

## OKANAGAN BASIN WATER BOARD

**MINUTES OF A MEETING OF THE OKANAGAN BASIN WATER BOARD HELD ON APRIL 12, 2005, AT THE REGIONAL DISTRICT OF CENTRAL OKANAGAN, 1450 KLO ROAD, KELOWNA, B.C. AT 10:00 A.M.**

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**PRESENT:**

Director Len Novakowski	C.O.R.D.
Director Robert Hobson	C.O.R.D.
Director Rolly Hein	C.O.R.D.
Chair John Slater	O.S.R.D.
Alternate Director Stan Field	N.O.R.D.
Director Gordon Clark	O.S.R.D.
Director Doug Hackman	N.O.R.D.
Vice Chair Will Hansma	N.O.R.D.

**OTHERS:**

Jim Mattison	Land and Water BC Inc.
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**STAFF:**

Greg Armour (OBWB)	Project	Manager
Mike Stamhuis	N.O.R.D.	

**MINUTES:**

**Moved by Director Hansma and Director Clark:**

*"That the minutes of a regular meeting of the Okanagan Basin Water Board held on March 1<sup>st</sup>, 2005 be adopted as circulated."*

***CARRIED.***

**NEW AND UNFINISHED BUSINESS:**

**Proposal to Enhance the Effectiveness of the Okanagan Basin Water Board**

Mr. Armour told the Board that the committee struck by the Board at the March 1, 2005 meeting had met twice to develop a draft proposal to enhance the effectiveness of the Okanagan Basin Water Board. The committee consisted of:

Chair John Slater, Vice Chair Will Hansma, Director Robert Hobson, Mike Stamhuis, Greg Armour, John Byland (Okanagan Partnership) and Brian Guy of Summit Environmental Consultants Ltd.

Mr. Armour described the goal of the committee as instructed by the Board at the last meeting to outline a two-stage plan to enhance the effectiveness of the Okanagan Basin Water Board for review, and utilize the document as a presentation to the three regional district boards for approval of the plan.

The recommendation is to improve the way the Water Board functions by establishing a Water Stewardship Council to provide technical advice to the Water Board, add 3 non-voting members to the Water Board, modify the Regional District voting rules, and permit the Water Board to approve its own annual capital and operating budgets; and, enhance the Water Boards immediate value to the community by initiating a program to deliver water management benefits throughout the Okanagan on an ongoing basis

The Board reviewed the attached proposal.

Director Clark commented that getting First Nations participation without full voting privileges would be uncertain.

Director Hobson noted that adding too many non voting members to the Water Board would duplicate the Water Stewardship Council. He posed the option of having the Board remain as is with no additional representatives and have the Stewardship Council report to it.

Director Hackman wondered how the Stewardship Council would be structured to make recommendations.

Mr. Stamhuis commented that First Nations and water purveyors and major voices that should be heard at the Board table.

Director Hein suggested that the Stewardship Council is no different in structure that municipal committees that draw on non government representation. He envisioned the Council as a broad based group of major stakeholders.

Mr. Guy said that all four Okanagan First Nation Bands should be represented on the stewardship council with the Okanagan Nation Alliance sending the representative to the Board.

Alternate Director Boersma asked if the non voting members would be paid.

Director Hein noted that Westbank First Nation is now truly a fourth order of government and perhaps the regional board should consider a representative at that table.

Director Hobson said that Environment Canada and the Province want full First Nation involvement in local programs they participate in.

Mr. Mattison advised that Chief Stuart Phillip had indicated a desire to participate but subject to the process to define First Nation rights. He recommended that the Water Board invite them as voting members.

The Board agreed that all additional representatives should have voting status at meetings with the present exception of monetary matters.

The Board discussed the idea of recommending a voting structure change to a two-thirds majority of regional districts. It was felt that this was not a step to be taken now and would involve substantial changes to Letters Patent.

Director Hackman confirmed that voting at the Okanagan Basin Water Board would remain a simple majority.

Director Clark suggested we further explore the two-thirds majority. He said that with the drought conditions public opinion has changed and we might not rule out substantial alteration of the functioning of the Board. He said perhaps this should be discussed at the ministerial level with the Province.

The Board discussed the Water Conservation and Quality Improvement Grant program.

Director Hansma wondered about the eligibility of Improvement Districts. He suggested that they should be eligible only through the regional districts.

Director Hobson noted that the idea was to facilitate improvements.

Alternate Director Boersma commented that small projects without local funding may benefit most from this type of grant and produce valuable results.

It was agreed that grants from non government organizations would be eligible if supported by the regional district as part of the overall plan for the area.

Director Hein stated that private utilities pay taxes and perhaps should be eligible for grants.

Mr. Stamhuis noted that private company grants offer no clear path to deliver funding back to the users.

Alternate Director Boersma advised that the Water Board should be prepared with good answers to justify a five year program.

Mr. Armour noted that the total annual dollars were small and defined within clear limits; the ability to leverage senior assistance was contingent on establishing an ongoing program and structure; and the Water Board itself would need a period of autonomy to demonstrate the usefulness of the proposed enhancements.

**ADJOURNMENT:**

The Okanagan Basin Water Board meeting adjourned at 2:30 p.m.

  

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**Recommendations of the Committee:**

The two recommendations of the committee are summarized as follows:

- To improve the way the Water Board functions by establishing a Water Stewardship Council (WSC) to provide technical advice to the Water Board (see attached terms of reference), adding 3 non-voting members to the Water Board, modifying the Regional District voting rules, and permitting the Water Board (within defined limits) to approve its own annual capital and operating budgets; and,
- To enhance the Water Board's immediate value to the community by initiating a program to deliver water management benefits throughout the Okanagan on an ongoing basis. (see attached terms of reference).

The proposal to establish a Water Stewardship Council is consistent with the above-noted requirement stated in the SLPs that the Water Board shall establish such a Liaison Committee. The new water management benefits program will be referred to as the Water Conservation and Quality Initiative Program. Recommended Terms of Reference for the Water Stewardship Council and for the Water Conservation and Quality Initiative Program are appended to this report.

In order to ensure that the recommended changes to the Water Board are consistent with the Supplementary Letters Patent, it is necessary to take the following actions:

- 1.) Amend the Supplementary Letters Patent to allow expenditures for projects other than sewage facilities grants commencing in fiscal year 2006 –2007. We are currently permitted in our SLPs to assess a maximum of 21¢ per \$1000 assessment for sewage grants and 3.6¢ for milfoil control.

Our current requisition is:

8.9¢ (\$1.9 million) to meet the obligations of sewage grants

2.3¢ (\$516,000) for milfoil control

An additional 2¢ per thousand dollars assessment would generate approximately \$427,000 based on current assessments.

- 2.) Amend the Supplementary Letters Patent to allow non-voting membership on the Water Board  
Accordingly, this committee recommends that the Water Board adopts the following motion:

**"That the Okanagan Basin Water Board petition the Inspector of Municipalities to amend its Supplementary Letters Patent as follows:**

- **to allow expenditures under the maximum twenty-one cent per thousand dollars assessment for water management projects other than sewage facilities grants**
- **to allow the Okanagan Basin Water Board to appoint non-voting members"**

Additional actions must be taken to effect the committee's recommendations. Accordingly, this committee further recommends that the Water Board seek approval from each of the three Regional Districts to implement each of the following elements of the proposal:

1. Permit the Okanagan Basin Water Board to change its voting structure from unanimous approval of the three regional boards to a two-thirds majority.
2. Permit the Water Board to approve its own annual capital and operating budgets within the limits of its legislation and subject to a five year plan consisting of the following practices:
  - The Water Board will requisition annually, a maximum amount of two\_cents per \$1000 assessment additional to that required to meet current sewage facilities grant obligations – this funding to be used to support the Water Stewardship Council and the new Water Conservation and Quality Initiative Program).
  - Permit the Water Board to fund water conservation and quality improvement project of local government design as outlined in Appendix 1.
  - For fiscal year 2005 – 2006 only, permit the Water Board to use the sewage grant fund surplus to fund project costs in an amount consistent with the two-cent additional ceiling (this will use 30% of the fund surplus)
  - Make the two-cent increase subject to review by the regional boards after a five-year period (and subject to review initiated by the Water Board at any time). The Water Board will commence the two-cent additional requisition in fiscal year 2006 – 2007.
  - Hire staff as needed to administer the water conservation initiatives program and act as administrative support to the Water Stewardship Council. Initially this will likely be one additional staff member.
  - The regional boards will review these practices after a five-year period.
3. Permit the addition of three non-voting members to the Water Board:
  - A representative of First Nations as designated by the Okanagan Nation Alliance;
  - A representative of water purveyors as designated by the Water Supply Association of B.C.; and,
  - A representative of the Water Stewardship Council.
4. Permit the Okanagan Basin Water Board to establish Terms of Reference for the Water Stewardship Council (Appendix 2) to be reviewed by the regional boards following a five-year term.

**APPENDIX 1 TERMS OF REFERENCE:****WATER CONSERVATION AND QUALITY INITIATIVE PROGRAM****1. Purpose**

The Water Board recognizes the importance of fostering and enabling on the ground water quality and conservation improvements. In addition to delivering successful projects put forward by local government and other water purveyors, this program will build a collaborative approach to addressing water management issues and promote more uniform standards and best practices throughout the valley. Desired outcomes are sharing of knowledge of effective programs and developing innovative solutions.

Each community has its own goals for reducing consumption and ensuring and improving quality. The purpose of this Water Board grant program is to assist local government to address their own issues through programs of their own design which might otherwise lack funds to be implemented in a timely manner.

**2. Program Funding**

Up to \$300,000 per year is being provided by the Okanagan Basin Water Board for this assistance program.

There is a \$3000 minimum and a \$30,000 maximum for individual grants.

Total grant amounts available for each region will determined by the percentage share paid by that region in the annual Water Board requisition. Of the \$300,000 allocated, the 2005/06 funding eligibility by region would be:

Regional District of North Okanagan	\$57,300	(\$300,000 x 19.1%)
Regional District of Central Okanagan	\$174,900	(\$300,000 x 58.3%)
Regional District of Okanagan-Similkameen	\$67,800	(\$300,000 x 22.6%)

**3. Eligible applicants**

Eligible applicants are local governments and improvement districts recognized under the Local Government Act and Community Charter that are water suppliers.

The OBWB will inform eligible applicants about the program through the following measures:

- Develop an Application Guide
- Set up an OBWB website and include information about the program (including the application guide) on the website
- Deliver a series of short workshops to explain the program at various locations in the Okanagan;
- Hold informational meetings via teleconference for those unable to attend a workshop; and,
- Make presentations to Regional Boards.

**Project criteria**

Projects are of local government or improvement districts design and should demonstrate water savings or improvements to water quality.

Priority will be given to projects that have a measurable outcome and that demonstrate the goals have been met, have a local funding component in place or applied for, or demonstrate a collaborative approach with other jurisdictions.

Multi year programs are eligible for grants but will be re-submitted annually. Such programs are not ensured of continuing funding but will be assessed as part of the current applications.

Examples of the type of project that will be considered are as follows: (but are not limited to)

- Installation of metering and water saving devices
- Xeriscape (rebates or subsidies for lawn removal or using xeriscape alternatives)
- Stream monitoring and hydrological data gathering
- Monitoring of actual vs. licensed withdrawals
- Leak detection work
- Improvements to storm water treatment and disposal
- Amalgamation of water suppliers' data on current supply and demand and projections for future including projected capital costs.
- New educational programs directed at water conservation or quality improvement
- Projects consistent with needs assessment that will identify the amount of water now used, measures to save water, and projections of future demand
- Assessment of risks to water sources

## 5. Application Process

A grant Application Form consistent with the successful model developed by the Ministry of Community, Aboriginal, and Women's Services (for grants under the West Nile Virus program) and Land and Water B.C. (for grants under the Drought Planning Assistance program) will be developed. It will be available from the Okanagan Basin Water Board office, and will also be available for downloading from the OBWB website.

This form will require applicants to outline the nature of the proposed project, and to specify the goals, desired outcomes, performance measures, deliverables, budget, and schedule for the project.

The application form will be available from:

- 1.) the OBWB office:

Greg Armour, Program Manager  
Okanagan Basin Water Board  
9848 Aberdeen Road  
Coldstream, B.C.  
V1B 2K9  
Phone (250) 550-3773  
Email: greg.armour@nord.ca

- (2) the OBWB website:  
[www.nord.ca](http://www.nord.ca)

Applications should be prepared and submitted to Greg Armour, Program Manager

## **6. Application Deadlines**

Applications for 2005/06 funding may be submitted up to September 1, 2005 (this may change in subsequent years). Funding decisions will be made after this time. Funds in each fiscal year will be committed to applicants in each Regional District up to the annual maximum for each Regional District. If all of the funds available to a Regional District are not allocated, the unallocated portion will be made available to the other regional districts.

## **7. Ineligible Program Costs**

Despite the broad scope of the water conservation and quality initiative program, there are several types of projects that the Water Board does not intend to support:

- Previously undertaken work;
- Compliance and enforcement of bylaws;
- Ongoing operational expenses;
- Capital projects that are growth driven and should be funded through DCCs; and,
- Work for private utilities.

## **8. Payment Process**

**A payment process similar that adopted in the successful delivery models developed by MCAWS and LWBC will be developed. The principles are:**

- 25% payment at the mid-point of the project after submission of a progress report on a template to be developed by the Water Board; and,
- 75% at completion, after submission of a completion report that demonstrates how each of the goals has been achieved (the template for the completion report (consistent with similar template used by MCAWS and LWBC) will be developed by the Water Board).

In addition, a program of random audits of completed projects will be undertaken each year to check up to 10% of the projects for compliance with program objectives and their approved application.



**APPENDIX 2 TERMS OF REFERENCE:****WATER STEWARDSHIP COUNCIL (WSC)**

An advisory council to be referred to as the Water Stewardship Council (WSC) will be established to lend technical expertise on water management issues to the Water Board. The proposed council is consistent with the original Liaison Committee referred to in the SLPs which "consists of persons appointed by such Municipalities, Regional Districts, Improvement Districts and Government Agencies as the Water Board may determine, to advise on such matters, as may from time to time be referred to it by the Water Board."

The WSC will be a consensus-based board that will bring together government, private sector and non-government partners to identify basin-wide water issues and recommend workable solutions to water management challenges that the Water Board could address within its mandate. The goal of the WSC will be to use its collective expertise to tackle big issues, overcome conflict, find common ground, make informed and responsible recommendations, generate long-term solutions to complex issues and take advantage of opportunities to enhance sustainability "on the ground."

The Water Stewardship Council (WSC) will consist of representatives of major water stakeholders in the valley and senior government as determined by the Water Board.

The Water Board recommends that the initial membership of the Stewardship Council be one member from each of the following organizations:

- Land-use planning departments of the three regional districts
- Land and Water B.C. Inc.
- Ministry of Water, Land, and Air Protection - Fisheries
- Ministry of Water, Land, and Air Protection - Groundwater
- Ministry of Sustainable Resource Management – water planning
- Ministry of Agriculture, Fisheries, and Food
- Environment Canada
- Agriculture and Agri-Foods Canada
- The Water Supply Association of B.C.
- The B.C. Fruit Growers Authority
- The B.C. Agriculture Council
- Interior Health Authority
- Department of Fisheries and Oceans
- Each of the four Okanagan Bands (Penticton, Westbank, Okanagan, Osoyoos)
- UBC Okanagan

A representative of Okanagan-based Non Governmental Organizations Stakeholders offered membership by the OBWB will appoint a single representative unless otherwise agreed to by the Water Board.

The WSC membership may be altered at any time with the agreement of the Water Board

The WSC members will elect a Chair and Vice Chair

The WSC Chair or designate will be a non-voting member of the Okanagan Basin Water Board.

The WSC will meet on a regular basis (quarterly) with additional sessions at the call of the Chair

The WSC members excepting senior government representatives will be reimbursed for travel expenses and receive a stipend of \$100 per meeting.