

COMMUNITY STEWARDSHIP



# COWICHAN ESTUARY



Cowichan Estuary Management Plan Review 2010 Update



## Overview

- One of largest estuaries in BC (approx 1,215 acres or 492 hectares)
- Over 30,000 people live in watershed
- Economic engine: forestry (sawmill, shipping), retirement
- Habitat for up to 230 bird species throughout year
- Critical winter habitat for thousands of waterfowl
- Important rearing habitat - 4+ salmon & 3 trout species



## First Peoples

Cowichan Tribes -  
harvested crabs,  
clams, geoducks,  
waterfowl, cod roe,  
urchins, and salmon





## Loss And Degradation of Habitat

### 1860s

- dyking for agriculture and flood protection

### 1880s

- logging and log rafting

### 1920s

- railway in tidal flats to connect with inland logging





## Loss And Degradation of Habitat

### 1960s

- sawmill and capacity to ship forest products

### 1980s

- sewage discharge from urban development

### 1990s

- changing summer flows, non-point source pollution





## Land Use Conflicts in Early 1970s

- Proposals for new industries
- Requests from existing industries to expand
- Public protests against development





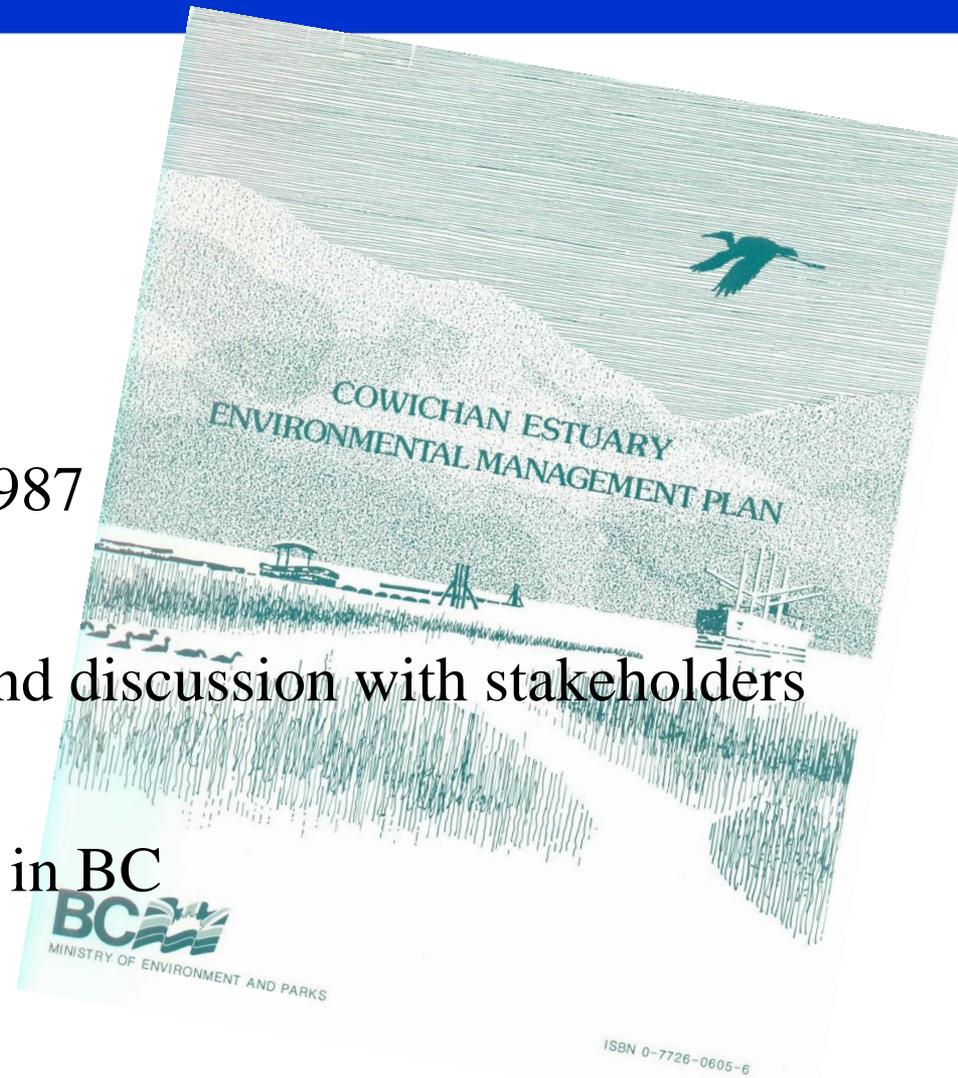
## Issues of Concern

- Overlapping government jurisdictions
- Private ownership of intertidal land
- Rezoning and the courts



# Cowichan Estuary Management Plan

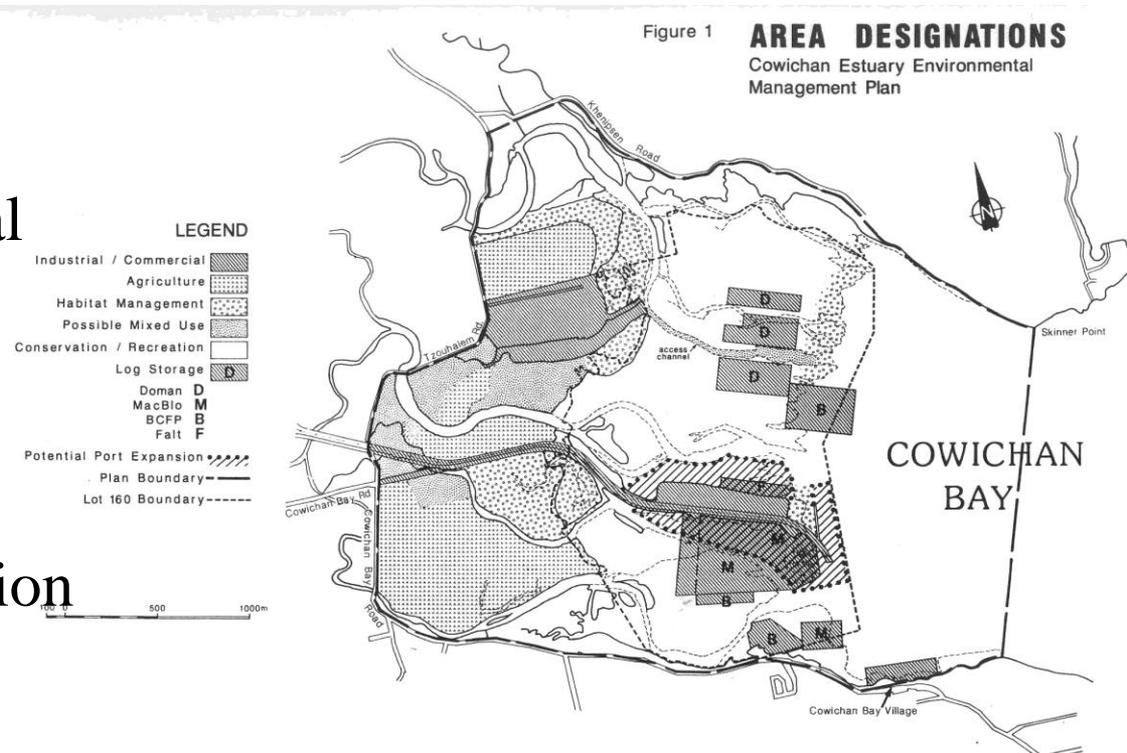
- Provincial government of BC 1987
- Based on 13 years of analysis and discussion with stakeholders
- First Estuary Management Plan in BC





## Key Elements of Plan

- Designation of mapped zones to guide land use
  - Industrial/commercial
  - Agricultural
  - Agricultural
  - Habitat management
  - Mixed use
  - Conservation/recreation
  - Log storage





## Key Elements of Plan

- Agreements with four major industrial landowners
  - Reduce log storage requirements to 19 per cent from 49 per cent of intertidal
- Environmental review process established
- Restoration of impacted sites encouraged



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PROVINCE OF BRITISH COLUMBIA

**ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL**

Order in Council No. **1652**, Approved and Ordered SEP. 12, 1986

  
 Lieutenant Governor

Executive Council Chambers, Victoria SEP. 9, 1986

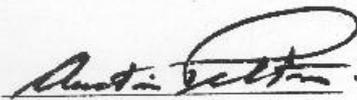
On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that

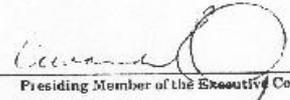
WHEREAS by order in council 2206/85 the Minister of Environment was directed to prepare an environmental management plan for the Cowichan Estuary (the "plan");

AND WHEREAS the Minister of Environment has implemented the direction given to him and has submitted the attached plan for approval;

NOW THEREFORE it is ordered that

- (1) the plan is approved without modification,
- (2) no licence, permit or power under an enactment shall be issued or exercised by or on behalf of any public officer including without limiting the generality, a minister, agent or officer of the Crown, elected or appointed official, officer, employee or agent of a municipality or regional district on any matter governing the area affected by the plan unless, prior to the issuance of the licence or permit or exercise of the power the matter is submitted to and receives the written approval of the Minister of Environment to the effect that the issuance or exercise will have no significant detrimental environmental impact upon that area and is in conformity with the plan, and
- (3) B. C. Reg. 486/77 is repealed.

  
 Minister of Environment

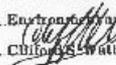
  
 Presiding Member of the Executive Council

(This part is for the records of the Office of Legislative Counsel, and is not part of the Order.)

Authority under which Order is made:

Act and section:..... Environment Management Act, section 4(9).....

Other (specify):..... Environment and Land Use Act, section 6..... 3334/11

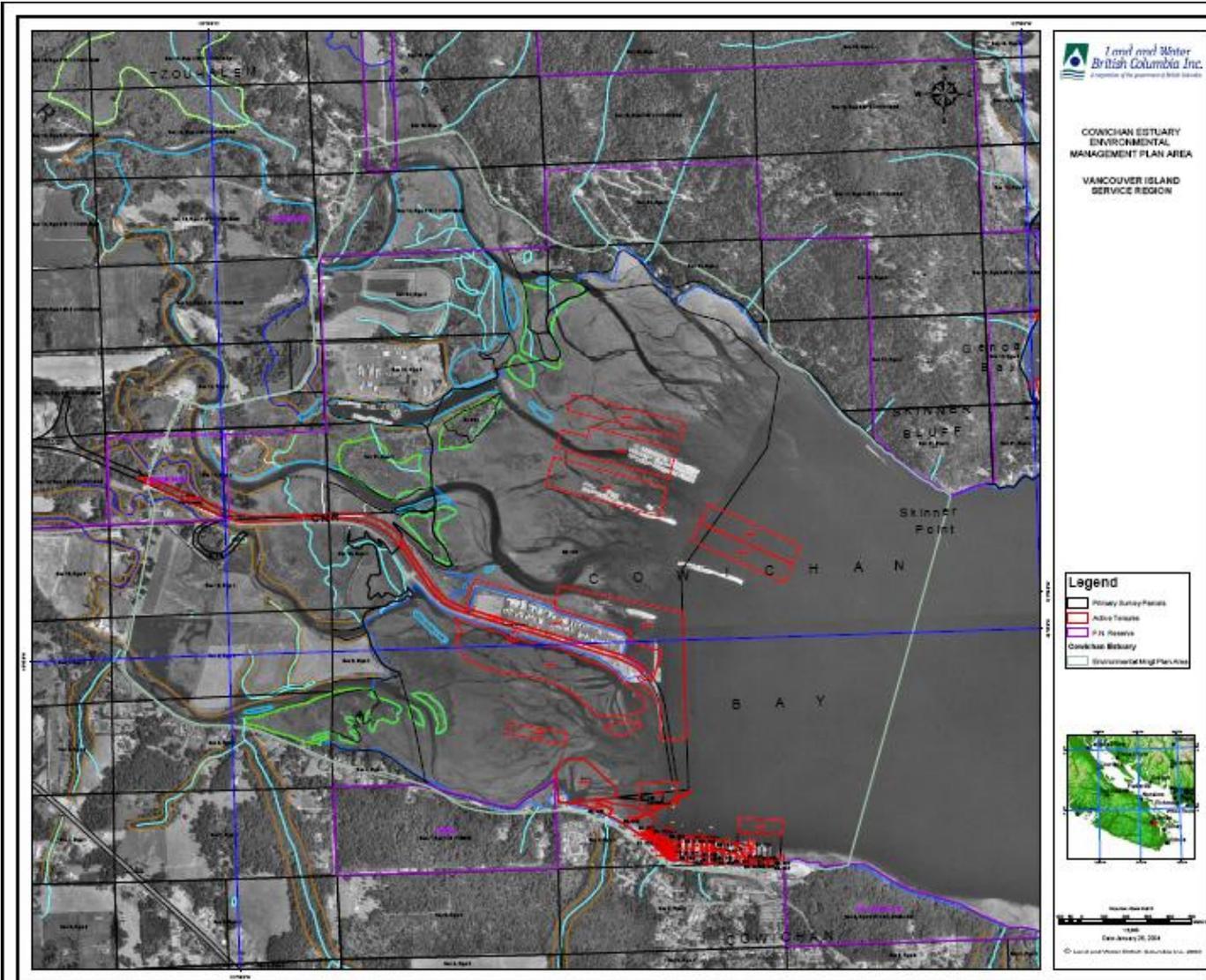
Examined by:..... .....  
(Attorney General examiner)

June 19, 1986 1285/86-pw1



Figure 1 **AREA DESIGNATIONS**  
Cowichan Estuary Environmental  
Management Plan







## 2005 - Plan Review

In 2005 Ministry commissioned Vis-à-vis Management Resources to:

- provide information about the successes and shortcoming of the plan after 20 years.
- assess the adequacy and appropriateness of the plan for addressing contemporary issues.



## Scope of Review

- Was the plan effective? (environmental and stakeholder perspectives)
- Were there effective linkages with other land-use initiatives?
- Was the plan consistent with the Ministry's approach to doing business?
- Options to address issues identified during the review?



## Approach

- Reviewed Plan, background documents, other plans, literature.
- Discussed Plan with key stake holders.
- Discussed other plans particularly Campbell River.
- Reviewed files in regional office.



# Stakeholders Consulted

## First Nations

- Cowichan Tribes
- Hul'q'mi'num' Treaty Group

## Industrial

- Doman Industries
- Hayes Forest Services Ltd.
- Tidal Harmony Holdings (Westcan Terminals Ltd.)

## Small Business and Community

- Cowichan Bay Improvement Association

## Environmental Groups

- Ducks Unlimited Canada
- The Nature Trust
- Cowichan Community Land Trust
- Cowichan Estuary Preservation Society
- Cowichan Naturalists
- Cowichan Watershed Council
- Cowichan Fish and Game



## Stakeholders Consulted cont'd

### Government

- Fisheries and Oceans Canada
- Canadian Wildlife Service
- Ministry of Agriculture
- Ministry of Sustainable Resource Management
- Land and Water British Columbia
- Ministry of Attorney General
- Ministry of Environment
- Municipality of North Cowichan
- Cowichan Valley Regional District

### Others

- Several Consultants with environmental planning & management expertise
- Councilor, District of Campbell River
- Environmental Coordinator, District of Campbell River



## Findings - Environmental

### Habitat Protection and Restoration

- Reduced log handling & storage
- Land acquisition for conservation
- Further development limited
- Environmental impacts reduced by assessment process
  
- Limited improvement of water quality
- Plan reactive, limited habitat improvement except recent Land Trust initiative (eel grass), little activity since early 1990s



## Findings and Thoughts - Stakeholders

- Environmentalists acknowledge gains, critical of progress and impacts from upstream.
- Industry likes certainty.
- First Nations value plan although some frustrations, doesn't include sustenance (major FN objective). Draft watershed recovery plan significant endeavour.
- Agriculture - still occurs Cowichan Estuary Farm and Blackley (Domans).
- Recreation – birding, kayaking growing, coho potential, hunting stable, dog trials potential issue, linkage to Somenos and beyond major potential.



## Findings - Stakeholders

- Local Government – good relations at staff level. Would like more authority. Development Permit Area by-law positive. Significant involvement in CB Water Management Plan. Trust issues with CVRD.
- Commercial Cow Bay Village found plan onerous – cause of delays
- Mixed views on exempting Village from Plan. Concerns about follow up and presence of DFO & MOE (invisible).
- Significant capacity for greater role in Plan but at time, willingness issues existed due to Water Use Plan initiative that is driven by emergency.



## Findings - Linkages to Other Plans

☒ Very weak

- Should be linkages to OCPs, Somenos.
- Linkages to Water Management Plan and Recovery Plan critical – former limited.
- Can't be effective unless it is integrated with other planning/management initiatives for the watershed. It should be nested within a watershed plan.



## Findings - Project Review Process

- ☑ One window approach to assess environmental impacts of projects
- ☒ Process Issues: need to notify MOE re minor projects; type of projects requiring review; lack of info re process; timeliness and need for DM approvals.
- ☒ Process not well understood.
- ☒ Much folklore re timeliness. (Years vs. recent 78 day avg. review time)
- ☑ Well organized proponents get relatively quick approvals.



## Findings - Consistency with Ministry Operating Principles

- ☒ Clear Objectives, Performance Measurement and Reporting
- ☒ Shared Stewardship
- ☒ Transparency
- ☒ Accountability/Responsibility



## **Findings - Comparison with Other Estuary Plans**

- Relatively successful but based on authority not planning attributes.
  
- Plan is under-developed and under-implemented.

**Little change since 2005 but CVRD has recently funded a Secretariat function.**



## Summary

- Plan has reduced conflict, provided certainty, and limited further environmental degradation.
- However, improvements are warranted.
- Need:
  - Vision, goals, principles, objectives, prioritized activities
  - Leadership
  - Watershed approach
  - Funding including base from all beneficiaries and project \$\$\$
  - Secretariat supporting project review administering, communicating, reviewing banking (funded needs to be implemented)
  - Linkages to other plans i.e. CWBMP
  - Consultations would be required to amend plan
  - Will change yield better results?
  - Focus and timing. (The planets need to be in line.)



# Options

1. Status quo.
2. Improve plan short term and transition over longer term to a new plan and governance model.
3. Amend the Plan to remove village, streamline responsibilities, and improve management processes.



## Recommendations

Option 2 - Improve plan short term and transition over longer term to a new plan and governance model.

- Strategic Legal Opinion
- Reality Check and Patience
- Strategic Improvements

**Although little progress has been made to date the opportunities still exist.**