

## **B. C. TAP WATER ALLIANCE**

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

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August 10, 2004.

### **PRESENTATION TO PEMBERTON CITY COUNCIL**

**Regarding:** Weyerhaeuser's cutblock proposal in the Pemberton Creek Watershed Reserve

**Recommendation:** To reject the present cutblock proposal by Weyerhaeuser, and to review present logging operations in the Pemberton Creek Watershed Reserve, as previously agreed to in the September 1991 Pemberton Creek Integrated Watershed Management Plan.



Lower Pemberton Creek Watershed Reserve in middle of photo. Town of Pemberton and the Pemberton municipal headquarters are located at the mouth of Pemberton Creek, screened from view by the trees in the foreground of the photo. Proposed cutblocks by Weyerhaeuser located to the left of center in a cedar/fir forest. The present logging road access into the Reserve bulldozed in the early 1990s is directly behind the small hill in the center right of the photo, accessed from private property. Photo taken on September 30, 2004.

## **INTRODUCTION: BC TAP WATER ALLIANCE**

My name is Will Koop and I am the Coordinator of the B.C. Tap Water Alliance (BCTWA). Local community and conservation groups seeking a cooperative alliance to help bring a strong voice of solidarity in BC on the issue of drinking water protection helped form the BCTWA in February 1997. A short summary of this background is presented on the BCTWA website. Previous to and following its formation, members have been successful in bringing about protection measures to the Greater Victoria watersheds (May 1994), the Sunshine Coast Regional District watersheds (post May 1998), and to the Greater Vancouver watersheds (November 1999). Other organizations have also brought about protection measures in the United States Pacific Northwest, namely Portland Oregon's Bull Run watershed (September 1996) and Seattle's Cedar River watershed (2000). Just south of Squamish, Directors of the Alliance in 1998 participated in the Ministry of Forest's review of logging by Richmond Plywood in Britannia Beach's Mineral Creek watershed, and successfully stopped the logging on behalf of local residents.

Since 1998, the Alliance has written 14 submissions and reports to provincial and local governments, 24 press releases, other numerous reports and correspondence concerning the protection of the public's drinking water protection, two newsletters, a summary of which I have included in your present package, and is available for full review on our website. They primarily serve two purposes, to help expose concerns to provincial politicians and administrators and to help educate BC citizens and their administrators and politicians on what we consider to be one of the greatest public resource scandals in this province. Of interest, I have provided you copies of three of our most recent press releases on the legislative protection of the Greater Vancouver watersheds, community watersheds in the Lillooet Forest District, and proposed aggregate mining in Sechelt's water supply, along with a copy of our recent newsletter we specifically prepared for a national conference on drinking water held in Calgary in early April 2004. As you can see, and as you will learn, drinking water protection is a central concern to British Columbians, an issue that recent successive provincial governments have collectively failed to honour. Also, for your information, I am presently finishing a detailed book on the history of this subject.

I have also been asked to let your Council know that the Western Canada Wilderness Committee also endorses and supports our recommendation to disallow Weyerhaeuser's logging permit in the Pemberton Creek hydrographic boundaries.

## **BRIEF HISTORY ON DRINKING WATER PROTECTION IN B.C.**

Our research has uncovered that drinking watersheds were protected by legislation even prior to the establishment of provincial parks in B.C., and demonstrates the importance of the public's most essential resource during the early period and evolution of both provincial and federal legislation.

However, we also discovered something very disturbing from early records in the United States and B.C., namely an agenda to compromise that protection in thousands of drinking sources in the United States and Canada. It initially emanated from a public relations campaign in Seattle City, Washington in the 1940s where Weyerhaeuser was the principal company logging in the Cedar River watershed. A long report published in February 1944 rationalized future sustained yield logging in the watershed, despite overwhelming public opposition and was circulated throughout the United States and Canada as an instrument for the forest industry alliance to log in these watersheds.

A long organized campaign began as a result, fronted by Seattle's forester Allen E. Thompson for the forest industry. Opportunistic foresters at an annual B.C. Natural Resources Conference in February 1952 plagiarized wording from the February 1944 report, incorporated in a resolution to begin logging in B.C.'s protected drinking watersheds:

**Whereas** the primary purpose of watershed areas, where surface water is impounded for domestic and industrial water supply, is the production of a continuous supply of water; and  
**Whereas** controlled watershed use, rather than the maintenance of full virgin forest canopy, has the advantageous values for water supply development; and  
**Whereas** the controls and protection required for the water supply against potential or actual sanitary and fire hazards and erosion are required, whether logging is or is not practiced; and  
**Whereas** conservation means use and management of a resource and, and in the perpetuation of the forest resources, places emphasis on forest management on a sustained yield basis; and  
**Whereas** endorsement of the plan by those best qualified to judge, i.e. professional engineers and foresters and other technical men concerned with the resources of a watershed, is tantamount to guaranteeing that the plan provides for all the factors that govern proper use of land;  
**BE IT RESOLVED** that this Conference endorses a programme of forest management on a sustained yield basis for watershed lands where surface water is impounded for domestic and industrial water supply.<sup>1</sup>

By the 1960s a host of communities and municipalities began to bitterly complain to the provincial government about what a Nelson Regional government forester heralded as an "invasion" of the public's greatest assets. This led to the formation of a government review body, a Task Force on Community Watersheds created by the then Deputy Ministers Environment and Land Use Technical Committee in February 1972. From late 1973 to early 1974 the Task Force created (and re-created) about 300 Watershed Reserves under powers in the *Land Act* for the protection of these sources. The mandate to Reserve them was approved by Cabinet. Included was the creation of the Pemberton Creek Watershed Reserve, classified later as a Category 2 Watershed Reserve.

Later, under the Bill Bennett Social Credit government, which political scientists have correctly labelled the "era of sympathetic administration", under Deputy Minister of Forests Mike Aspey (1978-1984), former vice-president of the Council of Forest Industries, policy changes were made to all the public's drinking watersheds, resulting in sustained public protest. **It was in the early 1980s that the Ministry of Forests began to wrongly include these watersheds in the harvestable land base, despite clear directions to exclude them under the timber supply review netting down procedures, beginning with the 1944-45 provincial Sloan Commission on Forest Resources.** After concerns were expressed by government Ministries about land use conflicts in these Watershed Reserves, communities began calling for a provincial moratorium on logging in the community drinking water sources and formal planning processes, called Integrated Watershed Management Plans, began in late 1984. By 1985, the document for these planning processes was included as an appendix to a 1980 Ministry of Environment Guidelines manual for the 300 odd Watershed Reserves. There was a public backlash to the IWMP process, and many communities resisted the Ministry of Forests' calls for multiple use, or integrated resource management, of drinking watersheds. For instance, just ask the acting Squamish Ministry of Forests Manager Paul Kuster, who has the discretionary powers to permit Weyerhaeuser's logging application in the

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<sup>1</sup> Resolution No.9, proceedings of the Fifth Annual B.C. Natural Resources Conference, February 29, 1952, page 336.

Pemberton Creek Watershed Reserve, about his experiences with the Big Eddy Water District and their fight against the logging proposals in the Dolan Creek Watershed Reserve, when he was serving with the Revelstoke District Ministry of Forests office as the Operations Manager. The former Chairmen of the Big Eddy Water District have some interesting stories to tell about the shenanigans behind the push to log their watershed. Although they were successful as a result of their tireless efforts to prevent logging in the Dolan Reserve and despite the resistance of many other communities, logging was permitted by the Ministry of Forests in most other watersheds.

After 1995, following the enactment of the *Forest Practices Code Act*, the Ministry of Forests quietly attempted to cover-up and then abolish the mandate of the *Land Act* Watershed Reserves by re-designating them under the *Forest Practices Code*, without community consultation and placing them under new management guidelines. The Watershed Reserves designated number files under the Ministry of Lands were assigned substitute numbers. Later, under the Campbell government, legislative changes resulted in community watersheds no longer requiring formal referral assessments by government “environment” personnel, required under protocol agreements dating back to the early 1980s. The Campbell government has made moves to permanently dedicate the reserves to the “working forest”.

Of particular interest to you, during the 1980s, facing increasing public opposition to logging in the Slokan Valley’s many community and domestic watersheds north of Nelson City, Ike Barber, then president of Slokan Forest Products (recently acquired by Canfor), formally suggested to senior Ministry of Forest staff in memos that the government should force communities to switch to groundwater so that their drinking watersheds could be logged by his company. I have seen and read other memos from Ministry of Forest staff reiterating the same thing. I realize that this may not relate to your situation here, where you switched to a groundwater source in the late 1990s, but I mention it to you because this has become a trend in B.C. It is nevertheless important that you have a well-maintained and intact back up watershed for water supply, because if your groundwater source becomes compromised, as some have, a reliable and dependable source is immediately available. Don’t let anyone advise you otherwise, because it is your Reserve, and you have the right to protect it.

## **PEMBERTON CREEK COMMUNITY WATERSHED HISTORY**

According to information included in the September 1991 Integrated Watershed Management Plan for Pemberton Creek, the Town of Pemberton received its drinking water licence in April 1959, and became an Improvement District under the *Water Act* shortly thereafter. Many of B.C.’s Improvement Districts (there were about 130 listed in 1973) had also applied for Watershed Reserve status of their water supplies for protection against logging. For example, the Big Eddy Water District near Revelstoke, as already mentioned, applied for a Reserve in 1951, and because of it was able to prevent logging until the early 1980s when BC Hydro was wrongly given government approval for a transmission line corridor through their community watershed. However, by the late 1950s, orders had been given by the Chief Forester to his staff to resist such applications, but some continued to be designated nevertheless. For instance, the following is from an April 20, 1979 letter by the Township of Armstrong in the North Okanagan to the provincial Task Force on Community Watersheds:

This Municipality has within its boundaries at least 60 Water Improvement Districts formed under the Water Act. The Municipality does not operate any water system. Many of these Water Districts have their Watersheds and headwaters located in unorganized territory to the

East. The aims and objectives of the Water Improvement Districts are inseparable from those of the Municipality.... The Municipal Council has taken the position that domestic Watersheds in the Okanagan should be given the ultimate in protection from development.

Despite public resistance and protest, the watersheds were invaded. According to the September 1991 IWMP for Pemberton Creek (page 9), the Ministry of Forests included the Pemberton Creek Watershed Reserve in the timber harvesting land base in 1980. This was done without public consultation and should never have been allowed to happen. This is why Pemberton City Council was forced to accept an IWMP that stipulated sustained yield logging in your watershed. Similarly, Big Eddy's Dolan Creek Category One Watershed Reserve was wrongly placed in the AAC in 1982 without consulting the Trustees.

We advise that you request information from the Ministry of Forests regarding:

- Why the Pemberton Creek Watershed Reserve was originally included in the harvestable land base as a component of the Allowable Annual Cut (AAC);
- If the Ministry originally sought your approval to incorporate the Pemberton Watershed Reserve in the AAC;
- Who, specifically, within government gave the directive to place your Reserve in the AAC.

You have the right to know who is responsible for something that should never have happened.

## **WEYERHAEUSER'S LOGGING APPLICATION AND HISTORY OF LOGGING IN COMMUNITY WATERSHEDS**

As I have already mentioned, Weyerhaeuser is a strong proponent for logging in the public's drinking water sources, starting in the United States, particularly in Washington State. When Weyerhaeuser began to acquire timber rights in British Columbia with the advent of Tree Farm Licences in the 1950s and 1960s, it also began the controversial logging of drinking watersheds, especially in the Okanagan area. With its recent acquisition of former timber giant MacMillan Bloedel's assets, Weyerhaeuser has expanded its empire holdings by logging in many more community watersheds. In particular, the logging-off of lands and the subsequent application of toxic fertilizers in Nanaimo City's Jump Creek watershed received sustained public criticism in the media in late 2000 and early 2001. The company has been involved in a long-term forest hydrology public relations exercise in Penticton's water supply intended to support logging of community watersheds.

It would be informative for Pemberton City Council to ask Weyerhaeuser representatives the following questions:

- How many community/domestic watersheds have you logged in the United States and Canada, and how long have you logged in them;
- What are the names of all those community/domestic watersheds you have logged in?

## THE PRESENT TIMBER HARVEST LICENCE APPLICATION FOR PEMBERTON CREEK

From my conversations with staff at the District Ministry of Forests office in Squamish, Weyerhaeuser's request for logging approvals in the lower Pemberton Creek area is to enable the company to log a stand predominantly consisting of Douglas Fir and Red Cedar. It is apparently a healthy stand, and is untouched by the pine beetle outbreak that is sweeping across much of the Pemberton area landscape.

### WHAT ARE THE SOLUTIONS TO THE PRESENT PROBLEM?

The Pemberton community has essentially been a logging community for many generations. For decades Pemberton's loggers have logged the backcountry, sometimes with disastrous consequences. I should know, I've been visiting the backcountry here since the late 1970s, and have seen the amount of logging and its effects on streams and rivers, from the headwaters of the Lillooet River, the valley areas north of Whistler like Rutherford Creek, the Lillooet Lake, Duffey Lake and Birkenhead Lake areas. The industry is running out of old growth timber, and is now looking to areas that were protected or constrained from commercial logging, such as our drinking watersheds. That is why Weyerhaeuser under the current five-year development plan is knocking on your door at this time, under the present Campbell government.

The collective impacts to BC's public drinking sources have been considerable, with public taxpayers footing all the bills. The Auditor General, in his March 1999 report, conservatively estimated that the outstanding treatment costs to about 100 communities specifically resulting from the government's imposition of logging, cattle grazing, and mining activities had climbed to about one billion dollars, not including the costs to, for instance, the Greater Vancouver watersheds filtration plant, estimated at \$600 million, with \$12 million in annual operating costs. The communities of Creston and Erickson, who had fought to protect their watershed, the Arrow Creek Watershed Reserve, from logging for about 30 years, now face more than \$13 million for treatment plant costs due to present logging that began late last year. And there are many other related costs not covered in the Auditor General's report, such as watershed restoration works, consultant costs, legal costs, health costs, etc. The provincial government, through the Attorney General's department, has long been aware of the liabilities it has incurred by allowing industry in our drinking watersheds, but has decided to keep the matter quiet and has shamefully placed the "onus" for drinking water quality on water purveyors despite the fact that government task forces and committees have recommended resolution of this untenable assignment of costs.

I know that to ask you to review the current logging program in Pemberton Creek as stipulated and agreed to in the September 1991 IWMP document may make some on Council uncomfortable. But, because both government and the forest industry, namely Weyerhaeuser, see this as their invitation to log in Pemberton Creek the public must depend on Council to represent its long-term interests. **Remember, drinking watersheds have no right to be in the timber harvesting land base.** The City of Pemberton has the right to re-negotiate the IWMP on its Watershed Reserve with the government and to stipulate its intent for protection.

Therefore, there is only one solution to your concerns about Pemberton Creek that have been stated in the local newspapers, and that is to take a strong position against logging, and to find support from other local governments and organizations. Your voice becomes stronger when it is united with

others, and when it is consistent. From our experience, there is no guarantee that our provincial government will listen to you, as it properly should, because it has made too close an alliance with the forest industry and its power brokers in the Campbell government. Even though former NDP Premier Mike Harcourt promised communities in his pre-election speeches that their community watersheds would be legislatively protected should their Party be elected, his government ended up turning its back on the people because of the stranglehold of the forest industry. Just ask the people in southeast B.C., such as those in the Slocan Valley who have had many sad experiences on this topic how they felt after Premier Glen Clark called those wishing to protect their drinking water “enemies of BC”.

There are places where we can log, and there are places where we shouldn't. Pemberton Creek is one place where logging should not occur. The world is becoming a different place, because people are becoming aware of what has happened to their fresh water sources. Watersheds that were once protected, and then logged, are now protected again. It is up to all of us, together, to make the stand necessary to bring about the required changes. Thank you.