

B. C. TAP WATER ALLIANCE

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

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September 21, 2004 ~ *For Immediate Release*

ALLIANCE ASKS FORESTS MINISTER DE JONG TO REPORT ON NEW "COMMUNITY FOREST TENURE" PROGRAM THAT INCLUDES LOGGING IN BC'S DRINKING WATERSHEDS

Vancouver ~The B.C. Tap Water Alliance has sent a letter to BC Forests Minister Mike De Jong (September 20, 2004) with concerns about proposals to log in the province's drinking water sources under the auspices of his Ministry's new "Community Forest" License Tenure program. The Alliance has specifically asked the Minister to list and report on how many of the more than 90 applications for Community Forest Licenses waiting to be processed include domestic-use watersheds. The Ministry of Forests is currently undergoing an extensive province-wide review process that will transfer a percentage of the Crown forest «clawed back" from forest company tenures to new "community" forest licenses.

The experimental "community-based" forestry tenure pilot program began in 1997 under the Jobs and Timber Accord. A handful of licenses were granted at that time. Eco-foresters (promoting alternative forestry) in the Harrop-Proctor community west of Nelson were granted a license to log in three of the community's drinking watersheds. One of these watersheds, Proctor Creek, is a registered *Land Act* Category One Watershed Reserve, established by a government Task Force in 1973 for "maximum protection". Due to the relentless pressures exerted by the BC Ministry of Forests over the last four decades the desperate community of Harrop-Proctor capitulated and bought into the community license hoping to at least control the amount and method of logging. Similar logging proposals immediately met with intense public protest in two other communities: Kaslo and Creston/Erickson, which now also have logging in their community water sources.

"Community Forests as envisioned by this government are just an extremely cynical attempt to get the public to accept logging in their community watershed reserves, certainly one of the most contentious issues that government and the forest industry have been facing for decades," says Will Koop, Coordinator of the B.C. Tap Water Alliance. "Our government has repeatedly refused to honour the public's wishes and provincial legislation that is intended to protect the public's drinking water sources. By illegitimately dedicating the Watershed Reserves to the Allowable Annual Cut in the early 1990s, government has been able to maintain an artificially high rate of cut for a decade, but now the watersheds must be logged and the public is not buying in. Under the banner of community control, these so-called "community-based" tenures, will conveniently transfer the decades long public controversy from the provincial government to local governments who will end up with the choice of protecting their community watersheds or presiding over unprofitable community forests. The whole project is doomed to failure, at the public's expense."

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For more information, email bctwa@alternatives.com. For a copy of the letter to the Minister of Forests, and to read the BCTWA's latest four-page newsletter on this subject, see our website (address above).

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April 26, 2005 . *For Immediate Release*

FORESTS MINISTER DE JONG CONSPIRES AGAINST SUNSHINE COAST COMMUNITY AND SECHELT FIRST NATION ACCORD TO INCLUDE DRINKING WATERSHED RESERVES IN SO-CALLED "COMMUNITY" FOREST LICENSE

Vancouver- On Tuesday April 19,2005, Sunshine Coast Regional District (SCRD) community association representatives and residents packed a meeting room in Sechelt to denounce plans by Sechelt District Mayor Cam Reid and forestry consultant and Sunshine Coast Forest Coalition chainnan Kevin Davie to include the SCR D's Watershed Reserves in a Community Forest License proposal to the government. Mayor Reid, elected in late 2002, is a former RCMP Detachment Chief, a Be Liberal Party third runner up in the 1996 provincial election, and presently the financial advisor for the Be Liberal Sunshine Coast candidate.

Following a SCR D referendum in May 1998, where 88 percent of voters rejected future logging and gravel mining in the Chapman and Gray Creek Reserves, the former NDP Minister of Forests Gordon Wilson recommended the SCR D and the SecheIt Indian Government sign an Accord to protect the Reserves, which the provincial government would then honor. The Accord was reached in 2002. What's more, over five thousand SCR D residents signed a related Petition personally handed to Be Liberal Sunshine Coast MLA Herald Long in Victoria on May 22, 2002, which he then tabled in the Legislature.

When Interfor withdrew from the two Watershed Reserves in May 2003 (due to strong consistent public opposition), government encouraged industry foresters and the District of SecheIt to apply for a Community Forest License. The District sought partnerships for the tenure application with the Sechelt Indian Government and the Sunshine Coast Forest Coalition. It is alleged that the controversial Watershed Reserves were later included in the "Community" Forest proposal without the knowledge and consent of the Sechelt Band or the SCR D. As a result, the Sechelt Band on March 14,2005 informed Mayor Reid, "We cannot offer our support for the Sunshine Coast's community forest plan." According to Sechelt Forest District Manager Greg Hemphill (quoted by a reporter at the April 19 public meeting) this conspiracy originated with the Minister of Forests: "There was a direct invitation to the District of Sechelt. The minister has already tipped his hand that he would like the District of Sechelt to get a community forest. They're well aware of the history down here."

"I was at the April 19th public meeting in Sechelt. The District Manager and the Mayor of SecheIt brazenly ignored the public," said Will Koop, Tap Water Alliance Coordinator. «On that same first day of election campaigning Premier Campbell invited British Columbians to "move forward" with his Party. From our perspective we are clearly "moving backward". Since this government was elected in May 2001, we have witnessed a continuing provincial strategy to collectively force communities to log, mine and allow domestic cattle grazing in their drinking watersheds. We need to legislatively protect our drinking water sources. That requires strong leadership from government, not more secret strategies and conspiratorial plans."

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For more information: contact Will Koop in Vancouver, bctwa@alternatives.com

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PRESENTATION TO THE SUNSHINE COAST REGIONAL DISTRICT

By Will Koop, BCTW A Coordinator,
November 10, 2004.



Re: Is It Feasible to Protect the SCRD's Community Watersheds
Under Community Forest Tenure?

"May you live in interesting times", which contains both a blessing and a curse, became famous shortly after Robert F. Kennedy used it on June 7, 1966 during a speech in Cape Town, South Africa. Scholars have confirmed this is not an ancient Chinese proverb, and the only saying close to it in Chinese literature is: "It's better to be a dog in a peaceful time than to be a man in a chaotic period." Whatever its origin (some believe it to be Scottish), it certainly applies to the Sunshine Coast Regional District and its efforts to protect the community's two Watershed Reserves, Chapman and Gray Creeks from logging and mining.

You are not merely living through "difficult and interesting times," you are very much at the centre of the struggle for control in order to protect the community's water supply from human industry. Due to the intensity and acrimony over the past few decades and the publicity this has engendered, the legitimate protection of your watersheds is apparently considered by government to be an undesirable

provincial precedent, despite the fact that other water users have already re-established complete protection, i.e., Greater Victoria (1994), Greater Vancouver (1999), and Nelson City (1995).

It has been reported that the details of the Sechelt "community" forest tenure proposal have not been formally presented to the SCR D Board for consideration, although it is a little kept secret that the watersheds have been proposed for inclusion. According to a Power Point Presentation to the BC Community Forest Association conference held in Revelstokc, April 15-17, 2004, by Kevin Davie, of Anik Consulting Ltd. (retrieved from website, www.rcfc.bc.ca). that discussion is apparently being conducted behind closed doors with the District of Sechelt, in private negotiations with your MLA Harold Long, and Forests Minister De *long*. According to a statement in the presentation material, the community forest applicants have intentionally "maintained a low profile" within the "community". **If this really is a 'community' forest tenure agreement, why is the matter being conducted in secret?** Perhaps because the same proposal, which included the community watersheds, has already been **rejected by the community, twice.**

The immediate question that should be asked is why has the SCR D not been consulted about the supposed inclusion of these Watershed Reserves in the Community Forest Tenure, given the fact that the SCR D has adamantly opposed logging and mining in the two Reserves over the span of some three and a half decades? The simple answer to this disturbing question is that the government, since the early 1970s, has consistently ignored your formal requests for control, and clearly seems to be intent on eventually erasing your, and the remainder of the *Land Act* Watershed Reserves established throughout the 20th century.

In response to our September 20, 2004 letter to Forests Minister De *long* concerning the community **forest tenure program, and the inclusion of community and domestic drinking watersheds, we received** a letter on November 4, 2004 from Tenure and Revenue Assistant Deputy Forests Minister Bob **Friesen. It is very clear from the letter what the provincial government's intentions are. As you see** from the copy of that letter before you, it clearly states:

"Community forest agreements are like any other under the *Forest Act* in that they must adhere to the requirements under the Forest and Range Practices Act, which has been widely recognized as being in the forefront in the protection of the environment, including water."

In other words, community forest tenures will be subject to the *Forest Practice Code Act* and recent permutations contained in the *Forest and Range Practices Act* and the *Forest Act*, clearly not adequate for protecting community water supply.

With regard to legislated protection and local community control over drinking watersheds, the present Community Forest Tenure program appears to be a shell game intended to trick the public into having the *Land Act* Watershed Reserves legally reassigned to the *Forest and Range Practices Act*. **Many communities, which have been very active in protecting their watersheds, are under the mistaken impression that community forest tenures will deliver control and the means of foonal protection over their drinking sources. Bob Friesen's letter clearly confirms this is not the case.**

The Harrop-Proctor Community Forest Licensee is logging in a Category One *Land Act* W~tershed Reserve, which the government designated for "maximum protection". The Creston Valley Forest Corporation, which includes the Regional District of Central Kootenay as a recently formed shareholder, has an approved 15 year non-renewable license to log in Arrow Creek a very contentious Category Two Watershed Reserve, and in two Category One Watershed Reserves, Sullivan and Camp Run Creeks.

Yesterday, November 9, 2004, Ron Greschner, presently in charge of the Community Forest Tenures with the Ministry of Forests Tenures and Engineering Branch, informed the BC Tap Water Alliance that his Ministry just sent out applications to the over ninety community forest tenure applicants last week. According to him, there is a 120-day period for applicants to register their tenure interests and provide mapped boundary information. After receiving the applications by the end of next February 2005, the Ministry of Forests will make decisions on awarding the Tenures, probably after the next provincial election.

In other words community forest tenure applicants are now deciding where to draw the lines.

We believe that Community Forest agreements are a good idea originally developed by concerned citizens in the late 1990s, as a reaction to destructive logging practices. However, such agreements, including initiatives for ecoforestry management, have no place in the public's drinking water sources. We urge you to take this opportunity to restate the SCRDC's objections to the inclusion of the Chapman/Gray community watersheds in a community forest tenure, while the applicants are preparing their formal mapped proposal (November 2004 to February 2004).

In closing, I would like to bring to your attention to another letter the BC Tap Water Alliance received, this one from the Township of Spallumcheen, dated November 3, 2004, regarding our October 18, 2004 press release, *Union of BC Municipalities Emergency Resolution Once Again "Urges" Campbell Government to Protect BC's Drinking Watersheds*, the SCRDC's September 25, 2004 Emergency Resolution.

"At the regular meeting of Township Council held on November 1st, 2004 the following resolution was adopted: "That Council of the Township of Spallumcheen endorse the UBCM Emergency Resolution B65 which urges the Provincial Government to protect British Columbia's drinking water by enacting legislation that will empower local government water purveyors to protect the community watersheds used for potable water." The Township appreciates the support of your organization in pursuing with senior government the passage of legislation that will protect British Columbia's community drinking water sources."

Thank you.

Will Koop.
BC Tap Water Alliance

(Note. Along with a copy of the Assistant Deputy Forest Minister Friesen's letter, the SCRDC also received the following attachments with the above presentation:

- a copy of our Newsletter No.2 on *"Community" Forestry in Your Drinking Water*;
- the October 12, 2004 press release, *Sloan Commission Template for BC's Drinking Water: Broken by Government*;
- the May 22, 2002 press release, *Alliance Urges Campbell Gov't to Honour Sunshine Coast Referendum and Petition for Community Control of Drinking Water Sources*;
- and a copy of the 90 more applicant names for Community Forest Tenure proposals provided to us by the government.)

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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-cc.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 Westminster. 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:

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 [onnation of the Coquitlam Reserve:

That ownership and the consequent right to forbid trespass is the most simple means of prevelJting 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 fonner Water Power Branch on July 17, 1915, who was reporting on the Reservation of East Canoe Creek, the water supply for Salmon Ann, situated south ofthe 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 conveyor 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 undennined 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 fPublic 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 ofRC. 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 JamiesonlElbow experiment, conducted through the University of British Columbia's Forestry department, over a twenty-five year period (1968-1993).

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

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.