



REGIONAL DISTRICT NORTH OKANAGAN

MEMBER MUNICIPALITIES:

CITY OF ARMSTRONG VILLAGE OF LUMBY
CITY OF ENDERBY CITY OF VERNON
DISTRICT OF COLDSTREAM TOWNSHIP OF SPALLUMCHEEN

ELECTORAL AREAS:

"B" – SWAN LAKE "E" – CHERRYVILLE
"C" – BX DISTRICT "F" – ENDERBY (RURAL)
"D" – LUMBY (RURAL)

OFFICE OF: UTILITIES

OUR FILE No.: 5750.03.02.01.09.2021

April 29, 2021

Ministry of Forests, Lands, Natural Resource Operations, and Rural Development
Attn: Honourable Katrine Conroy, M.L.A.

And

Ministry of State for Natural Resources Operations
Attn: Honourable Nathan Cullen, M.L.A.

Via e-mail: FLNR.Minister@gov.bc.ca

Dear Honourables Katrine Conroy and Nathan Cullen:

RE: Opposition to Tolko Industries Ltd.'s (Tolko) Decision on Block LV1243 above the Headgates Intake

Today, we write you out of an urgent need to protect our community drinking water and put measures in place to ensure its protection for generations. On April 21, 2021, the Regional District of North Okanagan (RDNO) Board of Directors (BOD) unanimously resolved that the BOD "adamantly opposes the current proposal to log the Tolko block identified as LV1243 and instruct staff to undertake the necessary actions to support this opposition". Furthermore, the BOD directed staff to write a letter to the Honourable Katrine Conroy, M.L.A., Minister of Forests, Lands, Natural Resource Operations, and Rural Development (MFLNRORD), and the Honourable Nathan Cullen, M.L.A, Minister of State for Natural Resources Operations, to request legislative amendments that result in the prioritization of drinking water over timber harvesting in community watersheds.

The need for legislative changes to protect drinking water is evidenced by an ongoing and unresolved situation posing a serious risk to RDNO water infrastructure, which services 60,000 people as well as many businesses and a thriving agricultural section.

In 2016, the RDNO was made aware of Tolko's interest in logging a block (LV1243) located 500m upslope of the water intake and reservoir that supplies 60% of RDNO's Greater Vernon Water utility's water. Given the proximity to this vital infrastructure and Tolko's dismissal of our expressed concerns, the RDNO retained a hydrologist to assess the risk to RDNO infrastructure should this logging activity occur.

The Hydrological Report found the slopes adjacent to the site are unstable, and the drainage path from this site leads directly into the intake reservoir. Therefore, logging and land disturbance could trigger a landslide or debris torrent, which would end up in the water reservoir, the impacts of which could result in extended Boil Water Notices to the loss of water source for weeks to months. Suppose this were to occur during spring or early summer. In that case, the

Regional District of North Okanagan
9848 Aberdeen Road
Coldstream, BC
V1B 2K9

Toll Free: 1.855.650.3700
Phone: 250.550.3700
Fax: 250.550.3701
Web: www.rdno.ca
E-Mail: utilities@rdno.ca

economic outcome of this scenario could cause many millions of dollars of damage to the agricultural community due to crop loss and to GVW to rebuild significant infrastructure.

Despite the unaddressed concerns and severity of potential risks, with only three (3) weeks' notice, Tolko informed the RDNO of their plans to submit for cutting authority and begin logging activity in May of 2021. The RDNO has attempted to work with Tolko and the MFLNRORD District office (Okanagan-Shuswap), even proposing alternative areas that would link to the Duteau Creek fire break outside of the Community Watershed but has not received a response. There is no clear path the Regional District can take to halt this work that could begin as early as next week.

The ability for this dangerous situation to arise and the lack of available actions water providers can take to protect the safety of drinking and agricultural water from the risk of nearby logging are symptoms of the gaps in legislation.

As drinking water providers, the RDNO remains focused on our mandate to protect and provide clean safe drinking water to our community. We must consider the RDNO's risk on that front and our responsibility under the *Drinking Water Protection Act*. In contrast, Tolko first must consider volume-based timber harvest and fibre availability on their portion of the Okanagan Timber Supply Area and their boundaries under the *Forest and Range Practices Act* (FRPA) and other legislation. In this regard, the two (2) goals are in opposition and the legislation conflicts.

While we implore Tolko to pause their plans, the block is within the Timber Harvest Land Base, and they are doing all they are legislatively required to do. Their required work dictated through *FRPA* focuses on the specific conditions within their block and does not adequately identify the risks at a greater landscape level (i.e. downslope) nor does it adequately include the protection of drinking water. As recently stated by the RDNO BOD chair, the RDNO is not opposed to logging and has never opposed a block before, which speaks to the unique risks associated with this cut block.

Greater Vernon Water has invested over \$72 million since 2003 to bring our water utility to provincial standards and still has many millions to go. In addition, RDNO has spent significant time and money on watershed protection to first understand the Duteau Creek watershed from an integrated perspective (cattle, recreation, and logging) and to develop one of the first Source Water Protections Plans in our area. Since 2009, we have formally worked with provincial staff, subject matter experts, forest licensees, and cattle ranchers to consider everyone's needs, bring the drinking water perspective to the table, and work with all partners to develop solutions for sustainable integrated watershed management. We have taken the time to understand and consider our watershed partners' needs and expect they do the same by understanding and respecting the protection of drinking water. We also expect the Province to honour our hard work and the information we have collected and consider this during their decision making.

We believe sustainable forest management is possible within the Duteau Creek community watershed and that our goal of drinking water protection is directly in line with both of your mandate letters:

“Lead the transition of our forestry sector from high-volume to high-value production, increasing the value-added initiatives of our forest economy, including by making mass timber a priority in public buildings moving forward.”

and

“Support the work of the Ministry of Environment and Climate Change Strategy to protect clean water, including through the creation of a Watershed Security Strategy and the associated Watershed Security Fund.”

High volume harvest in the Duteau Creek area is posing a risk to drinking water. It is time to retract logging rights in areas where it is deemed appropriate and prioritize the highest value (in this case drinking water) over available timber. We know a balance can be reached and have been working toward this for a very long time.

We have no authority over the watersheds from which we draw our drinking and agriculture water supply, but we are mandated to protect them. Changes must happen to address this. In the immediate term, we ask the Government to consider the RDNO's request that Tolko is not granted a cutting permit for LV1243 until a suitable option to protect drinking water is established. We also request the Government of British Columbia make legislative amendments to resolve the conflict between the *DWPA* and *FRPA* with a clear path to protect higher values above timber harvest.

If you require any information to assist with our request, please do not hesitate to contact the undersigned at tricia.brett@rdno.ca.

Sincerely,



Tricia Brett
Manager, Water Quality

TB/lb

ec: Ray Crampton, District Manager, Okanagan-Shuswap District, MFLNRORD
Zee Marcolin, General Manager, Utilities, RDNO
David Sewell, Chief Administrative Officer, RDNO
Pouria Mojtahedi, Specialist Environmental Health Officer, Interior Health
Joanne Edwards, Provincial Drinking Water Officer, Ministry of Health
Harwinder Sandhu, Member of Legislative Assembly, Vernon-Monashee