

Mr. Mayor, Councillors and staff of the Municipality of North Cowichan

Request to change the zoning bylaws of the Municipality of North Cowichan to prohibit the bottling of groundwater for commercial sale or bulk export

My name is Bruce Gibbons, and I live at 2470 Sackville Road, in Merville. I am submitting this request to address council about the issue of protecting groundwater on Vancouver Island and all over British Columbia. In November of 2017, the Provincial Government approved a groundwater extraction licence for a resident of Merville to extract up to 10,000 liters of water per day from our Comox Valley aquifer, and bottle and sell that water. The licence was contingent on rezoning of his property, and the CVRD denied the rezoning on Aug 28, 2018. Therefore, the current licence does not allow the applicant to utilize his licence and bottle water on his property. However, his water extraction licence is still valid and he has publicly stated his intent to go ahead with the water bottling whatever way he can and to that end he has applied to the provincial government to amend his licence to allow him to truck the water from his well and bottle it at a site that allows water bottling. That is why I am campaigning to have Vancouver Island (AVICC) communities revise their bylaws to prevent this action from this or any other water licence holder. I follow up regularly with the FLNRORD Ministry regarding the status of the amendment application and I am told that his application is still under review.

I am the founder of a group called Merville Water Guardians. I formed the group to oppose the water licence, oppose the rezoning application and to achieve reforms to the Water Sustainability Act to protect the groundwater aquifers of BC. I filed an appeal against the water licence in March, but after a lengthy battle with the FLNRORD Ministry, the Environmental Appeal Board dismissed the appeal, stating that I did not have standing to appeal. There is a serious flaw in the Water Sustainability Act that denies appeal of a water licence unless the licence physically detrimentally affects your land, not your water, not your access to water. The Water Sustainability Act does not protect my water or my access to water. I find that appalling. I have been campaigning against the licence and for protection of our aquifer since March of last year. We have over 320 followers on our Facebook page, and in August we submitted 425 signatures on a petition presented to the Comox Valley Regional District (CVRD) Directors asking them to deny the rezoning and to prohibit water bottling in the CVRD. We have approximately 1,200 signatures to date on a petition to the BC Government asking them to stop approving licences to bottle and sell water from all aquifers in BC. That petition will be presented in the BC Legislature on March 27<sup>th</sup>. We have also posted that petition online in support of the paper petition, and it has approximately 1,340 signatures to date. Our supporters and followers in the Comox Valley are telling us that water, and the protection of our water was a big issue in the recent local elections and will be a huge issue in the next provincial election. I have most recently posted a video challenge and have sent that challenge to all the MLAs in the BC Legislature, challenging them to put party politics aside and come together to create the legislation

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to protect our groundwater and stop approving licences to bottle and sell the water from BC aquifers.

There are thousands of Comox Valley residents and farmers who rely on the Comox Valley aquifer for their only source of water. If that water supply is depleted then the thousands of residents and farmers of the Comox Valley will not be able to look after their personal needs for drinking water, sanitation, growing their backyard gardens or growing their crops and raising their livestock. That would put our food security at risk. Without water, farmers cannot produce our food, the local food that so many people desire and rely on. That applies to aquifers all over Vancouver Island and British Columbia. Approximately 22% of British Columbians rely on aquifers, groundwater, for their only source of water for their personal needs and for producing food. Without water, there is no life. We are facing population growth that will put more demand on the aquifers and we are already seeing the negative effects of climate change impact the quality and quantity of water in the summer drought period. We experienced level 4 drought all over Vancouver Island and in many other areas of BC this past summer. We have seen record dry months, record heat and every indication is that these changes are here to stay and will likely only get worse. Residents and farmers are being told to seriously conserve water. Yet we have provincial water licences for commercial profit that will allow extraction of water from the aquifers we all rely on despite the level 4 drought. There is not enough information known about our aquifers to risk bottling and selling any of the water. The licence approval in Merville relied on old data, and technical calculations but did not consider climate change that is producing extended periods of serious drought, putting rivers, streams, fish habitat and fish stocks at risk. It did not consider serious impacts from the receding glacier. We have been fighting to stop this licence but have been thwarted in our efforts. It is clear to me and my supporters that the Water Sustainability Act does not protect our groundwater and needs to be reviewed and revised. We are pushing the Ministry of Environment for revisions to the Act.

In the meantime, there is an existing, real threat to the groundwater of Vancouver Island. Our petition to the Comox Valley RD asked them to amend their bylaws to prohibit the bottling of water in the Regional District in order to help prevent the applicant from bottling off-site. There is indeed a bylaw revision in process that will prohibit water bottling in the CVRD. I made a presentation to the Village of Cumberland asking them to consider a bylaw to prohibit water bottling, and the Village has since changed their zoning bylaws to prohibit bottling of groundwater. On Dec 3<sup>rd</sup> I made a presentation to the City of Courtenay asking them to consider changing their bylaws to prohibit bottling of groundwater in their zoning bylaws. At the Jan. 7<sup>th</sup> meeting Council passed a motion to prohibit the bottling of groundwater and referred the motion to staff for a full report on options for implementing such a bylaw change. In September I contacted the Strathcona Regional District (SRD), since the Merville water licence holder had stated that he may approach them in an attempt to bottle his water in their region. The SRD took immediate steps to prevent the water bottling, and subsequently

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on Jan 24<sup>th</sup> the SRD passed a resolution to be presented to the AVICC and the UBCM asking the provincial government to cease approval of licences for bottling of groundwater for commercial sale or bulk export. I have contacted all AVICC member communities asking them to revise their bylaws to prohibit bottling of groundwater, and to support the SRD Resolution. To date there are 12 communities that do not permit water bottling, I have appeared as a delegation before 3 others, I have submitted presentations to numerous other communities and I am getting responses daily to my requests for action to protect our groundwater. I have also included an excerpt from the Sunshine Coast Regional District Policy Manual wherein they provide protection for groundwater.

I have 2 requests for the Municipality of North Cowichan.

- 1) that you consider taking the necessary steps to implement a bylaw that prohibits bottling of groundwater in any of your zoning, to help in the fight to protect our groundwater/aquifers for the use of our residents and farmers today and for our children and grandchildren and great grandchildren in the future.
- 2) I also ask that the Municipality of North Cowichan support the Strathcona Regional District resolution at the April AVICC convention, to ask the Provincial Government to cease the approval of licences for commercial extraction of groundwater resources for bottling or bulk water sales.

We cannot allow water bottling from our aquifers based on theory and calculations. The consequences of being wrong could be catastrophic. We will continue to do our part to fight the Provincial Government, who have jurisdiction over groundwater licencing, and to support the Strathcona resolution to curtail groundwater extraction for bottling or bulk sales. We would sincerely appreciate the support of the Municipality of North Cowichan in protecting the above ground uses of our groundwater by preventing anyone from bottling and selling water from any aquifer in BC. I implore you to talk to and work with the Strathcona Regional District to protect the aquifers of Vancouver Island. Water is our most precious resource. Water is life. We must do everything we can to protect and conserve it. Thank you for your time and your consideration.

Bruce Gibbons

Merville Water Guardians

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