

From: Rod Bealing [mailto:rod.bealing@pfla.bc.ca]
Sent: Monday, March 14, 2011 10:42 PM
To: Living Water Smart ENV:EX
Cc: rod.bealing@pfla.bc.ca; 'Private Forest Landowners Assoc.'
Subject: Proposed Water Sustainability Act

To whom it may concern,

Please find the PFLA's initial written response to the request for feedback regarding the proposed Water Sustainability Act.

Hard copies to follow.

Please do not hesitate to contact me if you have any questions or comments.

Regards,

Rod

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Working Together to Promote the Responsible Stewardship of BC's Private Forest Lands

Private Forest Landowners Association
PO Box 48092 RPO Town & Country
Victoria BC V8Z 7H5

March 14, 2011

Proposed Water Sustainability Act
Ministry of Environment - Water Stewardship Division
PO Box 9362 Stn Prov Govt
Victoria BC V8W 9M2

Via Email: livingwatersmart@gov.bc.ca

Re: Proposed Water Sustainability Act

BC's private forest lands generate approximately 10% of BC's annual timber harvest from just 2% of the provincial land base. Unlike Crown land operators, private Managed Forest (MF) owners invest in land and improvements necessary for growing and harvesting timber crops.

The Private Forest Landowners Association www.pfla.bc.ca (PFLA) was formed in 1995 to promote responsible stewardship of private forest land and represent BC's private MF owners. PFLA is proud of a long and successful track record working with all levels of government to protect key public environmental values on private MF lands and balance environment, community and economic interests.

PFLA supports government's policy goal of protecting water quality. Regarding the proposed Water Sustainability Act, PFLA is supportive of the generally applicable technical questions raised in the submissions provided by the Coast Forest Products Association. In addition, PFLA seeks assurances from government regarding potential impacts from policy change, and PFLA seeks opportunities for meaningful dialogue with the ministry to continue pursuing the shared goal of water quality protection.

Historically, the Ministry of Environment has played a key role in the development of the Private Managed Forest Land Act and related regulations, and with other statutes, regulations and policies affecting the ownership and management of private MF lands. PFLA appreciates the efforts that have been made to distinguish between Crown and public land in BC, and in particular the efforts made to recognise private property rights and the investment made by private landowners in managing land and growing timber crops.

PFLA is concerned however, that the approach taken thus far to guide the development of the proposed Water Sustainability Act may have not fully taken into account, or appropriately

weighed the multiple layers of protection to streams and water quality already provided by existing federal and provincial acts and regulations.

In particular, PFLA is concerned regarding the potential for additional new regulatory provisions related to *Stream Protection* to duplicate and/or collide with the current effective regulatory regime under the *Private Managed Forest Land Act* and the *Federal Fisheries Act*. PFLA is concerned that such potential changes could amount to a significant change in provincial government policy that could adversely impact the value of private MF properties, and add unnecessary cost and complexity to the management of such lands.

PFLA seeks assurances from the Minister that full consideration will be given to the merit and effectiveness of existing regulatory, best practices and additional voluntary measures that are contributing to protecting water quality on BC's private MF lands.

It is our expectation that any policy changes that result in a direct or indirect restriction of forest management activities or the value of private MF lands will be fully compensated by government. The alternative course of action whereby the province might willingly undertake policy change impacting private property rights and private investment without compensation would send a disturbing signal to investors everywhere that BC is not a safe place to invest in.

PFLA seeks an opportunity to meet with the Minister to obtain assurances that recognition for private property rights and distinction between private lands and Crown lands will be maintained, and any future regulatory takings will be fully compensated.

PFLA also looks forward to meeting with representatives from the ministry at your earliest convenience for discussions at the technical level, to share more information about how water quality is protected on private MF lands, and to learn more about the direction the ministry intends to take with the proposed new legislation.

We look forward to hearing from you.

Yours sincerely,

ORIGINAL SIGNED

Rod Bealing

Executive Director

cc:

Hon. Terry Lake, Minister of Environment.

Hon. Steve Thompson, Minister of Forests, Lands and Natural Resource Operations.

Hon. Don McRae, Minister of Agriculture.

Trevor Swan, Chair, Private Managed Forest Land Council.