

B. C. TAP WATER ALLIANCE

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

(Website: www.bctwa.org)



SUBMISSION BY THE B.C. TAP WATER ALLIANCE REGARDING THE FOREST STEWARDSHIP COUNCIL'S (FSC's) SECOND DRAFT FOR REGIONAL CERTIFICATION STANDARDS

By Will Koop,
Coordinator,
September 10, 2001

(Note: The following six page submission to the Forest Stewardship Council is based on the Council's 2nd draft text circulated to the public for review, and is available at the Council's website, www.fsc-bc.org, or at an alternative website, www.goodwoodwatch.org. Some of the comments to the FSC are available at the second website address, www.goodwoodwatch.org/samplecomments.)

Introduction

On June 21, 2001 the B.C. Tap Water Alliance (BCTWA) appeared before the FSC review committee in Richmond during its public consultation process for B.C. regional certification standards. We stated our concerns opposing proposals in the FSC draft document to conduct forestry practices in domestic, consumptive-use, drinking watersheds. We also presented to the FSC secretary a copy of a petition by approximately sixty organizations opposed to logging in domestic watersheds. This petition was organized during the provincial government's public review of legislation for the *Drinking Water Protection Act* from January to April of this year. At the Richmond forum we learned that FSC representatives were going to meet with provincial government staff to discuss certification standards for British Columbia, and requested that the FSC should not promote logging in domestic water supply watersheds with the provincial government.

Domestic watersheds should be protected

The BCTWA presented a submission on drinking watersheds to the provincial government in February of this year (available on our website, mentioned above), wherein we provided summary background information on the history of this issue, including legislation and policies passed by successive provincial governments. Legislation for the protection of drinking watersheds was implemented at the beginning of the 1900s by both federal and British Columbia governments. According to records with the federal government, public awareness concerning these policies emanated from the United States in the late 1800s. One of the applications of this U.S. policy was the creation of the Bull Run Reserve in 1892 for Portland, Oregon, amended in 1904 and called the *Bull Run Trespass Act*. The legislation, which protected both the Bull Run and Little Sandy watersheds, made it a crime for unauthorized people to enter the reserve. Similar legislation was passed in British Columbia in 1910 by the federal government for the Coquitlam watershed Reserve, the water supply for greater New Westminister. Hundreds of notices, signed by Canada's Minister of the Interior, Frank Oliver, were posted throughout Coquitlam and Port Coquitlam to protect the water supply, declaring the following:

Any unauthorized person in any manner occupying or taking possession of any portion of these lands, or cutting down or injuring any trees, saplings, shrubs, or any underwood, or otherwise trespassing thereon, will be prosecuted with the utmost vigour of the law.

This strict law was supported and promoted by provincial medical health officers, and within their powers they applied this approach in their day to day correspondence and in protection measures for other domestic watersheds. A consulting engineer summarized the following to the provincial government Secretary on December 1, 1909 regarding the formation of the Coquitlam Reserve:

That ownership and the consequent right to forbid trespass is the most simple means of preventing pollution of the water and is the one that all enlightened communities are striving for.

As yet another example of this widespread thinking are comments by the federal government's chief engineer of the former Water Power Branch on July 17, 1915, who was reporting on the Reservation of East Canoe Creek, the water supply for Salmon Arm, situated south of the Larch Hills Forest Reserve:

It is needless for me to expatiate here upon the now well informed doctrines relating to the protection of municipal water supply.

With the legislation of the Greater Vancouver Water District Act of 1924 it states that it became an offence "to convey or cast, cause or throw, or put filth, dirt or any other deleterious thing in any river from which the Greater Vancouver Water supply is obtained."

These examples demonstrate that it was a matter of common knowledge and sensibility by both professionals and ordinary citizens that drinking watersheds remain protected.

The timber industry and domestic watersheds

Despite the common thinking, supporting legislation, and widespread policy for protecting domestic watersheds, timber barons and logging companies routinely challenged and sometimes undermined these protection measures, since their inception. In fact, the timber industry in the northwestern United States began a public relations program in the late 1940s to counteract this legislation and public perception in order to access timber reserves in domestic water supplies. As stated in our submission to the government, as a result of extended pressure by the timber industry our provincial legislation, policy, and administrative support was slowly degraded over time beginning in the 1960s. Under the authority of the provincial Ministry of Forests' internal alteration to Crown land operating areas and license agreements, domestic watersheds were then routinely "invaded" as one Nelson Regional professional forester described the situation in 1964. Examples of responses from senior administrative foresters with the provincial government, who were engaged in turning around public policy and perception, and who were acutely aware of public sensitivity and perception about the impacts associated with logging on watershed reserves for domestic water supply, were recently posted on our website (see: articles for the Association of B.C. Professional Foresters' newsletter).

The FSC application and draft guidelines for certification of logging in domestic watersheds by the FSC is merely an extension of the same timber lobby plan to experiment access in forests which should otherwise be protected through provincial legislation. Relatedly, it is our understanding that the politics concerning domestic watersheds is creating another watershed (as it were), where experiments to conduct alternative forestry practices are the new testing ground buzz words for public approval, an initiative which we are in disagreement with.

The timber industry and its affiliates have experimented in drinking watersheds in the past, all of which have failed to bring about public confidence and aims to "improve" water delivery. One of these failed experiments was in the Greater Vancouver Seymour watershed, the Jamieson/Elbow experiment, conducted through the University of British Columbia's Forestry department, over a twenty-five year period (1968-1993).

We concur with the goal of the FSC to promote alternative logging practices as opposed to conventional logging practices which have been conducted by the forest industry in British Columbia and elsewhere for over a hundred years, that is, in areas outside of domestic watersheds. If the timber industry and government agencies wish to conduct forestry experiments, they should do so in areas which do not affect the long term integrity and conservation of domestic water supplies.

Alternative logging practices should not be conducted in domestic watersheds

As an example of our concern, we submit a brief examination of the Creston Valley Forest Corporation (CVFC), established in 1997 to log Arrow Creek, the primary surface water supply for the communities of Creston and Erickson. We have reviewed the submission to the FSC by Jim Smith, the manager of the CVFC mentioned above, who is seeking FSC support for logging in Arrow Creek. Under Smith's comments for principle 9 of the FSC draft, regarding High Conservation Value Forests (HCVF's), is the following quote:

I am concerned that blanket restrictions on logging in certain HCVF's (watersheds, etc.) may compromise the intent of the HCVF. In the case of [domestic] watersheds, logging should be allowed where it can be demonstrated that management actually maintains, protects, and/or enhances water resources.

There are two matters we would like to point out in Smith's response. Firstly, the language, "maintains, protects, and/or enhances", is almost the identical rhetoric, or jargon, borrowed from the Greater Vancouver Water District and government foresters in correspondence files and public relations materials to promote public confidence for logging in Greater Vancouver's three watersheds. There are many examples in the logging history of the Greater Vancouver watersheds since the late 1960s which refute these unfounded promises. Since late 1999, as a result of public criticism, processes and ongoing submissions, the Greater Vancouver Water District has changed its policy from logging back to the protection of its forests. Secondly, we are under the impression that what Mr. Smith is referring to by "blanket restrictions" specifically applies to the application of logging restrictions in domestic watersheds, which is where the CVFC will be operating in. We maintain that the FSC should provide standards against logging in domestic watersheds, a condition which Mr. Smith is apparently opposed to. For instance, there have been many recent and previous public comments opposing the logging of greater Creston's water supply. As a result, the CVFC have recently implemented various measures to counteract public opposition and persuade citizens in the community that its logging operations will be of little consequence over time to the Arrow Creek domestic water supply. This in contrast to the current trend where logging in domestic watersheds, such as Portland, Seattle, Victoria, Greater Vancouver, the Sunshine Coast Regional District, and Nelson is discontinued.

Since 1998, the BCTWA has submitted letters to the editor in response to articles in the local newspaper, the Creston Valley Advance, to provide the community with information related to our research and why the community should halt the initiation of roadbuilding and logging in Arrow Creek. During the 1970s, when the provincial government first proposed to logging the watershed, a watershed designated as a Watershed Reserve, a Game Reserve, and a Health District, citizens and the Erickson Improvement District (responsible for the maintenance and delivery of domestic and irrigation water) strongly opposed the logging proposal, stating so in a submission to the provincial Pearse commission on forestry. After twenty years of public meetings, reports, and a five year moratorium, the Ministry of Forests Nelson Regional office once again proposed to log the Arrow watershed in 1995 despite pleas from the Erickson Improvement District and the town of Creston. Following private deliberations with local Creston loggers and interested parties, in an attempt to prevent a major forest licensee from logging Arrow Creek, the provincial government created a "community forest licence" to harvest the Arrow watershed with a reduced allowable annual cut, and thereby creating the CVFC (please refer to a January 2002 case history report on the Arrow Creek watershed, available at our website).

The point that we are seriously concerned about is that the FSC will be facilitating a precedent to log in domestic watersheds. Moreover, we understand that due to market constraints and international policies the CVFC has been and is intending to export raw logs to the United States, a practice which does not support or enhance local economies. By mentioning this we are not proposing to endorse the sale of timber from domestic

watersheds, rather it is an example which seems to contradict the business of alternative forestry and investment opportunities for local businesses.

Critique of the FSC text regarding domestic watersheds

The only specific references to domestic watersheds, which the FSC defines as “community watersheds”, are briefly provided by definitions in the glossary section under “high conservation value forests” and “conservation attributes”, and poorly treated in annex P9a (sub-section 4.3). By the nature of the glib definitions in the glossary, applications are then generally implied throughout the text under principle 9. We find the description and assessment of domestic watersheds sadly lacking in the FSC text. This is quite unfortunate and highly inappropriate given the numbers of domestic watersheds in British Columbia and the prominence they have in the public’s mind. Water users must have legal rights which should be properly identified.

Furthermore, the FSC text does not provide proper distinctions or clarifications on general forestry tenures from tenure operations in domestic watersheds. Rather, the text almost seems to treat managers applying for FSC approval under the same umbrella, in this case for some managers who either have a forest licence approved by the provincial government to log in a domestic watershed (despite the fact that the granting of the licence was contentious), or an operator who is a private landowner of a domestic watershed. This renders the FSC guidelines, from our point of view, quite vague. It would be more appropriate for the FSC guidelines to separate applicants who are logging in domestic watersheds.

Recommendations

It is our position that there should be no logging in domestic watersheds, and that the FSC should not support so-called alternative logging tenure applications and practices for certification in domestic water supplies. We believe that it is not in the public’s greatest interest and good to meddle with domestic water supply forests. To simply “enhance” them as your text states overlooks the fact that these forest stands are of such high conservation value that they simply should not be logged.

Rather, the FSC should help British Columbians to reenact provincial legislation to protect domestic watersheds from agricultural and industrial activities. Associated with this is the long term process needed to rehabilitate domestic watersheds that have been degraded by diverse, and in some cases, prolonged industrial practices. In doing so, we will develop consistent standards and achieve public confidence to help in alternate forestry practices that will lead to the long-term protection and integrity of our forests - and the protection of our domestic water supply sources.