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Duncan residents feel less safe than 5 years ago says survey

BY ROBERT BARRON

According to the latest Duncan Citizen Survey, 73 per cent of respondents indicated that they feel the city is less safe than five years ago.

The survey, conducted in May by the independent consulting firm Discovery Research through a comprehensive mail survey with almost 400 residents of Duncan who responded, also found that 66 per cent of those surveyed indicated that crime, safety, homelessness and drugs were the most important issues facing the city.

The citizen satisfaction survey is intended to gauge resident satisfaction and priorities.

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Katy Ehrlich, who owns Duncan's Alderlea Farm along with her husband John, fears for the future of the farm because they don't have a groundwater licence. (Robert Barron/Citizen)

Farmers worrying about future due to lack of water licences

BY ROBERT BARRON

Katy and John Ehrlich, owners of Duncan's Alderlea Farm, were shocked when the province informed them in July that they could no longer have access to the groundwater that is vital to their farm.

The Ehrlichs have operated the award-winning 13-acre Alderlea Farm, which specializes in organically grown mixed vegetables for local consumption and only irrigates one-quarter acre per season, for more than 20 years and have never had issues with their water consumption before.

With water levels in the Koksilah River watershed so low this summer, the province began sending conservation officers to commercial

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Farmers applied for water licence, but application lost

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operations, including farms, that don't have a groundwater licence in that area to tell them they have to shut off their water.

In 1996, the government passed a law, called the B.C. Water Sustainability Act, requiring licences for farms and industries to tap into groundwater.

The regulation of naturally occurring groundwater is designed to protect aquifers and streams, as well as businesses and livelihoods that depend on reliable access to water.

The province has been encouraging farmers and other commercial users of groundwater in B.C. to apply for a groundwater licence for more than six years, and warned that those who didn't apply for a water licence by the deadline of March 1, 2022, will lose recognition of their use of wells and dugouts.

But Katy said the government didn't provide a lot of information on the initiative and they only heard about it recently, and when they were fully informed last year, they immediately mailed in an application for a water licence.

"We thought we'd be fine, but then found out the Ministry of Forests [which is responsible for the sustainable management of water, among other responsibilities] had no record of our application for a groundwater licence," she said.

"At the end of June, two conservation officers visited the farm when it was just my son here and asked questions about the water we're using, and they said we should have no problems continuing operations so we just kept on going."

But then in July, while the couple were on a vacation in Alaska, they found out an order was delivered to the farm stating they could no longer access groundwater.

"We were shocked and fearful, but my son ordered a cistern [a large holding tank of water that is filled periodically by a water-supply company or by rainfall] to ensure we are in

compliance with the rules, but it takes a lot of water to water crops," Katy said.

Katy said they reapplied for a licence, but the only avenue open to them to regain access to groundwater at the time was to appeal the order for them to stop using groundwater, and then discovered they could apply for a "stay" on the order until their appeal was heard, and that application has been successful.

She said the whole ordeal has been overwhelming for her and John, and they are still facing the possibility of having to shut down the farm, which contributes to food security in the Cowichan Valley, if their appeal is unsuccessful and they are not able to attain a groundwater licence.

Katy also said the reason the order to stop using groundwater was issued to her farm is because the Koksilah watershed is extremely low this summer, but she and John hired a hydrologist to study the Ministry of Forests' maps for the area, and the hydrologist concluded that their farm is actually drawing groundwater from the Cowichan River watershed.

"We told the ministry that, but they insisted it's in the Koksilah watershed," she said.

"Other farmers have told us that the MOF is backed up a minimum of two years in processing the existing groundwater applications that are in the system. We know that the government's intention is not to create a disaster for farmers, but that is what is happening. Government bureaucracy is threatening our food security."

A statement from the Ministry of Forests said it cannot comment on this specific case at this time, as the order for Alderlea Farm to stop using groundwater has been appealed and is currently in front of the environmental appeals board.

But the Ministry said that since 2016, it has been encouraging people to register for their groundwater licenses, and reminding residential and commercial users throughout the province

to help protect aquifers and streams for those who depend on reliable access to water for their livelihoods.

"We are serious about the need to protect these resources, especially in times of drought and water scarcity," the Ministry said.

"For many years, suspected ground and surface water users have received notices, letters and even calls asking them to apply for a water licence. For example, 180,000 flyers, 50,000 letters and 67,000 brochures have been sent to water users by mail, and direct-calling campaigns have reached out to businesses and individuals with suspected groundwater use."

The Ministry also said numerous articles on the issue have appeared in the media and other publications over the years.

"Unauthorized users are subject to phased enforcement actions," the statement said.

"Phased enforcement generally starts with a warning letter prior to regulatory and enforcement action. We are asking individuals without a water licence to submit a water-licence application. All water licence applications are submitted online through FrontCounter BC. For more information, visit <https://portal.nrs.gov.bc.ca/web/client/home>."

But Sonia Furstenau, MLA for the Cowichan Valley, said the fact that only 40 per cent of the province's commercial groundwater users applied for a licence by the deadline in March, 2022, indicates that the government did not do all that was needed to encourage groundwater users to apply for water licences.

She said she has been bringing the issue up in the legislature since 2019, and the Liberal

opposition and her were so concerned that just 25 per cent of water users had applied for a licence as the deadline approached that they suggested to the Ministry of Forests that they work with the government to provide outreach to those required to apply for a licence to inform them directly of the implications of not getting one.

"They would not work with us and the deadline came and went and now here we are a year and a half late with conservation officers showing up and telling people they can't use their groundwater as the drought continues," Furstenau said.

"We need the government and the ministry to just not put out notices, but to make this into a collective mission. We need a ground-up effort to explain to people the reason why they need water licences. The licences give us data on water usage and the condition of the aquifers so that decisions on water use can be made together. We're all in this together and just sending out notices and making statements on social media is clearly not working."

Alison Nicholson, the Cowichan Valley Regional District director for Cowichan Station/Sahtlam/Glenora where Alderlea Farm is situated, said it's "extremely regrettable" that Alderlea Farm was caught up in the province's recent efforts to regulate water use, but it's a provincial matter and the CVRD is limited in its response.

"John and Katy are amazing farmers who exemplify the kind of farming practices we need more of," she said.

"I am hopeful it can be resolved because the community needs them."

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