

A Coast Reporter article August 12, 2005

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Hotel Lake water licences on hold

The provincial Environmental Appeal Board has stalled the Sunshine Coast Regional District's (SCRD) acquisition of Hotel Lake water licences totalling over 11 million gallons per year.

Aug 12, 2005 1:00 AM By: Nancy Moote

The provincial Environmental Appeal Board has stalled the Sunshine Coast Regional District's (SCRD) acquisition of Hotel Lake water licences totalling over 11 million gallons per year.

In its Aug. 8 decision, the appeal board ruled the SCRD needs to do more studies, specifically a master water plan for the Pender Harbour area, a water balance study for Hotel Lake and studies to determine the minimum acceptable water level for Hotel Lake. The water balance study is already underway.

Joe Harrison, president of Area A Quality Water Association (AAQWA), said a master water plan for the area is long overdue.

"We have a system that's leaking, doesn't function very well and doesn't have adequate treatment," he said.

Already the SCRD is over-drawing its existing Hotel Lake water licence. The situation is complicated by the fact there are three separate water systems in Pender as well as many small water licence holders, and they don't always cooperate.

John Rees, the SCRD director for Area A, agreed the master plan and other studies are essential but said he is disappointed local taxpayers, rather than the province, likely will have to bear the cost of the studies.

"It's surprising to me the onus is on municipal and regional districts to provide fish habitat protection," he said.

This is the second time AAQWA has successfully intervened in the SCRD's plans to draw more water from Hotel Lake. In 2003, the SCRD's application for a new water licence was put on hold after AAQWA raised concerns that it might suck Hotel Lake dry and endanger fish.

In a controversial deal in 2004, the developer of the posh Daniel Point subdivision arranged the transfer of two old water licences to the SCRD. The Garden Bay Waterworks District had held the two licences, dating from 1946 and 1972, as backup supplies. Two Hotel Lake residents representing AAQWA appealed that transfer, and the Sierra Legal Defense Fund provided lawyers for the Environmental Appeal Board hearing held last January. The appeal board's decision this week puts the matter back in the hands of Alec Drysdale, the regional water manager for the Ministry of Environment, with the direction that, until the studies are complete, Drysdale should "limit the amount of water to be withdrawn from Hotel Lake, under the licences, to the reasonable current and immediately foreseeable É water needs of the Regional District."

The two sides in the dispute have different interpretations of what "reasonable" water needs are. A Sierra Legal Defence Fund press release described the decision as "denying water rights that would have supplied a luxury home development."

"The decision allows the continued use of a small fraction of the transferred rights so the regional district does not have to cut off water supplies to local residents," said the press release.

But Steve Lee, the SCRD's infrastructure services manager, said the decision would not prevent the use of Hotel Lake water for new developments at Daniel Point and Irvine's Landing.

"In the meantime, we are permitted to extract whatever reasonable amount of water we need to support the community and support growth in the interim," said Lee. "There are no legal grounds to deny development."

All parties agreed that in the long term, the Pender Harbour area would need to develop new water sources. Harrison said Sakinaw Lake, which is by far the largest in the region, could provide first-class water with the least environmental impact. Lee said Garden Bay Lake was the most probable alternative source.

Underground water sources are another possibility, but the quantity is uncertain and arsenic contamination of groundwater is a problem in the Pender Harbour region.