

B. C. TAP WATER ALLIANCE

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



Email – info@bctwa.org
Website – www.bctwa.org

January 11, 2011

NEWS RELEASE

GOVERNMENT IN SUPREME COURT TO DENY SINIXT NATION CONSULTATION RIGHTS TO PROTECT DRINKING WATER SOURCES

Vancouver: The Sinixt Nation (southeastern BC) is appearing this week in Vancouver's Supreme Court (Courtroom 30) to argue its inherent right to protect the intact, old forests in the sensitive headwaters of Perry Ridge, a unique geological island-mountain. Alongside B.C.'s Attorney General and Sunshine Logging to counter the Sinixt's action, the *Okanagan Nation Alliance* and the *Colville Business Council* are participating as Intervenors.

Perry Ridge is the long-established source of drinking waters for many residents in the lower Slocan River valley, some thirty miles northwest of Nelson City. Over the last two decades the Sinixt has declared its intention to protect public drinking watershed sources within its traditional lands, a legislative policy formerly maintained by the BC government.

On November 4, 2010, Justice Wilcox conditionally upheld the Sinixt's action of interest to protect Perry Ridge by staying Sunshine Logging's injunction to remove a blockade on a Forest Service access road. The force of Justice Wilcox's Decision is significant, in that the last occurrence to overturn or stay a similar non-treaty injunction came in the mid-1980s, some 25 years ago, concerning the protection of Meares Island on southwestern Vancouver Island from logging.

The Sinixt, along with other First Nations, have endured the tragic extinction of salmon species in the extensive Columbia River basin complex as a result of a series of hydro-electric dams constructed by both Washington State and British Columbia colonial governments. The flooding of traditional lands by hydro-electric reservoirs, the pollution of river sources by industrial complexes, and extensive commercial forest management practices have impacted traditional lands and altered and degraded the landscape integrity of fresh water sources within the Sinixt's territory. In this context, the Sinixt are reclaiming a critical vision to protect the valuable attributes of fresh water sources.

Since the 1960s, when the B.C. Forest Service under the Social Credit administration began to counter drinking water protection policies and to blatantly ignore crown forest lands reserved from commercial development under the *Land Act* (termed Watershed Reserves), BC's water users began to resist and formed committees, associations, and alliances over the following years, correctly

protesting the issuance of new forest licenses. Statements of concern by provincial water users and self-interested comments from the Forest Service are found in numerous provincial agency files, a number of which have been reviewed by the B.C. Tap Water Alliance over the last 14 years.

One of the many associations formed in the 1970s to protect drinking water was the Perry Ridge Water Committee in 1977, which in 1982 became the Perry Ridge Water Users. For more than 30 years, as found in both the Perry Ridge Water Users and government correspondence files, resident water users have consistently fought the government, through the Ministry of Forests (now, B.C. Timber Sales), to protect Perry Ridge.

“We are appalled that our government, through B.C. Timber Sales, continues to permit commercial logging in the public’s drinking watershed sources,” responded Will Koop, Coordinator of the B.C. Tap Water Alliance. “Through their inherent rights to the land, the Sinixt are merely declaring what our own government previously and openly granted to its citizenry, and what Metro Vancouver and Victoria have recently reinstated on its water sources. Watershed Reserves, as legal designations and mechanisms to perpetually protect the lands and forests from commercial developments, were the first forms of land protection in British Columbia, which originated from initiatives in the United States to protect drinking watersheds in the late 1800s. It is high time for our government to acknowledge its neglected legacy and to immediately reinstate the legal protection of our drinking watersheds, and to support the Sinixt’s inherent determination to do so.”