

**From:** Murray Wilson [Murray.Wilson@tolko.com]  
**Sent:** April-30-10 8:36 AM  
**To:** Living Water Smart ENV:EX  
**Subject:** Tolko Industry Comments on Water Act Modernization  
**Attachments:** Tolko Water Act Modernization comments 2010.pdf

Please find attached Tolko Industry comments on Water Act Modernization

Regards

**Murray Wilson, RPF**  
**Woodlands Manager - Okanagan Forestry**  
**Tolko Industries Ltd**

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**OKANAGAN REGIONAL WOODLANDS**  
**Lumby Office**

April 23, 2010

Water Act Modernization  
Ministry of Environment  
Water Stewardship Division  
PO Box 9362  
Stn Prov Govt  
Victoria, B.C. V8W 9M2

Dear Sir/Madam:

**Re: Water Act Modernization Comments**

Tolko Industries Ltd. appreciates the opportunity to provide comments on the discussion paper on Water Act Modernization. We would like to offer the following comments:

1. **Goal number 1- Protect Stream health and aquatic environments.** Forestry operations are currently covered under a variety of legislation including the Forest and Range Practices Act and the Riparian Areas regulations. We support the continued coverage of Forest Operations under this regulatory and approval area. For further background, we have included a description of some of the planning processes we currently undertake:
  - The Forest Planning and Practices Regulation (FPPR) sets out the practice requirements and management objectives for forest activities in and adjacent to streams, wetlands and lakes. Our Forest Stewardship Plan (FSP) utilizes many of these practices requirements as our Riparian Results and Strategies including minimum requirements for riparian reserve and management zones and prohibitions from specific forest practices in these zones.
  - Lakeshore Management Zones (LMZ's) are buffered with varying levels of retention within 210 metre LMZ's depending upon lake classifications as set out in our FSP. These LMZ retention areas serve a number of important purposes including the protection of water quality through buffering effects on any potential sediment delivery, livestock or human waste or motorized recreation related impacts especially in cases when these lakes are used as water storage areas within a Community Watershed.
  - Our FSP has a Result and Strategy, as per the Land Use Planning Order Objectives (Okanagan Shuswap LRMP legal objectives) for Enhanced Riparian Reserves. This means that we are placing additional riparian based retention on certain qualifying streams as set out in the FSP.
  - The FPPR sets out the practice requirements and objectives for management within Community Watersheds (CWS) and our FSP contains Results and Strategies to address the FPPR objectives and practice requirements regarding any cumulative hydrologic effects or impacts to water quality and timing of stream flows.
  - We employ professionals to conduct Hydrologic Assessments of each CWS that we operate in. Our operations must be consistent with the recommendations of these assessments. Recommendations are focused on minimizing or mitigating any impacts from harvesting or road building.
  - Under our CSA Certification we conduct Water Quality Effectiveness Evaluations on all new or reconstructed permanent road stream crossings within CWS's. These evaluations determine effectiveness of the stream crossing to maintain water quality. Any crossings found, through the evaluation, to have a higher potential of causing sediment to enter the stream have mitigative measures taken to lower the potential therefore managing water quality proactively.

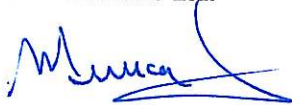
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- Outside of CWS's we also are bound by the FPPR practice requirement for the protection of water quality by ensuring that material that is harmful to human health (mainly sediment but also petroleum products) is not deposited into water diverted for human consumption (domestic water intakes down stream of any cutblocks and roads).
  - We manage that through our harvesting, road construction and deactivation techniques and through our Environmental Management System's SOP's for things such as riparian assessments, installation and deactivation of stream crossings and shut down procedures if any issues develop. We also have Emergency Preparedness Plans in case of a spill, landslide, soil erosion event or fires that are used for mitigating any impacts to water.
  - The FPPR sets out the practice requirements for limits on soil disturbance and permanent access structures (roads). Our FSP has adopted these practice requirements as our Results and Strategies used to minimize soils disturbance and road construction impacts to water quality. We risk rate our planned new roads at the time of development based on the resource values present (water is usually given the highest priority). In a number of instances we construct temporary roads with full rehabilitation or permanent roads with deactivation, following our activities, to manage for water quality.
  - Our temporary roads are inspected annually until rehabilitated and our permanent roads inspected on a frequency rated to risk.
  - We also participate with and are part of the technical team on a number of CWS Source Water Protection Plans working to improve water quality through collaborative planning and operations.
2. **Goal Number 2 - Improve Water Governance.** Tolko supports a centralized approach on water management decisions. We operate over a large area of the province. The consistency of regulations, planning and approvals for our operations is very important for our business certainty. A shared or delegated approach would increase uncertainty throughout our operations and, potentially, move away from a science based approach.
3. **Goal Number 3 – Introduce more flexibility and efficiency in the water allocation system.** Tolko has considerable investment in its nursery / seed orchard operations. Future planning, utilization and effective operation of the site are contingent upon maintaining access to sufficient water volume, as specified in our existing water rights. Any outcomes resulting in impeding or limiting this access could have risk detrimental consequences to our operation.

We appreciate the opportunity to review the proposed changes and thank you for your consideration of our comments.

Yours truly,  
Tolko Industries Ltd.



**Murray Wilson, RPF**  
Woodlands Manager- Forestry  
Okanagan Regional Woodlands