

## OKANAGAN BASIN WATER BOARD

**MINUTES OF A MEETING OF THE OKANAGAN BASIN WATER BOARD HELD ON JULY 24<sup>TH</sup>, 2001, AT THE BOARD ROOM, REGIONAL DISTRICT OF NORTH OKANAGAN, 9848 ABERDEEN ROAD, VERNON, B.C. AT 10:00 A.M.**

---

<b><u>PRESENT:</u></b>	Chair R. Hobson	C.O.R.D.
	Director R. Hein	C.O.R.D.
	Director L. Novakowski	C.O.R.D.
	Alternate Director J. Slater (Vice Chair)	O.S.R.D.
	Director J. Cardoso	O.S.R.D.
	Director J. Coady	O.S.R.D.
	Director A. Klim	N.O.R.D.
	Director D. Hackman	N.O.R.D.
	Director W. Hansma	N.O.R.D.

<b><u>STAFF:</u></b>	G. Armour	Field Supervisor
----------------------	-----------	------------------

<b><u>OTHERS:</u></b>	Mel Maxnuk	Ministry of Land, Air and Water
-----------------------	------------	---------------------------------

Protection

### **MINUTES:**

**Moved by Director Coady and seconded by Director Novakowski:**

***"That the minutes of a regular meeting of the Okanagan Basin Water Board held on June 5<sup>th</sup>, 2001 be adopted as circulated."***

***CARRIED.***

### **NEW AND UNFINISHED BUSINESS:**

#### **First Nations Sewage Treatment Policies on Reserve Lands**

The Chairman summarized the discussion at the last meeting where the Board resolved to ask the Federal Minister to institute mandatory inspection of new on-site disposal systems on reserves and evaluate the condition of existing systems. At present, this is done only at the pleasure of the First Nation Government. The Board also resolved to ask that the Federal Government fund Liquid waste Management Plans for First Nation Lands.

The Chair reported that he subsequently asked that this correspondence be delayed so that he could contact the Westbank First Nation to see if we could work together toward a better system of ensuring sewage disposal practices on band lands were consistent with other Okanagan Valley standards. This action was consistent with the protocol agreement that the Regional District of Central Okanagan has with the Westbank First Nation. He said that he had been unable to set up a meeting as yet to discuss the subject but wished to propose that the Okanagan Basin Water Board work with First Nations to address problems rather than setting up a conflict situation.

Director Klim informed the Board that the Regional District of North Okanagan has a similar protocol agreement with the Okanagan Band and agreed that we should develop a consistent approach with all parties involved.

Director Novakowski proposed that the Water Board send a letter to the Bands offering to work together to develop a joint submission to the Federal Government to address pollution concerns.

Director Hein agreed that a coordinated approach would be most beneficial.

Director Coady noted that the Regional District of Okanagan-Similkameen has a draft protocol agreement with the Penticton Band and also supported a direct approach to First Nations.

Chairman Hobson wondered if we should approach each band individually or the Okanagan Tribal Council.

Director Cardoso noted that the Bands are required to conform to Federal standards for new developments. He asked if the Board should follow the agreements and policies of one of the member regional districts if the others do not have similar arrangements.

Director Klim said that communication with First Nations was currently very good in the North Okanagan and she wished to see this issue addressed as part of existing consultation with the Bands rather than opening new channels of communication.

Director Coady agreed that local contact with the Bands is important so that we do not introduce a new regional body as another contact.

Alternate Director Slater suggested that a letter be sent to the Bands outlining what we would like to see happen. This would initiate communication and might fit into the wish of many of the bands to tie into local service infrastructure.

Chairman Hobson read the two motions carried at the last meeting.

Director Klim noted that the second motion encouraging partnerships was a better approach than complaining about sewer problems.

Chairman Hobson suggested meeting with First Nations to discuss what problems they may have in sewage disposal and to inform them what we are trying to achieve.

**Moved by Director Coady and seconded by Director Novakowski:**

***"That the motion from the June 5<sup>th</sup> meeting stating "That the OBWB urge the Minister to consider legislation requiring mandatory inspection of all new on-site disposal systems on First Nation lands and the condition of existing systems be evaluated. In addition that the Federal Government provide funding for Liquid Waste Management Plans to be put in place for First Nation lands in the Okanagan, be reconsidered."***

***CARRIED.***

Director Hein agreed that it would be better to identify problems in consultation with the Bands.

**Moved by Director Novakowski and seconded by Alternate Director Slater :**

***"That the motion from the June 5<sup>th</sup> meeting stating "That the OBWB urge the Minister to consider legislation requiring mandatory inspection of all new on-site disposal systems on First Nation lands and the condition of existing systems be evaluated. In addition that the Federal Government provide funding for Liquid Waste Management Plans to be put in place for First Nation lands in the Okanagan, be rescinded."***

***CARRIED.***

Directors Hackman and Hansma entered the meeting at 10:40 a.m.]

**Moved by Director Hein and seconded by Director Klim:**

***"That the Okanagan Basin Water Board write to the First Nation Bands asking if they are interested in meeting to discuss sewage treatment issues and problems and how we might jointly address them."***

***CARRIED.***

The Board agreed that the letter should indicate the interest of the Water Board and our current mandate, as well as reference the protocol agreements.

Director Hansma noted that the original motion addressed the lack of Federal legislation and resources for dealing with sewage problems on Band lands.

Director Cardoso replied that Federal officials from Indian Affairs and health could be invited to attend a meeting.

Director Coady commented that we share water as a priority with First Nations, however, they consider that we have caused the degradation.

Director Klim added that several regions are currently working with the Bands and that this clear protocol should be incorporated into OBWB dealings.

The Board agreed that the second motion from the June meeting reading *"that the OBWB request the federal and provincial governments to encourage partnerships between First Nations and local government for implementation of liquid waste treatment systems on Indian Reserve lands"* could stand but that no action would be taken until after meetings were conducted with the Bands.

**Letter to Minister of Land, Air and Water Protection, Joyce Murray requesting a meeting to discuss aquatic weed control funding, drinking water legislation, and septic tank legislation:**

Chairman Hobson advised that no response had been received from the Minister and that he did not anticipate an opportunity to meet in the near future prior to clarification of the province's finances.

**Moved by Director Hein and seconded by Director Klim:**

***"That the Okanagan Basin Water Board request a meeting with Minister Murray at UBCM."***

***CARRIED.***

### **UBCM Conference on New Technology**

Chairman Hobson reported that UBCM had received a grant to sponsor a conference on new technology including onsite treatment systems. This will take place in Vancouver on October 11 and 12. He suggested that we may wish to hold our workshop session on septic legislation and advanced systems until after the UBCM event.

He also informed the Board that he had discussed the new Drinking Water legislation with Minister Joyce Murray as part of his UBCM Environment duties. The legislation will be brought back for additional local consultation concerning the standards to be set and the means to be provided to local government to address concerns in crown watersheds.

### **Sewage Grant Policy Review – Retroactive Grants**

Mr. Armour reviewed the request made by the City of Penticton to consider payment retroactively, for Industrial area sewers paid for with 100 percent local funds. Provincial funding was not applied for on the advice that the project would receive a low priority ranking. The Board had asked Penticton to obtain a letter from the Province indicating that the project would have been eligible for Provincial funding. The

City had written to the Ministry of Community, Aboriginal and Women's Service, but no reply had been received.

The Board agreed that the grant to Penticton would be paid upon receipt of this letter, as resolved at the June meeting. The Board then discussed the handling of any other situations involving application for retroactive payment of grants.

**Moved by Director Hein and seconded by Alternate Director Slater :**

***"That the Okanagan Basin Water Board not approve any Sewage Facilities Assistance grants or retroactive payments to projects for which application is made later than one year following receipt of confirmation of eligibility for provincial funding."***

***CARRIED.***

### **ONFC Conference Report**

Mr. Armour reported on the Okanagan Nation Fisheries Commission Ecosystem Planning Conference held in Kelowna June 12 and 13. The focus of the event was on salmon recovery in lower Okanagan River. There were a large number of delegates from US. State and Federal agencies as well as power utilities and the Colville Confederated Tribes. The presentations were mainly technical with the goal of trying to decide on steps which need to be taken to ensure recovery and maintenance of healthy sockeye stock. A Conference Summary report is available.

**Moved by Director Hansma and seconded by Alternate Director Slater :**

***"That the Okanagan Basin Water Board receive the ONFC Ecosystem Conference report."***

***CARRIED.***

### **Pacific Northwest Water Policy Conference Report**

Mr. Armour also reported on the Pacific Northwest Water Policy Conference July 16 and 17 held in Stevenson, Washington. The University of Washington sponsored the conference to try to get water policy makers to consider ways to incorporate climate change information into water policy directions.

The delegates represented a cross section of senior bureaucrats and political representatives from Oregon, Washington and Idaho. BC was noticeably absent. Although discussion centred on the Columbia River system, policy and governance considerations apply to other river systems as well.

Climate change will have minimal effect in the next 40 years on areas where rivers and lakes are charged by snowmelt as long as the snowpack areas are sufficiently high in elevation that an increase in temp. does not turn the snow into winter rain. Most of our water 'storage' is in the form of snow. This differs from coastal rivers where water flows according to rainfall patterns and storage is artificial in the form of dams and impoundments.

The point was made by many that existing governance structure and institutional considerations do not allow effective management of water particularly in a drought year such as this. Incorporating climate change merely throws another variable into a system that already is dysfunctional.

Dr. Doug Kenney of the Natural Resources Law Center at U. of Colorado made an interesting presentation on Western Water law and the constraints and opportunities it provides. A few highlights:

"We're Not All in this Together"

- Water Law dictates that in a drought the 'senior' rights get their full share of water, while in 2/3rds of remaining states the burden is shared among all users.

- Groundwater and surface water are dealt with differently
- Recognition by Law as a beneficial user – e.g. Is power generation favored over fish?

Water Management is (NOT!) Rational:

- At least 10 major Fed. Studies in last 100 years have recommended that water management occur on a basin-wide basis. This is still not applied.
- In Denver there are 120 water suppliers who do not have any sort of forum to communicate with each other.
- Use of new forecast information such as climate change is risky – if you make a mistake using the traditional methods, it is tolerated. If you make a mistake by using a new method, it is punished.
- Water management is inefficient by design – serves antiquated allocations; expected to meet all new demands; large safety margins; water is free, distribution subsidized and power is cheap.

Even without Climate Change, our vulnerability to drought is increasing:

- Population growth
- Trend in water law is to recognize more uses as valid

Coping Strategies for Water Shortages

Development of new storage is in most cases off the table except in the form of non traditional storage. Examples – gravel pit reservoirs. Ground water recharge areas. Most coping strategies fall into the following categories:

Risk Reduction:

- Saved or salvaged water
- Conservation
- Water system efficiencies

Risk Re-Allocation

Permit permanent water transfers from area of drought that can absorb impact to sector that cannot.

Temporary transfers – Water Banks

Subordination Agreements –

Dry year options where farmer is paid an annual fee for access to part of his water allocation in a dry year.

Another presentation concerned examples of Water Management Partnerships: (Chad Day – SFU & Dave Marshall Fraser Basin Council)

They examined various partnerships and rated them on the criteria of :

Legislation

Adaptive Planning and Implementation – clear, ecosystem- based goals and targets. Public evaluation of outcomes

Representation Are all the interests at the table?

Financing adequate and long term

Leadership Political Support, Innovative

Outcomes Promoting social economic, and environmental sustainability

The CalFed Bay-Delta Program in the San Francisco Bay Area has an \$880 million budget for 2001 to improve ecosystem quality and water quality and supply.

The GBEI was discussed along with the Puget Sound Water Quality Action Team. The Yakima River Basin Watershed Plan was represented at the conference, where three counties have formed the Tri-County Water Resources Agency to manage water in that region. This partnership was mandated by Federal Legislation.

### **2001 Weed Harvesting Schedule and 2000 – 2001 Derooting Summary**

Mr. Armour presented a schedule of work to be done this summer with the Board's two aquatic weed harvesters and a summary of work done in the past fall, winter and spring with derooting equipment.

**Moved by Director Hein and seconded by Director Cardoso :**

***"That the Okanagan Basin Water Board receive the harvesting schedule and summary of winter derooting activities."***

***CARRIED.***

### **CORRESPONDENCE:**

#### **Regional District of North Okanagan – Aquatic Weed Control Funding**

The Board received the motion from the Regional District Board endorsing the proposed contact with the new government Minister of Land, Air and Water Protection, to discuss aquatic weed control funding.

#### **Regional District of Central Okanagan – Aquatic Weed Control Funding**

The Board received the motion from the Regional District Board endorsing the proposed contact with the new government Minister of Land, Air and Water Protection, to discuss aquatic weed control funding.

#### **SIFERP & NRIN Information**

The Board received information on the Extension Research Partnership and the database the group is establishing.

#### **North End Residents Association – Sutherland Bay Weed Control**

The Board received information on Sutherland Bay, Kelowna, aquatic weed control.

Mr. Armour said he will look at the site and see if weed removal will help water circulation. Residents are interested in getting the log booms moved to allow better water circulation and hopefully improve water quality conditions.

#### **C<sub>5</sub>H<sub>2</sub>O Conference Information**

The Board received information on the fall conference.

**Don Fast, Regional Director General, Environment Canada – Copy of Correspondence with Okanagan Nation Alliance**

The Board received the letter from the Regional Director General.

**Columbia River Basin Ecosystem Conference**

The Board received the notice of the Columbia Basin Conference.

**Moved by Director Hein and seconded by Director Hansma:**

*"That the above correspondence be received."*

**CARRIED.**

**OTHER BUSINESS:****Schedule and Costs of Proposed OBWB Water Management Actions**

The Board discussed allocation of funds and possible timing for the actions authorized by the three regional boards to promote a regional approach to water management issues.

Mr. Armour summarized the focus workshops:

- **On-Site Treatment Systems**

Alternatives to community sewer extensions; advanced on-site systems; package plants; legalities and liabilities for local government.

- **Water Conservation and Water Quantity**

Try to encourage some cost saving through coordination and consistency in valley standards; compare programs; share successes.

- **Drinking Water Protection**

Watershed assessments; what has been done? What type of information is needed? What are the concerns and threats? Implications of new legislation?

- **Stormwater Management**

Collection, purification and disposal of stormwater; impacts of not treating stormwater; how are other regions addressing this?; is there funding available?; regulatory requirements now and in the future; options for treatment and disposal.

- **Liquid Waste Management**

Update local government requirements for liquid waste treatment over next 5 years; performance of treatment options to date; new options?; phasing out of Sewage Facilities Grants and possible use of Water Board taxation authority for other infrastructure needs.

Director Coady said that perhaps the stormwater session could coincide with the Smart Growth Conference(s) scheduled for the fall.

Chairman Hobson noted that the Drinking Water Legislation will have an additional local consultation process and perhaps we could offer to bring together the appropriate people from local government.

Director Hein stated that drinking water issues were uppermost in the concerns of most people and definitely a top priority for Lake Country. Local government needs to know what authority and resources will be available to better enable them to regulate potentially harmful activities in their watersheds.

Chairman Hobson suggested that the Board contact the Minister and advise her of our willingness to cooperate in setting up a regional consultation on the new legislation. The timing would depend to a large extent on the Province's requirements.

Director Klim noted that the North Okanagan Water Authority performs a significant amount of testing to ensure water quality. She wondered if the information was available on what future needs would be and what our ability is to meet them.

Chairman Hobson added that the local consultation would be focused and not a broad based open forum. It would likely involve municipal engineers and purveyors.

Mr. Maxnuk commented that the Okanagan has a very high number of community watersheds along with many purveyors of greatly varying size.

Alternate Director Slater left the meeting at 12:20 p.m.

Director Hansma said the Board should contact the Province and offer to host a local session on new septic tank regulations as well.

Director Coady noted that First Nations should be part of the workshops.

Chairman Hobson said that the Board may need some financial consulting assistance in developing a model for a revised or new grant program for advanced onsite systems or package plants.

Director Klim remarked that each of the workshops should be directed at achieving a local action plan, and not just be informational.

Chairman Hobson suggested that we present our list of proposed workshops to local government and ask for their assistance in getting the right people and circumstances to lead to an action plan. He said the quality of the workshops would be improved by advice in the organizational stage from a technical steering group.

Director Hansma summarized that we will not make progress until we share information about how we each deal with issues. There may be some areas who currently do not consider some of the issues.

Director Hein was adamant that we need to get the message out as to why we are taking these steps and what we expect as outcomes from each of the actions.

Director Hansma indicated that we should return to the regional districts following completion of these tasks and indicate what we think our mandate should be, based on the outcomes.

Chairman Hobson noted that the results of the meetings and workshops could form the basis of a year end summary report.

The Board agreed to ask local government for staff representatives to form a technical advisory committee and discussed the need to sharpen the focus on goals of the workshops.

Mr. Armour and Chair Hobson updated the Board on contacts with OUC with respect to setting up a water management data base. Mr. Armour noted that a number of data bases now exist or are in the planning stage and we should be cautious about duplication.

Mr. Maxnuk described the water quality database maintained by his Ministry and explained that the information is only accessible by government staff at present.

Director Hein asked why the information is not public.



Mr. Maxnuk responded that it seemed to be mainly a matter of cost but that the data input to the database also had to meet scientific criteria.

The Board asked Mr. Armour to follow up with OUC on the costs and requirements to establish a consolidated database.

**Moved by Director Hein and seconded by Director Hansma:**

***"That the Okanagan Basin Water Board allocate \$3000 to sponsor the C<sub>5</sub>H<sub>2</sub>O Conference."***

***CARRIED.***

**SEWERAGE FACILITIES GRANT APPLICATIONS:**

**Regional District of Central Okanagan – Grant Applications for Westbank Sewer Projects, Sunnyside Sewer, Lakeview Sewer.**

An application from CORD to fund Whitworth Road and Sunnyside sewers was received. Mr. Armour indicated that both projects received Provincial approval and 25% funding and service existing developments.

**Moved by Director Hansma and seconded by Director Novakowski :**

***"That the application for Sewage Facilities Assistance Grants from the Regional District of Central Okanagan for Whitworth Road and Sunnyside sewers be approved for payment."***

***CARRIED.***

**Next Meeting**

The next regular Board meeting will be August 14<sup>th</sup> at the Regional District of Okanagan-Similkameen.

Chairman Hobson advised that if there was insufficient business to warrant a meeting in August, it would be cancelled or material sent out for information.

**ADJOURNMENT:**

**The Okanagan Basin Water Board meeting adjourned at 2:10 p.m.**

---

**CHAIRMAN**

---

**SECRETARY**