

# Cowichan Watershed Board Meeting

## DRAFT Minutes

Mon. Oct 29, 2018

9:30-11:45 am

Location: CVRD Board Room



**Co-Chair:** Chief William Seymour

**Participants:** Ian Morrison, David Slade, David Anderson, Klaus Kuhn, Tim Kulchyski, , Laura Brown, Lori Iannidinardo; Tom Rutherford, David Froese

**Regrets:** Jon Lefebure, Ross Forrest, Debra Toporowski, , Darin George,

**Guests:** Lydia Hwitsum (Cowichan Tribes), Murray Ball (UVic), Kate Miller (CVRD), Brian Carruthers (CVRD), Todd Carnahan (WildSafe BC), Jennifer Sibald (BC Conservation Foundation), Technical Advisory and Working Group members, members of public.

**Minutes:** Jill Thompson

1.	Welcome		
2.	Approval of Agenda	Motion to approve agenda made by Laura, 2 <sup>nd</sup> by Ian. No changes.	Carried
3.	Approval of Minutes of Sept. 24 <sup>th</sup> . Business arising from minutes.	Motion to approve minutes made by Ian, 2 <sup>nd</sup> by David S. No changes.	Carried
4.	Opportunity for comments from the floor.	No comments.	
5.	Correspondence and announcements.	<p>See agenda package for details.</p> <p>A letter to Minister Donaldson RE removal of local Natural Resource officers was considered and approved for sending.</p> <p>Clarification was provided RE CVRD elections resulting in some Board members completing their terms as CWB members, including Jon and Ross. The plan is to recognize any departing members at the November meeting.</p> <p>All CWB members to mark calendar for cultural training – Tues Jan 22<sup>nd</sup> afternoon. Invitees are all CWB members, CVRD directors and Cowichan Tribes Chief and Council.</p>	<p>Tom to send letter RE removal of local Natural Resource officers.</p> <p>CWB members save date - Tues Jan 22<sup>nd</sup> afternoon.</p>
6.	Process to review CWB membership following CVRD election.	<p>Tom reviewed the process for CVRD appointments to CWB following the elections.</p> <ul style="list-style-type: none"> <li>• CVRD will elect their Chair Nov. 7<sup>th</sup>. CVRD Chair is responsible for appointments to CWB, on either Nov 14 or 28.</li> <li>• Ross Forrest was appointed as a member at large – co-chairs will jointly appoint his replacement.</li> </ul>	
	Progress on Water Storage - Meeting with	On October 2 <sup>nd</sup> in Victoria, Co-Chairs and Tom met with Ministers Donaldson and Heyman with MLA Furstenu. MP	Co-Chairs will meet with

	<p>MLA/ Ministers</p>	<p>MacGregor phoned in.</p> <p>Co-Chairs asked the Province to hold the conservation license, or the liability for the licensee. Also requested financial support for weir replacement.</p> <p>1 hour long meeting with key staff present, seen as indication of respect for the situation and for our partnership, and that they share our interest in finding a solution. Min. Donaldson gave his staff 2 months to develop options RE next steps – will present options to us November 29 in Vancouver.</p> <p>Tom acknowledged the key support of our MLA in hosting the meeting, and our MP for attending by phone. Also expressed that Minister Donaldson seemed to understand our situation through his direct experience in Skeena watershed.</p> <p>Tom clarified that Catalyst (Paper Excellence) would still hold the industrial water license. This is about a new conservation water license for additional water storage. Graham Kissack has been invited to speak at November meeting about recent changes at Catalyst.</p>	<p>Ministers again on Nov. 29<sup>th</sup> in Vancouver.</p> <p>Graham Kissack will present at November meeting of CWB.</p>
<p>7.</p>	<p>Watershed Service referendum</p>	<p>CVRD Watershed Service bylaw referendum passed by 2/3 majority during October 20<sup>th</sup> election.</p> <p>Tom commented on the opportunities that the service can provide, and that there is hard work ahead to define specifics. While he hopes the service will make our job easier, our mandate and work won't change.</p> <p>Kate Miller shared her excitement over the support for the bylaw, and that local government now has a mandate from the public on water. The first year will be used to develop a long term work plan and budget with the new CVRD Board.</p> <p>Brian Carruthers added that there were positive legacies from the process, including new relationships with ENGOS, and water purveyors. He thanked the CWB for helping to move the service forward, and noted that the region is now in a better place to plan for and manage our water resources.</p>	
<p>8.</p>	<p>Watershed Co-Governance Project Update</p>	<p>Lydia Hwitsum spoke to the level of success and progress we have had in being able to work together for the health of our water despite differences in jurisdictions and</p>	

		perspectives, and how people across Canada are looking at that. See below for presentation and discussion details.	
Break			
9.	Guest Presentation: Wild Safe BC	Todd Carnahan – conservation biologist presenting on behalf of Wild Safe BC (formerly Bear Aware). Todd is Community Coordinator for the CVRD area. Looking for ways to partner with jurisdictions to reduce human-wildlife conflicts. See presentation.	
Target working group updates:			
10.	Fish / Flows <ul style="list-style-type: none"> <li>In Season Salmon Report</li> </ul>	<p>Tim reported a positive year of returns so far:  Chinook adult – 7340 (peaked – end of season); Projection from swim 7500 below fence; 1371 jacks.  Coho – close to 3000, 171 jacks  Pinks –  Chum - 2187 but start of chum season.  See escapement report from Kevin Pellet for more detail.</p> <p>Fence is now out – fish moving well. They hold off and stay below the fence when they see the white fence and spotlights– need to encourage the fish to move through. Problem with poor images and representation because space is so limited.</p>	
11.	Water Quality <ul style="list-style-type: none"> <li>Stoltz sediment control</li> </ul>	Jennifer Sibbald gave a maintenance update for Stoltz Bluff this past year. See presentation. Further details below.	
12.	Other	<p>Chief Seymour reported that Cowichan Tribes completed log removal at 2 sites; gravel removal as well in September.</p> <p>Question about the section of Koksilah River that has been blocked off by a farmer. There was a grant at one time to address this. The farmer might be interested now. Lori to check with Kate Miller.</p>	
13.	Adjourn. Next meeting – Mon. Nov. 26	Adjourn 11:45	

## Detailed Notes

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### 8. Watershed Co-Governance Project Update by Lydia Hwitsum

Lydia updated the Board on progress over the summer in developing our co-governance model, and why these efforts matter.

People across Canada, including in Government, are noticing the way we work together using the principal of Nutsamaat, and that is opening doors for us. The difference between us and other areas is that we have found a way to recognize the different authority of the various governments around the table. We recognize that despite differing jurisdictions, we all depend on the Cowichan watershed, and we have made deliberate efforts to invest in the partnership. We are driven by mutual reliance, and crises like drought and flooding, that don't know where the reserve boundaries are. We know that these crises don't stop at jurisdictional lines, so in this case, in this region, in this valley, we recognize each other's respective authority, that being CT's unextinguished rights and local government's delegated authority, and chose to share decision making in the interest of a sustainable watershed. We are good, thinking people deciding to work together.

Recently we have worked to get clarity on our respective responsibilities through our governance manual. Revising a manual sounds like a dry exercise but really it's about how we work together – about that recognition of different jurisdictions that are committed to working together on watershed health. This is a huge accomplishment, and leads to more inclusive and effective governance.

We also now have an organizational chart that answered questions where there was a lack of clarity.

From the beginning it has been a joint exercise between CVRD and CT to create the CWB and its values, principles, targets. This year we did additional work to reinforce the partnership in context of whole of watershed thinking.

We also added the value of *Nutsamat kws yaay'us tth qa'*: We come together as a whole to work together to be stronger as partners for the watershed.

The world is watching us For example, I was invited to participate in the Greater Winnipeg Mayors, Reeves and Chiefs meeting in June. Lydia presented to their meeting – an historic collaborative effort that began in March.

It used to be that indigenous peoples and local governments talked to each other through the press in the 1990s. We weren't able to sit together around a table. People in other areas are now looking to Cowichan for advice on how to do that. We shouldn't underestimate the value of being able to sit around the table and look each other in the eye.

The second example is the National Freshwater Alliance conference in New Brunswick. Lydia was invited to speak on how acknowledgement of unextinguished rights and title allows us to work together. She learned about other examples of indigenous co-governance tables. E.g. Eskatone (sp??) – have created a mechanism for joint decision making.

## **Discussion**

Q: What are the challenges that we should be mindful of as we move forward in implementing the governance

A: Don't lose track of collective – actively agree to work together despite differences. There are challenges and opportunities in WSA. For example, if it's an appointed advisory board, how do we make sure those appointments are made locally?

Q: Tim and Rodger were asked similar questions at a small workshop they presented at - how did we get everyone to the table? Some things in our favour are that we have a nice small watershed to work with; significant land is in Cowichan reserve; it seemed like the most basic thing to us. We were almost forced into this situation.

A: We have the real opportunity to acknowledge each other's authority and jurisdictions and choose to make collaborative decisions. An example is the dyking – government didn't agree that money could be spent on reserve lands, but it didn't make sense to leave that part of the river out, so we worked together and leveraged government cooperation as partners.

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## 9. Stoltz Bluff Presentation (Jennifer Sibbald)

- Clearwater Creek gully is the most unstable feature at Stoltz. Efforts to stabilize last winter failed.
- Jan 29 2018 – flooding caused breach that resulted in sediment entering river thereafter.
- Work this summer/fall
  - Fortified and rebuilt the road to access the site.
  - cleared containment and overflow pond with excavator.
  - salvaged large woody debris from Koksilah log jam to stabilize with a “log check dam” in Clearwater creek gully – created terracing to slow flow.
  - rebuilt spillway.
  - also began bio-engineering building on recommendation by Dave Polster.

### Discussion

Q: Was plastic blown out and downriver?

A: No it was buried in winter, and we were able to remove during excavation.

Q: Is there beaver activity?

A: We know there is one

Q: Was it one storm or several that caused the failure last year?

A: Its complex.

Comment: High chum population maintains base biota that maintains all the other species – hopes that it will return in good numbers but Stoltz slide impacts chum.

- remediation very important but chum numbers down pretty much throughout southern inside.

- hopeful that we'll continue anomalous runs of high chum.