



Ministry of  
Environment and  
Climate Change Strategy

# Hullcar Aquifer Roles and Responsibilities (Governance)

---

20 September 2017

**Prepared for:**

**POLIS Project on Ecological Governance  
Centre for Global Studies  
University of Victoria**

**Prepared by:**

**British Columbia Ministry of Environment and Climate Change Strategy  
Strategic Policy Branch**

This document provides an overview of the governing bodies engaged in and responding to the Hullcar Aquifer issue. For each agency, their purpose, authorities and role is briefly summarized. Provincial agencies are listed first, followed by First Nations organizations, federal government agencies, local/regional agencies, and then other organizations.

For a quick link to each, see the list below:

[Ministry of Environment and Climate Change Strategy](#) (ENV)

[Ministry of Agriculture](#) (AGRI)

[Ministry of Forests, Lands, Natural Resource Operations and Rural Development](#) (FLNR)

[Ministry of Health](#) (HLTH)

[Interior Health Authority](#) (IHA)

[Inter-Agency Working Group](#) (IAWG) (provincial government)

[Office of the Information and Privacy Commissioner](#) (OIPC)

[Environmental Appeal Board](#) (EAB)

[Ministry of Municipal Affairs and Housing](#) (MAH)

[Splatsin](#)

[First Nations Health Authority](#) (FNHA)

[Health Canada](#)

[Indigenous and Northern Affairs Canada](#) (INAC)

[Steele Springs Waterworks District](#) (SSWD)

[Township of Spallumcheen](#)

[Okanagan Basin Water Board](#) (OBWB)

[Regional District of the North Okanagan](#) (RDNO)

[Agricultural Land Commission](#) (ALC)

General note for provincial agency staff: Government staff making statutory decisions adhere to the principles of administrative fairness: they cannot be fettered in the exercise of their statutory powers, and must make decisions independently, free from undue influence of any party within or external to the Ministry. Consequently, a statutory decision-maker's duty to exercise their legislative authority can be informed by policy, but must not be fettered by ministry policy in making a decision.

Generally, statutory decision makers (SDMs) respond to requests for discharges (e.g. a permit), requests for various regulated activities, and play a role in situations where there is potential risk to human health, public safety or the environment.

Governing Body	Purpose, Legislation/Authority, Roles/Responsibilities
<b>Provincial Agencies</b>	
<b>Ministry of Environment and Climate Change Strategy (ENV)</b>	<p><b><u>Purpose:</u></b>                      ENV is responsible for the effective protection, management and conservation of B.C.’s water, land, air and living resources. Ministry legislation, regulation, and public outreach activities provide a safe and healthy environment for British Columbians. ENV monitors and enforces compliance with environmental laws and regulations.</p> <p><b><u>Legislation/Authorities that apply to the Hullcar situation:</u></b>                      The <i>Environmental Management Act (EMA)</i> regulates discharges to water, land and air, pollution, air quality, hazardous waste and contaminated site remediation. <i>EMA</i> provides authority to mitigate and to order actions in response environmental impacts, and environmental emergencies.</p> <p><b><u>Staff Roles and Responsibilities:</u></b>                      Under <i>EMA</i>, <b>statutory decision makers</b> respond to authorization requests, as well as amend, suspend, or cancel authorizations, and issue orders. Orders are legal written instruments and include Information Orders, Pollution Prevention Orders and Pollution Abatement Orders. They require parties to take measures to protect the environment and prevent pollution.  <b>Environmental Protection Officers</b> undertake inspections (planned or reactive) to verify that authorizations (permits) are carried out in compliance with the legislation and regulations. They refer files and incidents to Conservation Officers for investigation where appropriate.                      The <b>Conservation Officer Service</b> is responsible for enforcing a variety of provincial and federal legislation, including but not limited to the <i>Environmental Management Act</i> and the <i>Water Sustainability Act</i>. For example, they undertake investigations which may result in charges being recommended to the Crown. Internal ministry policy directs program staff on processes and procedures for engaging conservation officers.  <b>Environmental Impact Assessment biologists</b> oversee water quality monitoring in various watersheds across the Province and provide advice on the protection of aquatic ecosystems from contaminants.  <b>The Water Protection and Sustainability Branch</b> is the lead group for the development of water-related legislation, regulation and policy, in particular under the <i>Water Sustainability Act</i>. ENV and FLNR work collaboratively to ensure effective delivery of related activities under <i>WSA</i>. Further, staff in the <b>Watershed Science section</b> develop water quality objectives and guidelines for use in permitting under <i>EMA</i>.  <b>Environmental Standards Branch</b> staff are involved in the review and reform for the <i>Agricultural Waste Control Regulation</i>, including extensive public, First Nations, and stakeholder consultation about proposed changes.</p>

Governing Body	Purpose, Legislation/Authority, Roles/Responsibilities
<p style="writing-mode: vertical-rl; transform: rotate(180deg);"><u>Ministry of Agriculture (AGRI)</u></p>	<p><b><u>Purpose:</u></b>                      The Ministry of Agriculture is responsible for the production, marketing, processing and merchandising of agricultural and seafood products, carrying out advisory, research, promotional, sustainability and adaptation, food safety or plant and animal health programs, projects or undertakings relating to agriculture and seafood, and collecting information and the preparation and dissemination of statistics relating to agriculture and seafood.</p>
	<p><b><u>Legislation/Authorities that apply to the Hullcar situation:</u></b>                      AGRI does not have legislative authorities that apply to the Hullcar Aquifer; however, AGRI does administer the <a href="#"><i>Farm Practices Protection (Right to Farm) Act (FPPA)</i></a>. The <i>FPPA</i> provides protection for farmers from individual and local government nuisance bylaws when they are following normal farm practices and if the farm operation is not being conducted in contravention of the <i>Public Health Act</i>, the <i>Integrated Pest Management Act</i>, the <i>Environmental Management Act</i> and any regulations under those Acts, including the <i>Agricultural Waste Control Regulation</i>. Additional resources are provided to the agriculture sector through the Environmental Farm Plan Program, Nutrient Management Plans, on-line tools, factsheets and technical advice from Ministry staff.</p>
	<p><b><u>Staff Roles and Responsibilities:</u></b>  <b>AGRI</b> Co-Chairs the IAWG, provides the agriculture sector support through: Regional Agrologists; Technical Specialists; Industry Specialist; and Land Use Planners. AGRI also provides educational resources (fact-sheets, reference guides, on-line tools and planning documents), provides technical advice, conducts research and indicator monitoring and offers cost-share programs to assist producers to implement Beneficial Management Practices, Nutrient Management Plans, and participate in the Environmental Farm Program.  <b>Regional Agrologists</b> assist with the technical requirements of the nutrient management plans required by the <i>EMA</i> orders issued to agricultural operators in the Hullcar Valley.  <b>Technical Specialists</b> in manure management and application assist in determining manure generation, holding capacities and application rates.  <b>Industry Specialists</b> provide information on industry specific practices and act as a liaison with local producers.  <b>Land Use Planners</b> act as a liaison with the Regional District.</p>

Governing Body	Purpose, Legislation/Authority, Roles/Responsibilities
<u>Ministry of Forests, Lands, Natural Resource Operations and Rural Development (FLNR)</u>	<p><b><u>Purpose:</u></b>                      The Ministry of Forests, Lands, Natural Resource Operations and Rural Development is responsible for the stewardship of Provincial Crown land, cultural and natural resources. It ensures the sustainable management of forest, mineral and land-based resources, and facilitates public access to a wide range of activities such as hunting, fishing and recreation. The Ministry is responsible for policy development, operational management and implementation, and oversees 54 statutes and associated regulations, including the <i>Water Sustainability Act (WSA)</i>, applicable to the Hullcar Aquifer. FLNR is the ministry responsible for the <i>Water Sustainability Act</i> and its implementation.</p> <p><b><u>Legislation/Authorities:</u></b>                      The <i>Water Sustainability Act (WSA)</i> and associated regulations include new water rights and licensing requirements for non-domestic groundwater users, stronger protection for aquatic ecosystems, new fees and rentals for water use, expanded protection of groundwater including new requirements for well construction and maintenance, and increased dam safety and awareness, and compliance and enforcement.</p> <p><b><u>Staff Roles and Responsibilities:</u></b>                      FLNR is the lead agency for the delivery of the <i>WSA</i>. Staff have authority to verify compliance with the <i>WSA</i> and associated Water Sustainability and Groundwater Protection Regulations. For example, at the direction of the IAWG, a <b>Regional Hydrogeologist, Groundwater Protection Officers, and Natural Resource Officers</b> undertook additional well inspections to determine compliance with the <i>WSA</i> and regulations, prompted by an untreated water sample that contained <i>E. coli</i>. FLNR also maintains the Ambient Hydrogeological Monitoring Network in collaboration with ENV. Under <i>WSA</i> and the <i>Utilities Commission Act</i>, the <b>Comptroller of Water Rights</b> is responsible for the regulation of water utilities. The Utility Regulation Section guides the Comptroller in making approvals, decisions, and orders with respect to regulated utilities. Their regulatory responsibilities fall into two major categories: 1) to ensure that water systems installed by land developers are properly designed and constructed, and 2) to ensure that the customers of utilities receive acceptable water service at reasonable rates.</p>
<u>Ministry of Health (HLTH)</u>	<p><b><u>Purpose:</u></b>                      The Ministry of Health has overall responsibility for ensuring that quality, appropriate, cost effective and timely health services are available for all British Columbians. The Ministry is responsible for provincial legislation and regulations related to health care, including the <i>Medicare Protection Act</i> and the <i>Health Professions Act</i>. The province’s health authorities are the organizations primarily responsible for health service delivery (such as Interior Health Authority (IHA)). The Ministry also works in partnership with the First Nations Health Authority (FNHA) to improve the health status of First Nations in the Province.</p>

Governing Body	Purpose, Legislation/Authority, Roles/Responsibilities
	<p><b><u>Legislation/Authorities:</u></b>                      The <i>Drinking Water Protection Act</i> and <i>Drinking Water Protection Regulation</i> cover all water systems other than single-family dwellings. The Act sets out certain requirements for drinking water operators and suppliers to ensure the provision of safe drinking water to their customers.</p> <p><b><u>Staff Roles and Responsibilities:</u></b>                      The <b>Provincial Health Officer</b> is responsible for monitoring the health of the population of BC and providing independent advice to the ministers and public officials on public health issues. The PHO can review any decisions made by IHA’s Medical Health Officers.  <b>Deputy Provincial Health Officers</b> assist with the execution of the duties of the PHO. One Deputy Provincial Health Officers has specific responsibilities related to reporting on the health of Aboriginal people, and liaising with the First Nations Health Authority.  <b>Provincial Drinking Water Officers</b> assist the PHO in providing oversight and accountability for the <i>Drinking Water Protection Act</i>, including requests for review of decisions by regional Drinking Water officers, public reporting, and responding to public complaints.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Interior Health Authority (IHA)</p>	<p><b><u>Purpose:</u></b>                      The Interior Health Authority (IHA) delivers programs and services to residents across BC’s southern interior, serving over 743,000 people. The Hullcar Aquifer sits in its geographic area of purview.</p> <p><b><u>Legislation/Authorities:</u></b>                      The IHA’s services include environmental health protection by managing potential health risks to the population through monitoring drinking water safety. IHA implements the drinking water standards set by the <i>Drinking Water Protection Act</i> (DWPA) and associated regulation (<i>Drinking Water Protection Regulation</i>). IHA also has responsibilities and authorities under the <i>Public Health Act (PHA)</i>. The IHA ensures that there is clean, safe and reliable tap water for residents across the Province. They provide a system to deliver notifications and sample results, handle complaints and investigations, provide reports and resources, and providing authorizations (permits, approvals, and plans) for various drinking water providers. Additionally, IHA is the regulatory authority that issues and verifies compliance with permits, such as that issued to the Steele Springs Water District (SSWD), for the local waterworks system.                      Note: a number of residents in the Hullcar Valley have private wells to supply their drinking water.</p>

Governing Body	Purpose, Legislation/Authority, Roles/Responsibilities
	<p><b><u>Staff Roles and Responsibilities:</u></b>  <b>Environmental Health Officers</b> evaluate new and existing drinking water sources, provide information and recommendations to citizens and drinking water providers. EHOs also evaluate approvals for operating permits.  <b>Public Health Engineers</b> evaluate waterworks construction permits and make recommendations.  <b>IHA staff</b> also provide water notifications: in the case of the Hullcar Aquifer, IHA staff issued the 14 July 2014 Water Quality Advisory to all users of Hullcar Aquifer, informing consumers of the negative impacts to the quality of their water supply. The advisory included information about the long-term health risks, and what actions consumers could take to reduce their risk.  <b>Medical Health Officers</b> have authorities under both the <i>DWPA</i> and <i>PHA</i> to issue orders. The <b>Chief Medical Officer</b> and/or the <b>Provincial Health Officer</b> (HLTH) can review any decisions made by medical health officers.</p>
<p><u>Inter-Agency Working Group (formerly Inter-Ministry Working Group)</u></p>	<p><b><u>Purpose:</u></b>                      IAWG comprises representatives from ENV, AGRI, FLRN, INAC, Splatsin and IHA and aims to develop and implement a plan to address and control the aquifer contamination issue.                      IAWG’s Vision: Protect drinking water quality and support sustainable agriculture sector in the Hullcar Aquifer area by working as an integrative team with industry, First Nations, local government and community.</p> <p><b><u>Legislation/Authorities:</u></b>                      Staff assigned to the IAWG operate in accordance with the legislation and authorities of their respective ministries, as outlined above, but does not have additional legislative authorities.</p> <p><b><u>Staff Roles and Responsibilities:</u></b>                      Updates from the IAWG for the public are posted on the <a href="#">Hullcar website</a>, including but not limited to: frequently asked questions, maps identifying known domestic wells, aquifers, and farm locations, IHA advisory, inter-ministry monitoring plan, IMWG minutes with key actions, water quality sampling data and more.</p>
<p><u>Office of the Information and Privacy Commissioner</u></p>	<p><b><u>Purpose:</u></b>                      The Office of the Information and Privacy Commissioner (OIPC) provides independent oversight and enforcement of BC’s access and privacy laws.</p> <p><b><u>Legislation/Authorities:</u></b>                      The Information and Privacy Commissioner enforces two pieces of legislation: the <i>Freedom of Information and Protection of Privacy Act</i> (FIPPA) and the <i>Personal Information Protection Act</i> (PIPA).</p>

Governing Body	Purpose, Legislation/Authority, Roles/Responsibilities
	<p><b><u>Staff Roles and Responsibilities:</u></b>                      The <b>Privacy Commissioner and staff</b> carry out the enforcement of FIPPA and PIPA. In the case of the Hullcar Aquifer, the OIPC undertook an investigation (and subsequently issued a report) in response to the University of Victoria’s Environmental Law Centre’s complaint that the Ministry of Environment had failed to disclose information that was in the public interest. As a result of this investigation, ENV was ordered to disclose soil test results and nutrient management plans that formed the basis of its authorizations, and those that were required under pollution abatement and pollution prevention orders issued by the Ministry. Those documents have been shared on the Hullcar Information site. Additionally, ENV was ordered to train all staff; all staff took “Information Management 117: Protection of Privacy, Access to Information and Records Management” by 31 March 2017.</p>
<p><u>Environmental Appeal Board (EAB)</u></p>	<p><b><u>Purpose:</u></b>                      The EAB is an independent, quasi-judicial regulatory agency that provides a person who has been aggrieved by a statutory decision a chance to challenge those decisions. SDMs have their decisions scrutinized to determine whether they are in accordance with the law and meet procedural standards. The EAB has the power to hear appeals from certain decisions made by government officials under the following acts:</p> <ul style="list-style-type: none"> <li>• <i>Environmental Management Act (ENV)</i></li> <li>• <i>Greenhouse Gas Industrial Reporting Control Act (ENV)</i></li> <li>• <i>Greenhouse Gas Reduction (Renewable and Low Carbon Fuel Requirements) Act (ENV)</i></li> <li>• <i>Mines Act (Ministry of Energy, Mines and Petroleum Resources)</i></li> <li>• <i>Integrated Pest Management Act (ENV)</i></li> <li>• <i>Water Sustainability Act (FLNR)</i></li> <li>• <i>Wildlife Act (FLRN)</i></li> </ul> <p><b><u>Legislation/Authority:</u></b>                      The EAB was created under Section 93(1) of the <i>Environmental Management Act</i>. It is composed of individuals appointed by Cabinet: board members are otherwise independent of government.</p> <p><b><u>Roles and Responsibilities:</u></b>                      The <b>Board</b> comprises a shared full-time chair, part-time vice-chair, and part-time members. Board members review decisions appealed under the acts identified above. For example, the Board reviewed an appeal filed by the Curtis Farm regarding the pollution abatement order that was issued to them under <i>EMA</i>. The Board ruled in their favour, and the order was set aside.</p>



Governing Body	Purpose, Legislation/Authority, Roles/Responsibilities
<p style="writing-mode: vertical-rl; transform: rotate(180deg);"><u>Ministry of Municipal Affairs and Housing (MAH)</u></p>	<p><b><u>Purpose:</u></b>                      The Ministry of Municipal Affairs and Housing (MAH) (formerly the Ministry of Community, Sport and Cultural Development) takes leadership in supporting local governments, non-profit organizations and residents to build vibrant and healthy communities that are well-governed, liveable, safe, economically resilient, and socially and environmentally responsible. The Ministry oversees a variety of or Crown corporations, such as the BC Arts Council, the BC Assessment Authority, the University Endowment Lands, and the Auditor General for Local Government.                      Additionally, the Ministry works in close partnership with provincial, federal, and municipal governments and agencies, as well as private and not-for-profit organizations.</p>
	<p><b><u>Legislation/Authorities:</u></b>                      The Ministry’s mandate relies on a number of key pieces of legislation, such as the <i>Local Government Act</i>, the <i>Community Charter</i>, the <i>Auditor General for Local Government Act</i> and a variety of others.</p>
	<p><b><u>Staff Roles and Responsibilities:</u></b>  <b>MAH staff</b> would process funding grant applications for upgrades to drinking water systems. For example, the Township of Spallumcheen could submit an application on behalf of the SSWD (this has not been done to date).</p>
<p><b>First Nations Governments and Agencies</b></p>	
<p style="writing-mode: vertical-rl; transform: rotate(180deg);"><u>Splatsin</u></p>	<p><b><u>Purpose:</u></b>                      Splatsin is the most southern tribe of the Shuswap Nation, the largest Interior Salish speaking First Nation in Canada. Their traditional territory stretches from the BC/AB border near the Yellowhead Pass to the plateau west of the Fraser River, southeast to the Arrow Lakes and to the upper reaches of the Columbia River. Splatsin has three reserves, two of which bookend the Hullcar Aquifer: IR1 Salmon River, and IR2 Enderby. IR3 Sicamous is further north. Engagement between the First Nation and the provincial government takes place on a government-to-government basis.</p>
	<p>The First Nation aims to:                      Capitalize on presenting opportunities provided these opportunities are consistent with their duties and obligations to their culture, people and territories. Acknowledge their rich, vibrant culture and history by incorporating their traditional teachings into their program and service design and delivery. Responsibly manage their water, land, and resources for the greater good. Engage their members, in the pursuit of good governance, to ensure they respond to needs that are expressed at the individual, family, community and Nation levels.</p>

<b>Governing Body</b>	<b>Purpose, Legislation/Authority, Roles/Responsibilities</b>
	<p><b><u>Staff Roles and Responsibilities:</u></b>  <b>Chief and Council</b> are responsible for the planning and development of capital facilities, which provide basic infrastructure needs such as drinking water. <b>Community leadership</b> is also responsible for the day-to-day operation of water and wastewater systems, which includes sampling and test of drinking water. The community partners with organizations such as the First Nations Health Authority to ensure proper notification and safety of its members.</p>
<u>First Nation Health Authority (FNHA)</u>	<p><b><u>Purpose:</u></b>                      The FNHA is responsible for planning, management, service delivery and funding of health programs previously provided by Health Canada’s First Nations Inuit Health Branch Pacific Region. The FNHA coordinate and align programming and planning efforts between it, the BC Regional and Provincial Health Authorities, the BC Ministry of Health, and Health Canada Partners through the Tripartite Committee on First Nations Health, which comprise representative members from the FNHA, the First Nations Health Council, and the First Nations Health Directors Association. The FNHA provides a number of services and programs to First Nations communities across the Province. In particular, they run the Drinking Water Safety Program, and provide Drinking Water Advisories.</p>
	<p><b><u>Legislation/Authorities:</u></b>                      The FNHA has signed a number of agreements in partnership with the BC provincial government and the Government of Canada, agreeing that statistically significant health disparities for First Nations people in BC are no longer acceptable. The FNHA is governed by the First Nations Health Governance Structure, which stems from the signing of the BC Tripartite Framework Agreement on First Nations Health Governance in 2011.</p>
	<p><b><u>Staff Roles and Responsibilities:</u></b>  <b>Environmental Health Officers (EHOs)</b> provide a variety of services, such as: conduct drinking water system inspections and test drinking water for bacteriological, chemical, physical and radiological parameter to meet the Guidelines for Canadian Drinking Water Quality; interpret drinking water quality results; provide recommendations and guidance to communities about drinking water safety issues (boil water advisories, do not consume and do not use advisories), investigate waterborne illnesses, provide information and support on safe drinking water practices and risk prevention to Chief and Council and community members and provide training to community-based water monitors who collect and send water samples for testing, and where possible, analyze samples using in-community testing equipment. They work with First Nations to ensure potable drinking water sources.</p>

Governing Body	Purpose, Legislation/Authority, Roles/Responsibilities
<b>Federal Government Agencies</b>	
<u>Health Canada</u>	<p><b><u>Purpose:</u></b> Health Canada is the federal department responsible for helping Canadians maintain and improve their health, while respecting individual choices and circumstances.</p> <p><b><u>Legislation/Authority:</u></b> Drinking water standards are set by the <a href="#">Federal-Provincial-Territorial Committee on Drinking Water</a> and published by Health Canada. These standards come in the form of drinking water guidelines that identify levels of parameters to ensure the water is safe to drink. These guidelines are used by every jurisdiction in Canada and are the basis for establishing drinking water quality requirements for all Canadians.</p> <p><b><u>Staff Roles and Responsibilities:</u></b> Health Canada staff have not had any significant involvement in the Hullcar Aquifer issue.</p>
<u>Indigenous and Northern Affairs Canada (INAC)</u>	<p><b><u>Purpose:</u></b> Indigenous and Northern Affairs Canada (INAC) supports Aboriginal peoples (First Nations, Inuit and Métis) and Northerners in their efforts to improve social well-being and economic prosperity; develop healthier, more sustainable communities and participate more fully in Canada's political, social and economic development.</p> <p><b><u>Legislation/Authorities:</u></b> INAC's authorities are granted through a number of different pieces of legislation, including the <i>First nations Land Management Act</i>, the <i>British Columbia Treat Commission Act</i>, the <i>First Nations Commercial and Industrial Development Act</i>, the <i>Territorial Lands Act</i>, and many others.</p> <p><b><u>Staff Roles and Responsibilities:</u></b> <b>INAC staff</b> work to coordinate any federal response for the Splatsin, as appropriate. Additionally, they coordinate on water quality monitoring at the federal level with the BC Provincial government. For example, a staff member from INAC joined the IAWG to support Splatsin.</p>

Governing Body	Purpose, Legislation/Authority, Roles/Responsibilities
<b>Local/Regional Government Agencies</b>	
<u>Steele Springs Waterworks District (SSWD)</u>	<p><b><u>Purpose:</u></b> Steele Springs Water District is responsible for ensuring the potability of the local community’s drinking water source. They are the local purveyor of drinking water for the Township of Spallumcheen.</p> <p><b><u>Legislation/Authorities:</u></b> SSWD is subject to permitting under the <i>Drinking Water Protection Act</i>, through the IHA.</p> <p><b><u>Staff Roles and Responsibilities:</u></b> SSWD follows the requirements of the permit granted by the Interior Health Authority. <b>Trustees and the chair</b> of the District undertake water sampling and testing, and in the case of Hullcar, have corresponded and shared information with IAWG members.</p>
<u>Township of Spallumcheen</u>	<p><b><u>Purpose:</u></b> The Township of Spallumcheen is the local district municipality primarily affected by the nitrate pollution in the Hullcar Aquifer. The district consists primarily of agricultural land surrounding the separately incorporated City of Armstrong. It is a member municipality of the Regional District of the North Okanagan. Historically, Spallumcheen has placed a high priority on the promotion of sustainable agriculture in the Township. Their motto is “Where farming comes first” and the first goal in the Mandate of their Agricultural Advisory Committee is to: “Ensure the continuing sustainability of agriculture.” While promoting sustainable agriculture, the Township has made efforts to balance the protection and enhancement of a “working landscape” in which farm operators can confidently undertake profitable farming.</p> <p><b><u>Legislation/Authority:</u></b> The Township of Spallumcheen has authorities under the <i>Local Government Act</i> and <i>Community Charter</i>. Spallumcheen has aquifer protection regulations in place to help protect the groundwater aquifer located beneath the Industrial Park. The Township has been aware of the vulnerability of the Hullcar Aquifer for some time, and prioritized aquifer protection in their Official Community Plan in Section 14 of Bylaw No. 1794 in 2011. The bylaw set out policies with intentions to expand the Aquifer Protection – Natural Environment Development Permit Area to encompass all areas above the unconfined aquifers, explore long-term options for understanding and protecting the quality and quantity of water within the Township, ensure aquifer protection is considered in the Township’s next update of the Liquid Waste Management Plan, ensure rezoning considers the type of development and its impact to water quality, and work with the Ministry of Agriculture to make mandatory Environmental Farm Plans for practicing agricultural operations located within the Agricultural Land Reserve.</p>

Governing Body	Purpose, Legislation/Authority, Roles/Responsibilities
	<p><b><u>Staff Roles and Responsibilities:</u></b></p> <p>The <b>mayor, council,</b> and the <b>Agricultural Advisory Committee</b> promote and fulfil the Township’s mandate in support of local sustainable agriculture and community. As the local government, <b>staff</b> also cooperate on a government to government basis with the appropriate ministries (Agriculture and Environment and Climate Change Strategy) in order to knowledge share (eg. mapping of the local aquifers) or to see progress on priorities for both governance agencies (eg. promoting the Environmental Farm Plan program and agricultural best practices within the Township). The Township has a close relationship with the SSWD, their purveyor of water.</p>
<p><u>Okanagan Basin Water Board (OBWB)</u></p>	<p><b><u>Purpose:</u></b></p> <p>The OBWB was established in 1969 as a valley-wide partnership to identify and resolve critical water issues in the Okanagan watershed. The Board’s jurisdiction is defined by the borders of the Okanagan watershed, which includes the Hullcar Valley and City of Armstrong.</p> <p><b><u>Legislation/Authorities:</u></b></p> <p>The Board was established under the <i>Municipalities Enabling and Validating Act</i>. Recognizing that water quantity is a limiting factor for growth and development in the Basin, the objectives of the Board included several to better define water resource problems in the Valley and to determine priorities and opportunities for solving them. Today, the board’s mandate focuses on taking a more active leadership role for water management in the Valley. Recent demographic changes in the Basin (increased population after 2000) together with a comprehensive study examining climate change impacts on water supply, raised concern about the long-term sustainability of water in the Basin. While looking at basin-wide water concerns, the OBWB also aims to find collaborative solutions to those concerns.</p> <p>In 2006, the OBWB instituted the Okanagan Water Stewardship Council to provide high-level technical advice from a wide range of local experts. The Council meets regularly to discuss water concerns and provide policy recommendation to the Board. Some of the Council’s emerging issues include preventing new invasive aquatic species, improving habitat for sockeye salmon, adapting to climate change and increased variability in water supply, cooperative management strategies, and improved groundwater monitoring.</p>

Governing Body	Purpose, Legislation/Authority, Roles/Responsibilities
	<p><b><u>Staff Roles and Responsibilities:</u></b></p> <p>The OBWB has not played a significant role in the Hullcar issue to date. Generally, <b>OBWB staff</b> facilitate meetings, projects and collaborations between a large variety of organizations involved in water and water related issues (agriculture) in the Basin. For example, minutes from a Water Stewardship Council meeting on 8 September 2011 included a report that work to establish additional to an existing groundwater monitoring well program supported by a partnership between the OBWB, the Province and federal and local governments in the Okanagan, focusing on establishing wells in previously identified sensitive aquifers included one additional well in the Hullcar Aquifer.</p> <p>In 2013, grants from the OBWB helped fund improvements to the water system infrastructure for the SSWD.</p> <p>In a 10 March 2016 meeting the <b>Executive Director</b> of OBWB mentioned receiving an update on the Hullcar Aquifer from ENV, which included a letter from the Minister and a plan to gather information and work with the community to address the problem. The Board expressed support for the process.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Regional District of the North Okanagan (RDNO)</p>	<p><b><u>Purpose:</u></b></p> <p>The RDNO functions as a partnership of the six municipalities and the five electoral areas within its boundaries, including Spallumcheen, Armstrong and Enderby. These local governments work together through the Regional District to provide and coordinate services in both urban and rural areas.</p> <p>The RDNO has three purposes:</p> <ol style="list-style-type: none"> <li>1. It is the local government for the electoral areas of the North Okanagan, and is responsible for providing basic local services such as community planning.</li> <li>2. It is a regional service body responsible for providing important regional services to all jurisdictions within the North Okanagan, such as solid waste management planning.</li> <li>3. It is an inter-jurisdictional service body that provides local government services on a sub-regional basis across jurisdictional boundaries to different combinations of municipalities and electoral areas, such as Greater Vernon Water.</li> </ol> <p><b><u>Legislation/Authority:</u></b></p> <p>The RDNO has authorities under the <i>Local Government Act</i> and <i>Community Charter</i>. For example, they adopt bylaws for the services they provide to the community.</p>

<b>Governing Body</b>	<b>Purpose, Legislation/Authority, Roles/Responsibilities</b>
	<p><b><u>Staff Roles and Responsibilities:</u></b> RDNO staff have not played a significant role in the Hullcar Aquifer issue.</p>
<b>Other Agencies</b>	
<u>Agricultural Land Commission (ALC)</u>	<p><b><u>Purpose:</u></b> The Agricultural Land Commission (ALC) is an independent administrative tribunal dedicated to preserving agricultural land and encouraging farming in BC.</p> <p><b><u>Legislation/Authority:</u></b> S. 6 of the <i>Agricultural Land Commission Act</i> sets out the purposes of the ALC, which are:</p> <ul style="list-style-type: none"> <li>a) To preserve agricultural land</li> <li>b) To encourage farming in collaboration with other communities of interest</li> <li>c) To encourage local governments, First Nations, the government and its agents to enable and accommodate farm use of agricultural land and uses compatible with agriculture in their plans, bylaws and policies.</li> </ul> <p>The <i>Agricultural Land Reserve Use, Subdivision and Procedure Regulation</i> is the code under the <i>ALC Act</i> that clearly identifies farm activities and non-farm uses that are permitted in the Agricultural Land Reserve (ALR). The regulation also stipulates such things as notification requirements for soil removal and fill replacement, application procedures, transportation and utility applications, certain sub-divisions not requiring applications, penalties, and compliance and enforcement appeals.</p> <p><b><u>Staff Roles and Responsibilities:</u></b> While the majority of the land above Hullcar aquifers 102 and 103 are in land designated as part of the ALR, there has been no significant involvement of the ALC with the Hullcar Aquifer issue.</p>