiar with what the Big Eddy Trustees were seeking. By creating a statutory Crown Reserve over Dolan Creek it held first dibs against Timber Sales and other dispositions, granting the water purveyor's interests in essentially the full protection of the watershed area. Parlow failed to properly impart the powers and functions of the *Land Act* Reserve, and to further clarify and state provisions whereby their watershed could be designated as a "permanent" or "gazetted reserve". For instance, ten years previous in 1940:

- Superintendent of Lands, Newman Taylor, who reported to Lands Minister Wells Gray, issued a Watershed Reserve to Rossland City correctly stating in his May 1940 correspondence that "*the area has been withdrawn from any disposition under the Land Act*" (see below);

²⁵ See Appendix A for a discussion of the *Land Act* Reserve legislation.

²⁶ See Chapter 4.6.

²⁷ From the perspective of non-government citizenry, Tuwanek Ratepayer chair Linda Williams seems to have been the first person to investigate, compile and present a reasonably thorough background policy analysis of Watershed Reserves, described in a nine-page document, *Community Watershed Reserves in British Columbia*, which was presented to the Tetrahedron Local Resource Use Plan (LRUP) Committee in 1993. Both her document, and the associated explanatory section on Reserves in the final LRUP report, caused great consternation among forest managers in the Sunshine Coast Forest District, so much so that the District Manager was reluctant to release the final LRUP report to the public.

²⁸ A report on the South Pender Harbour history is currently in the works.

- Minister of Lands, Wells Gray, offered the East Creston Irrigation District a Reserve in 1940: *This Department is prepared to place a statutory reserve upon the lands in conformity with provision of the Land Act.*”²⁹

(8.) The Lieutenant-Governor in Council may grant to any incorporated city, owning and operating its own system of water-works, a lease of the vacant Crown lands which form the whole or any portion of the natural watershed from which such city derives its water supply, for such term, not exceeding nine hundred and ninety-nine years, and upon such conditions as may be deemed advisable, and may in such lease define the limits of such natural watershed.

Power to Lieut.-
Governor in Council
to lease watershed.



Due to its unpopularity by some government foresters, Parlow also failed to relate to the Trustees the option for a 999-year Crown land lease that had been available under the *Land Act* since 1908 to specifically protect the forests from logging, by granting the lease holder control over resource uses, legislation that was amended in 1970 by the Social Credit government to severely limit the original legislative mandate of the 1908 *Act*.



Had the Big Eddy Trustees’ request for protection status instead gone directly to Minister of Lands and Forests Edward T. Kenney³⁰ at that time, or to Lands Superintendent R.E. Burns (there are no documents suggesting so), the Big Eddy Trustees may have received their Reserve more quickly, and perhaps with stringent language recorded in a government memo describing the legislative protection of Dolan Creek. They may even have been granted an Order-in-Council (OIC) Reserve, not merely the Map Reserve referenced in Parlow’s correspondence. As stated in the provincial government’s policy manual on *Land Act* Reserves, a Map Reserve status carried, and still carries, the full force of an OIC Reserve, with the difference of having a temporary, not a permanent, provision, being a ‘Reserve in waiting.’³¹

Above: Superintendent of Lands, Newman Taylor. Below: Lands and Forests Minister E.T. Kenney.



Kamloops Regional Forester Parlow’s sneaky language in his 1950 letter to the Big Eddy Trustees enabled the Forest Service to keep future options opened for logging the Dolan Creek watershed, an option that was shortly thereafter, but unsuccessfully, introduced in 1952 when L.F. Swannell came to man the helm at the Kamloops Forest District. Narrated in Chapter 3, Parlow’s proviso did not prevent the Big Eddy

²⁹ Honorable Wells Gray, Minister of Lands, to Creston Board of Trade, November 20, 1940, concerning the reservation of lands for drinking watershed protection of the Arrow Creek watershed.

³⁰ E.T. Kenney was Minister of Lands from November 1944 to April 1945, and then Minister of Lands and Forests from April 1945 to August 1, 1952.

³¹ In the early 1970s, the Department of Lands assigned almost all of the Watershed Map Reserves a “temporary” term of 9,999 years. See Appendix A for information about Map Reserves.



Trustees from speaking out against Timber Sale proposals in the Dolan due to a long-held provincial referral policy that included and respected written response advice from provincial water purveyors. Because of the Big Eddy's ongoing outspoken concerns and strident determination, an 'understanding' was later reached in the 1960s by the Forest Service to withhold future timber sales in the Dolan Watershed Reserve,³² that is, until the unscrupulous events of the late 1970s and 1980s.

Photo: A.E. Parlow, bottom left, at a District Forester's meeting in Victoria, February, 1923.

2.2. The Greely/ Greeley Creek Connection

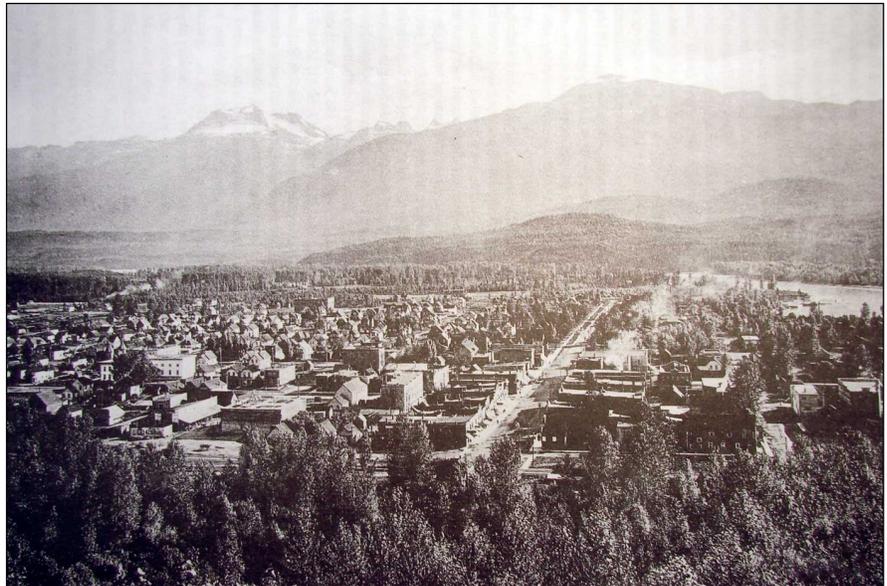
It is largely lost to many British Columbians at this point in history as to why the new Big Eddy Trustees would immediately have asked for a Crown Land Reserve over the Dolan in 1950 after they formed a Waterworks District. At that time, as narrated above, almost all provincially organized water purveyors clearly understood this perspective, and, as detailed from numerous records, British Columbians had been thinking along those lines for some fifty years previous.

Right: City of Revelstoke around 1912, looking southwest toward Mount Begbie in the background, top left.

The City of Revelstoke, located immediately east of and directly across the Columbia River from Big Eddy, is a prime and early precedent example of this protection history.

Correspondence records from 1909 to 1911 between Revelstoke City and the federal Department of Interior detail how the City

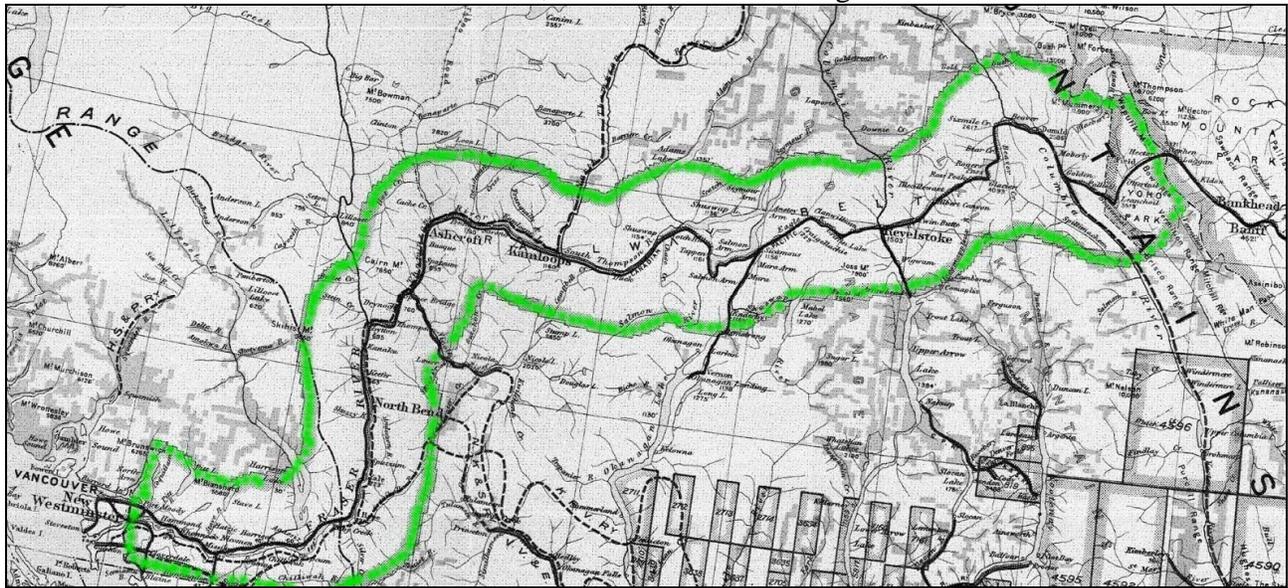
requested the federal government to place a number of Watershed Reserves over existing and proposed future drinking watershed surface-fed sources for their protection against logging, development and human access.³³ At that time, the City of Revelstoke was situated in federal territory and jurisdiction within what was previously known as the *Railway Belt*, federal lands extending some five hundred miles in length and forty miles in width, also known as the *Forty Mile Limit*. The Belt extended from its eastern terminus near the railway station town of Field at the



³² See Chapter 3.

³³ See also Appendix B, excerpts from Revelstoke City Council Minutes and quotes from local newspaper articles, 1909-1911.

Alberta/BC provincial border to its western terminus at the town of Port Moody, lands that later reverted back to British Columbia in 1930, with certain critical legal land transfer conditions.³⁴

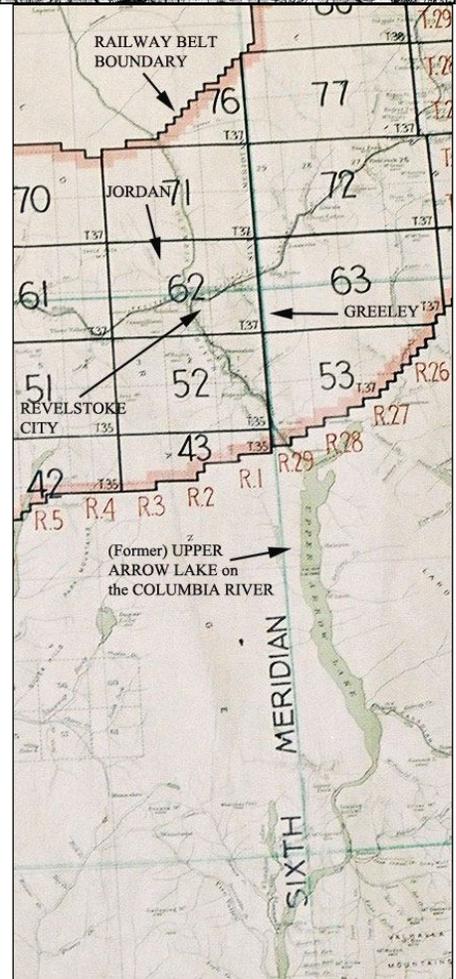


Maps of the former Railway Belt zone in southern B.C. Map to right shows the old Timber Berths in the Belt in the Revelstoke City area. This is the main or central map that the federal Department of Interior would reference in all timber sale disposition requests.

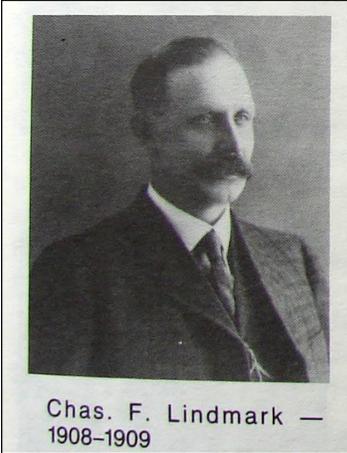
On July 1, 1910, a four-page report on future water supply sources was presented to the Mayor of Revelstoke City. It recommended, among other candidate water sources, that Greely Creek, the mouth of which was located east of the City, was “a large stream capable of supplying the City for all time.” Consequently, five months later in December 1910, Revelstoke City Clerk, Bruce A. Lawson, wrote the Department of Interior in Ottawa requesting statutory Forest Reserves to be established over four watersheds, Hamilton, Cowan, Bridge and Greely Creeks. On March 6, 1911, the Assistant Secretary of the Interior acknowledged:

that a request be placed on the lands as shown within the red lines on the accompanying plan, covering the watersheds of the following creeks:- Hamilton, Cowan and Greely, all tributary to the City, and to say that a further communication will be forwarded shortly.

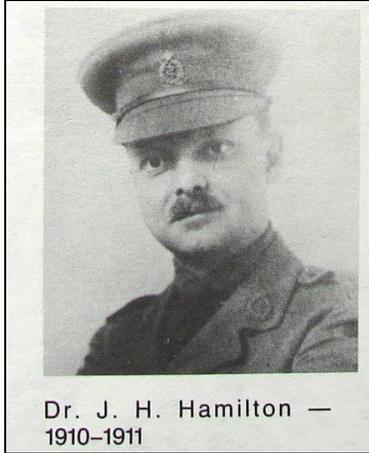
The initial request for protection of these watersheds originated from the Revelstoke Board of Trade more than a year earlier on August 19, 1909, “for the reservation of certain lands for the conservation of the water supply of the City of Revelstoke.”



³⁴ In 1955, the BC Department of Lands received all the Federal government’s field books, 1,218 in total, made from land surveys compiled during the years 1884-1930 in the former Railway Belt.



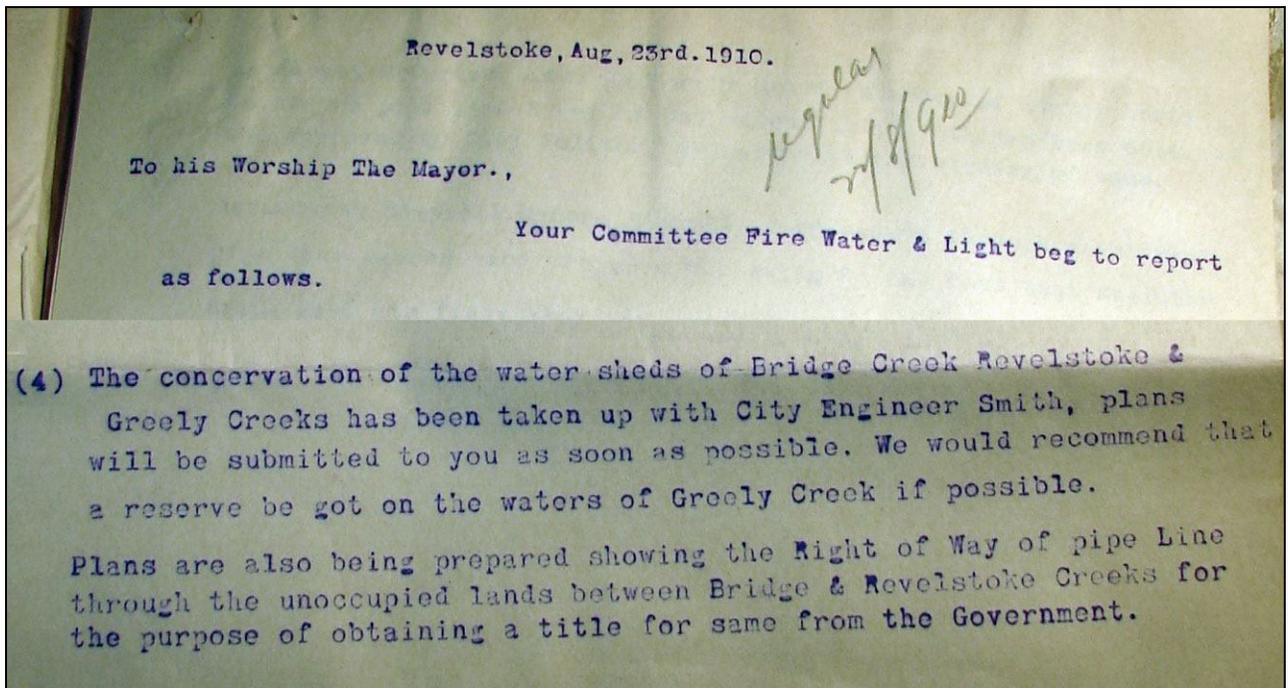
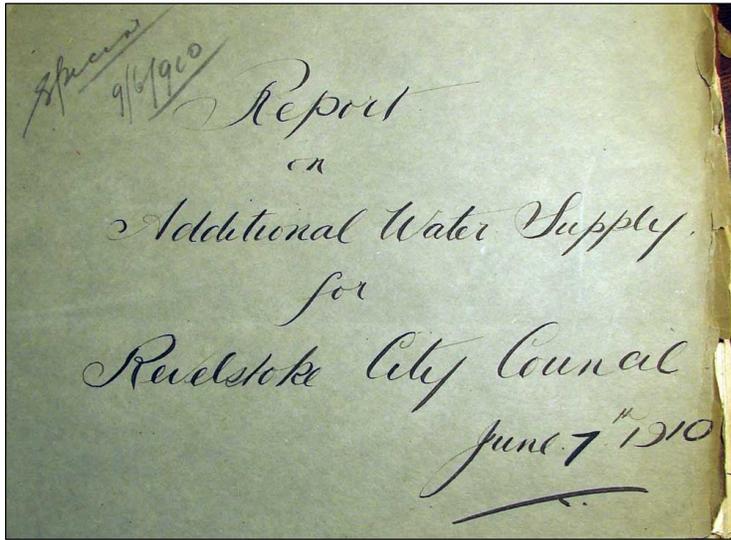
Chas. F. Lindmark —
1908-1909



Dr. J. H. Hamilton —
1910-1911

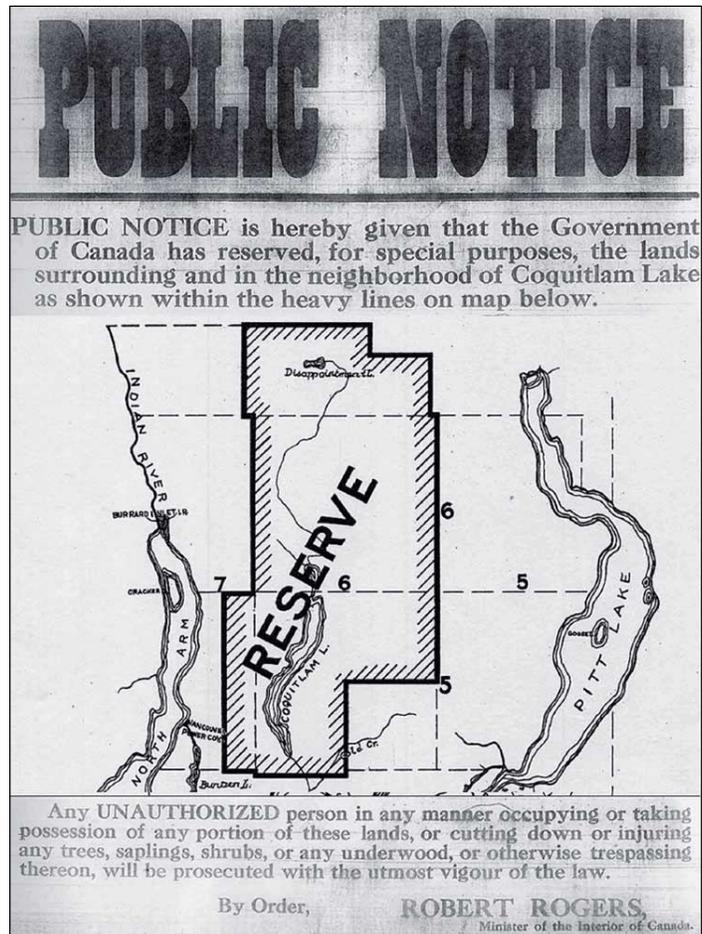


Early photos of Revelstoke City Mayors Lindmark and Hamilton, documents from Revelstoke City records, and a local newspaper clipping from 1910.



The term “conservation”, in common use at that time, meant preservation, or full protection, quite unlike its future altered or watered-down definition in the 1950s by industrialists, professional foresters and engineers. Given the highly organized pro-business political stance by BC Boards of Trade today, a similar request for resource protection of a community watershed by way of a formal Reserve would be almost unthinkable for the big ‘bottom line’ business and corporate elites. Most of the citizens that lived in Revelstoke during that early period were independently minded, or ‘free thinkers’, in one of BC’s early important urban centers. They were conscientious-minded citizens who openly challenged inappropriate or excessive resource activities. Revelstoke City had a large and progressively-minded population where serious consideration was also given to establish a new provincial university.

The protection of drinking watersheds was much on the minds of the early settlers and their administrators at that time. Initiatives were already in high gear, as detailed in prominent newspapers published in the Cities of New Westminster and Vancouver, which were transport-accessible to Revelstokians by rail: namely, the federal government’s initiative through the continual entreaties by the City of New Westminster and the B.C. Electric Railway Company to protect the City’s drinking watershed, the Coquitlam Lake watershed, lands also within the administrative domain of the Railway Belt at its western terminus. Featured in the main newspapers, on March 4, 1910 the federal government passed the Order-in-Council *Coquitlam Conservation Reserve* over the Coquitlam watershed lands. The Reserve included stringent language that not only forbade the cutting of trees (timber), but even the cutting of “shrubs” and “trespassing”, conditions explained to the public under well-posted notification concerning the prosecution of “*the utmost vigour of the law.*” In 1917, the federal Department of Interior also protected the town of Salmon Arm’s East Canoe Creek as a Watershed Reserve, also situated in the Railway Belt about 80 kilometres to the west of Revelstoke City.



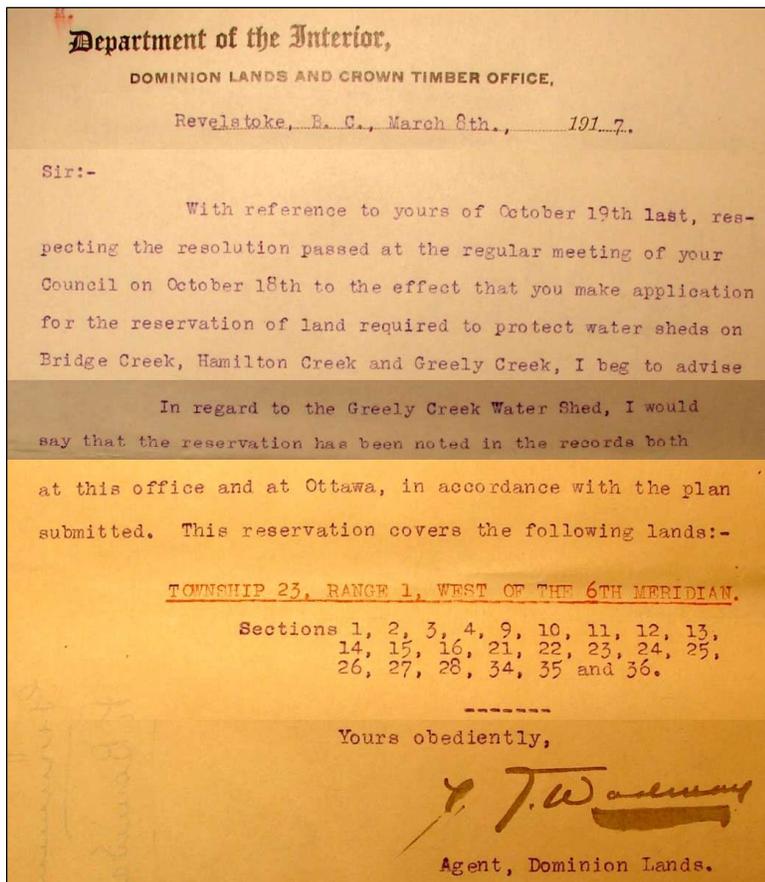
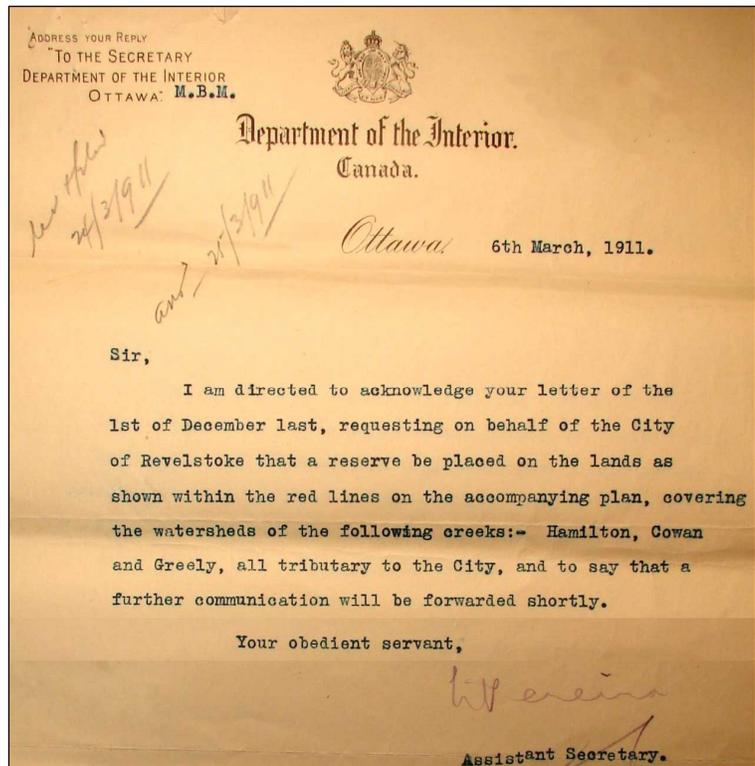
Discussions about the legislated reservation of drinking watersheds for the City of Revelstoke continued after 1910 with the Department of Interior’s Lands and Crown Timber Office, particularly from 1917 to 1918 when the Reserves were officially registered and finalized.

With reference to yours of October 19th last, respecting the resolution passed at the regular meeting of your Council on October 18th to the effect that you make applications for the reservation of land required to protect water sheds on Bridge Creek, Hamilton Creek and Greely Creek, I beg to advise you that the Department are at present considering the

inclusion of the greater part of the lands required in connection with the Bridge Creek Water Shed, other than those disposed of by homestead entry, to the Revelstoke National Park.

*In regard to the Greely Creek Water Shed, I would say that the reservation has been noted in the records both at this office and at Ottawa.*³⁵

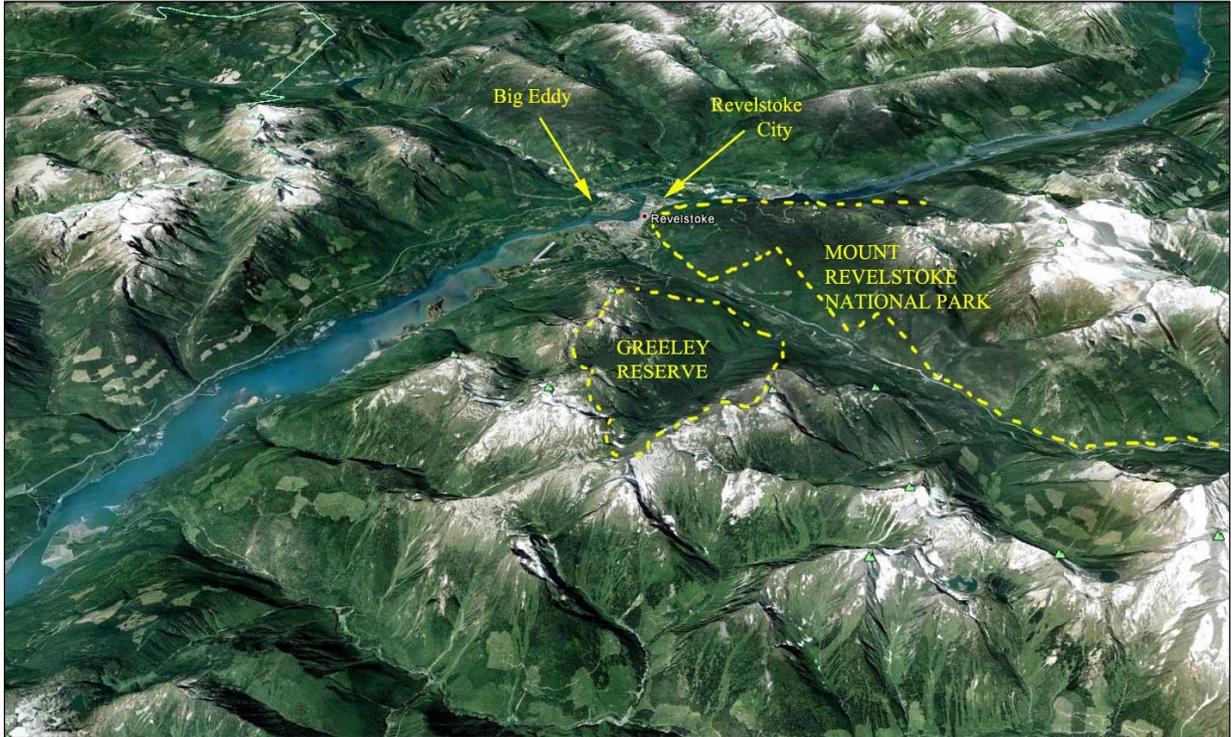
What is interesting with respect to the Greely Creek Watershed Reserve created in 1917 was that it did not become Revelstoke City's domestic water source supply until January 1931. In other words, the City's decision makers had a vision to protect the Greely before its eventual use, a significant and amazing provision.



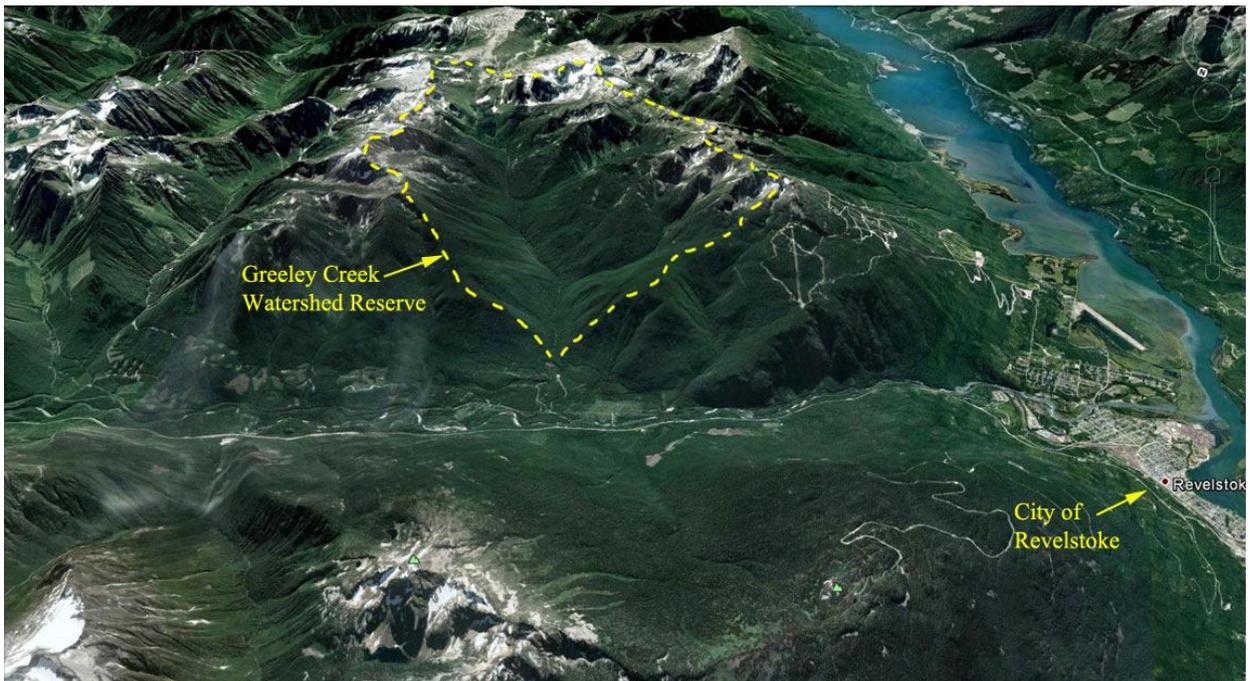
When the federal lands within the Railway Belt were transferred to the Province of British Columbia in 1930, a clause within the agreement stipulated that lands reserved by the federal government must remain so and be honoured by the Province after the transfer agreement. According to records held by Archives Canada, it was Wells Gray, the Mayor of New Westminster, and later provincial Minister of Lands, who instructed solicitors to include the legal provision in the 1930 transfer agreement. That's why Greely (alternatively spelled 'Greeley'), including all of the other federal community Watershed Reserves within the Railway Belt, were automatically transferred as provincial Crown Watershed Reserves under the *Land Act*. However, the B.C. Forest Service would later dishonour and contravene

³⁵ March 8, 1917.

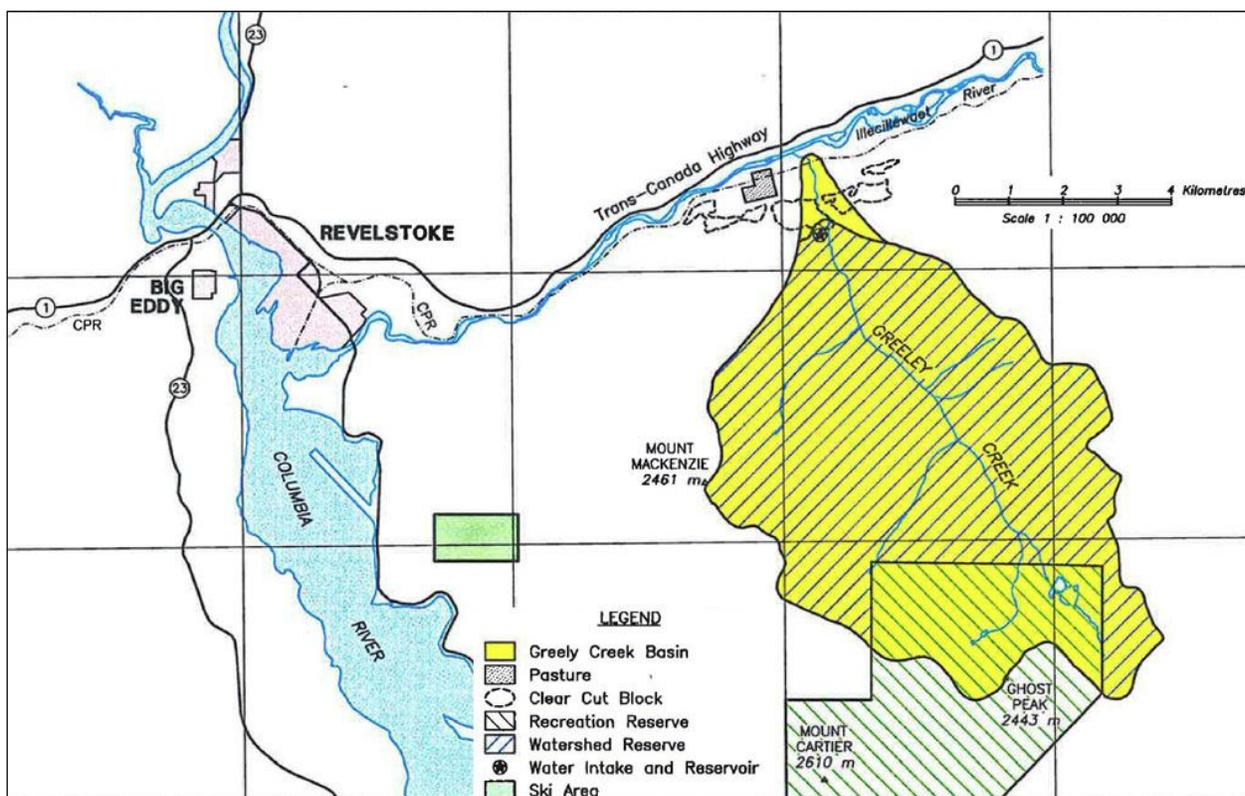
the transfer agreement as it pertained to community Watershed Reserves, seemingly with at least two exceptions: Coquitlam Lake³⁶ and Greeley Creek.



Above: 2013 Google Earth image showing the location of the unlogged 4,760 hectare Greeley Creek Watershed Reserve. Note the forest management logging activities in the surrounding landscapes. Below: 2013 Google Earth image showing the unlogged Greeley Watershed Reserve and the nearby City of Revelstoke.



³⁶ Protected until 1967 when the Greater Vancouver Water District included the Coquitlam in its new Tree Farm Licence No. 42 agreement. The first logging to occur in the Coquitlam began in 1972-1973.



Map from the 1996 report, *Environmental Overview Greeley Creek Watershed*, by Agra Earth Environmental Ltd. Note that the map's legend indicates Greeley Creek as a Watershed Reserve. Also note the later overlapping and conflicting recreation tenure.

The protective status of Greeley Creek as a Watershed Reserve to exclude Timber Sale dispositions is clearly evidenced in later provincial correspondence records. For instance, on July 12, 1946, after the City of Revelstoke received notice of a Timber Sale proposal from the Kamloops District Forest Service, City Clerk B.R. Reynolds dispatched a telegram to Kamloops District Forester Parlow, the same forester that dishonourably dealt with the Big Eddy Trustees' request for a Reserve some four years later:

The Council urgently request you to refuse sale of Sections 22 and 27 which is within two sections of Greely Water Shed. Such action would impair, if not destroy, Revelstoke's water supply if sold for logging purposes.

Your safeguarding of this utility is essential to the health of the community and the Council would appreciate telegraphic assurance of your refusal to sell or dispose of the rights on this water shed.

On the same date, A.L. Jones (M.D.), the Health Officer for the City of Revelstoke, also sent a letter of notice to District Forester Parlow:³⁷

³⁷ As described in Koop's 2002 report, *Doctoring Our Water*, (<http://www.bctwa.org/PHOReporMay15-2002.pdf>) provincial health department officers had been mandated as stewards over the protection of provincial drinking watershed sources.

The Revelstoke City Council have informed me that an application has been made to purchase certain lands for logging purposes in the Greeley Creek watershed.

Greeley Creek, as you know, serves as the main source of Revelstoke's water supply.

As City Health Officer and in the interest of the health of this community I would strongly recommend that no action be taken with regard to the sale of these lands for logging purposes.

Send the following message, subject to the conditions on the back thereof, which are hereby agreed to.

July 12, 1946.

The District Forester,
Kamloops, B. C.

The Council urgently request you to refuse sale of Sections 22 and 27 which is within two sections of Greeley Water Shed. Such action would impair, if not destroy, Revelstoke's water supply if sold for logging purposes .

Your safeguarding of this utility is essential to the health of the community and the Council would appreciate telegraphic assurance of your refusal to sell or dispose of the rights on this water shed.

B. R. Reynolds
City Clerk

As a result of the correspondence letters from the City of Revelstoke and the Health Officer, on July 13, 1946, Kamloops District Forester A.E. Parlow dispatched a telegram to timber tender proponent John Beraducci in the City of Revelstoke, informing him that:

Your application to purchase cedar poles on portions of Sections twenty two and twenty seven in Township twenty three Range One disallowed as these areas within Revelstoke Watershed Reserve.

Send the following message, subject to the conditions on the back thereof, which are hereby agreed to.

KAMLOOPS B.C.
JULY 13, 1946

John Beraducci
REVELSTOKE B.C.

B. R. REYNOLDS
City Clerk, Revelstoke

YOUR APPLICATION TO PURCHASE CEDAR POLES ON PORTIONS OF SECTIONS TWENTY TWO AND TWENTY SEVEN IN TOWNSHIP TWENTY THREE RANGE ONE DISALLOWED AS THESE AREAS WITHIN REVELSTOKE WATERSHED RESERVE

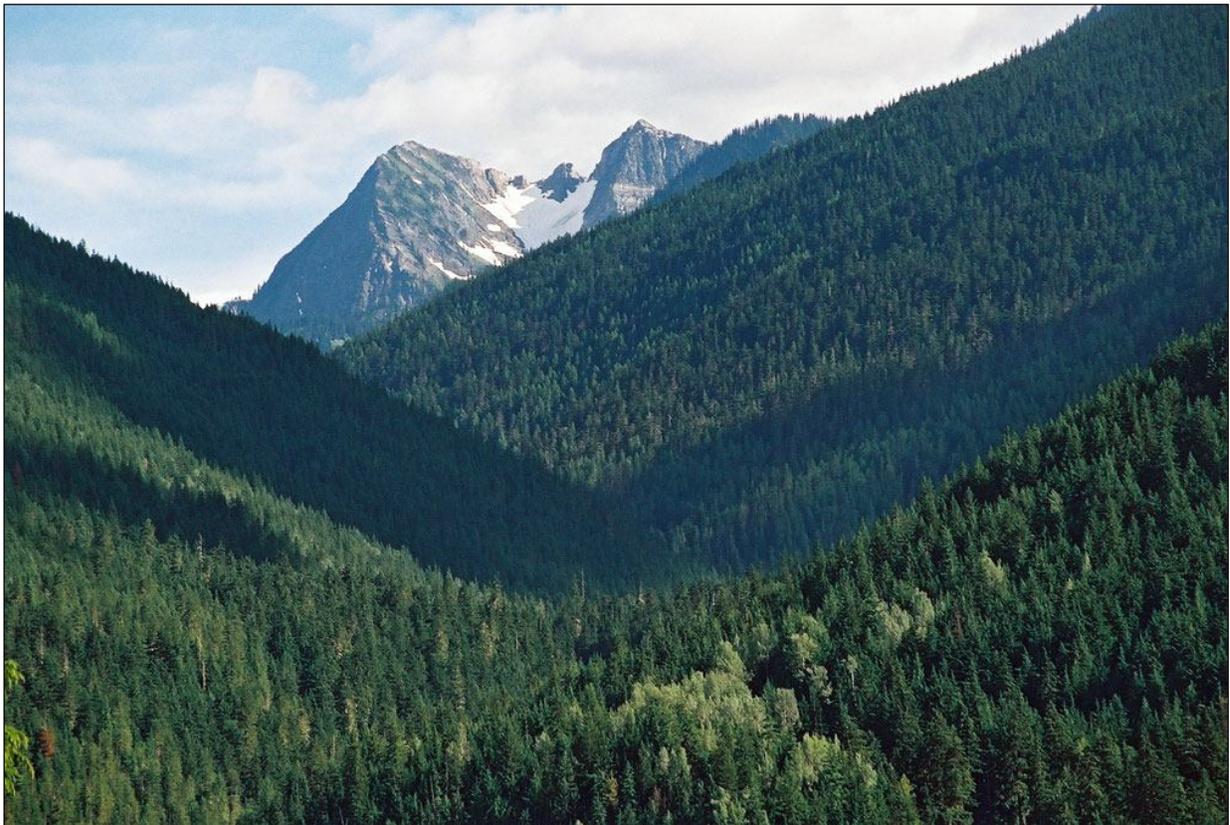
A. E. PARLOW
District Forester

10.30 a.m.

FOR MESSENGER,
Telephone 197

Revelstoke's City Clerk wrote back to regional forester Parlow on July 15, 1946 thanking him for sending the City a copy of his telegram to Beraducci, "*regarding the sale of land in the watershed of Greeley Creek, and your protection of the City's interests.*"

The most significant element in Parlow's response telegram is that he acknowledged that Revelstoke City still had a Watershed Reserve established over Greeley Creek, meaning that the BC Department of Lands and Forests recognized the transfer of Railway Belt land ownership tenure status from the federal government to the provincial government in 1930. This understanding is critical when applied to other federal Watershed Reserve tenures created during the Railway Belt administration era, as for instance the manner in which the Forest Service later ignored the status of Salmon Arm's Watershed Reserve tenure over East Canoe Creek.³⁸



Author's 2002 photo of the intact Greeley Reserve, British Columbia's oldest, intact community Watershed Reserve.

These documents detailing the City of Revelstoke's history of drinking watershed protection – which was well-recognized, understood and maintained by Revelstokians and the provincial Health Department – provide clear, unadulterated evidence as to why the Big Eddy Trustees, as long-time close neighbours with the City of Revelstoke, promptly asked for a Reserve tenure over the Dolan watershed when they formed a Waterworks District in 1950. No doubt, in their efforts to initiate their Waterworks District operations, someone from the City of Revelstoke, or even an administrator from the Kelowna regional office of the Water Rights Branch, wisely advised the Trustees to request a Watershed Reserve, and as quickly as possible.

³⁸ Government Lands Department registry records indicate that the provincial government created another Reserve over East Canoe Creek in 1931.

What makes Big Eddy's opening request in November 1950 for a *Land Act* Watershed Reserve particularly intriguing is that Parlow, the very same forester that had refused a logging proposal in the Greeley Reserve in 1946 only four years previous, had the gall to inform the Big Eddy Trustees of the opposite, that the B.C. Forest Service now "*had the right to dispose of Crown timber*" over its proposed Watershed Reserve. In 1946, by way of contrast, the City of Revelstoke and its Health Officer were able to keep the District Forester in line, reminding him of his public fiduciary duty.

According to provincial government records, by the late 1960s the City of Revelstoke had somehow forgotten or misplaced its files about Greeley Creek's lengthy protective tenure status as a Watershed Reserve, some old files of which are intact and now stored at the Revelstoke City Museum archives. Prompted by imminent threats of "*horse riding trails*" proposed within the watershed, the City sent a letter of concern to the Department of Lands, Forests and Water Resources on August 13, 1969 about how "*your department could give us some information as to how we could obtain control over this very important watershed.*"³⁹

A subsequent, prompt internal memo from Director of Lands W.R. Redel stated the following: "*See if we have a file on a watershed in this area. If not, I can see no objection to establishing a watershed reserve for the City of Revelstoke as has been done for other communities.*" [Underline emphasis]



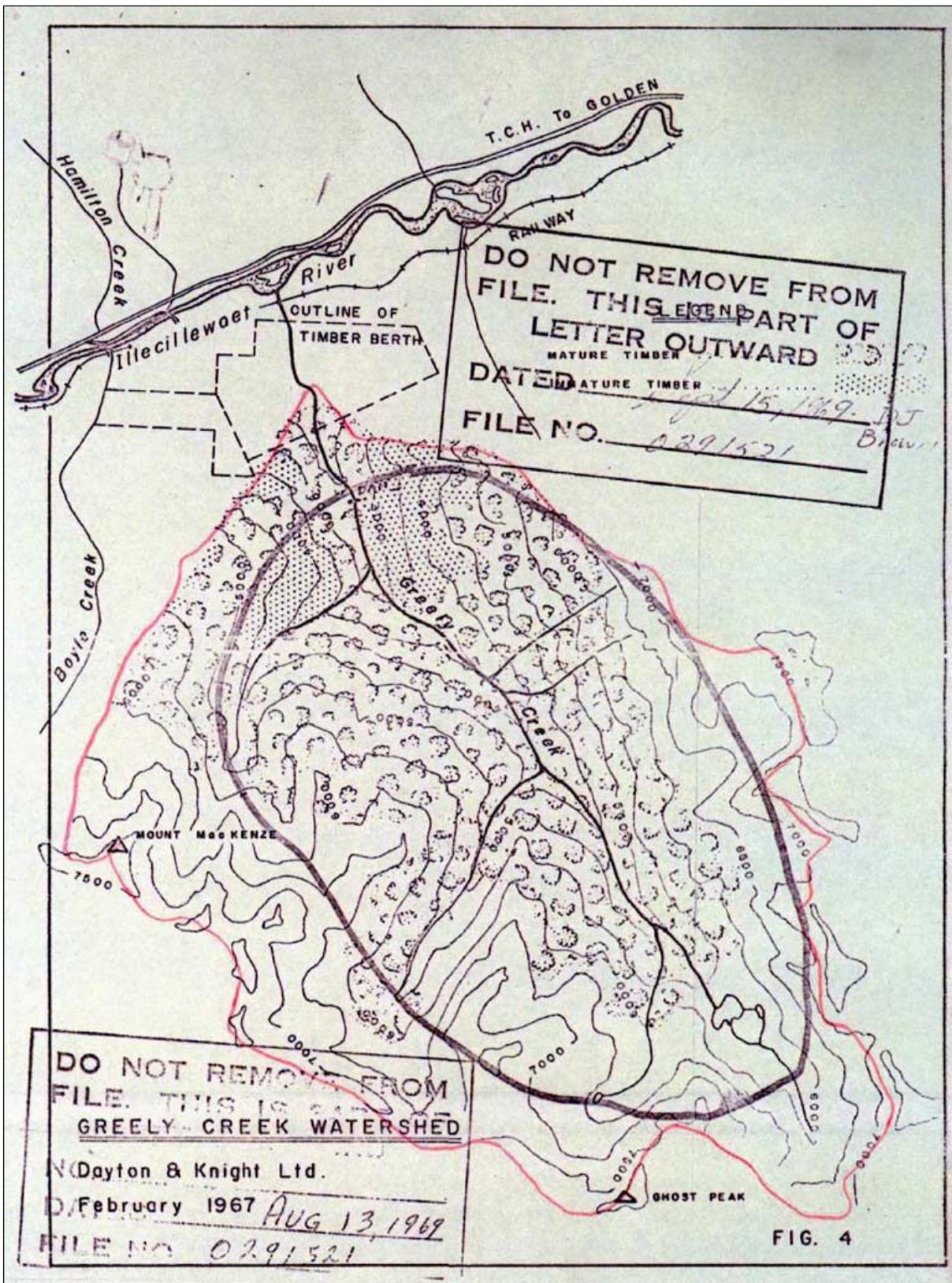
For some apparent reason, the Department of Lands, Forests and Water Resources failed to locate older originating files on Greeley Creek's protected status as a Watershed Reserve, files which the Kamloops District Forest Office had which forester Parlow reviewed. As a result, on August 28, 1969, the Department of Lands created another Reserve, a *Land Act* Map Reserve, over the Greeley Creek watershed.⁴⁰ And, contrary to what Kamloops Forest District Forester Parlow had stated to the City of Revelstoke in 1946, twenty-three years later Director of Lands Redel wrote the following to the City on September 15, 1969, identical in nature to what forester Parlow stated to the Big Eddy Trustees in 1950:

It is pointed out that this Department, through the Forest Service, will retain the right to issue Timber Sales and grant rights-of-way within this reserve area. However, your interests will be protected in that any Timber Sale contracts issued will contain appropriate restrictive clauses. Planned logging will be practiced within the reserve area to ensure that the whole area will not be logged at one time, but rather only small patches of timber will be allowed to be removed. This should minimize erosion and pollution problems. In addition, the local District Forester will refer all applications for timber sales to you for your comments before such sales are issued.

Despite Redel's contrary threat – the thematic pseudo-policy wording of which had been source-controlled from the Chief Forester to the Lands Department since the early 1960s – logging never occurred in Greeley Creek due to the City's grave continual concerns over such possibilities.

³⁹ Refer to the Tap Water Alliance's June 4, 2013 letter to Revelstoke City Mayor and Council, Appendix E.

⁴⁰ Confusingly, in mid-1973 the community watersheds Task Force reserved the Greeley Reserve yet again (see Chapters 4.3 and 4.4).



Map boundaries of the Greely Watershed Map Reserve. The round, dark boundary inside the red boundary is the one created in 1969, boundaries which were updated in July 1973 (red line) to “more correctly define the drainage area.”

2.3. Sloan Forest Inquiry and Fresh Water: Early Reserves, Irrigation Districts, Etc.

*The enthusiasm for the preservation of forests and the results which will accrue from them, particularly as regards water and stream flow, has occasioned a great deal of controversy between civil engineers, hydraulic engineers and others whose work brings them in contact with the control and use of water, and the technical forester or forest engineer, as he is officially known in Canada.*⁴¹

The year before Kamloops Forest District Forester Parlow respected the City of Revelstoke's Greeley Creek Watershed Reserve tenure status by first notifying the water purveyor of a Timber Sale application, and then rejecting it, the provincial government ended its 18-month-long legal public Inquiry on Forest Resources (February 1944 – July 1945) where the policy theme of fresh water protection was a dominating and prevalent issue. While the world's powerful Nation states campaigned to militarily subdue and rout the German, Italian and Japanese fascists in the last two phase years of the Second World War, is when the role and future of BC's public and private forestlands happened to come under critical debate, review and assessment.⁴²

There were many voices of concern during this first Gordon Sloan Commission, not only about the protection of domestic drinking and irrigation watershed sources, but in-depth witness and written accounts about protection and ruination of fish habitat from logging, and policy statements on the integrity of forestlands whose water sources drain into and supply hydro-electric power balancing reservoirs. In fact, no other subsequent provincial forestlands Commission Inquiry⁴³ ever paid as much attention to the concerns and themes of forest hydrology (the inter-relationships of water runoff and timber harvesting practices) as did this Commission – it is the most important or preeminent of all Inquiries with respect to this.⁴⁴ Oddly, almost no critical and comprehensive contextual assessments have been written by resource policy historians about this Commission's fascinating theme of water runoff and forest resource protection.

⁴¹ *Reforestation and Water Resources*, reprinted in *Forestry Chronicle*, Vol. 12, September 1936, No. 3.

⁴² Gordon Sloan, later appointed as Chief Justice of British Columbia, was the Commissioner of the Inquiry. According to the Commission's *Record of Sittings*, the Commission involved a total of 119 days of Hearing Sittings from February 7, 1944 to July 28, 1945: 61 days in Victoria (February 7 - July 14, 1944, and from January 31 – April 18, 1945); 54 days in Vancouver (August 21 - September 4, 1944, and January 15 – July 28, 1945); 2 days in Prince George (October 13-14, 1944); 2 days in Kamloops (October 17-18, 1944); 2 days in Vernon (October 19-20, 1944); 2 days in Kelowna (October 21, 23, 1944); 2 days in Penticton (October 24-25, 1944); 2 days in Nelson (October 27-28, 1944); 2 days in Cranbrook (October 30-31, 1944). There were twenty-five volumes of Hearing transcripts published totalling approximately 12,000 pages. The proceedings involved 294 witnesses and 562 exhibits, ending with a final report. The Sloan Commission, established by authority of the 1936 *Public Inquiries Act*, was guided by the Provincial Executive Council's Terms of Reference that included investigating the following mandates: "(1) *The extent, nature and value of the forest resources; (2) The conservation, management, and protection of these resources; (8) The relationship of the forest to soil conservation; (9) The maintenance of an adequate forest-cover with a view to the regulation of moisture run-off and the maintenance of the levels of lakes and streams.*" The transcripts and final report contain numerous arguments for a major shift in BC's forest management from previous indiscriminate forms of logging to "controlled" methods under a regime of "sustained yield" (originally called "continuous yield") logging and silviculture. Sloan adjudicated another provincial Forest Resources Commission in 1955, informally referred to as the Second Sloan Commission.

⁴³ I.e., reports of the 1956 Sloan Commission, the 1976 Pearse Commission, and the 1991 Peel Commission.

⁴⁴ As Commissioner Sloan states on page 721 in his 1956 Commission report: "*This subject [Watershed Management] did not appear to loom so large as it did in 1944-45.*"

ALPHABETICAL LIST OF CONTENTS
(continued)

"W"	Vol.	Page
Watersheds		
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do. "	(1)	149
do. "	(1)	305
do. "	(3)	904-905
do. "	(3)	945-947
G.M.Irwin "	(3)	906-930
R.W.Hibberson "	(3)	786
do. "	(3)	931-933
B.E.Cleveland "	(4)	1059 -1073
do. "	(4)	1229-1233
D.O.Cameron "	(4)	1229-1312
Watershed (Alouette River)		
A.Nelstrop, Witness	(4)	1229-1233
Watersheds, Capilano Creek. Ex.109A,B.		
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LR. Andrews, Witness	(25)	10588-10592
Cross-examination by Mr.Owen	(25)	10588-10592
Watersheds (Goldstream) Ex.94,95,98,99		
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do. "	(1)	149
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Watersheds, Seattle		
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Refer "Forest Cover, etc."	(4)	1229-1233

Sample from the Sloan Commission Hearing Index, showing the topic of "Watersheds."

As a result of the overwhelming testimonial concerns, exhibits and information on provincial fresh water runoff sources, Commissioner Gordon Sloan stated in the introduction of his final report that the significance of BC's forests was its role as "*the Mother of Waters*" because these forests act as a "*vast sponge, which holds and controls the water run-off.*"⁴⁵

In his concluding section on *Objectives*, Sloan recommended that when Private Circles (Forest Management Licences, and later, Tree Farm License areas) and Public Working Circles (Public Sustained Yield Unit areas, and later, 'Timber Supply Areas') were to be formed to consider what Public lands could be converted to the new sustained yield logging regime, they must ensure the protection of domestic and irrigation watersheds:

*The perpetuation of the forest-cover for purposes other than the production of timber fall into a special category. I refer for instance to watershed protection and other multiple forest uses. A tree is a plant and to secure an economic return from the soil producing its growth the tree must be harvested. At the same time it must be kept in mind that a tree may be of more value in place in the forest than when converted into lumber.*⁴⁶



Conforming to the numerous concerns raised by water purveyor and utility representatives, Commissioner Sloan also emphasized that Public Working Circles in BC's Interior lands create a "*balance*" in their sustained yield forest land allocations to exclude "*logging a watershed upon the run-off from which irrigation or other water systems are dependent for their water-supply*", because of its "*value*", and that a "*special study*" be made of such areas.

On BC's forestland base, Sloan recommended a forest planning framework, a crucial summary vision statement wherein drinking water sources, fish habitat, and wildlife would be protected in the midst of an imminent new era of sustained yield forest management, where there was plenty of room for every concern:

*A sustained yield policy, perpetuating our forest stands, will not only provide a continuity of wood supply essential to maintain our forest industries, primary and secondary, with consequent regional stability of employment, but will also ensure a continued forest cover adequate to perform the invaluable functions of watershed protection, stream flow and run-off control, the prevention of soil erosion, and of providing recreational and scenic areas, and a home for our wild bird and animal life.*⁴⁷

⁴⁵ Gordon Sloan, *Report of the Commissioner Relating to the Forest Resources of B.C.*, 1945, page 8. During the proceedings, Sloan often asked witnesses about the forest as a "*sponge*".

⁴⁶ *Ibid.*, page 147. Note: The Harrop-Proctor Community Forest Association used most of this quote by Commissioner Sloan in its 1997 executive summary for a Community Forest tenure proposal to the BC government. However, the summary omitted the second sentence from this quote referencing "*watershed protection,*" in order for the Harrop-Proctor group to rationalize logging in a community Watershed Reserve.

⁴⁷ *Ibid.*, page 128. "Watershed" denoted community-drinking watersheds. This quotation by Sloan was often cited by foresters, ie., G.L. Ainscough, *British Columbia Forest Land Tenure System*, page 38, in *Timber*

Sloan's ruling on the protection of domestic/community watersheds was significant, in stark contrast to many opposing statements by the private forest industry sector, which even included Chief Forester C.D. Orchard who strangely argued that continuing to leave Victoria City's drinking watershed forestlands in a protected state was "wasteful."⁴⁸

In Chief Forester Orchard's March 12, 1945 submission exhibit (# 481) to the Sloan Inquiry, *Forest Administration in British Columbia*, he suggested that there were already too many Provincial Parks and questioned the wisdom of their establishment, seeing that the standing forests were not contributing to Provincial Revenue.

A subsequent June 18, 1945 cooperative submission to the Sloan Commission by the BC Loggers Association, the Pulp and Paper Industry of BC, and the Truck Loggers' Association – collectively representing about 140 small and large companies – **advanced Chief Forester Orchard's controversial, industry-biased position on logging in Provincial Parks one step further, by countering long-held provincial policy and recommending commercial logging in protected community and irrigation watersheds:**

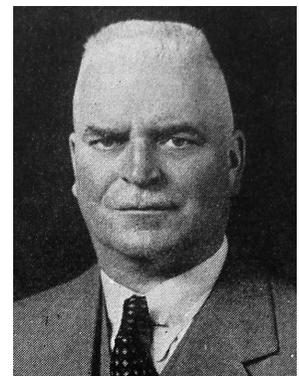
We recommend: (1) That the principal of Multiple Use for the production of commercial timber under proper safeguards, as outlined in the Chief Forester's brief (Exhibit 481, Page 49) be adopted for all National and Provincial Parks, and Municipal and Irrigation Watersheds.

Despite the prominent and critical nature of drinking water, irrigation water, and salmon habitat issues reported in the Sloan Commission Inquiry and Final Report, they were largely ignored and overturned in the following decades, a deeply disturbing characteristic and temperament of the post Second World War aggressive private corporate forest industry that ran rough-shod in the United States and Canada. The failure of the provincial government to maintain the "invaluable functions" of "continued forest cover" on Crown and private lands recommended by Commissioner Sloan, which were based on the Commission's legally formatted proceedings, and deeply hinged to forest conservation policies in the United States and Canada, became a haunting legacy – the continued and unabated destruction of fish habitat and the weakening of the government's policies and legislations to protect drinking watershed sources. As logging dramatically escalated decades later, it was assessed that "Half of all the timber logged between 1911-1989 in public forests has been cut in the past 13 years."⁴⁹

By the 1950s, renewed subversive directives by the emerging forest industry through provincial administrative professional foresters were planting seeds within government to redirect the policy of drinking watershed protection to be handled over time under the new Social Credit Party



Above: C.D. Orchard, 1950.
Below: BC Loggers Association Chairman, Robert McKee, 1944.



Policy Issues in British Columbia, essays by the B.C. Institute for Economic Policy Analysis, 1974; and in Peter Pearse's 1976 *Royal Commission on Forest Resources*.

⁴⁸ Sloan Forest Commission, *Proceedings*, March 30, 1944.

⁴⁹ Herb Hammond, *Seeing the Forest Among the Trees*, page 77.

administration (1952 - 1972), paving the way for the more inclusive takeover of British Columbia's public forestlands by large, primarily American, private corporate interests, expanding the reign of the Timber Triangle (foresters in government, academia, and private industry), and the evolution of British Columbia as Timber State. A new, powerful and central timber lobby group was created in the 1960s to help achieve concentrated directives on the accelerated liquidation and control over BC's vast old growth forest lands: enter the Council of Forest Industries.

2.3.1. Watershed Reserves

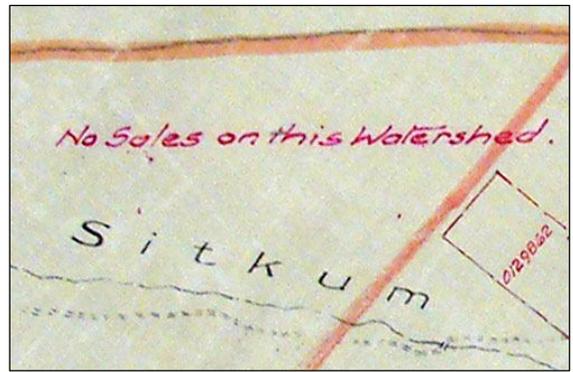
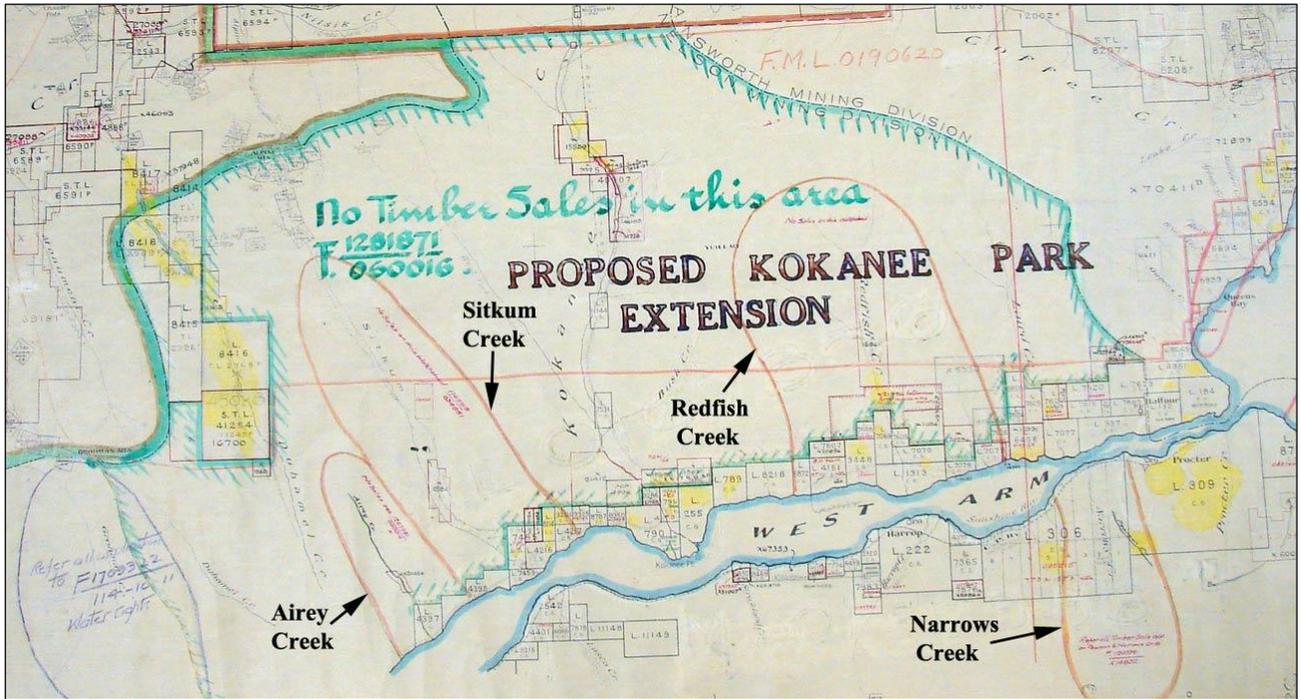
According to the first Sloan Commission's extensive records now resting with the Provincial Archives in Victoria,⁵⁰ only a list of 14 "*Departmental Reserves for Watershed Protection*" in the Nelson Forest Region were provided to the Commission for information entered as Exhibit 392, as part of Kenneth McCannel's witness statements, the Nelson Assistant District Forester. These early Watershed Reserves, located in the operational boundaries of the Nelson Forest District, which were identified on early Forest Service Forest Atlas Reference Maps, but irregularly on Lands Departmental Reference Maps, were as follows:

- *Five Mile Creek and Anderson Creek* in Nelson City's watersheds (26,000 acres);
- *West Arm watershed*, on the North Shore of Kootenay Lake's West Arm (49,000 acres);
- *Narrows Creek*, west of Proctor (9,500 acres);
- *Nelson West Creek*, by Evening Mountain (1,500 acres);
- *Quartz Creek*, town of Ymir (2,000 acres);
- *Falls Creek*, 8 miles west of Nelson City (3,000 acres);
- *Smoky Creek*, west of Bonnington Falls (1,000 acres);
- *Rosland City Reserve, Murphy, Hanna & Topping Creeks*, (16,000 acres);
- *Pass (Norms) Creek*, for the Robson Irrigation District (23,000 acres);
- *Sand Creek*, for the town of Grand Forks (7,000 acres);
- *Morrisey Creek*, east of Grand Forks (4,000 acres);
- *Lind Creek*, for the community of Greenwood (4,500 acres);
- *Brouse and Seven Mile creeks*, for Nakusp (4,000 acres);
- *Windermere Creek*, east of the town of Windermere (22,500 acres).

Because the remaining Watershed Reserves located in other BC Forest Service Districts were not provided or entered into Commission evidence, there are seemingly no early accurate or comprehensive list accounts of their establishment history in BC.

The list of Watershed Reserves from the Nelson Forest District apparently overlooked including the East Creston Irrigation District's Watershed Reserve over Arrow Creek located northeast of the Town of Creston, a Reserve boldly marked on the Forest Service's Reference Maps. And, according to the early Maps, the "West Arm Watershed" Reserve, located just northeast of Nelson City, was apparently a large Reserve over a number of watersheds, including Shannon Creek, Duhamel Creek, Airey Creek, Sitkum Creek, Kokanee Creek, Busk Creek, Redfish Creek, and Laird Creek, for the *Proposed Kokanee Park Extension*, with the following designation: ***No timber Sales in this area.***

⁵⁰ A second and incomplete set of transcripts and exhibits are held by the University of BC library and Special Collections. The Commission transcript volumes held at the University of BC are missing several volumes, particularly the Hearing transcripts from BC's Interior convened in late 1944.

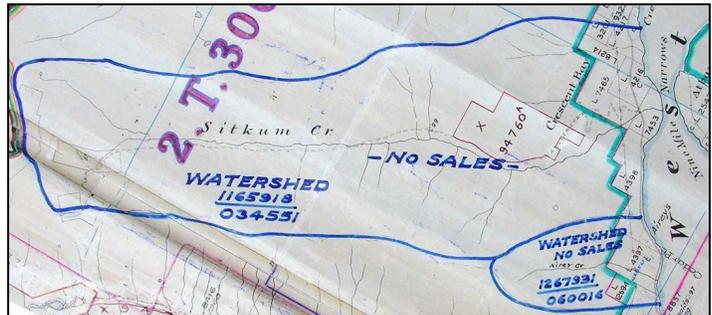


Forest Atlas Maps from the 1940s.

Top: The West Arm Reserve (green boundaries). Inside are three Watershed Reserves: Airey, Sitkum, and Redfish. Across the West Arm to the south is Narrows Creek Reserve.

Above and Below: Sitkum & Airey Reserves – No Timber Sales.

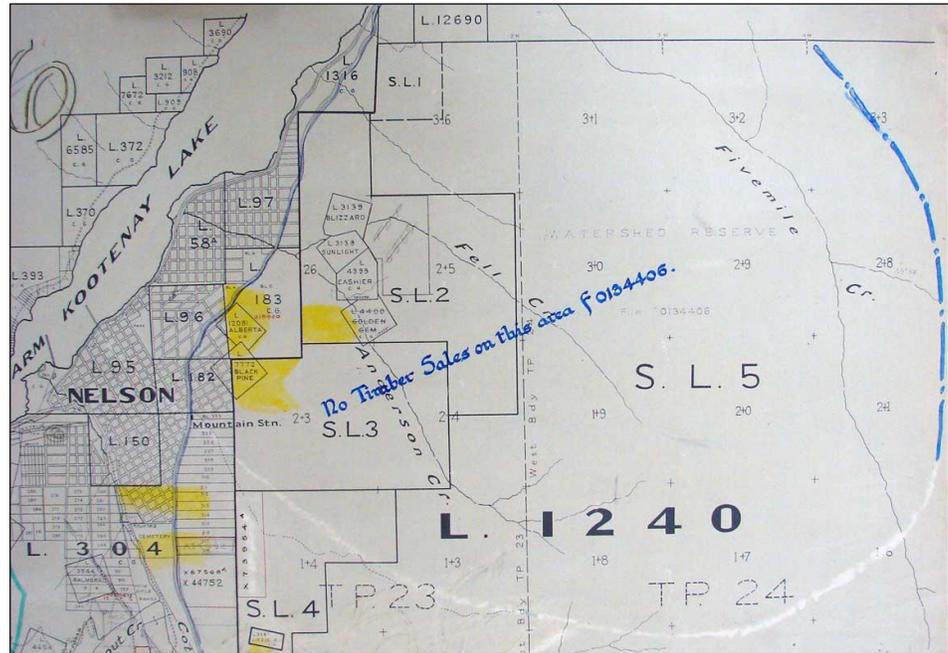
Left: Arrow Creek Reserve – No Timber Sales.



Within the West Arm watershed Reserve were outlined three separate community Watershed Reserves over Airey Creek, Sitkum Creek, and Redfish Creek, with the following designation over each: **Watershed No Sales**. Directly opposite along and above the southern shore lands of the West Arm of Kootenay Lake were Watershed Reserves over Narrows Creek (just to the west of Proctor Creek), and a collective Watershed Reserve encompassing all of Nelson City's adjoining drinking watersheds.

Right: Forest Atlas Map with large multi-Watershed Reserve for Nelson City – **No Timber Sales**.

Extending from the Town of Castlegar at the junction of the Columbia and Kootenay Rivers, and then eastward to the Nelson City area, was a rather large constellation cluster of early community Watershed Reserves on either side of the Kootenay River, all noted on early



Departmental Reference Forest Atlas Maps. By 1973, with the creation and renewed creation of community Watershed Reserves under Committee powers of the *Environment and Land Use Act*, more Reserves were added within the early cluster.⁵¹

2.3.2. Irrigation Districts and the Forest Service

During the Sloan Commission Hearings in BC's Interior that presided in the Towns of Kamloops, Vernon, Kelowna and Penticton in October 1944, many representatives and Trustees from Irrigation Districts and fruit growing organizations appeared as witnesses and provided written evidence about the integrity of water flows and the protection of forest cover in their irrigation and domestic watershed sources. Most of these watersheds were located throughout the extensive Okanagan watershed drainage basin. Though out-rightly opposed to clearcut logging in irrigation and domestic watersheds, a number of the Irrigation Trustees stated that they tolerated "selection" logging, the removal of individual tree species – the standard practice of logging in the United States federal forestlands at that time – rather than large area forest stand clearcut logging.

In Volume 16 of the Sloan Commission transcripts,⁵² Dougald McDougall, the Secretary of the Black Mountain Irrigation District, also the Assessor, Collector, Engineer and Secretary of the Rutland Co-operative Society, stated that the Association of BC Irrigation Districts held a special meeting in Kelowna City in February 1944 just as the Sloan Commission began its Hearing Sittings in Victoria City. Chief Forester C.D. Orchard attended the special meeting in Kelowna, where

⁵¹ See Reserves map for this area cluster in Chapter 4.6.

⁵² The official or original transcripts are held at the Provincial Archives in Victoria City.

Association representatives complained directly to him about commercial logging activities in their irrigation watershed sources.

The substance of that meeting “*held to discuss Forest Policies*” was summarized in a written submission (Exhibit #375) by the Association some seven months later when its chairman, H.C.S. Collett, appeared as a Commission witness in Kelowna on October 23, 1944. In its written submission, the Association alleged that the Forest Service had “*lifted*” an unknown number of their “*protected*” Reserves in the Okanagan area “*without any consultation with the Districts concerned:*”

At a special meeting of the Association of British Columbia Irrigation Districts, held to discuss Forest Policies, concern was expressed at the extent to which rights have been granted on Irrigation Watersheds for the cutting of timber. These watersheds were formerly protected by Forest Reserves, and it came as a surprise to most of the delegates to learn that these Reserves had been lifted without any consultation with the Districts concerned. The Association is unanimous in asking that such Reserves be restored, and that no further timber be cut on irrigation watersheds without the full knowledge and consent of the Irrigation Districts concerned, and under such regulation as they may deem necessary to assure that no damage will result either to watersheds or reservoirs.... It has taken millions of dollars and years of trials and discouragements to bring the irrigation systems to their present state of development. It would not be the course of wisdom or of justice to endanger in any way that which has taken so much effort to build, and on which our whole prosperity depends.

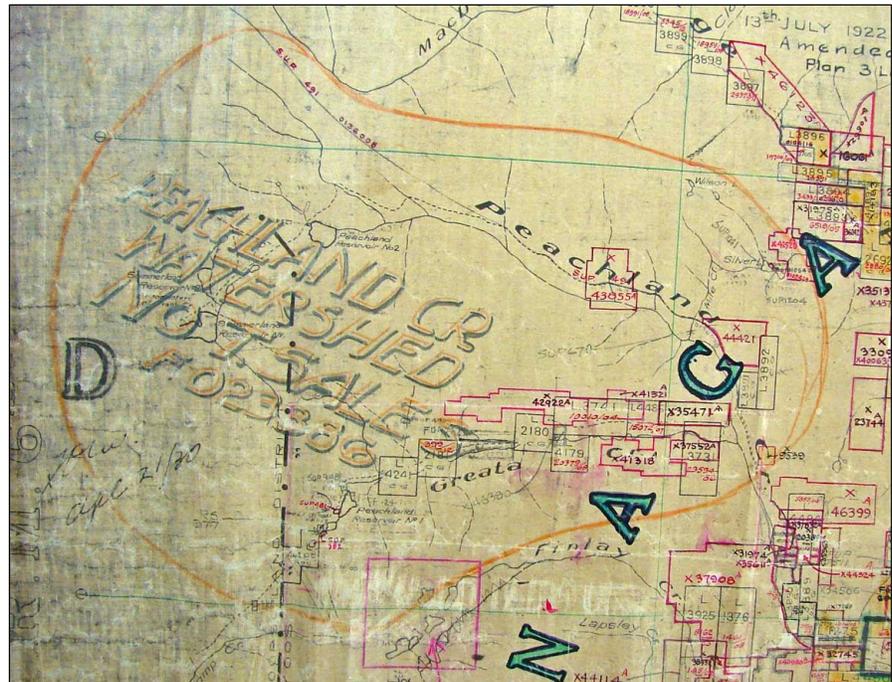
By far the most important area, so far as irrigation is concerned, is the Grizzly Hill Forest Reserve, or what was the Grizzly Hill Forest Reserve. It comprises some 400 square miles, and has now an average stand per acre of not more than 1,500 feet, and possibly as low as 1,000 feet throughout, - either uncut or unalienated. From this area over half of the irrigated lands of British Columbia receives its water. This includes seven of the largest Irrigation Districts, three company-operated systems, together with many small water users' communities and private licencees. It can readily be seen how important to irrigation farming such an area is, and how comparatively trivial are its timber resources. It is therefore urgently asked that the former not be not jeopardized for the sake of the latter.... It is therefore asked that the timber reserves be re-established.



Large crop of onions being harvested on the Latta Ranch near Scotty Creek. Source: *Black Mountain Irrigation District report by the BC Water Comptroller, 1926.*

There were a total of fifteen Irrigation Districts that were represented in the Association of Irrigation Districts' collective submission complaint to the Sloan Commission Inquiry:

- Black Mountain;
- Cawston;
- East Creston;⁵³
- Glenmore;
- Kamloops (B.C. Fruitlands);
- Keremeos;
- Naramata;
- Oyama;
- Peachland;
- Scotty Creek;
- South East Kelowna;
- Vernon;
- Westbank;
- Winfield;
- and Okanagan.



Early BC Forest Atlas Map showing one of the first / earliest Watershed Reserves formed in the Okanagan, established on July 24, 1920 for the Peachland Irrigation District. Within the orange-lined Reserve boundaries was the standard declaration, *No Timber Sales*.

Commission Counsel Davey and Commissioner Sloan were intrigued by the Association's complaint. During the witness examination of Association chairman Collett, he was asked direct questions about the nature of these "Reserves" and their "liftings". Collett stated in response that the Commission had better ask Mr. McDougall about the specifics. In follow-up questions posed the same day by the Commission, Dougald McDougall provided a few more details about the "liftings" within the Grizzly Hill Provincial Forest Reserve mentioned in the Association's complaint:

***McDougall:** In connection with the Grizzly Hill Forest Reserve, the fact that is [it] was a Forest Reserve in connection with the Irrigation District was one of the inducements to the farmers to come in under this Irrigation District. Possibly some of the farmers would not have come in. I know they did not want to come in to the Irrigation District, in fact some companies had sold land without having sufficient water for them and some of those lands were sold at tax sale but through the thought that the Watershed was protected by this Forest Reserve, the Grizzly Hill Reserve, it induced certain farmers to come in under the Irrigation District.*

***Mr. Davey** (Commission Counsel): When was that Reserve lifted?*

⁵³ East Creston's Watershed Reserve, the Arrow Creek watershed, was in the Nelson Forest District or Region, located northeast of the Town of Creston, the furthest removed from the other Irrigation Districts that were concentrated in areas spanning generally from the northern to the southern perimeters of the Okanagan Basin within the Kamloops Forest District or Region.



Headwaters of a few northeastern Okanagan-based Irrigation Districts in the Grizzly Hills Forest area, from a December 1950 Forest Atlas map. Note the blue boundary Reserve line in the headwaters plateau area, for the domestic and irrigation water supplies of the Irrigation Districts.

McDougall: Only a few years ago. That was brought up at a meeting in February in Kelowna and Mr. Orchard said that the Forest Department did advise the Water Rights Branch, but they never advised the Irrigation District.

Question: Take one thing at a time. My information is that none of these Forest Reserves constituted by the Forest Department have been lifted.

McDougall: They are cutting timber on Crown land in the Grizzly Hill Forest Reserve right now.

Question: That may be; but is it your statement that the Forest Reserve on Grizzly Hill, that the Reserve was lifted is based on the fact that logging is now proceeding in the Grizzly Hill Forest Reserve?

McDougall: No; but at that meeting it was said that the Water Rights Branch had been asked if they had any objection to it being lifted, and they said no; but the Irrigation District was never consulted. At that meeting in the Royal Anne ...

Question: That was Mr. Davis of the Water Rights Branch – the question put to him was whether the Forest Department consulted the Water Rights Branch before giving Timber Sale contracts, and Mr. Davis said yes.

McDougall: I understood it was in connection with the lifting of the Reserve.

Question: That is not according to my instructions. I may be mistaken. Pardon me just a moment. Colonel Parlow [Kamloops Forest District Forester, who attended the Commission Hearings in the Interior] tells me the Grizzly Hill Forest Reserve has not been lifted.

McDougall: There is logging going on on it now.

Question: Oh yes. Timber Sales may be made in Provincial Forest Reserves.



May 1951 Forest Atlas map of the southern domain of the Grizzly Hill Forest Reserve, immediately south or below the first map of the Grizzly Hills shown two pages previous. In the middle of above map, is the Belgo Creek area, and sweeping into the upper right area is the upper Mission Creek watershed, and its tributary watershed, Pearson Creek.

The Commission Hearings in Kelowna inadvertently failed to provide specific and descriptive information and comment on the history and nature of the “*liftings*” and of the “*Reserves*” that the Association of Irrigation Districts made reference to in its submission. Specific reference to this early history was briefly recorded by the Commission some seven months earlier on March 28, 1944, when provincial Water Comptroller Ernest Fraser Davis appeared as a subpoenaed Commission witness in Victoria City which convened at the City’s Court of Appeals. The reason why Davis was summoned as a witness was to help clarify or comment upon the dispute about the early agreement between the Irrigation Districts and the government about logging exemptions in the Okanagan Basin. This dispute was raised by the Association of Irrigation Districts with Chief Forester Orchard when he attended the special February 1944 meeting in Kelowna.

Davey: Haven’t there been reserves of timber set aside on the water-shed supplying irrigation systems in the Interior?

Davis: I wouldn’t say that they were set up specifically for the purpose of conserving that water-supply.

Davey: But they have been set up on those irrigation systems, have they not?

Davis: Not to my knowledge.

Davey: *Doesn't the Forest Branch from time to time consult the water Department to see whether timber should be sold for logging?*

Davis: *Yes, they do, but I don't think that at any time we have objected to sales of any timber. The reserves that you referred to were perhaps those set up in 1910 as land reserves, and later the land reserves were cancelled and forest reserves established.*

Davey: *That was in the Interior.*

Davis: *In the Interior.*

Davey: *On the water-sheds supplying domestic water for communities and also irrigation systems.*

Davis: *Yes.*

Davey: *Are you consulted about sales of timber from those reserves from time to time?*

Davis: *Yes.*

Davey: *For the purpose of determining whether the removal of that timber would have any effect on the water-sheds?*

Davis: *That has been the practice.*

Davey: *By what standards do you test the advisability of removing that timber; what principles do you work on?*

Davis: *Well, I would say generally that, as long as only small portions of it were removed, there would be very little effect, but if the whole area was denuded, it might have an effect.*

Davey: *You are concerned with the proportion of timber which is to be alienated?*

Davis: *Which is to be removed.*

Davey: *Have you any rule as to the proportion?*

Davis: *No. It varies in each individual case.*

Davey: *One of the matters referred to this Commission is the maintenance of an adequate forest cover with a view to the regulation or moisture run-off and the maintenance of the level to lakes and streams. Has your Department given any study to that subject?*

Davis: *No, not particularly.*

Davey: *Is the opinion that there is a relationship between forest cover and the control of water run-off?*

Davis: *I don't know that I can hardly answer that question.*

Davey: *Perhaps we can put it this way: just tell me how the forest cover affects the water run-off; what is the mechanical operation?*

Davis: *Well, there are so many differences of opinion on that very point that is very hard to say how it does affect it, the conditions are so complex.*

Commissioner Sloan: *Have you any opinion yourself?*

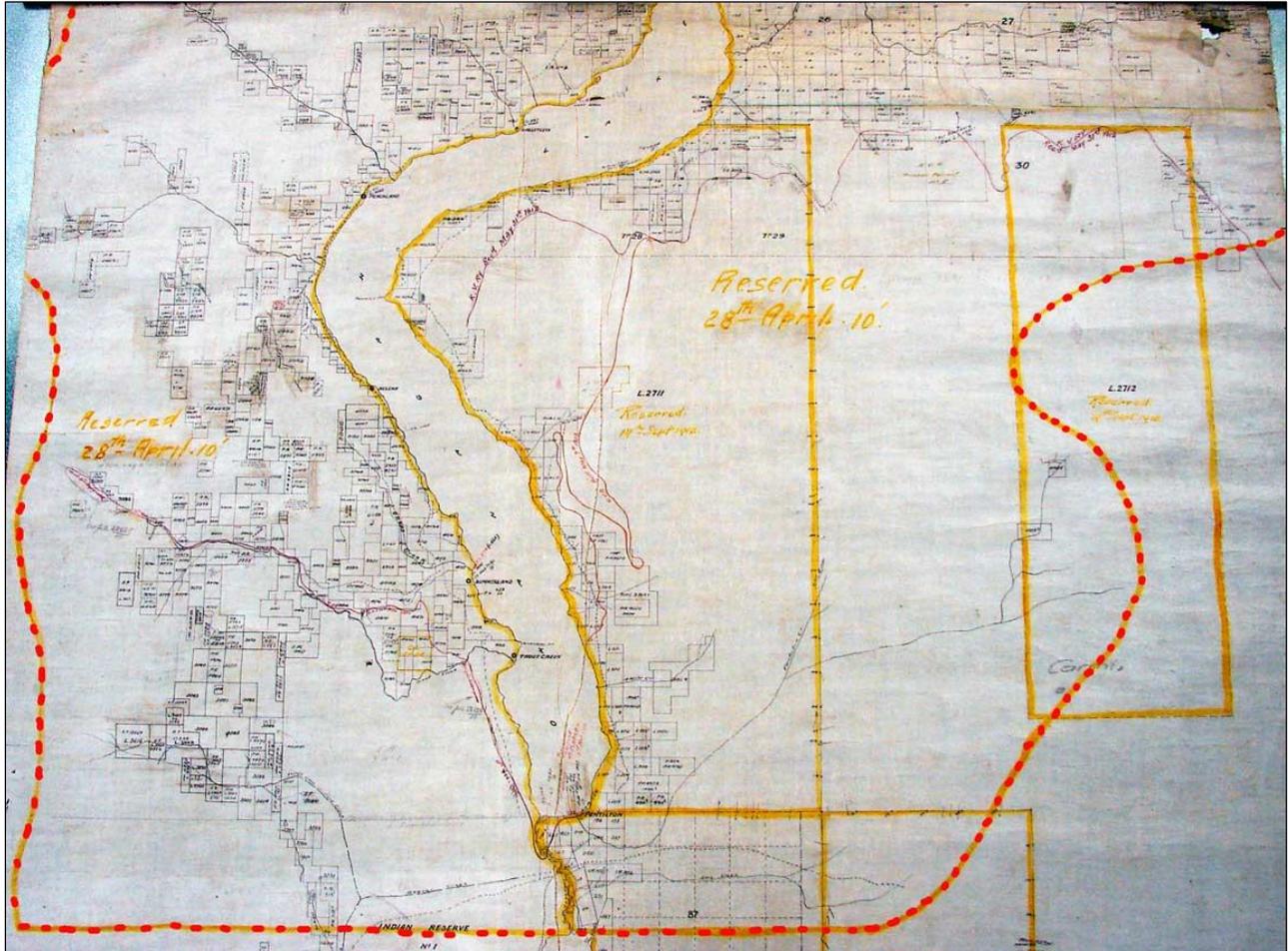
Davis: *I have a general opinion, yes.*

Davey: *Let Us have your opinion?*

Davis: *Well, I would consider that the forest cover has comparatively little effect upon the run-off of the streams. There are so many other factors which bear on the matter of any relation between the runoff and the forest cover that I consider the forest cover is a comparatively minor matter.⁵⁴*

⁵⁴ Sloan Commission Transcripts, Volume 3, pages 739-753. As Water Comptroller Davis stated, his views about logging conflicted with the views of former Water Comptroller E.A. Cleveland (1919-1925) who had a strong policy on the protection of drinking and irrigation watersheds.

Though Davis made reference to the originating date of a government Reserve made in 1910, the Commission apparently failed to request further clarification and material evidence about the Reserve, and no information was provided to the Commission about any agreements made with respect to the 1910 Reserve(s), written or otherwise, with Irrigation Districts and their Trustees and the protection of watersheds in the Okanagan Basin.



The lower half of the enormous 1910 government Reserve over the Okanagan Basin watershed from the City of Penticton, northward, as shown in the red dotted line. It was perhaps the, or one the, largest such Reserves ever established. (Old Forest Atlas Map)

If anyone in government had knowledge about the mysterious 1910 Reserve referenced during the Sloan Commission proceedings it was Chief Forester Orchard himself, who regularly attended the proceedings. Orchard had conducted the first forest inventory survey in the Okanagan in 1920 on the irrigation headwater lands to the east of Kelowna City in 1920 when the Reserve was active. He was also keenly aware of the early sentiments of Okanagan residents and Irrigation Districts about the protection of their water sources that were linked to the mysterious Reserve established in 1910, which Water Comptroller Davis made reference to.

RESERVE.

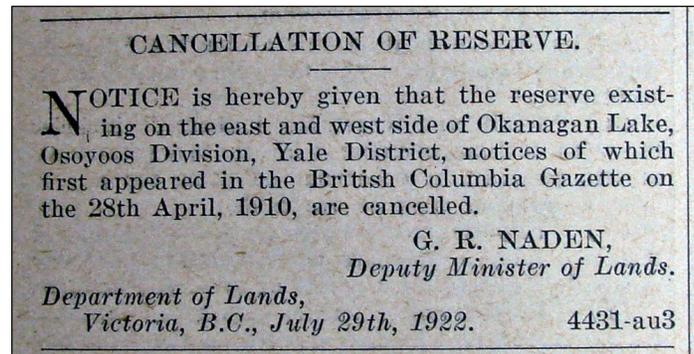
NOTICE is hereby given that the following area of land in the Osoyoos Division of Yale District is reserved from any alienation under the "Land Act":—

Commencing on the shore of Okanagan Lake on the north boundary of Township 20; thence east along the north boundary of Townships 20 and 21, and continuing easterly to the south-east corner of Township 42; thence southerly to the headwaters of Mission Creek; thence along the watershed of Mission, Hydraulic, and Penticton Creeks to Okanagan River; thence northerly along Okanagan River and the east shore of Okanagan Lake to the point of commencement.

ROBERT A. RENWICK,
Deputy Commissioner of Lands.

*Lands Department,
Victoria, B. C., April 27th, 1910. ap28*

Two years later in 1922, the provincial government cancelled the gigantic April 28, 1910 Okanagan Basin Reserve, as reported in the BC Gazette by way of Deputy Minister of Lands G.R. Naden: *Notice is hereby given that the reserve existing on the east and west side of Okanagan Lake, Osoyoos Division, Yale District, notices of which first appeared in the British Columbia Gazette on the 28th April, 1910, are cancelled.*



Following the cancellation of the Reserve, the Lands Department, through its Forest Service agency, began to establish a series of Provincial Forest Reserves in the Okanagan. And, according to the complaint by the Association of Irrigation Districts, the government failed to consult with the Irrigation Districts when a new policy was established by the government in 1922 to permit future logging in the Provincial Forest Reserves, and had only consulted with the Water Rights Branch before the 1910 Reserve was cancelled.

According to government records and a very old Forest Service Atlas Reference Map, inside of the all-encompassing 1910 Reserve was a separate Reserve established on July 24, 1920 in the headwater forests of Peachland Creek, within the western half of the Okanagan Lake area. The small Reserve was created for the Peachland Irrigation District, a later member of the Association of BC Irrigation Districts, and appears to be one of the earliest singular Watershed Reserves made in the Okanagan Basin. On the map was marked the standard refrain for such early Reserves, *No Timber Sales* (see map at the beginning of Chapter 2.3.2). No descriptive information was noted about this Reserve in the Water Rights Branch's April 30, 1926 economic report survey on the Peachland Irrigation District, which only made quick reference to Peachland's high elevation water collection reservoirs.⁵⁵ Nothing was noted of the Peachland Watershed Reserve in subsequent Forest Service Okanagan Survey and Reconnaissance reports, i.e.: forester H.J. Hodgins' *Okanagan Forest* survey of 1930; and the 1939 Okanagan Survey, *Proposed Okanagan Working Circle. Forest Survey and Preliminary Management Plan, 1938-1939.*

In forest inventory and management reports conducted by the Forest Service along the eastern half of the Okanagan Basin from 1925 to 1926,⁵⁶ and along the western half of the Okanagan Basin in 1930, provincial foresters avoided descriptive details – unlike those provided by C.D. Orchard in his 1920 survey report – about the public's concerns and history of irrigation and drinking watershed

⁵⁵ As part of Provincial Water Comptroller MacDonald's 1926 economic survey of Okanagan Irrigation Districts presented to Minister of Lands T.D. Pattullo – all of the Districts of which had been financed from the government's Conservation Fund – the other Irrigation Districts included Black Mountain, Glenmore, Naramata, Scotty Creek, South East Kelowna, Vernon and Westbank. Other Irrigation Districts in the Okanagan included Girouard (near Vernon), Oyama, Kaleden, the City of Penticton, the City of Summerland, the South Okanagan Irrigation Project at Oliver, the Woods Lake Water Company, the Okanagan Centre Irrigation Company, and the Okanagan Development and Orchard Company. Outside of the Okanagan, other Irrigation Districts included Pavilion (near Lillooet), Vinsulla and Heffley (north Thompson), Grand Forks, Malcolm Horie (near Cranbrook), Robson (north of Castlegar), East Creston, Cawston, Kamloops Irrigation and Power Company, Keremeos Land Company, and the Columbia Valley Irrigated Fruit Lands Company.

⁵⁶ In reconnaissance report files R1, R2, R3, R4, and in the later 1930 survey R33.

protection. It doesn't appear as though the Forest Service consulted with the Irrigation Districts when the Provincial Forests were being surveyed for forest management proposals, and if it did, nothing was specifically mentioned about this possibility in the reports:

1. In 1925, Junior Forester W.W. Stevens authored the *Little White Mountain Forest* survey,⁵⁷ wherein he wrote:

Local demand and watershed protection are the major requirements of the plan. There are no large bodies of timber but several locations are suitable for small portable mill operations. Our main problem is to meet a local timber demand, which will undoubtedly increase; to cut the timber so that stream run-off shall not be interfered with; and to obtain a continuous and increasing timber yield to meet present and future demands.

In the same report, forester F.D. Mulholland, who included sustained yield forest management recommendations, stated:

*Reforestation after logging is of first importance, not only to keep the productive capacity of the Forest but because the watershed provides irrigation water for the Kelowna orchards and the lake reservoirs are too high to catch most of the run-off. In logging each type the best practice in U.S. National Forests or other localities further advanced than this should be followed.*⁵⁸

2. In 1925, Junior Forester W.W. Stevens authored the *Inkaneep Forest* survey,⁵⁹ wherein he wrote: "*Local demand and watershed protection are the major requirements of the plan.*" In the same report, F.D. Mulholland wrote in the Summary and Recommendations section, wherein he advocated lengthy forest rotations (100-220 years) and selection logging:

Five creeks, Inkaneep, McIntyre, Shuttleworth, McLean and Ellis, drain this Forest and supply irrigation water. By far the largest run-off is given by McIntyre Creek ... That shown for Ellis Creek, however, is only that part of the run-off which was diverted into the Penticton Municipal System.... It is anticipated that those [reservoir sites] on the Inkaneep will ultimately be developed for the South Okanagan Irrigation System.... Loss of late summer water due to destruction of cover would be hard to replace.... The chief cause of fires in this Forest has been lightning. It has been so for centuries, yet these watersheds are not denuded.

⁵⁷ The Little White Mountain provincial forest includes Penticton Creek, Naramata Creek, Robinson Creek, Sawmill (Bellevue) Creek, Klo Creek and Hydraulic Creek watersheds.

⁵⁸ Selection logging of individual trees was the policy in all the U.S. federal National Forests at that time, i.e., no clearcutting. Clearcutting was practiced by private landowners and timber barons throughout the U.S. There was a long-term clash of forest management ideologies between the private sector and the U.S. Forest Service, that is, until the 1950s when clearcutting began on federal forestlands and is also when protected community watersheds began to be invaded in the United States.

⁵⁹ Includes the Ellis Creek, Shuttleworth Creek, McIntyre and Inkaneep Creek watersheds, covering 205,000 acres.

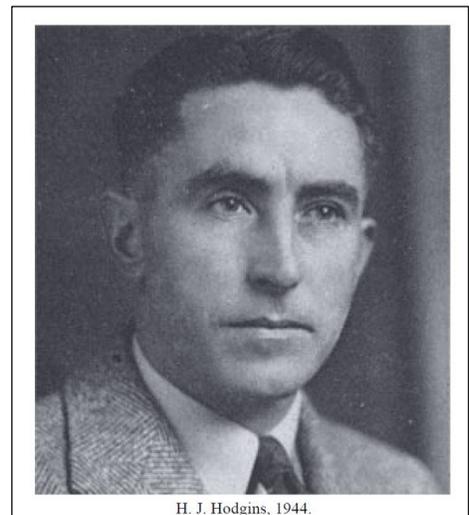
3. In 1926, R.G. McKee authored the *Aberdeen Provincial Forest* survey report,⁶⁰ wherein he states that “*the Coldstream and B.X. Creeks are used in the irrigation systems in the Vernon District. ... The purpose of managing any forest is to obtain a continuous supply of timber to meet the local demand, to encourage the growth of the more valuable species and to afford watershed protection and game preserves.*”

4. In 1926, R.G. McKee authored *The Grizzly Hill Provincial Forest* survey,⁶¹ wherein he states: “*The main stream outlets of the reserve, save Harris Creek, Creighton Creek and Heckman Creek are used in irrigation systems and the supplying lakes are used as storage basins.*” Nothing more is stated about the concerns of water supply users.

5. In Junior Forester R.A. Fisher’s March 1926 report, *Little White Mountain Provincial Forest*, concerning surveys of areas within the Inkaneeep, Little White Mountain, Grizzly Hill and Aberdeen Mountain Forests, extending from Ellis Creek to north of Mission Creek, he only wrote: “*One of the main features in the establishment of this provincial forest is the protection of the irrigation water sheds.*”

6. In forester H.J. Hodgins’ 1930 report (R-33), *Okanagan Forest*, a survey of the entire western half of the Okanagan Basin, he made no mention whatsoever of any concerns related to Irrigation Districts or drinking water users, and failed to reference the Reserve made over Peachland Creek.

Just north of the Okanagan Basin, forester H.J. Hodgins⁶² conducted a survey of a new Provincial Forest, directly south and east of the Town of Salmon Arm, and directly north of Vernon City. In his 1932 report (R-48), *Mount Ida & Larch Hills Forests*, there was no reference made to the federal Watershed Reserve made in 1917 that protected Salmon Arm’s drinking watershed source, East Canoe Creek, a Reserve located within the former Larch Hills Federal Forest Reserve, renamed the Larch Hills Provincial Forest after the Railway Belt lands were transferred to the provincial government in 1930. Hodgins also made no reference to a subsequent Watershed Reserve made in March 1931 over East Canoe Creek by the Department of Lands:



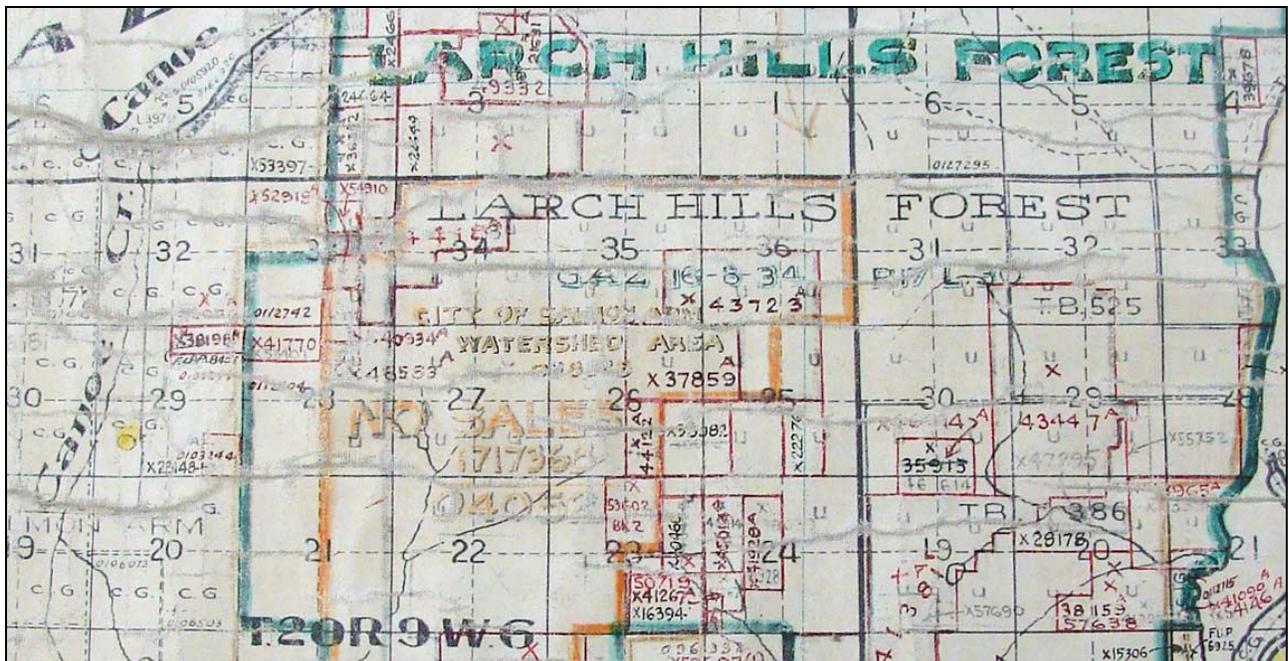
H. J. Hodgins, 1944.

⁶⁰ “*The reserve lies in the north end of the Okanagan Valley lying east of the district between Vernon and Armstrong and west of the Trinity Valley. It is bounded on the north by the Dominion Railway Belt; on the east by the road running north from Lumby; on the south by the road running from Vernon to Lumby; and on the west by the lots of Township 5 and 4.*”

⁶¹ An area of 380,000 acres, “*it is bounded on the south by Mission Creek and the drainage limits of Joe Riche Creek, on the east by ... the Kettle Valley Divide; on the north by ... Monashee Mt.; on the west ... by Long Lake.*” It includes Pearson Creek, Heckman Creek, Belgo Creek, Duteau Creek.

⁶² H.J. Hodgins, who conducted and authored numerous Provincial Forest surveys in the 1930s, became assistant forester to Economics Division head Forester F.S. McKinnon’s in 1938, a position he held until about May 1944, when he left for the private sector to become industrial chief forester for the Pacific Mills Company, a subsidiary of U.S. based Crown Zellerbach. In June 1949, Hodgins was hired by Victoria City Council as a forestry consultant to prepare a forest management proposal report, wherein he recommended Victoria City log its protected watersheds on a sustained yield basis: *Forest Management: Report of Sooke and Goldstream Watersheds. Vancouver, B.C.*

*Sub-irrigation resulting from drainage from the Mount Ida and Larch Hills Forests is largely responsible for the fertility of the surrounding agricultural land. In minor instances cultivated areas are irrigated direct from small streams emanating from the Forests. The municipality of Salmon Arm derives its domestic water supply from East Canoe Creek, an area of approximately 6,000 acres covering this drainage basin being designated as the Municipality of Salmon Arm watershed. Investigations have been carried on regarding the advisability of establishing Mara meadows in the Larch Hills Forests as a storage basin for an intensive irrigation project in the Salmon Arm Municipality. If the present plans materialize the Larch Hills Forest will prove to be an important watershed protection area. **Recommendations for Management.** Object: To regulate the cut of the Mount Ida and Larch Hills Forests on a sustained yield basis, in conjunction with adjacent Forests, for the production of saw-timber, hewn ties and cedar poles... To control logging operations on valuable watersheds so that undue damage to their capacity and impaired sanitary conditions will not result from indiscriminate logging practices.*



Old Forest Atlas Map showing the Watershed Reserve for the City of Salmon Arm, with the classic No Timber Sales proviso (in orange).

BC Forest Service Forest Survey head forester F.D. Mulholland stated the following in the opening preface to Hodgins' report on the Larch Hills Forest:

The Mount Ida and Larch Hills Forests are two of those in the Railway Belt transferred by the Dominion to the Province in 1930.... The accessibility of the two small Forests and their propinquity to agricultural communities make them eminently suitable for permanent timber production.

F.D. Mulholland, who authored a well-known inventory report on BC's forests in 1937, *The Forest Resources of British Columbia*, and later dubbed by BC Professional Foresters as BC's Father of

Sustained Yield Forestry,⁶³ authored a highly controversial report in 1922, *Report on the Crown Timber in the Capilano Watershed*, which proposed sustained yield logging in the Capilano watershed. Though identified on a map on the front cover page of Mulholland's 1922 report, no mention was made in the report of BC's first Order-in-Council Watershed Reserve established in 1905 that protected the remaining Crown lands in the Capilano from logging and alienation, the source of drinking water for the City of Vancouver. Though never making specific reference to it, Mulholland recommended the extinguishment of the 1905 Capilano Watershed Reserve through default in favour of new legislation to log the Capilano watershed Crown Lands in perpetuity.

In Gerry Burch and John Parminter's 2008 biography of F.D. Mulholland, *The Father of Sustained Yield Forestry in British Columbia*, no contextual narratives were included of the lengthy heated public controversies and endless debates to end logging in the Capilano watershed. Instead, Mulholland is commemorated by professional foresters for having dubiously "*promoted sustained yield management tirelessly and passionately, beginning with his analysis of the Capilano watershed in 1922.*"



E.A. Cleveland, first Water Commissioner appointed to the GVWD in February, 1926.

In October 1922, BC Water Comptroller E.A. Cleveland became a veritable hero to Greater Vancouver residents, administrators, and many politicians when he wrote a strongly worded contrary report to Lands Minister Pattullo, *The Question of Joint Control of Water Supply to the Cities and Municipalities on Burrard Inlet*. In it, Cleveland recommended that the Capilano and Seymour watersheds be fully protected from future logging, for the long-term benefit of Greater Vancouver residents, and that a Metropolitan Water Board be created to organize the oversight of the protected watershed lands. Cleveland later became Commissioner of the new Greater Vancouver Water District, a notable position he held from February 1926 to his passing in January 1952.

In 1940, some four years before the BC Irrigation Association's complaint to the Provincial Forest Commission Inquiry, Greater Vancouver Water District Commissioner E.A. Cleveland stated in a letter of April 20, 1940 to provincial Chief Forester E.C. Manning that his Forest Service staff in the Vancouver Forest District (via District Forester Haddon) had wrongly let a Timber Sale in the Water District's Coquitlam Watershed Reserve that was created in 1910 by the federal Department of Interior. One of Cleveland's Superintendents happened to catch a small team of men red-handed within the southwest corner of the Coquitlam watershed boundary at a newly erected portable timber mill on a

⁶³ The 2008 book by Gerry Burch and John Parminter, *Frederick Davison Mulholland, P. Eng., B.C.R.F. – the father of sustained yield forestry in British Columbia*. On December 1, 1938, F.D. Mulholland resigned from the Forest Service when he was manager of the Forest Surveys and Research Division. In late 1945 Mulholland became industrial chief forester of the Canadian Western Lumber Company. By 1950, Canadian Western partnered with Crown Zellerbach of San Francisco to form the Elk Falls Company, the new licensee of Tree Farm Licence (No.2) for the operations of a new pulp mill north of Campbell River. TFL No.2 lands totalled about 280,000 acres, divided into about five components: lands north of Sayward; lands over the Oyster River watershed; lands by Comox Lake, the Town of Courtney's water supply; lands west of Nanaimo City; and lands west of Ladysmith. Canadian Western, with its subsidiary, the Comox Logging & Railway Company, later merged to become Crown Zellerbach Canada.

new access road, cutting up newly logged timber. In an investigation report filed later that same year by the Greater Vancouver Water District it was stated how the Forest Service had manipulated the watershed boundary for the Timber Sale, and had, therefore, trespassed in the watershed.⁶⁴ This action by the Forest Service prompted Cleveland to not only have the official boundaries of the Coquitlam watershed lands carefully re-surveyed, but in 1942 he also then amended the original 1910 Federal Crown Reserve by transferring the Coquitlam watershed lands into the Water District's 999-year *Land Act* lease protection agreement with the province of BC that it obtained in August 1927 over the Seymour and Capilano watersheds, thereby further ensuring and wisely incorporating the legal custody of the Coquitlam watershed for its complete protection under lease tenure.

From 1938 to 1939, the Forest Service conducted Forest Survey No. R-76⁶⁵ of "*Provincial Forests in the Okanagan Valley ... investigating the economic position of these forests in relation to local industry and other markets,*" as part of a proposed "*Okanagan Working Circle*" for developing "*sustained yield objectives.*" F.S. McKinnon, the Economics Division Forester at Forest Service headquarters in Victoria City – the Division Forester from 1939-1950 who would later become Chief Forester – also wrote the following in the report's preface:

Uniform administration of such a working circle would be best obtained by placing it under the direct supervision of one forest officer functioning as part of the District's staff at Kamloops. It is recommended that careful consideration be given to the early establishment of this working circle.

No references were made in the 1939 Okanagan forest resources report to any existing Crown land resource tenure conflicts or to early protection policies and tenures:

- such as the Peachland Irrigation District's Watershed Reserve;
- a Watershed Reserve established over the Penticton Creek watershed in 1936;⁶⁶
- nor to agreements made in the early 1910-1922 Land Reserve with the Irrigation Districts.

⁶⁴ In the late 1960s and early 1970s there were allegedly two other logging trespasses by the Forest Service in high elevation forest areas of the upper Seymour watershed basin, the watershed under the control of Metro Vancouver's Water District.

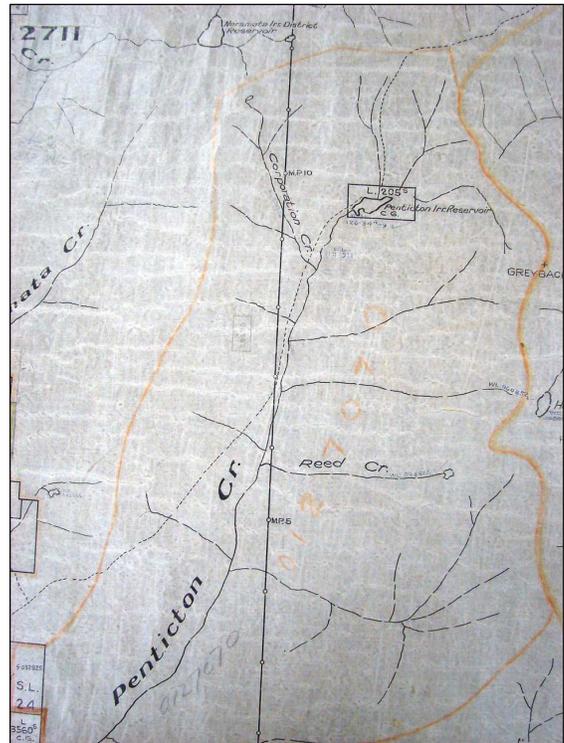
⁶⁵ *Proposed Okanagan Working Circle. Forest Survey and Preliminary Management Plan, 1938-1939.* Survey by C.F. McBride and G.R. Dixon. Report by C.F. McBride. In the early to mid-1940s, McBride was Economics Division Forester McKinnon's assistant forester. Chief Forester C.D. Orchard wrote a report dated August 27, 1942, *Forest Working Circles*, proposing draft legislation on Forest Working Circle Reserves. A year and a half later the government held BC's second Forest Resource Commission Inquiry.

⁶⁶ December 3, 1936. Another Reserve was created yet again on December 15, 1964 over both Penticton and Ellis Creeks. And in 1973, Map Reserves were re-established over both Ellis and Penticton Creek watersheds on December 19th, along with Reserves the same day over the Tulameen River, Anderson Creek, Hedley Creek, Olalla Creek, Trout Creek, Robinson Creek, Naramata Creek, the Shuswap River near Mabel Lake, Irish (or Coyote) Creek, Huntley Creek, BX Creek, Kalamalka Lake, Kelowna Creek, Whelan Creek, Mission Creek, Lambly Creek, Towers Creek and Trepanier Creek.

Right: 1942 Forest Atlas Map showing the first Watershed Reserve over Pentiction Creek. Note the orange boundary line surrounding the Reserve.

However, reference was made in a table in the 1939 report to fourteen of the Okanagan's Irrigation Districts, ten of which were registered in the Association of Irrigation Districts' complaint to the Sloan Commission in 1944 (see red dots in the attached table below).⁶⁷ As stated in the following quote, the Forest Service intended to log in the Irrigation Districts' watersheds:

*The primary objects of forest management in the Okanagan Drainage should be to sustain permanent forest industries at a maximum output, particularly for local markets, and to make adequate provision for watershed values so that irrigation requirements will not be jeopardized.*⁶⁸



(b) Irrigation Development

Agricultural production is entirely dependent on irrigation for its existence. Consequently, extensive storage and distribution systems have been developed by the various irrigation districts and municipalities. In addition, there are numerous water licenses on small creeks, held by growers outside organized districts.

The following table shows the area irrigated, the volume of storage and capitalization of the Irrigation Districts for the year 1938.

District	Irrigated Area (acres)	Cost per Acre	Storage (acre feet)	Capitalized Value
		per yr.		
Vernon ●	8,600	\$ 9.10	17,260 Aberdeen-Haddo Lakes, etc.	500,000
Oyama ●	385	18.25	10,000 Woods & Long Lakes	20,000
Winfield ●	1,895	7.00	9,000 Beaver & Crooked Lakes	300,000
Glenmore ●	1,855	7.25	3,750 Posthill Lake	400,000
Scotty Creek ●	800	2.25	1,100 James Lake	20,000
Black Mountain ●	3,695	5.00	7,750 Ideal & Graystoke Lakes	390,000
S.E. Kelowna ●	2,300	13.00	7,200 Hydraulic Lake	400,000
Westbank ●	565	9.50	1,400 Bear Lake	40,000
Peachland ●	345	9.00	1,400 Peachland Reservoirs	30,000
Summerland	3,200	12.18	5,000 Summerland "	300,000Est.
Pentiction	2,410	14.00	2,300 Dog Lake, Pentiction Creek	200,000
Naramata ●	850	12.00	850 Chute Creek	110,000
Kaleden	470	20.00	1,550 Shingle & Sheep Creek	300,000Est.
Oliver	3,865	6.00	Use water from Okanagan Lake	3,500,000
TOTALS	31,235		66,560 acre feet	6,510,000

⁶⁷ Additional information in the 1939 report made reference to Pentiction Creek's road that provided access to "irrigation dams." There was a complex of "pack trails" that Irrigation Districts built throughout the Okanagan to access their water storage dams.

⁶⁸ Volume One, page 48.

Two years later, the 1941 annual report of the Forest Service provided an update with respect to the 1939 Okanagan Basin Working Circle report:

Okanagan Drainage.

Estimates, forest and topographic maps, and management recommendations were completed for the Okanagan Drainage, which comprises the entire area tributary to Okanagan Lake in the Kamloops Forest District. Several Provincial Forests – namely Inkaneeep, Little White Mountain, Grizzly Hills, Aberdeen, and Okanagan – are located in this region and were consequently resurveyed, the original forest surveys having been conducted throughout the period 1925-29, inclusive.

From the standpoint of Crown timber available, market conditions, and established industry, the situation in this region is favourable for developing a working circle in an endeavour to maintain sustained yield objectives.

*Approximately 91 percent is of Crown ownership and the balance is chiefly on Crown grants and Indian Reserves.*⁶⁹

Concurrent with the Forest Service's proposed objectives to log in the Okanagan Basin, the Southern Interior Lumber Producers, one of a small number of BC forest industry lobby groups, met in Vernon City in August 1941 to create a new association lobby entity, the Interior Lumber Manufacturers Association (ILMA), which may have been effective in steering the Forest Service to propose logging in the Okanagan Basin in the early 1940s during the Second World War.

In his written submission, the owner of Penticton Sawmills stated to the Sloan Commission Hearing held in Penticton on October 24, 1944 that his company was innocent and had nothing whatsoever to do with the complaints being registered by the Association of BC Irrigation Districts and fruit growers:

Log supplies are drawn almost entirely from outside the Okanagan watershed, our logging operations having no bearing on flood conditions or irrigation requirements in this district. In fact no logging of any appreciable extent has been conducted on this watershed for the past 35 years. Our log supply comes from as far as 100 miles east and 100 west of Penticton being transported by K.V. [Kettle Valley] Railroad to the Sawmill.

Stanley M. Simpson,⁷⁰ an executive member of the recently formed Interior Lumber Manufacturers Association, and the owner of a mill and with timber operations near Kelowna (who would later be granted Tree Farm License No. 9 on the northwest part of the Okanagan Lake), stated before the Sloan Commission from October 21-23, 1944 in Kelowna⁷¹ that he had been practicing “*selection logging*” in the Okanagan area and advocated its continuance through a future program of sustained yield logging. In his written brief, Simpson also included the following recommendation regarding the issues raised by the Association of Irrigation Districts:

For the more effective carrying out of a new forest policy in Interior British Columbia, and bearing in mind the community of interest that exists between the lumber industry and

⁶⁹ Page G-9.

⁷⁰ For more on Simpson, refer to Section 4.2.a, *Okanagan Basin Logging History*.

⁷¹ Submission No. 374.

agriculture, live stock, fish and game, and irrigation, I would recommend an Administrative Board be authorized comprised of competent representatives of the sections of the community referred to, to be presided over by an impartial chairman, to give full time attention to the innumerable interlocking questions which must arise in the administration of a new and effective forest policy, for the making of Regulations and for the purpose of seeing that those Regulations are carried out under such a Board's jurisdiction by the present personnel of the various Government Departments involved.

As a result of the collective controversial public complaints about water use conflicts in the Interior, they prompted mill owner Simpson to have Commissioner Gordon Sloan consider the merits of an Advisory Council. In his final report, Commissioner Sloan weighed the serious nature of all the BC Interior complaints before him, considered the possible wisdom of Simpson's recommendation, and then advised the government to create an Interior Advisory Council, to be:

*composed of representatives of the logging and lumbering interests, water-users such as stockmen, farmers, and orchardists, and perhaps trappers. Through an organization of this kind representatives of the varying and sometimes conflicting interests would become familiar with and sympathetic to the difficulties with which each is confronted, and out of this common understanding recommendations formulated in a spirit of mutual co-operation could be presented to the Forestry Commission for its consideration.*⁷²

Ten years later, in Sloan's second concurrent assignment as Commissioner of a provincial forest Inquiry, he seemed quite perturbed that the provincial government had for ten years since failed to honour his recommendation to establish an Interior Advisory Council.⁷³ In fact, Sloan incorporated and transferred all the transcript quotations he made in his first Commission Inquiry report concerning fresh water runoff and community drinking water and irrigation watershed themes directly into his second Inquiry report of 1956, so that the BC Social Credit administration, in power since 1952, would not forget the importance of protecting provincial water purveyors' watersheds.

Sloan then advised the government in his 1956 report to create not one, but three, provincial Advisory Councils, and a separate Provincial Advisory Council to which the three would report to.

*Because of the diversity of forestry problems and the distribution of activities wherein conflict is possible resulting from the multiple use of these forested areas, such as grazing, mining watershed control in irrigation districts, and such like, it is my opinion that the creation of three Regional Advisory Boards would serve a very useful purpose, not only in the assistance the [Forest] Service could derive therefrom, but also as a media through which persons whose interests conflict would, by discussion, gain a mutual understanding of, and respect for, the difficulties of their neighbours.*⁷⁴

Sloan's recommendation for provincial resource consultation processes would inevitably lead to creation of provincial Regional Resource Management Committees and to the establishment of Resource Folios in the 1970s.

⁷² Page Q-168.

⁷³ A review of Forest Service annual reports from 1946 to 1955 found no references to the words "Interior Advisory Council" or to an equivalent consultative "board."

⁷⁴ *The Forest Resources of British Columbia*, 1956, page 576.

The internal government directives following the Association of Irrigation Districts' complaint to the Sloan Commission in October 1944 may provide a strong clue as to why Kamloops Regional Forester (Colonel) A.E. Parlow, a year after the Provincial Forests Inquiry, and after conferring with his senior administrators in Victoria, acted so quickly in obeying the City of Revelstoke in 1946 to withdraw the logging proposal in the Greeley Creek Watershed Reserve.

2.4. The Erickson Mutual Water Users Request the Government Protect Sullivan Creek from Logging

Many other community water purveyors in the province of British Columbia, such as the Erickson Mutual Water Users, were seeking protection of their drinking water and irrigation sources from logging in the early part of the 1900's. On November 27, 1927, the community of Erickson, located just east of the town of Creston, formed the Erickson Mutual Water Users Community. Its authority was established through Section 156 of the provincial *Water Act* for water rights provisions related to drinking and irrigation water from the Sullivan Creek watershed.

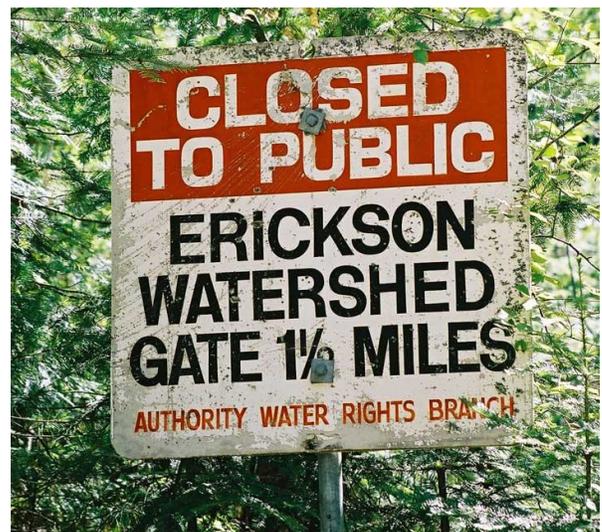
Just over a year after the Big Eddy Waterworks District applied for protection of the Dolan Creek watershed as a Watershed Reserve with the Department of Lands and Forests, the Erickson Water Users Community requested the same in 1952, as the government was gearing up its new 'sustained yield' forest management initiatives:

*Be it resolved the members of the Erickson Mutual Water Users District the Executive that under no consideration must the Sullivan Creek Water Shed be sold, rented, used etc to any person or persons for cutting of timber. Copy of this resolution be sent to the Forestry Department in Creston, B.C. Moved - Chernoff, Seconded - Turner.*⁷⁵

Like the Big Eddy Water Works District, in the early part of 1953 the Erickson Mutual Water Users became an Improvement District. At 8 p.m. on September 14, 1953, an "extraordinary meeting" was convened at the Erickson Covenant Church regarding the resolution against logging in Sullivan Creek:

After a very full discussion Mr. Turner moved that the resolution as passed on 19 January [19]53 concerning the protection of the Sullivan Creek water shed be reaffirmed.

In June 1957, just as the Forest Service was embarking upon a systematic and comprehensive clearcut logging agenda on public provincial forestlands through its mandate of sustained yield forest management, the Erickson Improvement District posted a sign on the road leading up to the water intake "to prevent the public from using the road",⁷⁶ because the Trustees wanted to secure the quality and natural integrity of its water source.



⁷⁵ January 25, 1952, Meeting Minutes of the Erickson Mutual Water Users.

⁷⁶ Meeting minutes of June 4, 1957.

Explained in Chapter 8, *The Failed Public Relations Tour of Blewett Creek*, there was a fascinating political connection between the Big Eddy Waterworks District's Dolan Creek Watershed Reserve and the Erickson Mutual Water Users' Sullivan Creek Watershed Reserve, located to the south of Big Eddy some 250 kilometres distant 'as the crow flies'. This connection relates how, from 1984 to 1985, administrators at the Ministry of Forest's Nelson Regional office failed to sway the Big Eddy Trustees in an audacious attempt to influence community support for logging in the Dolan watershed.



Photo of the Sullivan Creek water intake area taken by the author in 2002. These old signs (including the one on the previous page), which the Erickson Mutual Water User Trustees posted years ago, may no longer exist.

2.5. The Chief Forester Signals the Invasion of Community Watershed Reserves

Question: Your full name?

Answer: Chauncey Donald Orchard.

Question: You are Chief Forester for the Province of British Columbia?

Answer: Yes.

Question: And you have been Chief Forester since when?

Answer: Since January, 1941.

Question: Under the Forest Act the Forestry Department is given certain duties. Can you state them broadly?

Answer: In the simplest terms they are all responsibilities for administration of the public interests, in the forests of British Columbia.... The Province is broken down into five forest districts, with headquarters at Vancouver, Prince Rupert, Prince George, Kamloops and Nelson. Each one of those various districts is in charge of a district forester, and the district forester within his district is almost the exact equivalent of the chief forester for the Province as a whole. ⁷⁷



TOP MEN OF BC's TIMBER BUREAUCRACY 1958-1972

Top left: Ray Williston, Social Credit Party Minister of Lands and Forests (1958-1962), and then Minister of Lands, Forests and Water Resources (1962-1972), on whose watch the provincial Watershed Reserves were wrongfully under attack.

Bottom Left: R.G. McKee. When the position of Deputy Forests Minister was established in 1958, he was the Chief Forester. From 1958-1959, he held both positions. From 1959-1964 he was Deputy Forests Minister.

Top Right: F.S. McKinnon. Chief Forester, 1959-1965; and Deputy Forest Service Minister, 1965-1968.

Bottom Right: L.F. Swannell. Kamloops District (Regional) manager, 1952-1958. Assistant Chief Forester, 1958-1965. Chief Forester from 1965-1972.



The legislative force of the Crown *Land Act* Watershed Reserves was eventually challenged in 1963 by F.S. McKinnon, the Commander and Chief of the Forest Service, during the twenty-year-long

⁷⁷ Monday, February 21, 1944, Gordon Sloan Forest Commission Inquiry, *Proceedings*.

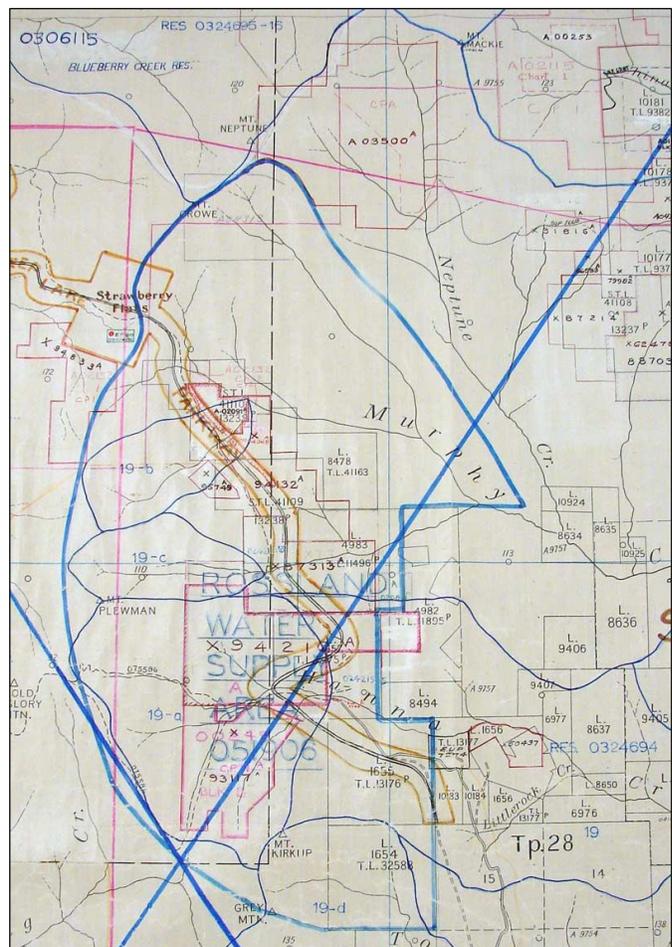
Social Credit Party administration, who at that time reported directly to the Deputy Forests Minister R.G. McKee, who in turn reported to Lands and Forests Minister Ray Williston.

*“The **problem of protection** has been going on for 40 years” in “these so-called watershed reserves,”* Chief McKinnon defiantly and irritatingly stated in an April 23, 1963 memo addressed to his top lieutenants in the Nelson Forest District (Region) office. In that memo, the Chief Forester made reference to Newman Taylor, *“The Superintendent of Lands,”* concerning Taylor’s May 19, 1940 correspondence memo that McKinnon most likely found in a Land’s Department Reserve file about Rossland City’s Watershed Reserves, where Taylor *“states that the area has been withdrawn from any disposition under the Land Act”*, consistent with and adhering to the description about such Reserves later proclaimed in the 1970 *Land Act* legislation.⁷⁸ That meant that, among many other possible dispositions, Timber Sales were prohibited within Rossland City’s Reserves boundaries.

Confronted by the Superintendent of Lands’ recorded legal ultimatum, McKinnon countered Taylor’s definition of provincial policy stating that it was *“open to misunderstanding.”* In order to help the *“confused”* Rossland City authorities, McKinnon then continued in his memo, *“as to their measure of control over the timber,”* and *“before we even get to the point of arguing with the village officials whether we [underline emphasis] have the authority to dispose of the Crown timber,”* it *“will require education of their officials as to what to expect from well conducted logging operations.”*⁷⁹

Right: Forest Atlas Map showing Rossland City’s Watershed Reserve over three watersheds.

The arrogant and treacherous statements in commander McKinnon’s 1963 memo are ominously significant. The quotes also belie a more forthcoming and blatant representation top administrators in the Forest Service apparently had with their attitude about the community and irrigation Watershed Reserves, an attitude which had been covertly brewing for some time, and the bumpy tyrannical road in the years ahead: the steamroller, the smash and grab. Since late 1960, the Chief Forester and his Assistant Chief Forester had been quietly setting up the overall deception to access timber in protected Crown forestland Watershed



⁷⁸ See Appendix A.

⁷⁹ The details and context of McKinnon’s memo is discussed in Will Koop’s December 2008 report, *Good Servants/ Bad Service: An Examination of Records and Reports Relating to Rossland’s Drinking Watershed Reserves (1923-2002)*, <http://www.bctwa.org/RossResRep-Dec8-08.pdf>.

Reserves, and were attempting to reshape the mindset of their troops accordingly. Plans were in high gear to convert as much of British Columbia's public forest land base into a new program of sustained yield forest management, through both Public and Private Working Circle processes (later, Timber Supply Areas, or TSAs, and Tree Farm Licenses, or TFLs, respectively). The occasion in 1963 of the City of Rossland's defence of its collective Watershed Reserve over three adjacent or interconnected watersheds would not be tolerated, as too much was at stake in the Forest Service's plans ahead to resolve the "*problem of protection*" and the associated brainwashing. It was up to the Chief Forester to step in and take control of the situation.

Something else of enormous significance was cooking in the community watersheds pot which Chief Forester McKinnon was also involved in. Covert and conniving attempts were being set up by a small group of instigators targeting commercial logging in Greater Vancouver's bundle of three protected drinking watersheds – the Capilano, Seymour and Coquitlam – the big shining provincial, national, and international protection jewels.⁸⁰ By the end of 1963, internal negotiations began with Forests, Lands and Water Resources Minister Ray Williston and his top administrators and legal counsel that continued on into late 1966 to renegotiate Greater Vancouver Water District's 999-year *Land Act Lease* agreement (called an "Indenture"), carefully worded amendments to convert the agreement's protection clauses into quasi-Tree Farm License agreement Number 42:

*Since meeting with you in Mr. McKinnon's office, and briefly discussing the proposed amendment to enable the District to operate a sustained yield program I have had the opportunity to read up on the correspondence and your brief, etc., and I recall that you mentioned you might be able to make available to the Forest service a copy of the report by C.D. Schultz & Company, 1956, "Appreciation of Factors Affecting Watershed Management on the Watershed or the Greater Vancouver Water District." It would be much appreciated if you could do this, as it would be an advantage to this office if we could retain a copy. As mentioned at the meeting, we are enclosing for your information, a copy of our mimeographed Working Plan Outline which is used as a guide in the preparation and checking of working plans for tree-farm licences.*⁸¹

.....

*As you are aware discussions have been held with your Minister, the Hon. R.G. Williston, Mr. E.W. Bassett, Deputy Minister of Lands, your Chief Forester Mr. F.S. McKinnon and ourselves regarding an amendment to the 999 Year Leases from the Provincial Government that this District holds for the purpose of water supply.*⁸²

.....

*The considerable time elapse involved in bringing this matter to this stage is regretted but is largely accountable to the fact that the document is the first of its kind and was necessarily carefully prepared and scrutinized from a legal standpoint.*⁸³

⁸⁰ Early Greater Vancouver Water District correspondence records with the Vancouver Archives reveal that the Water District's policy of protection was recognized nationally, and internationally.

⁸¹ H.M. Pogue, Forester, Working Plans Division to Kel Blakeney, forester, Greater Vancouver Water District, November 28, 1963. Blakeney used to be a forester with the C.D. Schultz Company forestry consulting firm.

⁸² Letter from Greater Vancouver Water District Commissioner K.E. Patrick, to Deputy Minister of Forests, R.G. McKee, December 19, 1963.

⁸³ Deputy Minister of Forests, R.G. McKee to Water District Commissioner Ken Patrick, October 30, 1964.

In addition to the numerous and shadowy inroads made to initiate ‘sustained yield logging’ in Victoria City’s protected watersheds in the early 1950s,⁸⁴ the logging in Metro Vancouver’s watersheds that officially began in 1968 would help to create a new and pivotal provincial precedent and rationale to enter and log the remainder of BC’s protected community watersheds, as fifty percent of BC’s population relied on Metro Vancouver’s three watersheds for drinking and domestic needs. That fulfilled and slimy agenda would trigger another agenda in 1970 to strip away the legislative 1908 provision in the *Land Act* accessed by Metro Vancouver’s Water District, the 999-year lease of Crown lands to protect a community watershed. The spirit of this sordid achievement to log in Greater Vancouver’s watersheds was later smugly reflected upon in an August 31, 1981 Ministry of Forests’ memo: “*Victoria and Vancouver watersheds are prime examples of viability of logging in our arguments with other Cities and Districts.*”⁸⁵ A lot was at stake in the 1960s when many logging agendas and scheming by foresters and the forest industry sector to invade protected watersheds were underway.

In line with the integrated machinations, McKinnon’s Nelson Forest District lieutenant, forester J.R. Johnston, the regional manager from 1962-1978, announced the “*invasion*” of protected community watersheds in a July 17, 1964 memo to about 30 of his Forest District Ranger troops, the supervisors over his 22 Ranger Districts.

*Much of the remaining mature timber in the District is in the watersheds of creeks which are the source of somebody’s water supply. This can be an important source of conflicts of interest: between the interests of the industry and the water user. Two alternative solutions to the problem are possible: (1) keep operators out of watersheds altogether, or (2) permit harvesting of timber in watersheds, subject to stringent controls designed to protect the water supply. As you know, we have, within reason, settled on the second choice. **In many areas we will not be able to supply local industry’s needs unless we can invade the watersheds** [bold emphasis added]. If, in doing this, we fail to protect the users’ interests, this timber reserve will not be available to us much longer.*

Johnston, a former Nelson Forest District Assistant Ranger before he enlisted in the war in the early 1940s, returned to serve under Forester E.W. Bassett’s Operations Division at Victoria headquarters in 1945 where he remained until 1948 and then transferred to the Nelson District as Assistant Operations Forester. By 1949, Johnston was transferred to the Kamloops District as Operations Forester under District Forester Colonel A.E. Parlow, a position he held until late 1951 when he became Assistant District Forester under newly appointed Kamloops District Forester L.F. Swannell. He remained Kamloops Assistant District Forester until about 1959 when he was promoted to Prince Rupert District Forester, and was transferred to serve as Nelson District Forester in 1962.

The “*invasion*” incursions underway provincially would quickly lead to great public outrage by provincial water user communities and purveyors in the 1960s, and would ultimately lead to the establishment of a provincial Task Force on community watersheds in February 1972, under the executive direction of the Environment and Land Use Technical Committee of Deputy Ministers.

⁸⁴ A history of Victoria’s watersheds will be published by the B.C. Tap Water Alliance in the near future.

⁸⁵ I.e., as a standard fall back, Social Credit Party Minister of Environment, Austin Pelton, consoled the South Pender Harbour Waterworks District in a June 5, 1986 letter regarding concerns about logging in its Watershed Reserve that “*there need be no conflict per se between timber harvesting and water supply as is illustrated by the Greater Vancouver Water District operations.*”

Tragically, Chief Forester McKinnon openly opposed the rule of law, and, acting like a lawbreaker, enticed and ordered his provincial lieutenants to do the same, the origins of great distrust and shame to his Service.

	1958 – 1962 – 1958 - 1965	P. Young, District Forester J. R. Johnston, District Forester	
Ranger Districts	1 Invermere	H.V. Hopkins L.G. Taft	1961
	2 Fernie	J.L. Humphrey	
	3 Golden	J.L. Connolly	
			Not staffed in 1960
		S.E. Anderson	1961
	4 Cranbrook East	J.B. Gierl	
	5 Creston	A.I. Ross	
	6 Kaslo	L.E. Stilwell G.B. Allin	1963
	7 Lardeau	W.G. Benwell G.L. Benwell	1964
	8 Nelson	R.E. Robinson	
	9 New Denver	C.C. Jupp	
	10 Nakusp	J.H. Raven	
	11 Castlegar	H.R. Wood	
	12 Grand Forks	E.W. Reid	
	13 Kettle Valley	W.T. Uphill	
	14 Canal Flats	G.M. Cartwright	
	15 Arrowhead	F.G. Old G.B. Allin P.F. Russell W.G. Benwell	Not staffed 1960 1963 1965
	16 Edgewood	W.D. Haggard I.M. Loomer	1965
	17 Elko	F.G. Hesketh W.G. Benwell P.F. Russell	1964 1965
	18 Spillimacheen	R.J. Reaney C.N. Bellmond	1963
	20 Beavertell	J.H. Ivens L.O. Hamann	1963
	21 Slocan	G.R. Webster	
	22 Revelstoke	R.C. Jackson	



Above: Nelson Regional forester, J.R. Johnston.

Left: Table list of administrative district foresters in the Nelson Forest Region, by Ranger District.

Source: *A Proud Tradition: History of the Nelson Forest Region, 1897-2003*, by the Ministry of Forests, 2003.

Chief Forester McKinnon failed to impart something of importance in the April 23, 1963 memo to his regional forest lieutenants, namely the fact that one of his predecessors, Chief Forester E.C. Manning,⁸⁶ had approved of and agreed with Superintendent of Lands Newman Taylor’s 1940 understanding and interpretation of the significant powers granted over Rossland City’s Watershed Reserves, namely the withdrawal of the area lands “*from any disposition under the Land Act.*” McKinnon had read Chief Forester Manning’s memo in the Rossland Reserve file correspondence

⁸⁶ As reported in the Forest Service Annual Report of 1940, Manning died in an airplane crash on February 6th, 1941, returning from a business meeting in Ottawa. He began his position as Chief Forester in 1936. In 1941, a new provincial park was named in his honour, Manning Park. Manning’s former boss, Lands Minister Wells Gray, the former mayor of New Westminster City, also had a provincial park named after him.

he had personally reviewed concerning the Rossland City Watershed Reserves. Also in the Rossland Reserve file was an April 9, 1963 memo from Superintendent of Lands Borthwick, "as the area required lies within a reserve from alienation for watershed purposes in favour of the City of Rossland." Chief Forester McKinnon's footing was evidently planted on very loose ground.



Above: E.C. Manning, Chief Forester from 1935-1941.

Below: Wells Gray, Minister of Lands and Forests, November 15, 1933 to May 15, 1944. Wells Gray, Manning's boss, was the former Mayor of New Westminster, and, a hero to its citizens, who ardently fought to protect the Coquitlam Watershed Reserve from logging interests.



File No. 051906.	SUBJECT RESERVE
JAN. 14 1924, 19	RESERVE FOR WATERSHED PURPOSES.
NAME <u>Rossland City Timber</u>	Department of Lands and Forests
SUBJECT <u>Reserve for Watershed purposes.</u>	

ALL COMMUNICATIONS IN REFERENCE TO FORESTRY TO BE ADDRESSED TO THE CHIEF FORESTER

VICTORIA, B.C.
 May 16th, 1940
 File: 051906


 THE GOVERNMENT OF THE PROVINCE OF BRITISH COLUMBIA

DEPARTMENT OF LANDS
 FOREST BRANCH

1447891

Memorandum to the Superintendent of Lands

Re: Watershed Reserve, City of Rossland

Insofar as the Forest Branch is concerned the proposed watershed reserve requested by the City of Rossland has our approval.


 Chief Forester



May 14, 1940.
File 051906

Memorandum to the Chief Forester

Re: Watershed Reserve, City of Rossland.

Referring to the District Forester's report and recommendation under date of April 28th last, I have to advise that we shall be pleased to constitute a map reserve, withdrawing any lands indicated in the designated area from disposition, if same has received your approval. Kindly advise.



Superintendent of Lands.

From government records examined so far, April 1963 seems to mark the first recorded instance of the tragic twisted fate the Watershed Reserves would undergo over the next 60 years to the present period. Here the Chief Forester cast the mould, the pattern and the tone of the purpose and intent to misinterpret and misdirect. McKinnon helped dismantle the kingdom of “single use” replacing it under a new domain of “multiple use,” the very term audaciously and impudently incorporated by the Social Credit administration in the title of the Province’s first review of community watersheds that began in 1972, the *Task Force on the Multiple Use of Watersheds of Community Water Supplies*.⁸⁷ Though McKinnon’s sub-commander, Assistant Chief Forester L.F. Swannell, had marshalled orders to his provincial lieutenants in a December 29, 1960 memo on how his troops were to trick the water purveyors to whom the Watershed Reserves were assigned and entrusted to government administrators, McKinnon arrogantly signalled the rebellion and defiantly raised his battle flag over top of them.

Chief Forester McKinnon’s battle was not only waged against the provincial public to reap profits for private industry and incremental revenue for government coffers, but it was also waged against a few government agencies and the administrators that stood in the way, those who advocated the protection of these watersheds for BC’s water purveyors through the Reserve tenure legislation. On March 30, 1962, the Department of *Lands and Forests Act* was changed and became the Department of *Lands, Forests and Water Resources Act*, whereby the Chief Forester now had to contend with not just one, but two opposing agencies close at hand whose mandates and resource philosophy were different than his own: they would have be kept on a tight leash.⁸⁸

McKinnon’s and his successors’ tyranny, the abuse of public trust in high office powers, would cause great strife and deep divisions within society and inside government (the ‘us’ versus ‘them’ combative scenarios), the ruin and physical damage of intact community watersheds, the cumulative financial costs burdened to third level governments and incorporations from damages committed in community watersheds, and the looming shadow of public liabilities that were the subject of internal government legal review in the late 1980s, all amidst the overall confusion resulting from the cover-up of apparent illegal forest management activities in the Watershed Reserves.

During L.F. Swannell’s appointment as Chief Forester, he was handed an August 26, 1966 letter from the Commissioners of the Nakusp Development District sent to his boss Ray Williston, the Minister of Lands, Forests and Water Resources. The Commissioners, who were concerned about logging in their water source, specifically asked Minister Williston concerning “*what rights we have over the water shed from which our water comes.*” In a September 2, 1966 letter to the Commissioners, Swannell failed to inform them that their watershed could be protected by several legislative instruments. Instead he wrote the following, some six months before the Greater Vancouver Water District was issued a legal amendment by way of the BC Legislature to allow commercial logging in its protected watersheds:

A watershed gives no specific legal rights but, where Crown land is involved and a timber sale is proposed, the Forest Service discusses the matter with the local District Engineer of the Water Resources Service and also contacts the local Municipality or Irrigation District

⁸⁷ See Chapter 4.

⁸⁸ In the 1980s, the Social Credit administration began to harness inter-ministerial conflicts over resource issues, by harmonizing policies and sidelining ministerial critics. This was later perfected in 2001 following, under the Social Credit’s successor BC Liberal administration, where internal criticism was harnessed even more.

Manager. We try to ensure that every reasonable precaution is taken by a timber sale or tree farm licensee to safeguard the water-users' interest.

There has been some feeling among water-users that watersheds should not be logged. This is not true. The Victoria Water Board, for instance, which owns its watershed, has permitted logging for years, to its financial benefit – and certainly not to the detriment of the water supply. British Columbia's expanded wood-using industries need all the wood that the ground can produce, and the dual use of watersheds [underline emphasis] for the production of both wood and water is entirely compatible. Indeed, in other portions of the world, logging has been used to improve water flow.

Three years later in the Summer of 1969, a local Water Rights Branch Engineer recommended that the Nakusp Improvement District request the government to place a Watershed Reserve over their water supply watershed. Forest Ranger J.R. Raven wrote in a July 21, 1969 memo that “we can see no need for a watershed reserve on the Kuskanax Creek and would recommend against one being established.”