


DRAFT MEETING Minutes	Mon. May 27, 2019 9:30-11:45 am CVRD Boardroom 175 Ingram Street, Duncan	 Cowichan Watershed Board
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Co-Chair: CVRD Chair Ian Morrison. **Participants:** Chief William Seymour (co-chair), Shannon Waters, Alison Nicholson, Debra Toporowski (Later), Tim Kulchyski, Lori Iannidinaro, David Slade, David Anderson, David Froese, Kristine Sandhu, Tom Rutherford, Jill Thompson.

Absent: Darin George, Laura Brown. **Guests:** David Robinson, Senior Authorizations Specialist – Water, West Coast Region, Ministry of Forests, Lands, Natural Resource Operations and Rural Development. **Minutes:** Jill Thompson.

1.	Welcome	9:30		
2.	Approve Agenda	9:32	David Slade request consideration of a letter from One Cowichan. Motion to approve agenda. No opposition. Carried.	Carried
3.	Review and approve Minutes of April 29th	9:34	Motion to approve minutes moved by Kristine, seconded by David A. No discussion. Carried.	Carried
4.	Correspondence and Announcements - see below*	9:36	<p>Annual Report and Business Plans have been updated as per previous discussions and requests.</p> <p>Stream Stewardship Community Workshop in Nanaimo May 31-June 2. Designed for non-professionals interested in salmon stewardship. Great event.</p> <ul style="list-style-type: none"> - Lori commented that the Rick James article lacks a balanced viewpoint or solutions. Ian added that CWB seeks to respect that balance. 	
5.	Opportunity for public comment.	9:45	None	
6.	Presentation – What is required for a BC Conservation Water License application?	9:50	Presentation by David Robinson, Assistant Water Manager West Coast Natural Resource Region, regarding preparing for a new conservation water license for the weir at	

			<p>Cowichan Lake. Overview of the Basic Considerations Involved in Water Licensing (link)</p> <p>See Q & A discussion notes below. Any further questions may be directed to David Robinson at 250-751-7220</p>	
BREAK				
7.	<p>Lake Cowichan Water Storage Updates</p> <p>a) BC Salmon Restoration & Innovation Fund – weir proposal update.</p> <p>b) 2019 flows and water management update</p>	10:20	<p>See presentation by Tom</p> <p>See discussion notes below.</p>	
8.	<p>Sewage Outfall Relocation Project - Stage 2 EIS Report.</p>	11:10	<p>Clay Reitsma, Senior Manager, Engineering, District of North Cowichan, presented. Joint Utility Board Sewage Treatment Plant Outfall Relocation Project: Project Update</p> <p>See presentation and summary documents.</p> <p>Clay noted that at 4.5 cms the sewage flow dilution rate is 28:1 in river; the worst case scenario in this proposed model is 153:1 at ebb tide.</p>	
9.	<p>Governance</p> <p>a) Steering committee outcomes</p> <p>b) Meeting with FLNRORD Nanaimo</p>	11:25	<p>See presentation by Tom Rutherford.</p> <p>Tom clarified that the governance project priority this year is about implementing water supply tools on the Cowichan and Koksilah and making sure Cowichan Tribes has the capacity and resources to be at the table.</p> <p>Tom acknowledged FLNRORD Nanaimo staff for the support they have been providing on the BCSRIF weir application process and Koksilah</p>	

			<p>low flow situation.</p> <ul style="list-style-type: none"> - Lori reminded us that the Koksilah is everyone's problem and suggested: - Webster Parker presented to us and offered to help where Koksilah River is being blocked by a neighbouring farmer - sprinklers watering roads, etc., BC Hydro could be asked to switch to volume based billing to encourage water conservation. - Cow Bay Road could be altered to connect the side-channels with the help of community groups. 	
10	Other	11:35	<p>David Slade presented a sign-on letter from One Cowichan appealing to CWB and community groups to ask local governments to accelerate the response to climate change.</p> <p>See below for discussion.</p> <p>Decision: Revised motion was moved by Lori that Motion carried.</p> <hr/> <p>David A requested that a future discussion be focussed on the resident trout. Decision to</p> <ul style="list-style-type: none"> - Joe Saysell added that when the river goes down to 4.5 cms, Cowichan Tribes stops fishing. The CWB should make a strong statement that when river goes down to 4.5cms, shut it down. Fish are concentrated in the pools and people find them and fish there. 	<p>staff will circulate the letter for input from the Board this month for discussion at the next Board meeting</p> <p>Invite provincial fisheries manager to present about trout to a future meeting and consider letter requesting fishery to be shut down when river is low.</p>
10.	Adjourn. Next meeting – Mon. June 24	11:45	Adjourned 11:50	

Announcements

-Final 2018 Annual Plan and Final 2019-2024 Business Plan circulated by email to Board. Please note update to budgets, 2019 Communications Plan, Message from Co-Chairs and strategic priorities diagram added as discussed at previous meetings. These documents will be presented to CVRD and Cowichan Tribes councils, and will be housed on our new website expected to be live this month. Ask jill@cowichanwatershedboard.ca if you would like a copy in the meantime.

-DFO SEP community stewardship workshop next weekend at VIU

-Speaker Series on hiatus now until Fall. See our Facebook page for a video of Tom's 15 min presentation to the April WarmerLand event about the local salmon-climate-weir story.

Correspondence

-Article from Rick James was circulated to Board. (ask Jill for a copy if interested)

-Letter of support from co-chairs to BCSRIF

-Invitation to speak at UBCM in Sept.

Detailed Discussion Notes

6. Presentation by David Robinson, Assistant Water Manager West Coast Natural Resource Region, regarding preparing for a new conservation water license for the weir at Cowichan Lake.

A Q & A discussion followed after the presentation:

- Q: why was the Catalyst pumping license process was so much faster?
 - o Reply – that was a 'short term use' approval process first for 2016-2017; then last year they applied for a 10 yr term. Landowners were consulted and concerns addressed concerns. In light of emergency, it passed. At minimum, a consultation process takes 30 days.
- Q: What rights do landowners have?
 - o Reply - If the management of the works in March is having an impact on rights holders this has to be addressed. Could be minimal but we need to understand how flexible the works can be to minimize impact.
- Comment: We are not talking about the real liabilities –chinook, chum, etc. This could be a \$50 million fishery. Liabilities are not restricted to landholders at the lake. The real liabilities are the delays. First Nations have an interest. Processes that have allowed chinook numbers come down to 500 are a liability. North arm has run dry and will run dry again this year. Cowichan Tribes is working on a \$2.66 million restoration fund, and the money that we put in comes back multifold. Stoltz bluff was thought to be too expensive at under \$2million and now we have a chum fishery valued at over \$2 million annually. The big liability is in not doing anything or not moving as fast as we possibly can.
- Q: When will 'detrimental impact' be defined and how do we have input into that? Focus seems to be on short term impacts but the vibrancy of the lake is a longer term impact.
 - o Reply – FLNRO will consider whether it really affects their enjoyment of their property or whether the Environmental Appeal Board would dismiss it as trivial. It will be up to FLNRO (David Robinson) to assess that.
 - o Once official notice has been served, there is 30 days to object.
 - o We would rely on an assessment to help us characterize the long term impacts that would accompany an application. We don't yet have as much information about that as we would need.

- Q: How are indigenous considerations included?
 - o Reply: through indigenous referral
- Q: Even with increased storage, there won't be enough water all years (e.g. low winter precipitation like this year). How would decisions be made about how much water is for industrial license vs conservation licenses?
 - o Reply: It will go by FITFIR (First in time, first in right), and the industrial license will trump conservation license due to the date of precedence unless it is negotiated differently during the licensing.
- Q: Is there a modified FITFIR in times of scarcity for human health and sanitation and environmental flow needs?
 - o Reply: The process is that if a significant water shortage is declared by the Ministers, it could be followed by orders requiring people to reduce down to minimal household use.

7. Lake Cowichan Water Storage Updates by Tom Rutherford

A discussion took place about the scenarios for dealing with low water and impacts of reducing flows to 4.5 cubic meters per second.

- there is no right answer
- many different opinions from people who all care about fish
- 2016 study – 80% attrition noted in pit tag studies of Chinook if river was below recommended flow in spring. 2017 (wet year) survival was 80% in river.
- no one wants river to run dry in summer
- pumping in summer is risky because you can't stop pumping until the rain comes. If pumping has to stop before then for any reason, the river would go dry abruptly which could be catastrophic.
- part of the conflict is that we don't even fully understand what we're trading off with these decisions.
- by Joe's house – mortality was almost 100%.
- Fish in the lake- we don't know for sure when they run.
- Peak out-migration is right now until mid-June.
- Later in the season if there is any habitat, they will stay if the water is there.
- Mortality is higher if they are small; if they are a bit bigger they can eat forage fish and survive better.
- 7 km of habitat in north arm. How do we evaluate that?
- Every year we find out new things.
- Need a robust process to deal with these flow issues until we get the weir.
- In 2009 there were 500 chinook.

Question about what volume the pumps would deliver. David Robinson clarified it would be 4.5 cms, but that this system has only been tested for 5 hours. Unproven. It is a 49 day license but there are a lot of unknowns with pumping down to dead storage

- effects on littoral zone
- risk inherent in power-driven system to keep river flowing.

David Anderson remarked that it is sensible to keep spring flow at 15cms given Tim's comments.

10. David Slade presented a sign-on letter from One Cowichan appealing to CWB and community groups to ask local governments to accelerate the response to climate change.

Discussion:

- Suggestion that the letter be referred to staff and add it to the agenda for next meeting.
- It was noted that would be later than the May 31 deadline

Motion by David S to circulate the letter to CWB members for edits and signature by co-chairs ASAP. Seconded by Alison.

Discussion:

- What is the definition of a climate emergency that we are declaring?
- UN and scientific benchmarks – means different things to different people.
- No disagreement that there is a climate problem but would like to understand what we mean the word “emergency”
- Suggestion that we review between now and our next meeting.
- Question about whether CWB should declare we are in a climate emergency in our own words and then circulate that with a letter wherever appropriate.
- Cowichan Tribes staff has also asked what can we do about climate change. First Nations in Old Crow, Yukon Territory, have done so and are requesting that all First Nations follow suit with a declaration.
- Chief Seymour stated that he needs to be clear what the emergency means. He knows what it means for Old Crow but how does that relate to us and our situation? The request is going to Environment Committee to consider.
- Needs further consideration.

Revised motion moved by Lori that staff will circulate the letter for input from the Board this month for discussion at the next Board meeting.

Discussion:

- Support was expressed for signing right now.
- Regional governments need to think about how they can do more; the longer we stall and delay, the higher the risk.
- If we all agree we are in an emergency, we shouldn't delay.

No opposition to the motion. Motion carries.