

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

August 24, 2002

ORAL PRESENTATION SUMMARY TO THE REGIONAL DISTRICT OF CENTRAL KOOTENAY (RDCK)

(Refer to attached six page submission, related recommendations, and press release)

(Note: the following summary and report, which were composed on August 23rd, were edited on September 8, 2002)

The B.C. Tap Water Alliance, which advocates the protection of B.C.'s drinking water sources, is very concerned about the controversial manner in which the Erickson Improvement District was dissolved, and the manner in which government, through its self-appointed receiver, favored and contracted an expensive and unnecessary "Cadillac" membrane filtration plant for the water source at Arrow Creek.

We believe that the estimated initial costs of over \$11 million to federal, provincial, and local tax dollars for this treatment system is an unwarranted financial burden not only to the general public but to local fruit growers and residents in the greater Erickson area. It is also a highly inappropriate expenditure during a time when our provincial government is in financial crisis.

Furthermore, it appears that these matters have more to do with logging the Arrow Creek watershed, in which the RDCK and the town of Creston participate as shareholders of the Creston Valley Forest Corporation, whereby filtration is a convenient means of dealing with the repercussions associated with increased turbidity from future logging activities, from a source that has provided excellent drinking and irrigation water for more than seventy years without any forms of treatment.

It is our position that the RDCK should:

1. retract the provincial government's proposal for a filtration plant;
2. examine the financial benefits and results from ultraviolet treatment instead;
3. remove itself as a shareholder in the Creston Valley Forest Corporation;
4. become an advocate to protect the Arrow watershed against forms of logging, mining, and road construction;
5. immediately reinstate the Erickson Improvement District and its Trustees in good faith.

NOTE: Please refer to the attached report for a more thorough discussion of these issues, and our five recommendations to the RDCK. A copy of a related press release is also attached. For those interested in an in-depth analysis of this issue, our case history report on the Arrow Creek watershed is available on the above-mentioned website address.

B. C. TAP WATER ALLIANCE

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

P.O. BOX# 39154, 3695 West 10th Ave.,
Vancouver, B.C. V6R-1G0.

Email: info@bctwa.org

Website: <http://www.bctwa.org>



August 24, 2002

**Submission to the Regional District of Central Kootenay (RDCK) regarding:
the unnecessary filtration treatment of Arrow Creek;
the elimination of the Erickson Improvement District;
and the implication for communities of the RDCK's involvement
as a shareholder in the Creston Valley Forest Corporation**

By Will Koop, Coordinator, B.C. Tap Water Alliance

PRESENTATION SUMMARY

We have come here today to inform you of our serious concerns regarding:

- the RDCK's involvement with the provincial government in overturning the authority and control of the affairs of the Erickson Improvement District, the water purveyor for the communities of greater Creston;
- the supportive role the RDCK played in acquiring federal and provincial funding for the estimated \$10 - \$11 million membrane filtration treatment facility for Arrow Creek, and the relationship between the filtration plant and proposed logging in Arrow Creek;
- the RDCK's intent, as a member of the B.C. Community Forestry Association, and as shareholder in the Creston Valley Forest Corporation (CVFC), to commercially log three community watershed reserves in the Creston area.

By way of background, we have researched the history of the Erickson Improvement District, whose citizens and Trustees, along with the town of Creston, fought for decades to protect the Arrow Creek watershed from industrial roadbuilding, logging, and mining. This case history report, *The Arrow Creek Watershed, A Community's Resistance to Logging and Mining* was posted in January 2002 on our website. It will be updated to include additional information related to the takeover of the Erickson Improvement District since January 2001.

1. BACKGROUND – THE CONTROVERSIAL HISTORY OF LOGGING IN DRINKING WATERSHEDS AND PROPOSED PROTECTION OF ARROW CREEK

As the citizens and directors of the Regional District of Central Kootenay (RDCK) have recognized, the issue concerning drinking water sources has been a critical and sensitive land use issue for over one hundred years, not only within the provincial boundaries of the Nelson Regional District, but throughout B.C. This is reflected in the numerous resolutions tabled by the RDCK at the Union of B.C. Municipalities' annual conferences regarding logging on Crown and privately-held lands (Resolutions: 1982 - A38; 1986 - B31, B36; 1987 - B46; 1988 - LR5; 1989 - five page brief by the RDCK in Penticton). The extensive history leading to the protection of Nelson's community watershed, Five Mile Creek, in 1994 is also part of this issue and illustrates the City of Nelson's concerns about legislated protection of its water supply.

Public concern and opposition to logging in drinking water sources began in the early 1960s in the Nelson Regional District, when the Ministry of Forests' district forester, J.R. Johnston, issued a memorandum to his staff to "invade" drinking water sources through the issuance of forest harvesting and road building permits. These areas were previously considered "off limits" through provincial policy and legislation. The new directive under "multiple use", and (later) "integrated resource management", immediately began to result in seriously degraded drinking water supplies. Some other areas, as in the East Kootenays, implemented range use permits for cattle grazing in drinking watersheds as well. As these areas were affected, government health inspectors began to call for treatment plans, such as chlorination, for watershed sources that previously produced reliable and high quality drinking water.

Many communities, including Improvement and Irrigation Districts, fought to protect their watersheds and challenged the government's controversial policies under the concept of "sustained yield" logging in domestic and community watersheds, which had been enacted without public consultation. One of the many communities that did so was the Erickson Improvement District and the town of Creston beginning in the early 1970s. Following almost twenty years of effort to protect the Arrow watershed, Corky Evans, running for MLA in 1989, promised the citizens of Creston and Erickson that, should he be elected, he was going to protect the Arrow. He stated this at the critical moment when the Ministry of Forests was about to issue orders to log the Arrow, thereby playing upon the concerns of local residents. However, Mr. Evans not only broke his promise to the citizens of Creston and Erickson, he also in 1997 helped to devise a scheme to involve the town of Creston and the RDCK as shareholders of the Creston Valley Forest Corporation (the "Community" Forest License) in order to log the Category 2 Arrow Creek Watershed Reserve, along with the Category One Watershed Reserves of Sullivan and Camp Run Creeks.

In May 2002, the Creston Valley Forest Corporation helped organize an association with the Kaslo Community Forest Corporation and the Harrop-Proctor Community Forest Licence holders (which are both logging their community watersheds), called the B.C. Community Forestry Association. The Association recently provided a written submission to the Results-Based Code panel on June 28, 2002. Though not explained in their submission, their intention appears to be to promote public approval for logging in domestic and community watersheds. Given the RDCK's resolutions to the UBCM's annual meetings, the fight for the protection of the City of Nelson's drinking watershed, and the volume of public protests and acrimony surrounding logging in drinking watersheds in the RDCK's electoral boundaries for almost 40 years, we question whether the RDCK Board is acting in the public's best interests. We also question whether voters are actually aware of the RDCK's

involvement with the B.C. Community Forestry Association and the implications for their community and domestic watersheds.

Given the Ministry of Forests' former intentions to log the City of Nelson's water source, Five Mile Creek, and to use it as a public promotion platform to log in the Nelson Regional District's drinking watersheds:

I feel that it is extremely important that we do a top notch job in assisting with the development of the Nelson City Watershed Plan as ... it will serve as an example to the myriad of other watersheds that will require forest management development activities in the next 10 to 20 years in this region.... it is very important that executive understand the importance of the Nelson City Watershed Plan in developing the remaining watersheds in the Nelson Region.
(D.L. Oswald, Nelson Regional Office, MOF, Dec.24, 1982)

We find it ironic, that though the City's water source is protected, the RDCK is now apparently involved in promoting what the Ministry of Forests and the forest industry failed to accomplish.

2. THE FATE OF THE ERICKSON IMPROVEMENT DISTRICT – AN ANTI-DEMOCRACY TEMPLATE

The manner in which the previous provincial administration acted - and which the present provincial administration continues to support - in forcing the Erickson Improvement District (EID) into receivership, by transferring its interests and public assets over to the RDCK, and by removing its community decision-making structure, was unreasonable, unjust, and scandalous. In a society that assumes it is a "democracy", this decision, and those involved in executing it, are its complete antithesis. And much like Corky Evan's broken promise to protect the Arrow, Liberal MLA Blair Suffredine, who, during the 2001 election campaign, promised to reinstate the EID Trustees, seems to have gone into hiding and also failed to deliver on his promise.

Why was it done, we ask? Everything seems to point to two things: destroying "Improvement Districts" which have mandates to protect water sources; and, forcing a 'solution' on the public to their ongoing and increasing opposition to logging in drinking watersheds.

The chronological events and decisions leading to the public announcement by the provincial government on January 10, 2001, which placed the EID in receivership, and the absurd decision to propose an extremely expensive 'Cadillac' filtration plant for a well-documented and extremely high quality water source that doesn't need it, all point to a premeditated plan to have the taxpayer foot the bill for degradation of the Arrow caused by logging, which government apparently fully expects.

The Ministry of Health's concerns in the 1990s, about the "quality" of Arrow Creek drinking water is without due cause and seems to be rooted in the government's internal politics about logging as reported in May, 2002, on our website, in *Doctoring Our Water: From a Policy of Protection to a Policy of Submission*. The study deals with the Ministry of Health's abrogation of its former role as champion and guardian of drinking watersheds.

The first instance of discussion to treat the Arrow through chlorination, within the context of proposed logging in the Arrow watershed, came up in government meetings referenced in a 1988 public document, the proposed Integrated Watershed Management Plan for the Duck-Arrow

watersheds. During this time, the EID Trustees were vigilant in their efforts to protect the quality of their irrigation and drinking water. For example, when issues were raised about a beaver in the lower Arrow watershed, Elvin Masuch, chairman of the EID, sent a letter of response to a local citizen concerned about the affair:

During the autumn of 1989 we were aware of a beaver below the Arrow Creek water intake. However the beaver was on private property and the property owner would not allow access to remove the animal. We asked for help from the local Health Department and Fish & Wildlife for we feared the beaver would gain access above the water intake and contaminate the water supply.

There was no help from either the Health Department or Fish & Wildlife. The beaver gained access above the water intake and due to 3 ft. of snow and the creek being frozen over the beaver was difficult to remove. The beaver was removed, however, on March 15 and the water has tested no giardia contamination from the date of March 21, 1990.

During the giardia outbreak Dr. Lowden, Chief Medical Health Officer, imposed a boil water order.

After there was confirmation on March 21 1990 that there was no further giardia in the water the District requested that Dr. Lowden remove the boil water order. He refused to remove the boil water order saying there were “coliform in the water.”

The Health Department is in favour of the District chlorinating the water supply, however, due to unfavourable and negative feedback from the District water users the trustees are not in favour of chlorination. Another aspect to consider is that more information is becoming available which states that chlorine may be a health hazard. The District is in favour of a joint study with the town of Creston to investigate the options and costs for water treatment. (July 10, 1990)

Contrary to statements by Ministry of Health and Municipal Affairs officials, the EID was not obviously opposed to treatment, but opposed to chlorination and logging in the Arrow watershed.

3. TAX DOLLARS AND THE PROPOSED MEMBRANE FILTRATION PLANT, AND LIABILITIES RELATED TO LOGGING IN ARROW, SULLIVAN, AND CAMP RUN CREEKS

Apparently, in the late Spring of 2001, Dave Wilson, the government-appointed Receiver, was responsible for removing the pilot study apparatus for ultraviolet treatment that had been in place before his appointment. According to the EID trustees, the tests up to that time were consistently showing that the quality of water entering the treatment sites was as good going in as it was going out. That was a phenomenal result, strongly indicating the high water quality of Arrow Creek. For some strange reason, the EID’s proposal for ultraviolet treatment was quietly axed, and a deal made, once again without public consent, to consider and implement membrane filtration, an exceedingly expensive and proven unnecessary treatment for the Arrow water supply. According to the latest technology, ultraviolet treatment will only be effective for turbidity readings up to about 7 NTU, which is about the threshold of turbidity the EID generally receives during the brief Spring freshet. However,

should the Arrow be subject to logging, as is currently on the books, then only a filtration plant could remove the turbidity associated with long term soil disturbances from logging.

Comparatively, the costs for ultraviolet are one-tenth those for membrane filtration, and approximately one-sixth for slow sand filtration, that is, without the exorbitant annual costs associated with filtration. Federal and Provincial tax dollars for the proposed membrane filtration plant are running close to seven million dollars, with four million dollars more expected from local taxes in Greater Creston. This does not include those pesky annual maintenance expenses. At a time when the provincial government is anxious about being able to finance the health care systems, and many other programs, it seems ridiculous to sacrifice money on filtration, and at the same time jeopardize the long term quality of a pristine water source, critical for a healthy community.

4. FIVE RECOMMENDATIONS

Based on the above, we strongly urge the RDCK:

1. To remove itself as a shareholder of the Creston Valley Forest Corporation, and as a member of the B.C. Community Forestry Association;
2. To advocate the protection of the Arrow Creek, Sullivan Creek, and Camp Run Creek watersheds from resource uses, ie., logging, mining, cattle grazing, etc.
3. To be a regional advocate for protecting the community and domestic watershed sources under its jurisdictional boundaries, and join the Central Regional District of Victoria, the Greater Vancouver Regional District, and the Sunshine Coast Regional District, in protecting BC's community drinking watersheds.
4. To mediate in the recently signed contract between the government's receiver, Dave Wilson, and CH2M Hill, for a membrane filtration treatment facility for Arrow Creek water, with the intention to implement ultraviolet treatment, at more than one tenth the cost to provincially and federally-based tax dollars (the most minimal treatment is actually required for Arrow Creek, as historical data and knowledge have shown).
5. To reinstate the Erickson Improvement District and its Trustees in good faith.

(PRESS RELEASE ATTACHMENT)

B.C. TAP WATER ALLIANCE

**(Caring For, Monitoring, and Protecting
British Columbia's Water Supply Sources)**



February 6, 2002 - *For Immediate Release*

CAMPBELL GOVERNMENT FORCES WASTE OF \$10 MILLION TO SUBSIDIZE LOGGING OF ARROW CREEK IN ERICKSON REFERENDUM

Vancouver - On Saturday February 9, 2002, the community of Erickson, B.C., will hold a referendum for a \$11 million membrane filtration proposal to treat Arrow Creek, the drinking water source for both Erickson and Creston. In January 2001, the B.C. government forced the Erickson Improvement District (EID) into receivership, on grounds of incompetence, which we believe were unsubstantiated. The appointed consultant, Dave Wilson, who took charge of the administration of the EID, initiated the decision for a referendum, the wording of which was done without community involvement. Instead of pursuing a less expensive and highly effective ultraviolet (UV) treatment system for about \$1 million, which the EID investigated and favored, Wilson introduced an international corporation, CH2M HILL, to propose the overkill "Cadillac" system for membrane filtration. If approved, federal and provincial taxpayers will both contribute \$6.6 million to the infrastructure costs, and \$4.3 million by community taxpayers, along with high annual maintenance costs for the membrane treatment.

"We believe that the recent decision to begin road building and logging in Arrow Creek is why federal, provincial, and community tax dollars are going into this proposal for membrane filtration. There is no other logical explanation," says Will Koop, coordinator of the B.C. Tap Water Alliance. "The forest in Arrow Creek, which is still in a mostly undisturbed state, produces exceptionally high drinking water quality. By protecting Arrow Creek from logging, roadbuilding and other developments, and by implementing inexpensive and highly effective water treatment through UV technology, the public will save millions. UV technology has gained world-wide acceptance due to scientific studies which have linked chlorine disinfection by-products with cancer."

As reported in a recent case history study by Will Koop (www.spec.bc.ca/spec/drinkwater/), the EID objected to and prevented logging in Arrow Creek since 1970, and has successfully functioned since 1929 to provide high quality raw drinking and irrigation water from Arrow and Sullivan Creeks to the two communities without treatment. Should the \$11 million expenditure be approved it would automatically dissolve the EID, as Improvement Districts do not qualify for provincial or federal service grants. Politically, the Regional District of Central Kootenay (RDCK), a 20 percent shareholder in the Creston Valley Forest Corporation which is logging Arrow Creek, would then take over the EID's assets and liabilities and qualify for the grants. The RDCK has control over 7 other community water works: Lister, Duhammel Ck., South Slocan, Denver Siding, Riondel, Lucas Rd., and Sanca Park.

“It would appear that the RDCK is in a conflict of interest,” remarked Koop. “The back room politics and lack of public accountability around the provincial government’s attempts to dissolve the EID, along with the numerous schemes to log and degrade the Arrow Creek Watershed Reserve, despite thirty years of strenuous efforts by the community, are quite disturbing. The provincial and regional governments should immediately do the right things: stop the referendum, restore the EID, reinstate the Trustees, cancel the logging licence for Arrow Creek, and implement UV as the alternate treatment system.”

-30-