B. C. TAP WATER ALLIANCE

Caring for, Monitoring, and Protecting British Columbia's Community Water Supply Sources

Email: info@bctwa.org
Website: http://www.bctwa.org

Submission to the B.C. Government on Protecting Drinking Water Sources

By Will Koop,
on behalf of the Society Promoting Environmental Conservation (SPEC)
February 20, 2001.

[Please Note: the last paragraph of section 4, below, has been revised as of April 12, 2001. The Revised Statutes of 1996 **did not** remove the provision in the lease section of the *Land Act* for "watershed purposes", and is still in existence.]

Table of Contents

1. Introduction

> *It's a strange thing, water. It's so essential. It's been kind of bounced around government, bounced around different ministries, different departments. It really hasn't had its place at the center of the table of land use planning, but its time has come. It is absolutely essential to our human health, and we can't live without it.* (Ian Waddell, Minister of Environment, Lands and Parks, Vancouver Hotel, February 13, 2001.)

We would like to thank the New Democratic Party for initiating this long-awaited process and for the promise of legislation on the issue of protecting drinking water. Protecting drinking water at its source is an issue which has been outstanding for more than thirty years in the province. More recently the findings of the Walkerton commission highlight the absolute necessity of protecting water sources and thereby the people who depend on them.

We nevertheless remain critical of this government's delay over the last ten years in addressing this issue, and the limitations government has imposed on discussion and potential legislation. Government still seems to be unwilling to listen to the public about full protection for B.C.'s drinking water sources, although making that promise before they were elected. Mike Harcourt, before he became premier in 1991, promised that he would introduce legislation to protect drinking watersheds from logging. Most troubling however is this government's recent February 14th announcement, which happened to coincide with the end of the public consultation process on drinking water, to commit the remainder of the provincial forest land base outside of provincial and national park designations to the "Working Forest". This proposal will include B.C. drinking watersheds in the timber harvesting land base. This is in glaring contrast to Premier Dosanjh's promise to protect the public's drinking water sources made last October to the Union of B.C. Municipalities. The government's new "opportunities" solution would see local communities and municipalities applying for Community Forest Licences in their community drinking watersheds. This is clearly only a solution for a government eager to download their responsibilities and all potential legal liabilities incurred over the last three decades of multiple use in these watersheds. The ongoing obfuscation of the legislative history which is in place to protect drinking water sources in British Columbia and the introduction of the last minute "working forest" legislation announced on February 14th, is extremely disturbing.

This brief will attempt to provide an historical overview of the issue of drinking water conflicts, in order to help foster a timely solution - full protection of drinking water sources in British Columbia.

2. The legislative foundation and framework for the protection of drinking water - Watershed Reserves and the creation of a long term lease of Crown lands for the full protection of drinking watersheds under the B.C. provincial Lands and Forests Acts of the 1900s

Legislation for the full protection of forested drinking watersheds from industrial exploitation was in existence at the turn of the last century, documented in both provincial legislation and provisions granted to the City of Vancouver, and later to the Greater Vancouver Water District. In order to protect the watersheds from human trespass and prevent further alienation of lands in both the Capilano and Seymour drinking watersheds and to stop the acquisition of timber berths through the privatization of Crown lands, the municipality of Vancouver and it's neighboring municipalities were granted Watershed Reserves under the provincial *Land Act* in 1905 (Capilano, Mar. 31) and 1906 (Seymour, Aug.24). These two Reserves, which were gazetted and placed on provincial atlases, prevented any further applications for timber leases and alienation for any other use. As a result of Greater Vancouver's concerns about protecting water quality, the provincial government later introduced legislation in 1908 which provided British Columbia municipalities the opportunity to obtain a 999 year lease of Crown lands to protect their drinking watersheds from industrial exploitation, primarily logging:

> 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. (Provincial Statutes, 1908, *Land Act*, Chapter 30, section 47, Leases, subsection 8. Note: the exact wording of this Act remained in effect until 1970.)

A further related provision to enhance this measure was introduced in 1911 under the *Land Act*:

> (55.) The Lieutenant-Governor in Council may, upon such terms and conditions as may be deemed advisable, sell to any city municipality owning and operating its own system of waterworks so much of the unappropriated and unoccupied Crown lands as form the whole or any portion of the natural watershed from which the city municipality draws its water-supply. (Provincial Statutes, 1911, *Land Act*, Chapter 129, section 48.)

These provisions to protect drinking watersheds were further strengthened in 1912 with the creation of Forest Reserves (or watershed reserves) under the new *Forest Act*. The definition of "reserved lands" under the overarching *Land Act* was for "Crown lands that have been withdrawn from alienation under the provisions of this or any other Act." The *Forest Act*, under the direction of the Minister of Lands, provided stringent definitions for the protection of drinking water sources under these Forest Reserves from resource exploitation and human occupancy:

> **Section 12, Forest Reserves.**
> (1.) The Minister [of Lands] shall cause an examination of Crown lands to be made by the Department for the purpose of delimitating areas of such lands that it is desirable to reserve for the perpetual growing of timber, and as a result of such examination the Lieutenant-Governor in Council may, by Proclamation, constitute any such area a permanent forest reserve; and upon such proclamation all land included within the boundaries of any such area shall be withdrawn from sale, settlement, and occupancy under the provisions of the "Land Act", and in respect of the "Mineral Act" and "Placer-mining Act and "Coal-mines Act" shall be subject to such conditions as the Lieutenant- Governor in Council may impose. After such proclamation no Crown land within the boundaries of such forest reserve so constituted shall be sold, leased, or otherwise disposed of or be located or settled upon, and no person shall use or occupy any part of the land included in said reserve except under provisions of this Act or of regulations made thereunder.
> (2.) Forest reserves constituted in the manner provided in this section shall be under the control and management of the Minister for the maintenance of the timber growing or which may hereafter grow thereon, for the protection of the water-supply, and for the prevention of trespass thereon. (Provincial Statutes, 1912, *Forests Act*, Chapter 17, Section 12. Note: the exact wording of subsection 2 remained in effect until 1960.)

In conjunction with the intent and subsequent establishment of both long term drinking watershed leases and Forest Reserves, associated provisions under the provincial Health Act were revised in 1911. A municipality or corporation, or any purveyor of water, was required to evaluate and report on their water systems and water sources to the Provincial Board of Health:

> **Protection of Water-supply** [22-25].
> (22) When the establishment of a system, or the extension of any existing system, of waterworks for the purpose of providing a public water-supply for domestic purposes is contemplated by the Municipal Council of any municipality, or by any person or body corporate, it shall be the duty of such Municipal Council, person, or body corporate, whether incorporated by special or private Act of the Legislature or otherwise howsoever, to submit to the Provincial Board the plans and specifications of the proposed system of waterworks, and an analysis of the water from the proposed source or sources of supply, verified by affidavit stating that the plans and specifications so submitted are those to be used and followed in the construction of such proposed system, that the particulars set forth in the said analysis are true, and that the water analyzed was taken from the proposed source or sources of supply. R.S.

1897, c.91, s.23 (part).

(25) Where in any locality or place it shall be necessary, in order to obtain a supply a water for the consumption and domestic purposes of the persons resident in such locality or place, to enter upon, take possession of, or use in common with the owners any flume, ditch, water system, or watercourse, the waters of which are recorded, diverted, or used for irrigation, industrial, or mining purposes, an officer appointed by the Provincial Board for that purpose shall examine the source of water-supply, the flume, ditch, water system, or watercourse aforesaid, and the locality or place, and shall report to the Provincial Board the amount of water, estimated as nearly as may be, actually required for the consumption and domestic purposes of the residents of such locality and the means and measures necessary to be adopted in order to secure such amount of water so actually necessary; and thereupon the Lieutenant-Governor in Council may, by Order, provide for, direct, and enforce the doing of all acts and things and the adoption and continuance of all means and measures necessary for the securing and the continued supply of such amount of water so actually necessary as aforesaid." (Provincial Statutes, Health Act, 1911, Chapter 98, Sections 22, 25.)

Medical Health Officer (Sections 30-39):
(30) The Council of every city municipality in the Province shall appoint a registered medical practitioner to be Health Officer of the municipality, who shall perform the duties provided for in this Act, in addition to the duties imposed upon such Health Officer under the provisions of the "Municipal Act" and any resolutions or by-laws passed in pursuance thereof. ..."
(36) Where a Medical Health Officer is appointed, he shall be the chief health and sanitary official for the municipality or district to which he is appointed, and shall possess all the powers and authority possessed by any Health Officer or Sanitary Inspector under this Act; and such Medical Health Officer shall perform all duties imposed upon him by any regulations of the Provincial Board, and the fact that similar duties are by Statute imposed upon the Local Board shall not relieve the Medical Health Officer from the performance of such duties. (Health Act, Provincial Statutes, 1911, Chapter 98, Sections 30, 36.)

The Water Act also provided an interlinking mechanism for accountability and for providing the best potable water to local populations:

The Determination of Existing Rights and Claims, and the Creation of a Tribunal for that Purpose.
(9) There shall be and there is hereby created a tribunal, to be named the "Board of Investigation", for the purpose of hearing the claims of all those persons holding or claiming to hold records of water or other water rights under any former public Act or Ordinance.... (Provincial Statutes, 1911, Water Act, Chapter 239, Section 9.)

General Powers and Privileges of Municipalities and Companies using Water for Domestic Purposes.
(100.) Upon the undertaking and works of the municipality or company being approved by the Lieutenant-Governor in Council and a certificate of such approval being granted, the municipality or company may, in the manner hereafter prescribed and upon the terms and conditions and for the purposes mentioned in the said certificate and subject to the obligations hereinafter imposed, enter upon, take, and use Crown lands and other lands howsoever and by whomsoever held.
(102.) The municipality or company may further, upon the terms and conditions and in manner hereinafter provided, ascertain, set out, purchase, and if necessary enter upon, take, and use all such lands as may be necessary for ... (d) Preserving the purity of the water supplied by them to the inhabitants.
(112.) The municipality or company may from time to time make and enforce by-laws, rules, and regulations, not inconsistent with this Act or any rules made hereunder, for ... (i) The purpose of discovering and preventing dishonesty and fraud with respect to the supply of water to consumers. (Provincial Statutes, 1911, Water Act, Chapter 239, Sections 100, 102, 112.)

3. The Greater Vancouver watersheds and the creation of the Greater Vancouver Water District

> *I know we both agree as to the seriousness of the situation that is likely to develop in all our watersheds, and how very necessary it is for us to preserve our present pure water supply for the use of the public.* (F.T. Underhill, Vancouver's chief Medical Health Officer, to the provincial Board of Health's chief Medical Health Officer, Dr. H.E. Young, October 2, 1916.)

Vancouver and its neighbor municipalities wanted to protect their water supplies from human trespass and resource exploitation. This position against logging became particularly entrenched for about decade starting in 1916, when provincial Health Officers and engineers, in reports and correspondence, opposed logging in three drinking water sources, the Capilano, Seymour, and Lynn watersheds. For instance, the Health Officer for the City of Vancouver wrote:

> We ask that our watershed might be protected by the Provincial Government, to prevent the removal of timber and also from any possible source of contamination by the erection of logging or shingle camps. (F.T. Underhill, June, 1916)

As a result, the provincial Water Rights Branch conducted a study on the Capilano and Seymour watersheds, and concluded in a 1916 report, that:

> No logging operations on the watershed above the intake can ever be carried on without imminent danger of pollution.
> Aside from the question of pollution during logging, it would materially detract from the value of the Seymour Creek as a water supply to allow the watershed to be deforested. Should the timber be removed and the unchecked erosion would not only increase the amount of suspended matter in the stream but would materially reduce the time of concentration, by eliminating the retention of the run off which the timber effects.
> Any logging would tend to still further reduce the minimum flow and correspondingly increase the amount of the flood.
> Whatever means be adopted by the Provincial Board of Health to prohibit any logging operations on the watershed, it is manifest that sooner or later the City will be confronted by the necessity of purchasing all alienated land and timber.
> CONCLUSION: From a standpoint of public health it is essential that no logging be allowed on the watersheds of Seymour and Capilano Creeks.

With the initiation of logging in the Capilano by the Capilano Timber Company which was strongly opposed by the City of Vancouver, the Provincial Board of Health, which was also opposed to logging the drinking watersheds, were forced to issue the first provincial regulations to carefully monitor people working in drinking water sources by medical health inspectors, *Sanitary Regulations Governing Watersheds* (April 2, 1918). The Provincial Health Officer later wrote:

> **Watersheds.** The sanitary protection of watersheds supplying more than half of the total population of British Columbia has thus far been accomplished through the drastic regulations formulated by your Board, and enforced by resident Inspectors under the supervision of the writer and the valuable and active co-operation of Dr. F.T. Underhill for the City of Vancouver. Everyone acknowledges that the power of the Empire is in "the silent navy", but few people are aware that locally our future is in the sustained purity of our water- supplies, silently though zealously guarded by our Health Officers. During the year just closing we have been called upon to take protective action regarding water sources at Williams Lake, Gambier Island, Valdes Island, and several summer resorts.
> (Provincial Board of Health Annual Report, Dr. H.E. Young, 1924)

The Provincial Officer of Health also encouraged the further protection of the Capilano and Seymour watersheds through the creation of a Game and Fish Reserve, to prevent human trespass by fishermen and hunters:

> In reply to your letter with reference to creating a Game and Fish Reserve, for the further protection of the watersheds of Capilano and Seymour Creek, I heartily concur in your suggestion. I think it would be a step in the right direction, and would greatly assist both Departments in maintaining and protecting our water supply.
> The source of all our trouble undoubtedly arises, to a large extent, from campers and citizens of the mainland desirous of a day's fishing, and unwittingly and unintentionally creating the nuisances which we are so anxious to prevent.
> The reserving of both sheds would not only create a better sanitary condition, but would create spawning pools, and a breeding ground for grouse, pheasants and songbirds, which eventually will be of great value to the whole mainland. I do not think that, looking into the future, the citizens of the mainland should resent the creating of such a reserve, as it means so much for them in the future when the whole lower levels are inhabited and occupied by citizens in the immediate waterfront.
> I suggest that a bill be brought down at the next sitting in the House, creating such a reserve. Your Mr. Young, of the Water Rights Department, has made careful surveys, and has defined very clearly all the watershed areas, and I believe has struck a reserve line, which represents the above areas, and if these boundaries area used, it will accomplish what is most desirable from a water conservation and sanitary protection standpoint. (F. Fellows, Vancouver City Engineer, to Dr. H.E. Young, Provincial Officer of Health, Sept.24, 1918)

A game reserve was placed on the two watersheds through a special amendment to the *Game Act*.

During the time that the Capilano Timber Co. began clearcutting almost all of their privately held forested lands in the Capilano watershed, the provincial Water Comptroller, E.A. Cleveland, was requested to conduct an inquiry into the growing controversy over logging in the Capilano and proposed logging in the Seymour watersheds. In October of 1922, Cleveland released his official report to the Minister of Lands, *The Question of Joint Control of Water Supply to the Cities and Municipalities on Burrard Inlet*. He summarized that in order for the Greater Vancouver municipalities to control activities in their drinking watersheds they had to become organized, incorporated, and then access title to both the Crown and private watershed lands. As Water Comptroller, Cleveland understood the provincial statutes, the provisions that were in place for Greater Vancouver to protect its watersheds. He also stated to the Minister, in no uncertain terms, that "The pre-eminent object to be attained is the maintenance of an adequate supply of pure (i.e. unpolluted) water - all other considerations are subordinate: and to that end the watershed should be preserved inviolate" (page 93). Cleveland's report, however, was quite unpopular, not only with the Minister of Lands, who was becoming a staunch advocate for the timber industry, but also with the timber industry which was growing at that time by leaps and bounds.

Cleveland's report was not released to the public until 1926 when he retired from his provincial portfolio and became the Commissioner of the newly formed Greater Vancouver Water District. From 1926 to 1927 Cleveland began a process to not only secure all of the privately held lands in the Capilano and Seymour watersheds, but also negotiated with the provincial government to obtain a 999 year *Land Act* lease of Crown lands (an agreement referred to as the 1927 Indenture), both of which provided the Water District with the ability to end all logging and mining in the watersheds. This new and powerful treaty was heralded by Greater Vancouver politicians and residents as the best and most secure way to protect their drinking water from commercial ventures and human trespass. After ten years in office, Cleveland confidently wrote on December 16, 1936:

> I would not attempt to set a value on the watershed lands in the Coquitlam, [1] Seymour and Capilano watersheds as they constitute an almost invaluable asset of the District permitting the complete and entire control of the purity of the water supply for all time so that neither now nor in the future will filtration or sterilization of the water be required.

4. The transition towards industrial activities in B.C. drinking watersheds

The transition to ignore and extinguish the provincial government's legislated protection of drinking watersheds by the forest industry openly began in February, 1952, at the 5th annual B.C. Natural Resources Conference in Victoria. Foresters within government, industry, and university passed a resolution to counter the provincial government's protective legislation in drinking watersheds with their own sophistry and conceit to begin logging in them:

> **Whereas** the primary purpose of watershed areas, where surface water is impounded for domestic and industrial water supply, is the production of a continuous supply of water; and
> **Whereas** controlled watershed use, rather than the maintenance of full virgin forest canopy, has the advantageous values for water supply development; and
> **Whereas** the controls and protection required for the water supply against potential or actual sanitary and fire hazards and erosion are required, whether logging is or is not practiced; and
> **Whereas** conservation means use and management of a resource and, and in the perpetuation of the forest resources, places emphasis on forest management on a sustained yield basis; and
> **Whereas** endorsement of the plan by those best qualified to judge, i.e. professional engineers and foresters and other technical men concerned with the resources of a watershed, is tantamount to guaranteeing that the plan provides for all the factors that govern proper use of land;
> **BE IT RESOLVED** that this Conference endorses a programme of forest management on a sustained yield basis for watershed lands where surface water is impounded for domestic and industrial water supply. (Resolution #9)

Much of this determination to log in drinking watersheds arose as a result of a Commission report in the mid-1940s in Seattle's source of drinking water, the Cedar River watershed. For about forty years Seattle City Council had unsuccessfully battled to keep logging out of their watershed. A forester proposed a three man Commission to bring about a resolution to the issue, and after a week's reconnaissance in the watershed in November 1944, the Commission wrote a report which not surprisingly recommended the continuation of logging in the City's watershed. That report was then carefully circulated to universities, colleges, and the forest industry throughout the United States and Canada. Even H.R. MacMillan, the B.C. forestry tycoon, got a copy. An intensive public relations program to log in drinking watersheds then began through Allen E. Thompson in 1948, the forester for the Seattle Cedar River watershed, who promoted the concept of "dual use", with articles published in forestry journals and tours throughout the Northwest United States and in British Columbia over the following 15 years.

This public relations program quickly targeted prominent protected drinking watersheds in the Pacific Northwest. Administrators with the Victoria and Greater Vancouver watersheds were bludgeoned with advice from foresters, that if Seattle could do it, so should they. Both were later logged. Portland's Bull Run watershed, which was protected through federal legislation, the 1904 *Bull Run Trespass Act*, was logged illegally. In fact, the extremes that this public relations program exerted were best exemplified by a secret agenda designed by a

[1] The Coquitlam watershed, which provided drinking water to New Westminister City and its neighbors at that time, had been protected from logging by a 1910 federal Order-In-Council. B.C. Hydro's predecessor, the B.C. Electric Railway Co., which provided the impetus for the federal legislation, argued at length that logging would impair the natural forest hydrology and would upset the timing and flow of water into the Coquitlam Reservoir, from which it depended and obtained its diverted water for electric power generation below Buntzen Reservoir. It is interesting to note, that after B.C. Hydro was formed in the late 1950s, this policy to protect the forests surrounding reservoirs which produced electricity was quickly altered to allow for clearcut logging, a policy which is responsible for affecting water timing and runoff regimes and decreased storage capacity due to increased sedimentation, effects which may be further complicated by the advent of global warming. A simple investigation of B.C. Hydro's reservoirs will help the government to understand this dilemma.

District Forester the State of Oregon in 1952 to influence the top most administrators and politicians with the City of Portland to begin logging their protected watershed.

> The source of the City of Portland's famous Bull Run water, an area of 120,000 acres, exists without a management plan to insure it's future.
> Should one half million people depend upon the whims and fancies of Mother Nature for their supply of drinking water? Should the Forest Service as custodians of the area sit back and wait for D-day, the day that a major fire sweeps through the watershed to clean up the old decadent timber so that a new crop of trees can get started? What is the answer? Foresters will undoubtedly agree that it should be opened by roads and carefully harvested under proper management. Such a plan would make the area accessible to fire fighting equipment.... Study has shown the water-retaining capacity of reproduction is greater than that of mature timber. Domestic watersheds have been logged without contaminating the water supply. An important example is that of the city of Seattle's watershed.
> The solution is simple, but the problem is great. For fifty years city officials and Portland residents have been bally-hooing pure Bull Run water from an unmolested watershed. Many are fully convinced that to keep their water pure the watershed must remain forever untouched. There is a tremendous P.R. job to change this thinking of some 50 years standing. The advantages of opening the watershed must be pointed out to city officials and civic leaders in such a way as to win their cooperation. The entire Portland urban population should be appraised of the necessity of proper management. If the initial steps are not take with caution we will undoubtedly experience strong opposition which could easily reach congressional level.
> What is the solution to the problem? First we should arm ourselves with all possible facts and figures to bear out our theories and estimates. All other factual data regarding cutting in other domestic watersheds that might apply to the Bull Run should be gathered together.
> The initial approach should be made through Ben Morrow, who is the City Engineer that has been the God-father to the Bull Run for years. Any past action in the area has been done pretty much on Morrow's recommendation.... Someone well versed in the intended program should discuss the needs of better management with him in detail. The fire angle should be played up and revenue returns subdued in this initial discussion. The need of a study to determine what is the best management for the area should be stressed. No attempt should be made to sell him a preconceived plan in this initial discussion. It should be proposed to Mr. Morrow the purpose of the initial study would be to collect factual data on the present condition of the watershed and its environs. If the results of the study do not bring out conclusions that are self evident, ie agreeable to both the city and the Forest Service, the city should proceed as did Seattle, and hire a board of three impartial, nationally recognized experts to make their own analysis of the data and recommend a plan of management.
> If we can win him over, one big hurdle has been cleared. In any event, whether he is won over completely or not, an effort should be made thru him to arrange a future meeting with the utility commissioner and the mayor.
> 2. The second phase is selling the commissioner and mayor on the idea of the need of a study, and if at all possible, get the city to participate in such a study. The discussion at this session should follow the lines of the previous meeting with Morrow. The council members should not be given the impression that we have a definite preconceived objective. This session is visualized as the crux meeting.
> 3. From here out, circumstances will guide the course.
> 4. During this period of planning, "show-me" trips for City Officials and others must be made. These trips should be well planned and include sample logging in Lost Creek as a trip over Aschoff Butte Road.
> 5. Now we are ready for some definite plans.
> 6. If agreement can be reached on some kind of cutting plan, P.R. efforts should be directed toward the press. More "show-me" trips of the press and key individuals will be necessary. (1987 Freedom of Information request)

Throughout the 1950s, the B.C. government began handing out large tracts of Crown lands called Forest Management Licences, later designated as Tree Farm Licences (TFLs), to mostly United States forest companies. During this transition, which ran hundreds of small forestry operations out of business, these companies took the opportunity to remove drinking watersheds from their protected status to be incorporated

within the provincial timber harvest land base. As a result of the 1952 resolution by the Natural Resources Conference, and the resulting pressures exerted upon provincial administrators, timber licences suddenly began to be issued in Crown land drinking watersheds around 1960. The long held *Forest Act* provision of 1912 to protect drinking watersheds was suddenly and accordingly changed:

> 33. (4.) Forest reserves ***except lands included in a tree-farm licence*** (emphasis) shall be under the control and management of the Minister [of Lands and Forests] for the maintenance of the timber growing thereon, for the protection of the water-supply, and for the prevention of trespass thereon." (Provincial Statutes, 1960, Forest Act, Chapter 153, Section 33. See above, Provincial Statutes, 1912, Forests Act, Chapter 17, Section 12, for a comparison.)

The controversial establishment of Tree Farm Licenses across British Columbia initiated a series of policy changes which have had disastrous results. Those changes, in conjunction with new administrative instructions to government foresters in provincial forest districts to accept logging proposals in community watersheds in order to maintain the Allowable Annual Cut, were ultimately responsible for the gross impairment of hundreds of "protected" community drinking watersheds in British Columbia.

> There have been a number of instances recently which indicate that the instructions in Section 2.17 of the Management Manual need amplification, particularly in connection with the status of the holder of a Water Licence in relation to disposal of crown timber.
> There is no intent to reserve the timber by granting a water licence; where a party desires protection in that respect it is necessary for him to purchase or lease the area. Although the water licence holder does not appear to have any specific legal rights respecting use of timber and it is not necessary to notify him of a proposed sale, it is necessary to ensure that any such sale is subject to no interference with his water rights and improvements if the sale covers the same area. We also have a moral obligation to attempt to prevent pollution or other adverse effect on his water supply.
> We are enclosing a list of leases issued in connection with water supply from which you may note that there is some variation in respect to the legal status of the timber but in all leases the lessees have the right to the quiet enjoyment of their leasehold and can deny the use of these lands to the public if they so desire. It may be noted that no leases for watershed purposes have been issued in recent years, and it is doubtful that any lease of this nature would be granted by the Lands Service at the present time without careful study. It would appear that the present trend is to reserve watersheds against alienation of the land rather than issue leases.
> The existing practice of consulting the District Water Engineer, Municipal Clerk or Irrigation District Manager regarding such sales should be maintained but the letters 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. (L.F. Swannell, Assistant Chief Forester, December 29, 1960, to all District Foresters.)

At the local level, District Foresters began to implement the new strategy:

> 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. If, in doing this, we fail to protect the [water] users' interests, this timber reserve will not be available to us much longer. (Memorandum by District forester, J.R. Johnston, Nelson Forest Region, July 17, 1964)

The most strategic shift, in terms of the forest industry's push to log in drinking watersheds, began with the pressures which brought about the logging of the Greater Vancouver watersheds in 1967, when the Water District gained approval from provincial Cabinet to change their *Land Act* lease agreement from full protection to logging under a Tree Farm Licence agreement, called the *Amending Indenture*. Because of this shift, government and industry foresters were able to convince other municipalities and water users that logging was compatible in their watersheds too:

> Vancouver and Victoria watersheds are prime examples of viability of logging in our arguments with other cities and districts. (A.C. Markus, Ministry of Forests memo, August 31, 1981)

> It has also been suggested that the timber harvesting should be encouraged in this area [the Greater Vancouver watersheds] because of the influential effect for logging controversies in other watersheds. (J.A.K. Reid, Ministry of Forests staff consultant, letter to Assistant Deputy Minister of Forests, September 14, 1981.)

The establishment of a broad-sweeping public relations effort to log in drinking watersheds later began in 1987 with the establishment of the Seymour Demonstration Forest, in the Greater Vancouver watersheds off-catchment area, the Lower Seymour valley. Two former official administrators with the provincial government, Chief Forester Bill Young and Deputy Minister of Forests Mike Apsey (who became the president of the Council of Forest Industries), backed the formation of the Demonstration Forest in 1985. The Demonstration Forest designation and its working committee were later disbanded in 1999 as a result of public scrutiny and objections.

Because the Greater Vancouver Water District was the only incorporation in B.C. with the 999 year *Land Act* lease provision, and because the logging program made the lease seem ineffectual, some of the terms in the legislation, such as the lease conditions for 999 years, were subsequently removed from the legislation in 1970:

> The Minister [of Crown Lands] may, pursuant to subsection (1) ... (b) lease Crown land. (Provincial Statutes, *Land Act*, 1970, Chapter 17, section 9: 2.)
> The Lieutenant-Governor in Council may, for any purpose that he considers advisable in the public interest, by notice signed by the minister and published in the Gazette, reserve Crown land from disposition under the provisions of this Act. (*Land Act*, 1970, Chapter 17, section 11: 1.)

> Not withstanding subsection (1), with the prior approval of the Lieutenant Governor in Council the minister may dispose of, by lease, an area exceeding 1280 acres for grazing, commercial, industrial, railway, airport, or watershed purposes. (*Land Act*, 1970, Chapter 17, section 17: 2.)

In 1999, the words "with the prior approval of the Lieutenant Governor in Council" were removed from the *Land Act* section:

> (2) Despite subsection (1), the minister may dispose of an area greater than 520 ha, by Crown grant, for commercial, industrial, railway, airport or watershed purposes. (Miscellaneous Statutes Amendment, No.2, 1999, Chap. 38, Section 40)

5. The provincial Task Force on the Multiple Use of Community Watersheds and the creation of Watershed Reserves

> *We welcome the consideration of integrated use on these areas within the constraints imposed by the objectives of quality water production. As the report states, nearly 2.8 million acres of crown land are currently reserved in community watersheds to a single use. The other resource-use options which are foregone, many of which could be carried out with little or no perceptible deterioration in water quality, represent a substantial cost to the public ownership of these lands.* (J. Dick, Fish and Wildlife Branch, Ministry of Recreation and Conservation, commenting on the draft of the Blue Book, Jan. 27, 1978)

With the initiation of logging in BC drinking watersheds in the 1960s, the public began to frequently complain about the logging and its effects on their water supply in local newspapers and in correspondence to government ministries and politicians. As demonstrated in a 1992 Briefing Note for the Deputy Minister of Forests, these complaints kept pouring in over the years:

> The public is very concerned and cynical about Government's management of community watersheds; on average, 10 to 20 letters a day are received criticizing forest practices in watersheds. (Ministry of Forests Briefing Note, prepared for the deputy minister of Forests, Philip B. Halkett, For Decision, December 11, 1992)

As a result of the growing public controversy over this issue, the government, through the *Environment and Land Use Technical Committee*, a committee of deputy ministers, created the *Task Force on the Multiple Use of Watersheds of Community Water Supplies* (The Task Force) in February 1972. It was the first committee and scope of its kind in North America. As much as the government had initially intended to calm the public's concerns through this Task Force, it failed to do so.

The Task Force, an inter-ministerial committee from Forests, Lands, Water Resources, Agriculture, Health, Municipal Affairs, and Mines, met over the next four years to establish about 300 Watershed Reserves under sections 11, 12, and 13 of the *Land Act*, and to eventually develop guidelines for industrial and agricultural activities in these Watershed Reserves. The Terms of Reference for the Task Force were as follows:

> 1. To investigate the practicability of obtaining wholesome water supply from streams the watershed of which are subject to multiple use, giving first consideration to water supply for Creston area from Arrow Creek.
> 2. To recommend policy and procedures for consideration of such land use conflicts.

A questionnaire was sent out to 325 selected water users throughout B.C. to respond to the growing concerns over land use activities in their drinking watersheds. A cover letter, dated December 29, 1972, urged the continuance of the 'multiple use' concept in their watersheds, without indicating consideration for a corresponding option of 'single' or no use:

> Your Provincial Government has established a Task Force under the Environment and Land Use Technical Committee to investigate the problem of obtaining wholesome water supply from streams whose watersheds are subject to multiple use.
> Is the land that contributes runoff to your community water supply used for any other purpose, such as logging, mining or recreation? If it is we would like your assistance in identifying the problems that such multiple use of the watershed creates for your water supply. It is hoped that policies and procedures can be developed that will allow reasonable use of other resources in water supply watersheds while protecting the ability of the watershed to furnish high quality water for human use.

In a letter dated April 18, 1973, the Chair of The Task Force sent a two page memo to the *Environment and Land Use Technical Committee* summarizing the results of the questionnaire. The Chair provided information on only 256 of 305 respondents, of which 145 were identified as community watersheds, stating that "the

information contained in the completed questionnaires will be of considerable value". Out of the 145 watersheds: 91 are used for forestry; 46 for cattle grazing; 25 for farming; and 16 for mining. The Chair concluded that:

> Forestry use conflicts, indicated as the main problems for community water supply users, appear to be concentrated in the Vancouver Island, New Westminster, Vernon and Nelson Water Districts.

The Task Force, through the Water Resources Department, gathered statistics on water supply sources, population, and land area, in order to provide a greater understanding of the provincial situation. From 1972 statistics, there were 2, 220,000 residents in B.C., 1,310,000 (or 59%) of which were tapped into the water supply systems in Greater Victoria (9%) and Greater Vancouver (50%), where active logging was proceeding. 110,000 residents (5%) were receiving water from rivers and large lakes. 230,000 residents (10%) were drawing their water from wells or springs. 570,000 residents (26%) were drawing their water from about 175 community watersheds, land areas of which totaled 6118 square miles, being 1.69% of the B.C. provincial land base of 366,000 square miles. 127 of these 175 community watersheds, which totaled an area of 1,059 square miles (0.3% of the Provincial land base), represented 73% of the total community watersheds in the province.

At the second Task Force meeting in October 1972, members were provided with a list of "water sources for communities in the Province including incorporated municipalities, waterworks improvement districts and private water utility companies", along with a list of "watershed conflicts", which included points of discussion on the effects of forestry, mining, grazing, agriculture, recreation, highway and other construction, and the extremes of nature. It was identified that forestry practices contributed an "increase in turbidity and sediments", "changes in taste, odour & colour", "addition of toxic chemicals, oil, gasoline scum or objectionable solids", and "temperature changes to water and increase in nutrients". It was also noted that mining contributed to "lowered water quality (a) by bacterial contamination from camp or mill wastes, (b) by addition of sediments from construction work or mill processes and (c) by altering taste, odour and colour." Some of the conflicts were played down. For instance, the effects that cattle have on bacterial contamination to surface and sub-surface water courses were merely "possible".

With concerns from the Naramata Irrigation District in 1970 about cattle grazing in their drinking supply, which then raised similar concerns about cattle in the watersheds of the Okanagan Valley, very little was done to address these concerns. Cattle were not removed from the hydrographic boundaries of the watershed, but fences, which were often missing in these watersheds, were put up not too far away from streams and reservoirs:

> The Grazing Division, B.C. Forest Service, has the prime responsibility for administration of Grazing on Crown Land and the management of such. However, a more final result of any controls imposed to limit access to water by livestock would be the effect on the agriculture industry necessitating drastic changes in the method of livestock production, particularly beef.
> It should also be noted that in spite of frequently quoted high coli counts as an indicator of water quality, there is no evidence to prove that the presence of livestock in a watershed area or watercourse is responsible for the introduction of pathogenic micro flora generally believed to be harmful to man. (J.S.Allin, Water Resources Service, July 20, 1972)

There was even disagreement by the Minister of Health, Dennis Cocke, who said that "we should close the Naramata District to cattle" (May 2, 1973), but his counterpart, David Stupich, the Minister of Agriculture, was worried about setting a precedent. Because of pressures from the agricultural industry, Stupich replied to Cocke's concerns:

> It appears to me that everything is well in hand except one member of your Department who insists on stirring up public emotion on this issue. In this regard I would like to refer you to the attached letter from the Penticton Hospital to the B.C. Cattlemen Association stating that they are withholding support from Dr. Clarke and his views concerning the need for excluding all cattle from grazing in watershed areas. It would seem to me that when a man's own peers withhold their support there should be a very

careful assessment of that individual's advice in connection with medical matters in the Naramata watershed.

Beginning in 1973, the Task Force began to organize the creation of Watershed Reserves, implemented through the powers of land and forest reserves under the *Land Act*. By 1975 about 300 of these Watershed Reserves were placed on official government land status maps, maps which government resource agencies had to refer to for all land use planning applications.

> A problem which has been brought to the attention of the Task Force relates to the alienation of Crown land, in that, with few exceptions, the watersheds of community water supplies are not recorded on the reference maps of the Lands Branch and, consequently, alienation of land for non-compatible uses can occur without the water supply function of the land being considered in the adjudication process. The Task Force therefore recommends that map reserves be placed on the watersheds of community water supplies throughout the Province, excluding those of users whose source of supply is the main stem of a major river or lake, and excluding also spring and well users, who are essentially drawing on groundwater supplies. (Letter to the Environment and Land Use Technical Committee, April 18, 1973)

As a result of these Watershed Reserves, resource ministries had to make referrals from all land use applications to the Water Branch and to the Ministry of Health. This system started to fail in the late 1970s when Ministry of Forests Districts were no longer sending them, that is mostly to Ministry of Health officials.

> The matter of referrals of land use applications is of interest to this Ministry. We did receive one referral two or three years ago, soon after map reserves were made on a large scale. We thought this practice was worthwhile and would continue but others have not followed. Is it possible that this single application has been made in all this time? (W. Bailey, Director of the Environmental Engineering Division of the Ministry of Health, and a member of The Task Force since May 1972, complaint on May 29, 1978)

> ... we wonder if we can participate with you regarding land use applications insofar as they may affect drinking water supplies. The Medical Health Officers at various locations throughout the province have full responsibility for matters dealing with the quality of drinking water supplies. Since multiple use of watersheds creates the potential for change in water quality, it seems prudent that he be made aware of situation respecting land use in advance and be given the opportunity to comment. In our view, the appropriate time would be when the land use application is being processed. For consistency of review and policy, it is suggested that these applications be sent to this Division for onward transmission to the responsible Medical Health Officer for comment. (W. Bailey, letter to the Director of the Land Management Branch, G. Wilson, Sept.11, 1978)

In late 1975, during the midst of the Task Force's creation of Watershed Reserves, the Associated Boards of Health passed the following resolution during its annual meeting in the Okanagan:

> #15. RE: PROTECTION OF WATERSHEDS. Whereas many domestic waterworks systems depend upon surface supplies as a source of water, AND WHEREAS many conflicting activities prevail within the watersheds of these surface water supplies which may degrade the water quality and/damage the constructed works e.g. logging, cattle grazing, recreation, mining, residential development, etc., AND WHEREAS the Lands Service of the Department of Lands, Forests and Water Resources presently issue permits authorizing various activities within watersheds, THEREFORE BE IT RESOLVED that the Associated Boards of Health urge the provincial government to enact, or amend, legislation which:
> (a) would authorize the Medical Health Officer to restrict or prohibit any activity within a watershed which he feels may have a deleterious effect on the domestic water supply and,
> (b) would require the Lands Service to seek the concurrence of the Medical Health Officer before issuing a permit without authorizing any activity within a watershed.

In the Spring of 1976, the Minister of Health, R.H. McClelland, who had been appointed by the newly elected Social Credit government, was unsupportive of his department's resolution, calling it "somewhat limiting in its scope". Through a series of letters between ministers, the orders were then handed down and on June 15, 1976, the Task Force's secretary sent a letter to its membership stating that health resolution #15 would be up for discussion and that they would be meeting in two months' time to discuss the issue.

According to the minutes of the August 31 meeting "a consensus had been reached at the previous Task Force meeting that the M.H.O's should not have a veto power regarding proposed land use activities in community watersheds." The minutes go on to state that the Ministry of Forests representative, C.J. Highstead:

> ... suggested that the response from the Task Force to Resolution No. 15 should be that it does not agree with the veto power requested by the Associated Boards of Health, but suggest that the M.H.O.'s get involved in the R.R.M.C.'s (Regional Resource Management Committees). He suggested the emphasis be placed on low key participation by the M.H.O.'s at this stage"

After three years of editing draft texts, the government finally released the *Guidelines for Watershed Management of Crown Lands used as Community Water Supplies* in October, 1980, otherwise known as the "**blue book**". It was to be used as a 'guide' to 'manage' the nearly 300 Watershed Reserves that the Task Force created in B.C. These Watershed Reserves, which promoted 'multiple uses', were unlike the 'single use' reserves under the 1912 *Forest Act*. All of the Watershed Reserves were divided into three categories, according to the watershed area:

> (a) **Category 1**: those under 6 square miles in area. 175 of the 285 reserves are in this category, totaling 323 square miles, or 0.1% of the provincial land base, serving 210,000 people. Because of their smaller area, these watersheds were supposed to receive the highest protection possible.
> (b) **Category 2**: those between 6 and 35 square miles in area. 79 of the 285 reserves are in this category, totaling 1200 square miles, or .34% of the provincial land base, serving 178,000 people. Category 2 and 3 watersheds were to receive lesser protection.
> (c) **Category 3**: those between 35 and 200 square miles in area. 31 of the 285 reserves are in this category, totaling 2800 square miles, or .77% of the provincial land base, serving 123,000 people.

According to Appendix H of the blue book, before any planning for resource use activities could take place in these Watershed Reserves, they had to undergo an Integrated Watershed Management Plan (IWMP), a timely process where water users, resource users, and government staff would develop agreements for land use activities. Very few IWMPs were ever conducted or finalized, as most led to disagreements, especially by the water users who wanted to protect their watersheds from the multiple use agenda. One of the longest IWMP processes was for the Sunshine Coast Regional District's watersheds, Chapman and Gray Creeks, which had already been heavily logged before the IWMP process began, a process which ran into trouble when voters of the Regional District in a 1998 referendum called for the end of logging in their water supply.

6. Resolutions by the Union of B.C. Municipalities against logging in drinking watersheds

For many years the Union of B.C. Municipalities, at its annual conferences, has tabled numerous resolutions pertaining to the impacts of resource use activities affecting people's drinking water: 1971, #48; 1973, #52; 1979, #100; 1982, A-38; 1986, B-31 and B-32; 1987, B-46; 1988, LR-5; 1989, A-18; 1990, B-42; 1991, B-14; 1993, C-43. Many of the historic resolutions stem from the Regional District of Central Kootenay, where there are widely dispersed concentrations of people, who rely mostly on surface water supplies and springs from nearby mountain forests.

Resolution #48, in 1971, tabled by the town of Summerland in the Okanagan, requested that the government coordinate boards to watch over community water supplies:

> **WHEREAS** municipalities, water improvement districts, irrigation districts and similar authorities are charged with the provision of consistent and safe supply of water for human, agricultural and industrial use; **AND WHEREA**S such provision requires control of watershed systems to yield constant supply in both quantity and quality; **AND WHEREA**S the increasing and varied industrial, agricultural, commercial and recreational uses being conducted in watersheds pose a threat to the prime purpose of watershed management; **THEREFORE BE IT RESOLVED** that for the purposes of ensuring that administration and management of resources within watersheds are coordinated between government agencies consistent with provision of water for human use, the Government of B.C. be urged to establish, by legislation, an authority or board which shall have the single responsibility of coordinating the administration of and management of land uses and natural product utilization within each watershed.

The Vancouver Island Comox-Strathcona District tabled resolution #52 in 1973, to ensure that the privately held lands along the eastern length of their region comply with health standards and proper protection:

> **WHEREAS** it is desirable that watersheds forming water sources for community water supplies should be protected and regulated by competent authority to ensure that quality and quantity of water supply be continuously maintained; **AND WHEREAS** major areas of watersheds are often in private ownership; **AND WHEREAS** it has been ruled by the Department of Health the "Sanitary Regulations Governing Watersheds" issued pursuant to the Health Act are not applicable to privately held lands within such watersheds; **THEREFORE BE IT RESOLVED** that the Provincial Government be requested to establish standards for all community watershed areas; these standards to give the Health authorities a guideline which will enable them to determine any deterioration in water quality whatever the cause; and further that the Health authorities be authorized to enforce the required remedial action.

The 1979 resolution #100, a very strong and pointed comment on protection of water supply watersheds, was tabled by the City of Cranbrook in 1979, just when The Task Force was dotting the i's and crossing the t's on the Guidelines report:

> **BE IT RESOLVED** that the Provincial Government be asked to place a freeze on sales and/or leases of any Crown land in any municipal watersheds to private individuals or companies; **AND BE IT FURTHER RESOLVED** that the Provincial Government aid in reclaiming privately owned land in municipal watersheds in which domestic animals or other conditions could affect the purity of the water.

The deputy minister of Municipal Affairs, R.W. Long, sent the above resolution to Ben Marr, the deputy minister of the Environment, on January 28, 1980:

> Enclosed please find the resolutions endorsed by the Union of British Columbia Municipalities at their 1979 convention. They have been sent to inform you of the position of the U.B.C.M. as it relates to your Ministry, and to obtain your response to the subject matter of the resolutions. In some cases the subject matter of resolutions is familiar, but we are nevertheless interested in your current position. Would you

please respond to the resolutions by stating your position on the matter, commenting on the validity of the argument presented in the resolution, specifying any points with which you take issue, and suggesting, where applicable, an appropriate position for Mr. Vander Zalm to take in discussing the issue with U.B.C.M. representatives.

On February 15, 1980, J.D. Watts, chairman of The Task Force, and chief of the Planning and Surveys Division of the Water Investigations Branch, sent a memo to the Director of the Water Investigations Branch, P.M. Brady, to respond to Ben Marr's request for a reply to resolution #100:

> (1) The Ministry of Environment is actively investigating the practicality of placing a freeze on sales and leases of crown land in some 150 watersheds which are currently held under map reserves for administrative purposes. These 150 watersheds are those which are less than six square miles in area and substantially free from present public uses. There are an additional 126 map reserves on watersheds ranging in size from six square miles to 200 square miles
> (2) and (3) As a result of investigations by a Task Force set up to consider multiple use problems of watersheds used as community water supplies, it does not appear practical to place a freeze on, or to overly restrict agricultural and public activities in watersheds much in excess of six square miles in area in which there are extensive existing public and/or resource activities. It is noted that Joseph Creek, the watershed of the City of Cranbrook, the municipality sponsoring this resolution, falls into this category as it is 32.7 square miles in area and contains much agricultural land. In a few of the smaller watersheds, individual municipalities may find it advantageous to buy critical areas of privately owned land within watersheds for protection purposes. However, the Provincial Government should not be expected to participate in this, as it is already making substantial contribution in holding the majority of the land in these areas under map reserve for water supply purposes.
> (4) The Minister, Mr. Vander Zalm, should advise that specific watershed management problems should be referred to the Water Investigations Branch of the Ministry of Environment.

During the U.B.C.M. annual meeting in 1982, Nelson City, another member of the Kootenay Regional District, presented a resolution on community water supply watersheds, which was passed as resolution A38:

> **CONTROL AND MAINTENANCE OF WATERSHEDS. WHEREAS** the maintenance of the high quality and adequate quantities of supplies of water is of prime concern to all purveyors of water in the Province of British Columbia; **AND WHEREAS** there is widespread pressure by the Ministry of Forests and the logging industry to open watersheds on Crown lands to logging operations and other developments; **AND WHEREAS** in the past, some logging operations, associated road building and other development have been carried out in such a manner as to damage community water supplies; **AND WHEREAS** at present, authority over watersheds on Crown lands is vested in the Ministry of Forests: **THEREFORE BE IT RESOLVED THAT** U.B.C.M. request the Provincial Government to alter any purveyor of water the right and power to participate with the Ministry of Forests, any other Ministries involved and any involved industry in the planning and execution of any operations within the watersheds of that purveyor and that decisions to proceed with such operations must be made by consensus of the parties involved.

In 1986, the Central Kootenay Regional District presented resolutions B31 and B36 regarding logging on private property and its effects to water supplies, and the other on compensation for damages to water users as a direct result of government approved resource use:

> B31. **LOGGING GUIDELINES. WHEREAS** there is a growing concern amongst residents that the Province of British Columbia does not have regulations regarding commercial logging on private property; **AND WHEREAS** the Province of British Columbia does have regulations regarding commercial logging on Crown Land and the said regulations encourage responsible logging practices to the extent of providing protection of community water systems, protection from soil erosion and protection from excessive fire hazards: **THEREFORE BE IT RESOLVED** that the Union of British Columbia Municipalities petition the Provincial Government to develop suitable guidelines that could

be referred to by commercial loggers when logging on private property. **ENDORSED BY THE ASSOCIATION OF KOOTENAY & BOUNDARY MUNICIPALITIES**.

B36. **WATER LICENSEE INDEMNIFICATION. WHEREAS** the Provincial Government is responsible for issuing licences for the extraction or use of provincial resources which at time lead to conflicts between the uses licenced; **AND WHEREAS** municipalities, regional districts, water improvement districts and others holding a priority use licence for domestic water supply have found that subsequently issued licences for uses such as logging have resulted in financial hardship to the prior use licensee and have caused deterioration of the prior use of resources: **THEREFORE BE IT RESOLVED** that the Provincial Government be requested to reimburse a prior use licensee where the issuance of a subsequent licence results in financial or resource loss to the priority user and the Provincial Government seek its own reimbursement of costs from the licensee causing damage.

The following year, the City of Nelson passed another resolution pertaining once again to the subject of compensation of injury to water users from those responsible for issuing and performing resource activities in community watersheds:

B46. **COMPENSATION FOR DAMAGES TO WATERSHED AREAS. WHEREAS** there is a growing concern throughout the Province about resource extraction in watershed areas, and the negative impact of such resource extraction on the quality of potable water; **AND WHEREAS** it is difficult, if not impossible, to prove fault in the case of damage to watershed areas: **THEREFORE BE IT RESOLVED** that the Provincial Government be urged to provide no fault compensation for areas damaged by resource extraction. **ENDORSED BY THE ASSOCIATION OF KOOTENAY AND BOUNDARY MUNICIPALITIES**. [Resolutions Committee: The Resolutions Committee notes that this resolution (B36-1986; A38-1982) was previously considered and endorsed. The Provincial Government indicated in response that it should not be held liable or have to pay damages resulting from the use or extraction of resources under licence.The Provincial Government is reviewing the issue and is attempting to propose a policy which would solve the problem.]

Once again, in 1988, the City of Nelson, undaunted by the Provincial Government's lack of response, presented the following resolution on the issue of compensation from damages to their water supply:

LR5. **COMPENSATION FOR DAMAGES TO WATERSHED AREAS. WHEREAS** there is a growing concern throughout the Province of British Columbia regarding resource extraction in watershed areas because of the possible negative impact of such resource extraction on the quality of potable water and because of the difficulties, extreme costs and virtual impossibility of litigation in the event of damages; **AND WHEREAS** the preservation of watershed areas and the potable water resources they contain is vital to the health of a community, repairs must be instituted immediately in the event of damage: **THEREFORE BE IT RESOLVED** that: (a) The Provincial Government establish a no fault insurance pool to pay for costs for immediate repairs to such assets and water supply areas and water supplies damaged through resource extraction; (b) The funding for such an insurance pool come from resource extraction companies through posted bonds or similar funding and through royalties and stumpage fees paid to the Province; (c) Liability for the damage to be apportioned through an arbitration board decision and the fund reimbursed accordingly. Such arbitration board to be established prior to resource extraction being instituted. The composition of the arbitration board to include municipal (regional) representation for the area affected, technical expert acting for the municipality (region) affected, appropriate ministry representative, the industry involved plus a fifth party to be chosen by the other four members as an impartial voting member.

According to an October 19, 1989 draft letter from the Director of the Ministry of Forests Integrated Resources Branch, J.A. Blickert, the Ministry of Forests had formulated policy, through a series of revisions for the previous 18 months, on "Reparation of Damage to Water Supplies and Delivery Systems":

> The purpose of this policy is to identify mechanisms for reparation of damage to water supplies or delivery systems necessitated as a result of timber harvesting (including road construction, silvicultural treatments and protection activities) or range activities and to clarify responsibilities.... RESPONSIBILITIES (2.0) The District Manager will determine the value of any bond which he may require to be posted by the forest licensee or range tenure holder to ensure the integrity of water supplies and delivery systems.... FOREST LICENSEE/RANGE TENURE HOLDER (2.0) The forest licensee or range tenure holder is responsible for immediately notifying the District Manager of any damage to the water supply or delivery systems which has been identified.... (3.0)... The forest licensee or range tenure holder must also provide alternate water supplies to licensed users, where it is possible and reasonable, during short term water supply disruptions (a few hours) related to such actions. (4.0) The forest licensee or range tenure holder may be required to post bonds or provide proof of adequate liability insurance to cover, in whole or in part, the costs of remedial action to water supplies and water delivery systems required during the term of the forest licence or range tenure document. In the case of the forest license this provision will extend past the term of the license to include the period of time required for the next crop of trees to reach the "free to grow" stage.... WATER LICENSEE ... (4.0) Water licensees must share in accepting reasonable, but not undue, risk associated with adjacent uses of Crown land." [Date: 89/08/29]

While these policies were slowly formulated by the Forest Service, with input by the Ministry of Environment, pressure from the Kootenay Regional District continued to mount. This is evidenced in a letter to Dave Parker, the Minister of Forests, dated May 16, 1989, from the Executive Director of the U.B.C.M., Richard Taylor:

> There is one issue that I would like to expand on and that is the issue of logging in watersheds. This is an issue of longstanding concern with local government and one on which the UBCM has forwarded a number of resolutions to the Provincial Government.... even though Ministry staff feel the problem has been addressed ... we have a continuing expression of concern that deserves close scrutiny.

The Ministries of Environment and Forests recognized for decades, internally, the concerns and opposition, specifically regarding logging in the community and domestic watersheds in the Kootenay Region. Watershed reserves had been established on only the larger population communities, but smaller communities, and isolated groups of water users, did not have their watersheds protected. Unfortunately, even the Category I watersheds were not in a protected state, despite the assurances from The Task Force since the 1970's.

Alliances, such as the Slocan Valley Watershed Alliance, formed in the early 1980's, was formed to protect residents' watersheds for water supply from conventional forestry practices. The Slocan Valley, which is a long narrow valley, with steep forested mountain slopes, has proven to become prone to slides after logging. The Slocan Alliance organized a provincial conference in 1984, For the Love of Water (FLOW), and another in 1988, around the issue of water protection. These conferences, especially the 1984 conference, created a provincial awareness of watershed protection.

Disputes raged within the Slocan Valley concerning the principal forest licencee, Slocan Forest Products, who had the Allowable Annual Cutting rights for most of the valley. In Springer Creek, a Category II watershed, the source of Slocan City's water supply, and home to Slocan Forest Products sawmill, the Forest Service was obligated to conduct an Integrated Watershed Management Plan, a process which ended up in a heated and prolonged debate. Because of the lack of intelligent participation on the IWMP, the Slocan Alliance eventually withdrew from the process. The battle over the Springer Creek IWMP reached Dave Parker's desk, the Forests Minister, who sent a letter off to Environment Minister Bruce Strachan. Strachan replied, on July 19, 1989, that, after being tipped off, these matters were culminating in provincial concerns which were headed for the U.B.C.M. annual meeting, a matter which needed serious attention:

> In general, the process which has been developed and the working relationship between our Ministries on these plans is good. The Slocan Valley Development Guidelines were reviewed by the Environment and Land Use Committee in 1985 and have evolved to accommodate the concerns of all participants since that time. I am advised that Ministry staff will continue to pursue the preparation of integrated

watershed management plans once the Slocan Valley Watershed Alliance has completed their proposed guidelines. As you suggest, decision-making authority must remain with the mandated government agencies. There is, however, a growing consensus both within and outside of government that clearer legislative authority is required to protect community water supplies affected by the upstream resource use. This matter is likely to be raised at the Union of B.C. Municipalities meeting in September. I would suggest that this matter should be the subject of a joint submission to the Environment and Land Use Committee by our Ministries and the Ministries of Municipal Affairs, Recreation and Culture; Health, and Energy, Mines and Petroleum Resources, as soon as this can be arranged.

In June, during a forum in Creston, NDP opposition leader Mike Harcourt even stated that he would introduce legislation that would protected forested drinking watersheds from future logging. At the September 19-22, 1989 U.B.C.M. annual convention in Penticton, the Regional District of Central Kootenay gave an oral presentation from a five page brief entitled "Logging in Watersheds". The presentation captivated the audience, in which representatives from provincial government agencies participated:

> My presentation today is based on my exposure to the logging in watersheds in the interior parts of the Province. Our interior valleys, in the main, are very narrow valleys with very steep mountains on each side. The only places to build homes or communities are on the alluvial fans which were built up over many years from actions of creeks and rivers in the areas.... The added hazard of logging on steep slopes - - again in our watersheds - - is increasing more and more... the preservation of water is paramount to our lives. Water, as much as the air we breath, is so essential to our everyday life that we react - - sometimes violently and with anger, and understandably so - - when it is threatened. Increasingly water is being diminished in quantity and quality by resource extraction for the benefit of others.... We are, generally, very pleased with our mountain water both in purity and quantity. Suddenly we find someone wants to log our watershed. Visions of muddy debris-filled creeks from hastily-built roads; all sorts of activity above us from machinery and humans. We will have to boil our water, install filters to protect our hot water tanks and washing machines; next comes chlorination or other treatment demanded by the health authorities because our watersheds are invalid and violated. Worse than that, everyone knows that when the trees are gone, the water goes as well; the snows melt, the creeks pour out volumes of mud, silt and logging debris, our dams and reservoirs fill up an then the water stops. When it rains, the rush starts all over again, for a brief period. Then one day there is no water. We are certain in the knowledge that the Forestry cannot assure us that the quality and quantity of water will continue. There are no guarantees to protect our water during logging or for years after the contractor has moved on to another watershed. There are - - as Mr. (Reiner) Augustine will tell you - - checks and balances in place; community involvement; the integrated watershed management plan; but there are no guarantees and involvement in making the decisions.... When Forestry issues the guidelines and signs the contracts and is in control of the terms of the contracts, it would appear that they should then assume the responsibility for the consequences. This Ministry should recover the costs whatever they may be for repairing damage done through performance bonds required at the time of the contract signing. The repairs should be made immediately, the logging stopped and then the investigations and questions asked.... As the Agricultural Land Reserve protects our farm lands - - or was supposed to - - a similar piece of legislation - - without the loopholes - - should protect our watersheds and landscapes. It goes without saying that the Minister of Crown Lands should be the first to insist that logging on 'our' land should be an example of what should be done in forests. The prime resource in a watershed must be water - - both for its quality and continuing quantity. It is suggested that watersheds be removed from the management of the Ministry of Forests. It is suggested that legislative changes be made to place watersheds under the control and watchful eye of the Ministry of Environment, Water Rights Branch and the Ministry of Health. All other resource extraction need be subservient to the maintenance of water quality and quantity. If logging must be done in watersheds - - and since only a very small percentage of forest is in watersheds, it is doubtful that it should be - - then very stringent rules and guarantees must be put in place and only very specialized type of selective logging be allowed. The Minister of Forests (Dave Parker) - - who is viewed increasingly by many as the Minister FOR Forestry - - has shown no great concern for us. The Council of Forest Industries - - the greatest pressure lobby and special interest group in the Province - - is concerned because we want to prevent the destruction of our watersheds. We are called ANTIS.... We note, with empathy and sympathy, the concern of Lower

> Mainland residents that their watersheds [construction of the natural gas pipeline through the Coquitlam watershed] are to be invaded by a pipeline that serves some distant place. We honestly hope that the assurances and comments that "all will be well" that are being made by politicians and proponents of the pipeline, will work out. From experience, permit us to doubt.... It is indeed most encouraging to see and to hear from all over the Province speaking out on this issue: speaking out in real concern for our vested interests in our watersheds. We must be gaining when the Premier (Vander Zalm) speaks out on a matter contrary to his Forests Minister and states that "clearcuts are a disaster". We encourage his active viewing of this Ministry and his participation in protecting one of our most precious assets. We urgently need legislation to control many of the issues that the forest service has made no mandate to supervise. We require legislation to place the protection of our watersheds where they rightfully should be under the Water Rights Branch of the Ministry of Environment and under the Ministry of Health. Even with the imminent change in Ministers, without changing the responsibility of preserving our community watersheds, we face a continuing losing, confrontational battle.

As Bruce Strachan forecast, the acrimony and intensity of the concerns by water users over the years, despite the 'planning processes' in place for watershed reserves and non-watershed reserves, culminated in this address to the Union of B.C. Municipalities. Immediately afterwards, Strachan sent off a letter to the Minister of Forests to implement (yes, that's right) another inter-agency committee to resolve the issue of resource use in community watersheds. The following is a letter, which mentions this process:

> I have received a copy of a letter from the former Minister of Forests, the Honourable Dave Parker, in response to a letter from the former minister of Environment, the Honourable Bruce Strachan, regarding the formation of a committee to study the watershed management planning process. The Ministry of Health considers the protection of community watersheds to be an important issue, and the Ministry of Health would be most interested in participating in this process. (From the assistant deputy Community Minister of Health, to Wes Cheston, the assistant deputy Operations Minister of Forests, November 29, 1989)

7. The post-Task Force inter-ministerial committees on drinking water and the development of the Forest Practices Code Act for Community Watersheds - 1989-1996

Due to the concerns raised through the Union of B.C. Municipalities, the Inter-Agency Community Watersheds Management Committee was subsequently established in early 1990. The first Committee meeting was held on February 1st in the Boardroom of the Ministry of Forests Financial Services Branch. Members of the Committee were: Sharyn Daley, Ministry of Environment Hydrology Section; Don Rekston, Ministry of Environment Hydrology Section Head; John Bones, Director, Ministry of Environment Integrated Resources Planning; Barry Willoughby, Ministry of Health Manager of Drinking Water Program; Mitch Fumalle, Ministry of Municipal Affairs Assistant Director of Programs, Development Services Branch; Rolf Schmidt, Ministry of Municipal Affairs; Sandy Currie, Ministry of Forests Planning Forester, Resource Planning Section; Gordon Erlandson, Ministry of Forests Public Involvement Consultant, Integrated Resource Branch.

Out of this process, which fizzled out in 1991, was another committee, the Community Watershed Guidelines Committee, which first met in September 1992. As a result of continued concerns, the government planned to hold public workshops in different sectors of the province for input on preparing new guidelines for resource activities in drinking watersheds, a document which was to replace the 1980 blue book guidelines for Watershed Reserves. As one government staff member put it, "this will be the first time in a technical document such as this is put through a public involvement process" (November 18, 1992, memo to Don Kasianchuck). Meetings were held in about 7 or 8 localities in southern B.C. in 1993.

In conjunction with this process, the Technical Advisory Committee (TAC) was formed to bring about the new guidelines, with representatives from the Ministries of Forests, Environment, Lands and Parks, Health, Energy, Mines and Petroleum Resources, Agriculture, Fisheries and Food, Transportation and Highways, and a separate representative from the forest industry. According to a backgrounder produced for the TAC, it stated that because logging and cattle grazing had been taking place over the last two decades, it would become difficult to end these activities:

> For example in the Okanagan and Kootenay Lake Areas more than 50% of the allocated harvestable timber lies within watersheds licenced for community watershed use.... There is a cost to society and to local communities in discontinuing present uses and in continuing present uses at the expense of water quality and quantity. The challenge of watershed management is to maintain the quality and quantity of water from these sources as the primary goal while realizing the value of the timber, mining, agriculture and recreational resources within the watersheds.

The end result of these committees was the *Forest Practices Code Act* for *Community Watersheds Guidebook* released in 1996. This document was to replace the 1980 (1984) *Guidelines for Watershed Management of Crown Lands Used as Community Water Supply*. What this new document didn't include, however, was any mention at all of the term "Watershed Reserves", which had been created through provincial legislation, under the *Forest* and *Land Acts*, and the significance they have in terms of land use designations and planning processes. This omission is significant. Considered critical to the watershed protection program, Government had implemented resource use guidelines for the Watershed Reserves in the late 1970s and early 1980s and reserve policy under the Lands, Parks and Housing Act. Watershed Reserves had a special legal status and were under the mandate and powers of the Minister of Lands, not the Minister of Forests. What was done under the *Forest Practices Code Act* was to roll together the Watershed Reserves, identified by the 1970s Task Force "blue book", together with many other non-Watershed Reserves which totaled about 650 community watersheds. All of the 1996 FPC community watersheds were suddenly under the control of the Minister of Forests and the *Forest Practices Code*, with no separate categories to distinguish the two of them. All of this was done without notification to the water users.

The result of this process was utter confusion. Not only government staff, who were not cognizant of the history regarding Watershed Reserves, but also the courts, were confounded by the lack of historical information on provincial land use planning, which is critical to an understanding of the existing legislative scheme. The petition by the Valhalla Wilderness Society on the logging in two Category 1 Watershed Reserves, for Bartlett and Mountain Chief Creek watersheds, fell on deaf ears in 1997, simply because the judge was not provided the complete information by the Attorney General's Department. Justice Paris ruled that not only did the Minister of Forests have the upper hand on decision making over Watershed Reserves, but that these two watersheds, contrary to the information in government files and land status maps, were never designated as Category 1 Watershed Reserves. That decision should have been appealed.

8. The recent protective legislation of drinking watersheds in the United States and British Columbia

The 1990s was an important decade for drinking watershed in the United States and Canada, where significant decisions were made, after years of intense public protest, to end logging in drinking watersheds in four major cities. In 1994, a judge ruled that logging in the Greater Victoria watersheds should end. In 1996, president Clinton declared that logging in Portland's watershed, the Bull Run, should end. In 1999, the City of Seattle declared that it too would end logging in the Cedar River watershed, and begin to remove hundreds of miles of logging access roads. In 1999, the Greater Vancouver Regional District passed the following resolution on November 10, to end logging in the three Greater Vancouver watersheds:

1. The primary purpose of Greater Vancouver's watersheds is to provide clean, safe water.
2. The watersheds will be managed to reflect and advance the Region's commitment to the environmental stewardship and protection of those lands and their biological diversity.

3. The Region's management plan will be based upon the minimum intervention absolutely necessary to achieve the Board's objectives.
4. The management plan will contain policies to return areas disturbed by human activities as close as possible to the pre-disturbance state consistent with the primary goal of protecting water quality.
5. The decision-making process will be transparent and open to the public.

These were all very important and timely decisions. However, there was great damage done in these watersheds as a result of road building and logging, damage which could have been, and should have been prevented long ago. These decisions should be an important standard for this provincial government, as it looks to protect British Columbia drinking watersheds through legislation.

9. The Auditor General's report and the present process

Many praise the B.C. Auditor General for his report on *Protecting Drinking Water Sources*. After all, it, and the recent Walkerton Commission seem to have brought us to this point in history, where we may have an opportunity to bring about effective legislation to protect the sources of B.C. drinking watersheds, and for much needed groundwater legislation.

The Auditor General's report, however, has its limitations. Many of these limitations were a result of the Terms of Reference for the provincial audit on drinking watersheds. For instance, it may not have provided enough details on each of its eight case studies, such as the issues recently addressed concerning the application of toxic fertilizers in the privately held lands of Nanaimo's watershed. It was unable to develop the legislative history on protecting drinking watersheds in British Columbia, and subsequent historical summaries on this issue. It overlooked studying both the Victoria and Greater Vancouver watersheds, studies which could have provided valuable insights, and new direction away from the Auditor General's quasi-support of continued resource use activities. In 1996, there were about 650 community watersheds for larger communities identified by the government under its selective definition for *Forest Practices Code Act* Community Watersheds. Now there are about 465 community watersheds. How do the eight case studies in the Auditor General's report adequately reflect the hundreds of drinking watersheds in B.C.?

The last question becomes particularly relevant in the government's recent public consultation process held in ten B.C. communities, the last two of which, in Vancouver and Kamloops, were added on due to public concern. Each of first eight meeting locations was held to reflect the eight case studies in the Auditor General's report. Though this plan of attack may have some merits, the meetings failed to provide the public with critical and relevant information. There were no detailed maps showing the drinking watersheds in each of the locations. There were no studies provided on government reports of these or neighboring drinking watersheds, such as the many studies conducted over the years on Norrish Creek, greater Abbotsford's drinking source. There were no maps showing all of the drinking watersheds of the region. For instance, during the Kelowna process, the public should have been provided with maps showing the many drinking watersheds in the Okanagan, an oversight pointed out by this author on a number of occasions to government staff. There were no statistics provided on B.C. community watersheds, almost no information at all. How can citizens be able to make informed decisions, and how can they prepare their written submissions, without adequate information?

The most troubling consideration came at the tail end of this public consultation process, when the Minister of Forests, Gordon Wilson, announced the discussion paper to introduce proposed legislation which would grant the remainder of Crown lands not currently under Parks status to the "working forest". The government should have announced this legislative proposal at the beginning of the public consultation process on protecting drinking water, rather than at the end, because we now are aware of the government's real intentions. How can the government bring about meaningful and effective legislation to protect our drinking water sources, when the government has decided to dedicate them to perpetual logging and other resource activities? Until this is resolved, we can have little faith in the government's apparent promise to protect our drinking watersheds.

10. Conclusions and Recommendations

This report does not pretend to be exhaustive, and excludes technical comments on important water quality issues and oversights in the government's legislation, and has no meticulous critical rendering of existing regulations under legislative Acts which guide the everyday resource use activities in drinking watersheds. That needs to be done, but who is going to do that and provide the necessary legal costs to do so? This report merely attempts to bring in some relevant history on this critical issue, to demonstrate that this is a critical and longstanding issue, to demonstrate that it has been subject to profiteering, summary information for the most part which is not known to the public.

What we do know is that our drinking watersheds have and are being ruined as a result of this and previous government administrators. As we write, plans are either being drafted or executed for more logging in drinking watersheds. What are we going to do to address this situation in a meaningful way? We have already asked for a moratorium on land use activities in drinking watersheds in one of our recent press releases, in order to bring about a meaningful process, a process which should ultimately bring about the end of these activities to protect our drinking water sources.

In this respect, we are asking the government to implement protective legislation through the creation of Watershed Reserves, a point brought about in a petition signed, so far, by 46 provincial groups (see attachment), the petition which we presented to the Minister of Environment, Lands and Parks, Ian Waddell, on February 13, less some 25 additional signatories (see appendix below). These Watershed Reserves will have the original meaning these words convey, originally conveyed in the 1912 *Forest Act*, for single use, for water only, not the interpretation and neglect of them brought about by the 1972 provincial Task Force on the Multiple Use of Community Watersheds. A Reserve for water, not a reserve for industrial uses. This legislation will grant the public confidence that it so richly deserves, legislation, which over the long term, will enhance water quality, and defer costs associated with the damage to watershed ecosystems, and related costs for the implementation of expensive water treatment processes and to health costs.

The Auditor General recommended the formation of a lead agency to govern the use of drinking watersheds in British Columbia. We would agree with that, for obvious and important reasons, and so do many others.

> And the final thing in our area: the Ministry of Health did not take part in the process, and they're being seen as a key player in this whole program. The second recommendation, designate a lead agency -- this, we believe, is probably the most important of all of the recommendations. Of the 26 recommendations, if only one is adopted and it's this one, we will see a significant improvement in our ability to do our jobs, because a great number of the other recommendations will likely follow from that lead agency. The information that you've heard today from the Ministry of Environment and the directors' committee leaves me with just two words, and those are "utter dismay." This we see as by far the most important recommendation in the whole report. The recommendation on accountability reporting -- we believe it's valuable. But we hope that the provincial health officer will concentrate very much on source protection, because that's one area where the Ministry of Health is not well involved. We believe that the Ministry of Health does an excellent job in helping us make sure our water supply is risk-free from our intake to the tap, but they are not involved in helping us in any way in keeping our source-water protected." (Mike Stamhuis, Director of Engineering, North Okanagan Water Authority, Public Accounts Committee meeting, November 7, 2000, pages 1647-1751)

Currently, the Ministry of Environment, Lands and Parks are assuming the role as lead agency, as they stated in the Nanaimo public consultation session on January 26. However, until the powers over provincial forest lands and associated provincial legislation with the Ministry of Forests is removed, and until the Allowable Annual Cut is removed from these areas, and until other ministerial Acts related to the use and powers over Crown Lands are removed concerning drinking watersheds, and controlling powers over Crown Lands are ultimately vested in the Ministry of Environment, Lands and Parks for the protection of drinking water sources, we will have no confidence in this ministry as the lead agency for drinking water sources as it currently stands. We wish that we could simply trust the government to protect our drinking watersheds, but history has clearly shown us

otherwise. Within this framework, there must also be legislation passed which addresses the issue of land use activities on private lands, and in this sense, we must all cooperate to protect our drinking water. If there is to be a lead agency, then it must also be independent from the discretionary powers of provincial Cabinet and the premier, all for the protection of the most valuable asset we can have, pure, clean water.

Finally, two of the more important considerations. First Nations must be consulted in a meaningful way on this issue, between all levels of government. Drinking water sources must be protected, by all governments, including First Nations. Secondly, the threat of privatization and implications associated with the North American Free Trade Agreement should be addressed immediately, and legislative provisions should be administered in light of these threats on drinking watersheds.

This government, including its successor, needs to bring about ways to restore public confidence in their proper administration over land use issues in British Columbia, and what better way to begin, than by legislating Watershed Reserves for the single use of drinking water.

APPENDIX B - Petition by B.C. provincial groups

PROTECT THE SOURCE OF DRINKING WATER
BY LEGISLATING WATERSHED RESERVES

February 20, 2001

Forests play an important role in the protection and replenishment of water, our most precious natural resource. Many of B.C.'s sources of drinking water have been damaged by industrial development such as logging, road-building, mining and grazing.

Many watersheds throughout B.C. are in crisis because of these activities and under existing legislation there is no protection for the source of water.

Health must come before profit. Water needs to be preserved, not treated after it has been compromised. The citizens of this province are demanding the kind of protection offered by more effective, less harmful non-chemical water treatment solutions. These solutions cannot be utilized in the absence of the high quality source water that intact forests provide.

We urge the B.C. government to protect the source of drinking water by legislating "Watershed Reserves". Watershed Reserves would protect the source of water and be in areas that have no logging, road-building, mining or grazing by specific legislative enactment prohibiting these uses in any forms. Watershed Reserves would reduce the provincial AAC (Allowable Annual Cut) by approximately 2%.

Water quality is one of the most important issues facing the community. Every citizen in this province deserves to drink clean water. The most important way to provide clean water is to protect the source.

Protecting water sources by legislating Watershed Reserves will leave one of nature's richest legacies for our communities, our children and future generations - clean water.

SIGNED:

The Society Promoting Environmental Conservation (SPEC)
B.C. Tap Water Alliance
Valhalla Wilderness Society
Western Canada Wilderness Committee (WCWC)
Nelson EcoCentre
Stikum Crescent Bay Waters Users
Halfmoon Bay Greenways Trailblazers
Goat Mountain Water Users Association
Sierra Club of B.C.
Georgia Strait Alliance
The David Suzuki Foundation
Sinixt Nation
Perry Ridge Water Users Association
Health Action Network Society
Canadian Earthcare Society
Red Mountain Residents Association (Hasty Creek)
Shawnigan Lake Watershed Watch
Canadian Reforestation and Environmental Workers Society (CREWS)
Reach for Unbleached

The Save Salt Spring Society
The Friends of Richards Creek
Rivershed Society of BC
Sunshine Coast Conservation Association
Sunshine Coast Water First
Carmanah Forestry Society
Turtle Island Earth Stewards
Council of Canadians - Mid Island Chapter
Granby Wilderness Society
Tuwanek Ratepayers Association
Elliot/Anderson/Christian/Trozzo Water Users Committee
The Burke Mountain Naturalists
Friends of the Watersheds (Greater Vancouver)
West Coast Environmental Law Association (WCELA)
Friends of the Slocan
Silva Forest Foundation
Fraser Headwaters Alliance
Comox Valley Project Watershed Society
Friends of the Cat Stream
Qualicum Beach Environmental Committee
Vancouver Island Earth Works Society (VIEWS)
Canadian Association of Physicians for the Environment
Ecological Health Alliance
Citizens for Choice in Health Care
Association of Whistler Area Residents for the Environment (AWARE)
Carbon Monoxide Information Network (COIN)
Victoria Branch of the World Federalists of Canada
Sitkum Creek Water Users
Bourke Creek Water Users
The Mission Chapter, Council of Canadians
Kitto Creek Water Users
Slocan Valley Watershed Alliance
Friends of Cortes Island
Winlaw Watershed Committee
Forest Futures
Shuswap Environmental Action Society
T. Buck Suzuki Environmental Foundation