



Sunshine Coast
Conservation
Association

September 15, 2023

Re: Watershed Protection, Mt Elphinstone Sunshine Coast

Dear Premier Eby:

We are writing on behalf of the Town of Gibsons, Sunshine Coast Conservation Association (SCCA) and Elphinstone Community Association (ECA) to recommend a pathway forward to address the water supply crisis on the southern Sunshine Coast.

As we write this letter, the province is in a state of emergency, and a forest fire has broken out on the steep slopes above Chapman Lake in the fragile watershed that provides drinking water to 70% of the population of the Sunshine Coast Regional District (SCRD). If this fire were to damage our water infrastructure, we would be reliant on the Mt. Elphinstone aquifers to supply approximately 27,000 people with drinking water.

Our water supply crisis has made international headlines. Last year the SCRD declared a local state of emergency for drought, and this year the SCRD has invoked severe water restrictions for the sixth time in eight years. Climate change has hit harder and faster than anyone expected. To address our water scarcity, the Town of Gibsons and SCRD are investing millions in groundwater research and development, but that groundwater is threatened by industrial activity in our aquifer recharge areas.

Accordingly, we are asking the BC Government to:

- 1. Direct BC Timber Sales to halt all forest development planning in the recharge areas of Aquifers 560 and 552 on Mount Elphinstone;**
- 2. Implement a moratorium on resource extraction approvals in these aquifer recharge areas; and**
- 3. Support our local governments, nonprofits and First Nations to undertake Water Sustainability Planning (WSP) to conserve these source areas.**

BACKGROUND

Local governments and nonprofits have been trying to protect Sunshine Coast drinking water source areas since the 1980s. We collaborated to establish Tetrahedron Provincial Park in 1995 to protect the Chapman watershed, but our community has relied far too heavily and for too long on this fragile watershed system.

The Town of Gibsons sources all of its drinking water from Aquifer 560, underlying the slopes of Mt. Elphinstone. The SCR D also has two production wells in that aquifer, with a third in development, and is expanding nearby wells in Aquifer 552 (under Langdale).

These aquifer watersheds are threatened by logging and gravel mining.

The Town of Gibsons has been asking the province for help for over a decade. In 2013, the BC Ministry of Forests invited the town to apply for a Community Watershed designation under the BC Forests and Range Practices Act (FRPA) and directed BCTS to remove controversial cutblock proposals from the upper watersheds. Unfortunately, the "Community Watershed" designation would not provide adequate protection for these areas and BCTS keeps proposing additional cut blocks.

In 2019 the SCCA and ECA, supported by the SCR D and MLA Nicholas Simons, pressed BCTS to answer concerns about the proposed logging of District Lot 1313, at the foot of Mt. Elphinstone in the recharge area of Aquifer 560. BCTS hired Polar Geoscience Ltd. to undertake the Mt. Elphinstone South Watershed Assessment Study, a first of its kind. Polar released a draft version of the report in the spring 2023 and the SCCA and ECA copied you on our [feedback](#).

The Watershed Assessment contains important information about the hydrologic (surface water) complexities of Mt. Elphinstone and the potential impacts of logging. However it fails to address ongoing and increasing groundwater issues, risks to our water supply and downstream communities from proposed logging. The attached document [2023-09-15 Response to BCTS Final Polar Report MtE.South Watershed Assessment](#) details the failings of this report. The Town of Gibsons has also engaged its experts, Waterline Resources, to review and comment on hydrogeological (groundwater) impacts of logging on aquifer recharge.

Nonetheless, the [science is certain](#). As has been seen right across the province, clearcut logging degrades forest ecosystems and reduces forest health and resilience. This leads to increased risk and severity of fires, floods, landslides and increased greenhouse gas emissions.

The provincial government has a duty to manage public resources to benefit the public. Clear cutting forests on geotechnically hazardous slopes above our communities is not the highest and best use of these forests. Their value in delivering water, mitigating climate change, preserving biodiversity, and protecting our communities is far greater than their value as timber.

It is long past time for the BC Government to acknowledge the true value of the Mt. Elphinstone forests. BC Timber Sales, with its narrow mandate to sell timber, is simply the wrong party to oversee management of these lands.

We therefore need the BC government to change the land use designation for the lands within the aquifer recharge area on Mt. Elphinstone, and transfer stewardship of these lands to a more responsible management structure.

A SOLUTION

The Town of Gibsons has undertaken groundbreaking aquifer mapping studies and watershed monitoring, the SCRCD has poured huge effort and funds into groundwater investigation and infrastructure development and the SCCA team has spent the last two years engaging stakeholders and researching options to resolve our land use problem.

We have developed a two-step legal strategy to protect the aquifer recharge areas, founded on the understanding that these aquifers and their recharge areas are within the traditional territory of the Sk̓wx̓wú7mesh Úxwumixw (Squamish Nation), and it is essential that any aquifer protection processes occur in collaboration with them and under their authority.

1. Long Term: Water Sustainability Plan (“WSP”) under the Water Sustainability Act

A WSP is a collaborative governance tool to address water use conflicts, risks to water quality or aquatic ecosystem health, and to help identify restoration measures. WSPs are a long-term approach because they involve many parties and require several years of process to come to agreement. The Declaration on the Rights of Indigenous Peoples Act Action Plan (2022) points to the use of WSP processes between Indigenous communities such as the Sk̓wx̓wú7mesh Úxwumixw (Squamish Nation) and the Province of BC to address water stewardship and watershed level protection.

2. Interim: Watershed Protection Measures

Part 13 of the Forest Act

The BC Lieutenant governor in council (“LGinC”) may designate an area by regulation and empower the Minister of Forests to make orders that suspend, vary, or restrict harvest or sale of timber for up to 10 years. The creation of Designated Areas relies on political will at the time of their creation, sometimes driven by ground-breaking judicial judgements or species at risk that rely on old growth forests.

Section 7 of the Environment and Land Use Act (“ELUA”)

Section 7 of ELUA empowers the LGinC, on the recommendation of the Environment and Land Use Committee, to make orders respecting environment or land use that the LGinC considers necessary or advisable. These orders can allow for broad protections that impact different land uses (e.g., forestry, mining, etc.). There is no maximum term for these orders. The ELUA provides broad powers to Cabinet to make orders that are "necessary or advisable" for land use and can be used in a variety of circumstances to prevent a wide range of development activities.

We are asking you to direct BC Timber Sales to halt all forest development planning in the recharge areas; implement a moratorium on resource extraction approvals using s.7 ELUA and/or s.13 of the Forest Act; and support Water Sustainability Planning (WSP) to conserve these source areas.

With your support we can create a collaborative governance model that supports the needs of all parties, including Indigenous people and local residents, and builds critical resilience for our communities into the future.

Sincerely,

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CC:

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Nathan Cullen, Minister of Water Lands Natural Resource Stewardship,
George Heyman, Minister of Environment and Climate Change,
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Fin Donnelly, Parliamentary Secretary of Watershed Restoration,
Sunshine Coast Regional District (SCRD) Chair & Directors,
Khelsilem Tl'akwasikan, Chairperson, Squamish Nation Council,
Peter Baker, Chief of Staff, Squamish Nation
Chief (lhe hiwus) Lenora Joe,
Steven Feschuk, Acting STLM Division Manager; Protector of Culture shíshálh Nation,
BC Timber Sales (BCTS), Pierre Aubin, BCTS Forester,
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