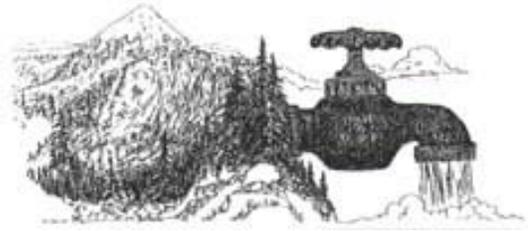


B. C. TAP WATER ALLIANCE

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

Email – info@bctwa.org
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November 11, 2008

Hon. Pat Bell,
B.C. Minister of Forests & Range

Re: Creston Valley (Community) Forest Corporation 99-Year License Award

We would like to comment on a recent article in the Creston Valley Advance (*Community Forest Gets License Upgrade*) concerning the Creston Valley Forest Corporation. It concerns your administration's issuance of a contentious 99-year community forest license agreement within the boundaries of four community watersheds and Watershed Reserves, a license which we have reported on, criticized, and objected to for ten years.

Two and a half years ago, in your prior portfolio as Minister of Agriculture and Lands, you received a copy of our book, *From Wisdom to Tyranny: A History of B.C.'s Drinking Watershed Reserves*. You were the only Minister, aside the Ministers of Forests and Environment, who sent us a written reply: "The exhaustive amount of effort you have put into this work is admirable. I have forwarded it to staff in the ministry for their review and reference." (June 28, 2006)

Within the book are copies of old Forest Atlas and Legal Survey maps of the Watershed Reserves (pages 113, 114) that are now within this community forest license. These Reserves, numbered at over three hundred in the early 1980s, were to legislatively protect community drinking watersheds from all dispositions, the same legislation that protected and protects the provincial Ecological Reserves. In fact Arrow Creek, which now makes up the majority of the community forest license tenure, was, under the banner of "*No Timber Sales*", fortified under three separate protections: a Watershed Reserve; a Game Reserve; and a Health District. Sometime in the 1960s the designations of Game Reserve and Health District, which prevented human access, mysteriously disappeared under the Social Credit administration.

Much of the scandals and controversies regarding the invasion of the provincial Watershed Reserves established under the *Land Act* are detailed in Chapter 8 of the book, details which derive from Ministries of Forests' and Environment records. In that chapter is also a discussion of the regional planning process behind the East and West Kootenay Boundary Land Use Plans conducted in the early 1990s, in which new logging objectives in all the affected and protected community watersheds were set, including those community drinking water lands now held by the Creston Valley Forest Corporation. We discovered that provincial government planners who sat at the Land Use planning tables, who were legally bound to bring all information forward, secretly kept some information from reaching the planning table, by failing to inform the public about the Watershed Reserves. What we infer from this neglect, intentional or otherwise, that it rendered the Land Use Plans and related management planning illegal, from the perspective of lands bounded by these Reserves. The locally elected representatives formerly in charge of

the former Erickson Improvement District have told us of how they kept their priceless Arrow Creek community watershed protected from logging since 1929 with the creation of the Improvement District.

In concert, the creation of the *Forest Practices Code Act* in 1995 also blatantly ignored the status of B.C.'s Watershed Reserves, and government shamelessly and secretly harmonized the unprotected community and domestic watersheds with the Watershed Reserves into the harvesting land base. From a relatively recent phone call with the head of B.C. Timber Sales, we understand that the B.C. Liberal Administration is intent on logging "every" community watershed, no matter what its designation, no matter what complaints, a profoundly disturbing and contemptuous directive. Since 2001, following the passage of the *Drinking Water Protection Act*, questionable legislations were passed to support this end.

The Minister's announcement and joined comments from the Creston Valley Forest Corporation (daringly declaring themselves 'environmentalists') about the "success" of this community forest license is unfounded. Rather, it symbolizes one of the deepest failures of public trust. These Watershed Reserves were, and are, to be excluded from the forest harvesting land base, and are not meant as forestry experiments and timber to forestry markets at home or abroad. The sophistry and local validations to support the ruination of the formerly protected Arrow Creek is lamentable.

In 2002 we wrote about the draft report that your Ministry tried to bury in 1981 (see: *The Arrow Creek Community Watershed Reserve*, Chapter 10c, January 21, 2002) which recommended against logging in the Arrow Reserve just prior to the initiation of the Arrow Integrated Watershed Management Plan process. On a recent visit in late September 2008 we documented the new roads pushed through highly sensitive, glacial soils which will contaminate, for years to come, the once reputable water quality of Arrow Creek (attached below are photos for your interest). In contrast, other community watersheds that were once protected, and then roaded and logged, are having their troublesome roads deactivated.

The B.C. Community Forest Association (BCCFA) is trying to sway the public to log in community watersheds. Our recent May 2008 report, *The Community Forest Trojan Horse*, critiques the government's attempt to create a community forest license in the Sunshine Coast's primary drinking watersheds in the face of great public resistance. This report was presented to the former Minister of Forests in Sechelt at the annual conference of the BCCFA.

We are all familiar with the refrain by the newly elected United States President Obama, "Time for a Change". That change will and must come to re-protect B.C.'s community and domestic drinking watershed sources, to undo the multiple injustices committed against them. We can no longer afford to ignore these scandals, well documented in our book and elsewhere in reports on our website, all of which have been reviewed and left unaddressed by your administration. Within the Executive Summary of the book are pressing and legitimate demands for a comprehensive public inquiry into the conduct of provincial government administrations and agencies about the provincial Watershed Reserves. Sadly, nothing is yet forthcoming. However difficult, you have a public duty to undo the wrongs that abound.

The trends are clear, and are being implemented as they originated one hundred years ago throughout Canada and the United States. The Metro Vancouver and Greater Victoria drinking watersheds are re-protected, as those of Greater Seattle and Portland, cosmopolitan areas that were used as sleazy precedents by the logging industry and our provincial government to log in smaller cities and townships with protected community watersheds.

Sincerely, Will Koop,



Coordinator, B.C. Tap Water Alliance

CC. Creston Valley Advance
 Nelson Daily News
 Globe and Mail
 Vancouver Sun
 Victoria Times Colonist
 Bob Simpson, New Democratic Party, Forest and Range Critic
 Shane Simpson, New Democratic Party, Environment Critic
 B.C. Green Party
 Barry Penner, B.C. Minister of Environment
 George Abbott, B.C. Minister of Health
 Dr. Perry Kendall, B.C. Provincial Health Officer
 B.C. Ombudsman
 B.C. Forest Practices Board
 Regional District of Central Kootenay
 The Sunshine Coast Regional District
 Union of B.C. Municipalities
 North Canyon Improvement District
 The City of Creston
 Lower Kootenay Indian Band
 Slocan Valley Watershed Alliance
 Valhalla Wilderness Society
 Perry Ridge Water Users
 Western Canada Wilderness Committee
 David Suzuki Foundation
 Council of Canadians
 Sierra Club of B.C.
 Sunshine Coast Conservation Association
 British Columbia Environmental Network
 West Coast Environmental Law Association
 The Creston Valley Forest Corporation
 The B.C. Community Forest Association





Photos (September 23, 2008) of new road in lower southeast corner of the Arrow Creek Watershed Reserve, above the water intake. The road, cut through kilometers of steep, sensitive glacial soil profiles, will continue to ruin the Arrow Creek, the source of water for the famous Kokanee Beer factory in Creston.

Lower right photo: Hay bales, under Best Management Practices, do little to nothing to prevent the fine silts and sediments, shown below and around the culvert and hay bales, from continuing onward to Arrow Creek, located just beyond the area in photo.

