

We need to protect our groundwater

B.C. has no regulations to ensure wells won't damage neighbouring property or harm fish stocks

BY CRAIG ORR AND LINDA NOWLAN, SPECIAL TO THE SUN SEPTEMBER 18, 2010

Here in the Wild West it's always open season on groundwater. With today's system, the biggest pump prevails. Need more water? Fill your boots.

Better care and protection of underground sources of water are long overdue, especially with the looming issues of climate change and continued growth. Will that care and protection finally arrive with the province's pledge to modernize B.C.'s archaic Water Act (developed back in the 1890s to serve the interests of miners)?

The signs all point to an urgent need for reform. We need nothing less than a provincewide system of groundwater licensing and a modern Water Act.

As proof, consider what some are saying about groundwater.

From a well-driller in Langley: "Every year I drill the wells deeper and deeper, and I keep going back to some properties and digging even deeper." Local water levels have been declining for nearly 40 years. When well-drillers bemoan the lack of oversight, you know we have a problem.

From an aquatic biologist in Merritt: "It's like the Wild West around here, open season on groundwater. Each time a new well is drilled it's like we're playing Russian roulette. You just don't know which well will take out the cold groundwater that the coho rely on up here." Wild salmon in the Nicola River thrive or wither directly with the supply of cool groundwater. Too bad the Outdoor Recreation Council lists the Coldwater River as one of B.C.'s top 10 endangered rivers, due in part to excessive groundwater extraction.

Even industry is sounding alarms. The B.C. Ground Water Association, the voice of the industry, says development of groundwater has proceeded virtually unchecked and unmonitored over the past few decades. The BCGWA "strongly believes" that groundwater regulations are needed now.

Unlike all its neighbours, B.C. has no licensing requirements for groundwater. The contrast with surface water controls is striking. Want to drill a well? Go right ahead, no paperwork needed.

And should the well happen to be beside a thermally-challenged stream, no one can stop you.

When a new well is drilled, no one ensures it won't harm your neighbour, or damage fish or other aquatic creatures. No fee is charged to use groundwater, no licence is necessary, no well log need be maintained. Well owners aren't required to report their water use. Water bottlers need a business licence but are otherwise free to "drill, baby, drill" and cart off "excess" water to distant buyers.

Unless the well is used as drinking water and thus needs to comply with health laws, or is a very large municipal supply well requiring an environmental assessment, almost no controls exist. The province in 2004 belatedly passed a regulation requiring people who drill wells to obtain a licence to practise their trade (and setting new well construction standards), but only after seven people died from contaminated groundwater in Walkerton, Ont.

Provincial officials know there's a groundwater crisis looming in B.C.

The percentage of observation wells with declining water levels was 35 per cent from 2000-2005, compared with 14 per cent from 1995-2000. These declines were not due to natural variations in precipitation. That's alarming.

Back in 1999, the auditor-general of B.C. noted that the absence of groundwater management was resulting in increasing problems.

Watershed Watch Salmon Society is one group working to publicize the links between uncontrolled groundwater extraction and threats to salmon, and is encouraging government to adopt a more holistic and long-term vision of groundwater protection. But more voices are urgently needed.

A current regulatory reform proposal would have ministry of environment staff decide whether an area meets nine criteria to qualify as a priority area for groundwater controls. A simpler, saner approach would be a uniform licensing system for groundwater extraction across the province.

This would also avoid complaints or requests for action from those in areas not designated as priority areas for groundwater protection. For example, oil and gas development in the northeast corner of B.C. is affecting groundwater, yet this area is not proposed as a priority area for regulation.

A provincewide system would be relatively straightforward to administer, could be easily integrated with surface water licensing, and would honour principles for water law reform set out by the province.

It's time to end B.C.'s open season on groundwater.

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