



May 16, 2013

MINUTES

The meeting was called to order by Paul Rickard at 9:00 am.

In attendance

Meg Loop (CLT), Ken Clements & Richard Lake (Sidney Anglers), Sandy Cumming (One Cowichan), Gerald Thom, (CLRSS), Ray Demarchi (CERCA), Rob Hutchins (CWB), Yana Stratemeyer-Trinczek (Jean Crowder, MP), Roger Hunter (CWB), Kerry Davis (Green Party of BC), Helen Reid (Cowichan Tribes), Ted Brookeman (BCWF/Rec Fish), Genevieve Hill (Madrone), Eric Marshall & Genevieve Singleton (CVNS), Dave Lindsey (TimberWest), Molly Hudson (TimberWest), Kate Miller (CVRD), Paul Rickard (BCWF/Rec Fish), Al Lill (Living Riers), Don Clossom (BC Parks), Ray Demarchi (CERCA)

REGRETS: Paul Fletcher (Somenos Marsh), Ian Morrison (CVRD Area Director), Ken Epps, Tom Rutherford, Kate Miller,

Approval of Minutes

The minutes were circulated from the April meeting and approved.

Report of the Co-Chairs

Roundtable Member updates

Thom – Teamed up with Cowichan Lake Secondary School to do lake studies. Restoration project underway at Sayward Park.

Clossom – Draft completed for the 10 year monitoring report.

Cumming – Look for the bluebirds, we should be seeing them about now. A pair released yesterday, releasing a total of 20 adults this year. Somenos Police Station – thinking is to take it out of the ALR now that it is behind the dyking. We are not negotiable for any marshland being taken out for any purpose. The species at risk strategy is complete garbage.

Hutchins – The Weir decision will not be rendered until next week.

Hunter – Next watershed board meeting, June 6, in Cowichan Bay. VIHA is going to start monitoring 5 monthly testing sites within the Bay. Also a few sample sites in Koksilah and the beaches. Pat Latchevick is coming to talk about the flows and a water budget for the Watershed (inventory of the groundwater).

Updating since 2004-5. Watershed Resilience Workshop to be put on, second spot in Canada for this. June 26/27, 15 spots. Got some money from West Coast Environmental Law to help set up the Watershed Board as a legal body, unsure what that will look like yet. It is trickier to set up than a regular society due to the political members. Where is the CWB around assuming control of the flows and the application for license?

The board hasn't gone "there yet" for the license, but the CWB has to be a legal entity, and may have to own land in the watershed (CT and CVRD own land). We now need to wait to see where the controller goes. Rickard – Wildlife Federation has been spending a lot of time emphasizing the importance for local control. Ottawa is aware of the strength of our concerns. The Salmon Workshop, the Regional Director of DFO section 20 the minister can require the holder of a water license to store adequate water for fish passage. Singleton – CVNS will be doing BC Rivers Day again. Cowichan Green Community want to do a wild food walk, willing to do interpretation work anywhere on the river. Bluebird babies are growing, 2 birds returned, one came from San Juan Islands. CVNS had a tour of the Chemainus Watershed, there is a group very concerned and would like to start a roundtable. Lill – Still have sloughing problems at Stoltz bluffs, will have to do some rip rap work and dyke raising, costs at about \$25,000.

Business

Lill – Comparing the CSRT to other watersheds in BC and elsewhere.

Local volunteers and leadership is critical for local control. BC is well behind all other provinces and states in the US, Australia etc, in formal devolution of watersheds to local control. The present BC Water Act is an awkward and ineffective piece of legislation that is over 100 years old. Section 4 describes Water Management plans but it is onerous and expensive, the Okanagan Basin Board has gone through this process. There are well known reasons to get local control: climate change, competition for water, existing licensing regime, monitoring not adequate, funding is limited provincially and almost impossible federally. There are 15 other Vancouver Island groups that want to accept responsibility and accountability for the watershed, for whatever reason there is no prose. Living Rivers supports watershed groups and work around collaborative watershed governance, the Province talked about regional watershed control in Living Water Smart document. Many provinces and jurisdictions worldwide are enabling legislation for community-based watershed management. Powers are quite varied and they may be regulatory agencies like Ontario Conservation Authorities or collaborative. Biggest challenge is that BC does not currently "enable" collaborative control. Now is an opportunity to have a more formalized local watershed management model, and an excellent opportunity to influence Water Act modernization, and Cowichan is ripe for this. Its more bureaucracy than political challenge. There are other models to draw from.

- What is the next step? Phone call into Del McCray to invite him to the valley, working in Victoria on the issue.
- In BC, the Cowichan is leading edge. In terms of Canada, we are behind and a little slow.

Action: Powerpoint to be made available on the CWB website.

Cowichan Flood Control Update

There was a communication error between the engineers and DFO, and a question of what is going to happen for fish in the dyking project? For the flood control work to proceed, DFO has to do a FAA. Dyking is Tier 2, gravel removal is Tier 3. The benefits to fish will come from the habitat conservation and improvement. Results from the workshop is helpful in framing how the compensation from the dkye work will look like. The connector dyke cuts across side channels. \$300,000 in compensation to BC Conservation Foundation to build more habitat than currently exists. This area does not support many Chinook, the area around the connector dyke really only has coho, so need to increase flow to the area. Surveying the rivers and the estuary, many of the projects may actually happen in the estuary. John Charlie property improvement is in addition to the \$300,000. Between now and the fall will develop compensation proposals, develop partnerships, gain DFO approval, hope to do the work next summer. If we go into the estuary it may take another year or two for this process.

Tier 3 – Gravel Removal

No fisheries approval for gravel removal yet. 30-35% of the gravel to be removed by the black bridge site (Cr1). Cr2 is just above the bridges, "the plug". The plan for 2013 is to deal with this gravel, under 15cms the flow is disrupted. Survey guys are out this week, hoping to dig out 3 or 4 large pools dug with overhanging vegetation and large woody debris, and a fairly large gravel removal, effect to actually improve flow at very low levels but to not dry up the south fork. While the weir may be 7cms, surface flow at Cr2 is actually about 2 cms. Some of the water runs under the surface of the river. Fish salvage will need to be done this summer, and we hope to get the gravel dug out in August. We would like to restore the North Fork to 1997 flow levels, south fork still has fish values but primary flow ideally through north. We are trying to

minimize the locations that we remove the gravel from. This is a natural place for materials to settle out. Try to get as many habitat features into the river as we can, without creating log jams, etc. It's a challenging place to work to achieve both objectives, but everyone seems to be on the same page of this 2 year approach.

- The significant challenge is that there isn't a person to go to in authority on management. There is nobody else who knows more than the local fishery offices and Tim Kulchisky. South Arm is a bit safer for the fish to come up. Who is in charge? Nobody in particular, so currently going to take a team approach.
- The causeway in the Estuary was installed many decades ago, thus it is important to breach the causeway and get connectivity between the south and north side of the estuary. There are two places where we think we could put a bridge, but it's a huge project. The causeway isn't used much but nobody is willing to let it be cut. Cheapest way would be two great big pipes. It would have to be a significant bridge to be useful.
- Derail the gravel removal – the permits done in time, need for local agreement on the plan. DFO says they'll turn it around in 3-4 weeks. Need to get the technical groups to agree.
- We need local community control with the Watershed Board. Under this board we would have a dkying authority, water management, estuary rehab strategy all embedded.
- 1) Increase storage at the weir 2) clean up Broadway Run (another place where a big amount of material could end up in the river, over 1 mil dollars to fix it, submission to DFO soon to deal with it. Consultants are wishy washy on right approach, more money to spend to figure it out?, 3) gravel removal, 4) estuary rehab.
- Not an issue that people want to sell the gravel that comes out, it is more do we have a buyer? Likely the gravel will just be stockpiled.

Rob Hutchins – CVRD

Letter did go forward, and the Area I director backing off from the trust funds being used for the truck wash.

Rickard – Cowichan Chinook Workshop Report

The April 19th Workshop had 60 people in morning session, 45 people in the afternoon session. Issues were connected to water flow and sediment deposition. The information was broken down into two lifecycles of the fish: entry to the river/spawn cycle, and the hatching/river life to estuary cycle.

River entry/Spawn Cycle: Water slows down to 2cms to the estuary. The pilot channel needs holding pools and channels for the fish if they get past the gravel plug. Lack of passage habitat and large gravel bars hold the fish back, then 300 seals and more sea lions predate 20% of the fish that return. The upper river is in pretty good shape, lots of water and spawning beds; problems occur in the lower river.

River/Estuary Cycle: When the smolts make their way down, the side channel smolts grew larger and stayed longer in the river, thus better and healthier smolts in the marine environment, leading to a better return. The lower side channel connectivity and water flow is not good; this is a critical rebuilding factor. If we could grow larger healthier smolts with better food resources in-river, we would have healthier fish entering the estuary. In the estuary we need to see better rearing environment, side channels in the estuary, eelgrass estuary, and connectivity between the north and south. Water flow and water volume is critical.

Afternoon session was spent in roundtable, political regions repetitive, regional district, mayors, NGO's. Discussion around the solutions to the problems we just identified and move forward on the mitigation. The dyking process will be informed by the workshop. It will have the recommendations take place over this year and next. We don't have a person to 'go-to', this roundtable has been the clearing house, coordinator, prioritize body, communicator, and facilitator for a lot of the processes. This question of who is in charge, so should the water management board be assuming the responsibility and leadership role for the river and its health? If we remain with this roundtable as chief authority, what are the steps forward? Supervisory role authoritative role, management role?

Since the workshop, Al Lill has done quite a bit of work. DFO took information from the expert workshop and hired Violet Camore to put together a report for each ranked limiting factor identified. This report is 200 pages so far. Our intent with each of the limiting factors is to present the information around each limiting

factor, such as background and history. Then take this data to funding agencies to fund some of the work on the factor. Craig, Thom, Al, etc looking for the funding to then have these almost ready proposals to put forward. Next step is to look at the costs and such associated with each factor. Exec summary can be provided for review.

From last year's numbers, had over 6,000 known Chinook returns. 2,800 spawners, 1,500 jacks. Many were trapped and trucked up river, likely have to do that this year. 900 brood stock taken for hatchery. 700,000 fry released, some into lower river to reduce the numbers. 1300 for the Tribes. 20% minimum, 30-40% likely mortality to the seals and sea lions – may have had 8,000 – 10,000 return up the river. The more work that we do, the more fish we get back.

Section 20, March 9th Public Meeting around the water and the Weir. We had a climate scientist come talk about the effects on fish; the highest risk is around water. Briefing note went up to senior management in DFO, letters and discussions with senior management in the province, some discussion at the CSRT for DFO to use section 20 of the fisheries act. If there is the dam, then there is a responsibility to have fish migration up river. Is section 20 a way to do this? Not sure.

Jefferson – Cowichan Lake Management Workshop

Workshop was 8:30 – 5:30 for two days, and 50 attendants. The whole workshop was a challenge, the organization committee set too many lofty goals to accomplish in two days.

Outcome Report: Reviewing it amongst the stewardship group. Official community plans say no growth beyond Youbou and Honeymoon Bay. Timberwest has done an excellent job of preserving riparian zones in their areas. Island Timberlands and TimberWest are taking the next steps with the intact area, leads to protection of water quality. We are ahead of the game in terms of water quality, very thorough study this year of the upper watershed tributaries. People came from the Shuswap where only 8% of riparian systems are intact, while we are sitting at 70%. Shuswap had a lot of enforcement; the lake bottom is public land while here it is private. Green Shores Standard is to be adapted to Cowichan Lake, so that when developments do take place, the development is up to the Green Shore standard. Collaborate local governance on the watershed was identified as number one, linked ecology and economy, environmental education a regulatory framework. Need more enforcement, only 1 person left in Nanaimo for the entire Vancouver Island region's Habitat, not enough.

Set a goal for 30% restoration of riparian areas by 2023, 10% improvement. Need to build our organization to improve the plan. The governance, enforcement, and more that we are happy to work with them but have no power with.

- Senior government is not going to be there for enforcement with the loss to habitat protection with the new fisheries act.
- The majority of damage to riparian areas is the new summer-only residents. They are only there to use their boat and be on their dock.
- We need a scientific approach to enforcement. The valley could hire a dedicated CO. Next Meeting June 20th