

British Columbia News

Hullcar review proposes water protection measures

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Victoria - An independent review has recommended a series of improvements to the way the Province oversees agricultural waste management in order to protect drinking water in the Hullcar Valley.

Since 2014, the area has been under a water-quality advisory because of elevated nitrate levels, which can be harmful to human health. The Province ordered a review of the Hullcar Valley aquifer situation in summer 2017, led by Oliver Brandes, co-director of the POLIS project on ecological governance at the University of Victoria's Centre for Global Studies.

The final report lists nine sets of recommendations with the goals of improving the soil nitrate balance and restoring the aquifer to acceptable nitrate levels in the Hullcar Valley; and regulatory mechanisms to help prevent a similar situation from occurring in other drinking water aquifers in British Columbia.

"Our government's goal is to ensure agricultural practices are consistent with the provision and protection of clean, safe drinking water," said George Heyman, Minister of Environment and Climate Change Strategy. "The report shows the way forward with a set of clear, thoughtful actions based on the best available information. The government is listening and we have already begun to implement the report's recommendations."

The report's recommendations encompass a mix of activities including: area-based and water sustainability plans, independently verified monitoring and reporting of aquifer and soil nutrient status, incentives for beneficial management practices and innovative technology, and governance and regulatory updates.

The report also recommends, as a long-term reform, reviewing sustainable governance structures for water utilities in the area in partnership with the Splatstin people and the Township of Spallumcheen.

"Splatstin acknowledges Minister Heyman's commitment to the protection of safe drinking water," said Kukpi7 Wayne Christian of Splatstin. "The report outlines a number of recommendations that will lay the groundwork for a robust government-to-government process that will create solutions to the ongoing contamination of the Hullcar Valley aquifers. Splatstin looks forward to the implementation of the recommendations."

"We are very interested in responding to the report and in having the opportunity to suggest amendments to regulations," said Brian Upper of Steele Springs Waterworks District. "We are hopeful that this process will lead the government to help remediate the nitrate-contaminated aquifer and to finally proactively protect all of B.C.'s surface and groundwater for future generations."

The government today also released an intentions paper for amending the agricultural waste control regulation (AWCR). The amended regulation will address some of the most pressing concerns outlined in the Hullcar report that are specific to regulatory improvements. In addition, the ministry's existing tools under the Environmental Management Act, such as orders, will continue to address the immediate concerns. The other recommendations will be addressed in coming months.

"Clean water is critical for farmers and ranchers to provide healthy food for British Columbians," said BC Agricultural Council (BCAC) board chair Stan Vander Waal. "As stewards of the land, they also want to make sure water sources are protected. Government and farmers have already dedicated a great deal of effort into updating regulations to manage agriculture byproducts to protect the environment and BCAC looks forward to reviewing this latest report and additional recommendations."

Approximately 250 residents depend on the Hullcar Valley aquifer for their drinking water.

Two backgrounders follow.

Contacts

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Backgrounders

Hullcar Valley aquifer report

The report, titled *From Crisis to Solutions: Toward Better Source Water Protection and Nutrient Management in the Hullcar Valley*, proposes numerous actions under nine broad categories.

Some examples of the recommendations are:

- Responding with crisis intervention as needed
Actions include a targeted and temporary moratorium on liquid manure spreading in areas of concern, including providing a safety buffer in nutrient application (immediate) and a review of appeals of pollution abatement orders to inform the development of future orders (long term).
- Robust, independently verified monitoring and reporting
Actions include testing more wells and improving field investigations (short term) and providing a regular State of the Hullcar Aquifer public report (long term).
- Update the regulatory framework
Actions include ensuring First Nations are consulted and offered an opportunity to provide input (short term) and an improved agricultural waste control regulatory regime (long term).
- Develop better planning
Actions include developing an Area Based Management Plan (ABMP) under the Environmental Management Act (short term) and supporting the plan with appropriate legislation under local supervision (long term).
- Incentives for better practices
Actions include providing incentives for on-farm best practices (short term) and to assess the implications of septic and other sources of nitrates (long term).
- Deploy innovative technology
Actions include exploring the feasibility of a biogas facility in the Hullcar Valley (short term), and exploring ownership models that would support new technologies (long term).
- Increased accountability
Actions include creating a Hullcar water board that is co-chaired by the First Nation (short term) and to review sustainable governance structures for water utilities in the area (long term).
- Consider alternative drinking water sources
Actions include determining if an alternative water source is needed for local residents (short term) and rehabilitating the existing aquifer (long term).
- Apply lessons learned to other at-risk aquifers
Actions include support for alternative manure processing (short term) and establish a provincial state-of-the-water report for all drinking water sources (long term).

Learn More:

The report and supporting documents can be found on the ministry's website:

<http://www2.gov.bc.ca/gov/content/environment/air-land-water/site-permitting-compliance/hullcar-aquifer>

Agricultural waste control regulation intentions paper

The government has released an intentions paper seeking public comment on proposed amendments to the agricultural waste control regulation that:

- Will apply to all agricultural operations throughout the province, including hobby and commercial operations.
- Will provide outcome-based requirements to protect the environment and prevent pollution. The proposed requirements:
 - Address the concept of a “temporary moratorium” (as recommended in the Hullcar report) by giving the statutory decision maker the discretion to prohibit land applications in high precipitation areas, including over vulnerable aquifers for a high-risk period.
Address the concern regarding intensive livestock operations by limiting the amount of nutrients applied to crops, which should leave no excess nutrients to leach into the aquifer.
- Will include a new requirement to enable a director, on a case-by-case basis and using available evidence, to restrict land applications over vulnerable aquifers for a certain time period or until soil testing and water quality monitoring indicate improvement.
- Will clarify the scope, intent, and enforceability of regulations. Specifically, high-risk areas and conditions (for instance, vulnerable aquifers like that found in the Hullcar Valley) will be defined.
- Will contain provisions for the safe transport and storage of agricultural waste products.
- Will require agricultural operators to follow protective measures, such as minimum setbacks, for activities with potential for emissions, leachate, or contaminated runoff to negatively affect the environment.
- Will contain requirements for nutrient application (nitrogen and phosphorus) that minimize and eliminate the risk of runoff, leaching, and accumulation.
- Propose soil nutrient residual levels be used as an environmental risk indicator.
- Propose soil nutrient threshold levels that would trigger the need for a nutrient management plan to mitigate potential risks.
- Outline additional criteria for triggering the requirement for a nutrient management plan, these potentially include:
 - Proximity to high-risk locations like vulnerable aquifers or phosphorus sensitive areas,
 - Number of animal units,
 - Size of agricultural land base.
- Require, as part of nutrient management planning, new provisions for monitoring irrigation on fields over vulnerable aquifers to ensure that excess watering does not lead to leaching of nutrients into the aquifer.
- Contain new requirements for managing mortalities in livestock and small slaughter operations.
- Provide for accurate and timely record keeping of nutrient management activities.
- Provide for corrective measures via advisories, warnings or orders.

The Ministry of Environment and Climate Change Strategy aims to set regulatory requirements that are clear, practical, achievable, and enforceable to encourage the support and compliance of agricultural producers. The ministry anticipates completion of the regulatory review process and changes to the regulation by spring 2018. As part of the consultative process, comments on the intentions paper are welcomed.

Learn More:

The intentions paper can be found at: <https://www2.gov.bc.ca/gov/content/environment/waste-management/industrial-waste/agriculture>