

## Les Leyne: 15,000 water wells could be declared illegal in 2022, causing economic chaos

[Les Leyne](#) / Times Colonist

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There was a pivotal moment in B.C.'s resource management history about five years ago when the Water Sustainability Act was passed.

It brought the management of groundwater into the modern era, to congratulations all around. It set up a regime to regulate, protect and use it fairly. The "once in a generation" bill was going to transform groundwater policy.

The only problem was that scarcely anyone paid any attention to it. Particularly the thousands of individuals, farmers, businesses and entities in rural B.C. who use well water for anything other than domestic purposes, and have been doing so for years.

That collective indifference and the government's slow acknowledgment of it is about to hit a lot harder than the new law ever did.

It has the potential to create disruption across rural B.C. starting March 1, 2022, when about 15,000 well owners discover their wells are now illegal and could be subject to shut down.

People have been issuing warnings about this for several years, but a legislature committee heard first-hand last week about how bad it could get.

Ted van der Gulik is a retired engineer who spent his career with the province in water management and is now with the non-profit Partnership for Water Sustainability.

The MLAs were looking for ideas for next year's budget and he gave them one: Spend \$300 million over the next decade to avert chaos arising from the "less than successful" launch of groundwater licensing.

That law required new non-domestic wells (those for anything other than personal use) to obtain a water licence. That includes ones drilled by farmers, ranchers, small businesses and others in rural areas away from water systems.

Users of historical wells going back decades prior to 2016 were given a 2019 deadline to apply, which was later extended to 2022.

But five months away from it, less than a quarter of the 20,000 users have applied. And many of those who did are waiting years to have applications processed.

Van der Gulik said dozens of civil servants were initially hired to run the new regime. But applications were so scant there wasn't enough work, so they were moved to other jobs.

He said there are no indications that the deadline will be extended again, so all users who haven't applied for licences could see their wells become illegal.

"The social, economic and political costs of being forced to shut down businesses of 15,000 current groundwater users ... are too severe to contemplate," he told MLAs.

And the government's headaches will be far greater than may be anticipated, he said.

Hundreds of wells have been drilled since 2016 and others have been turned down for lack of water. If all the established users are invalid, newer ones could apply for a licence and jump the queue.

Historical users could have grandfathered in if they applied, but licences since 2016 require some expensive assessments.

Van der Gulik blamed the reluctance on innate suspicion in rural communities of “big government” and “tax grabs.”

The complexity of the problem is overwhelming. He said in one case an applicant wanted to drill into an aquifer which has 272 other wells. But only two of them are licensed. Come March, the government could have no choice but to issue the licence and force those who didn't apply to stop using water.

He urged the committee to recommend the money to help sort out that and many other problems that will be emerging.

“Government will have no credibility with those who have done the right thing ... if nothing is done about those who flaunt the legislation.”

He was speaking to MLAs who watched along with everyone else a summer of raging wildfires, plunging salmon counts, extended droughts and a suffocating heat dome. Most of the blights were blamed to some extent on climate change.

So he closed with this thought: “climate change is about water.”

Over the long term, it's all going to come down to water; too much in the winter, not enough in the summer.

Van der Gulik said there are no climate-change scenarios predicting more water in B.C. summers.

So he said part of the funding should go more aquifer research. Pulling water management out the hodge-podge Ministry of Forests, Lands and Natural Resource Operations and creating a designated “water champion” would also be welcomed, he said.

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