



WATER SUPPLY ASSOCIATION OF B.C.

P.O. Box 22022, Penticton, B.C. V2A 8L1
Phone and Fax: (250) 497-5407

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Crown lease sales threaten source drinking waterⁱ

In May of 2002 Land and Water British Columbia (LAWBC) announced a proposal to offer for sale approximately 155 recreational and commercial crown leases located throughout the highlands surrounding the Okanagan Valley. The majority of these leases are located next to relatively low volume drinking water reservoirs. This is matter of great concern to the Water Supply Association of B.C. (WSABC) and a growing number of local government bodies in the Okanagan region, including municipalities, regional districts and the Interior Health Authority.

LAWBC, under the Ministry of Sustainable Resources, is the provincial crown corporation with responsibility for administering crown lands in British Columbia. Crown lands make up 92% of the land area of the province. With the exception of the Greater Vancouver Regional District and the Capital Regional District, who own their watersheds, virtually all of the water utilities in the province that use surface water supplies collect and store drinking water on crown land.

Generally speaking these crown leases have been a sore point for years with water purveyors because of the threat to source drinking water quality they present. With the impending *Drinking Water Protection Act (DWPA)* requirement for source to tap assessments and the increasing responsibility water suppliers will have for source water protection under the Act, the prospect of fee simple crown grants being issued for these lands dramatically increases our concern. In June of this year the WSABC adopted a position statement with an array of supporting rationales in opposition of the LAWBC proposal. This paper can be downloaded from the web at www.wsabc.com.

The WSABC maintains that selling these crown leases will encourage additional recreation on and around these sensitive reservoirs and will present a threat to source drinking water and public health above and beyond the septic disposal issue (the one area of concern that LAWBC has agreed to address). Key among the many arguments against the crown land proposal is a body of evidence that shows recreational activity directly impacts source water quality. This information comes from two studies commissioned by the Ministry of Environment in 2000 and 2001 on local upland reservoirs. The details and source references to these studies are included with the WSABC position statement.

Why is protecting source water quality important? Conventional wisdom, a number of key reports and several ministers of the crown all recognize that the best way to ensure safe drinking water is through a multi-barrier approach. This means you minimize the risk to public health in each key area of water delivery. These barriers include source water protection, water treatment and distribution system operations. Effective risk management in each of these areas will result in a greater reduction in risk to public health than through concentrating on only one area.

In B.C. we currently have regulations in place to make sure water is treated properly and that the distribution systems are maintained and operated properly. We do not have any regulations currently in force to protect source drinking water – no legislation to prevent the impact of various land uses on source drinking water quality in our crown land watersheds. We are advised the DWPA will come into force this year, and note that LAWBC's actions may be in violation of, if not the letter of the law, certainly the spirit of the law in relation to source water protection.

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Of course good quality source drinking water also reduces the need for more intensive and expensive water treatment systems – a fact that will undoubtedly gain prominence once the initial source to tap water system assessments start coming in after the DWPA is enacted. Unfortunately, source water protection is currently the weakest link in the multi-barrier approach to providing the public with a safe water supply.

Many of us in the water supply industry are hopeful that the *DWPA* will provide for fundamental change in the way that crown lands are administered in relation to drinking water reservoirs. For years we have had to tolerate unfettered access to our source water supplies while being held accountable for public safety at the tap. The Ministry of Forests has developed and abandoned campsites on our reservoirs. Grazing licenses give access to cattle and commercial lodges are allowed to operate restaurants, campsites and rent power boats for fishing. Tour operators land floatplanes, snowmobile clubs host product demonstrations and fishing derbies are held in summer and winter. Water suppliers currently have no recourse to limit or stop any of these activities. In fact LAWBC is now under no statutory obligation to even refer land use applications affecting reservoirs to the local water supplier for comment. On occasions when referrals are made, comments are frequently disregarded.

There is no question that regulating land uses that threaten source drinking water quality is a contentious issue - it is not, however, impossible. Both Vancouver and Victoria have protected watersheds that are maintained solely for the purpose of providing safe drinking water. In Vancouver's case, 585 square kilometers of watershed right next to a population of two million people are effectively closed to public access. There would certainly be considerable opposition from lower mainland residents if the province proposed selling waterfront lots on the Capilano, Seymour or Coquitlam Reservoirs.

It is certainly our hope and expectation that crown land use policy will change to match both the spirit and letter of the impending *Drinking Water Protection Act*. Several cabinet ministers including the Minister of Water, Land and Air Protection, Joyce Murray and the Minister of Health Services, Colin Hansen, have publicly expressed the need for source drinking water protection. This latest initiative by LAWBC to sell crown leases on drinking water reservoirs clearly leaves considerable room to doubt this will be the case.

Toby Pike,

General Manager, SEKID
Vice-Chair, Water Supply Association of B.C.

ⁱ The above article was published in the February, 2003 issue of *FreshH₂Outlook*.