

Cowichan weir water conservation license

How to get from here to there....
(Creating a recipe for success!!)



July 27, 2020

Background

- Cowichan Weir project expect to be “shovel ready” by early spring 2022
- Need to identify Conservation license holder to secure resources for construction phase
- 4 Partners involved to date
 - Cowichan tribes, CVRD, Catalyst paper and CWB
- To date agreement amongst local players that Province of BC should hold license but they have expressed their reluctance to do so
- Partners currently have engaged legal council to advise on potential of some kind of joint license application
- Very limited progress over the last year



Need to Develop a Game plan...

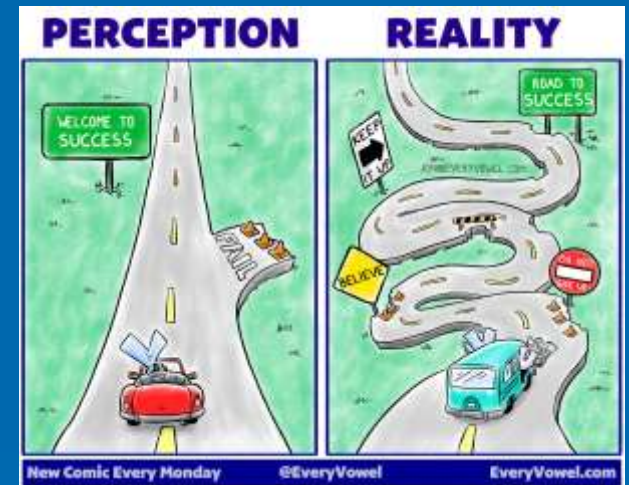
- Need a clear understanding of who the players are, what their roles will be, what the work is
- What things to we need to do?
- What steps must be taken to complete them?
- Who should do them by when



Steps along the road to success...

- Want to share some of the steps we've been thinking about and then go around the table and get your thoughts on

- Does any of this make sense?
- What have we forgotten?
- What's on our straw dog list that isn't important?
- What would be a better way of doing this?
- Are you supportive of CWB staff playing this role moving forward????



Things to do....

➤ **Steering Committee**

- Confirmation and Commitment of steering Committee participants
- Meeting schedule

➤ **Legal Advice**

- Outputs and analysis of advice by partners' legal council

➤ **Clarification of partners Roles and Mandates**

Catalyst Paper

- Confirmation of intention to continue to hold industrial license on new structure
- Interest, or not, of involvement with new conservation license
- Confirmation of intention and ability to assume operations and maintenance costs of new weir

Things to do (cont.)

➤ Clarification of partners Roles and Mandates

CVRD

- Clarify Mandate: To what extent can CVRD and CVRD staff lead or partner in future steps RE weir construction and licensing without another referendum

Cowichan Tribes

- What processes/decisions would be required before Cowichan Tribes would be able to engage in licensing discussions, or hold a license.

CWB

- Clarify role of CWB in this process. Do other partners support CWB playing a coordination role?
- Could CWB “hold” a conservation license. What changes in relationship with foundational partners have to take place in order for this to happen



Things to do (cont.)

➤ Understand the barriers to the Province holding the license; address if possible

- Meetings with provincial staff and ministers to clarify reasons and rationale for inability to hold conservation license. What steps could be taken to address these barriers?



➤ Clarify other First Nations interests

- What is needed here? Defer to Cowichan Tribes?

➤ Options Paper – UVIC Environmental Law Centre

- Summary of precedents and options

Things to do (cont.)

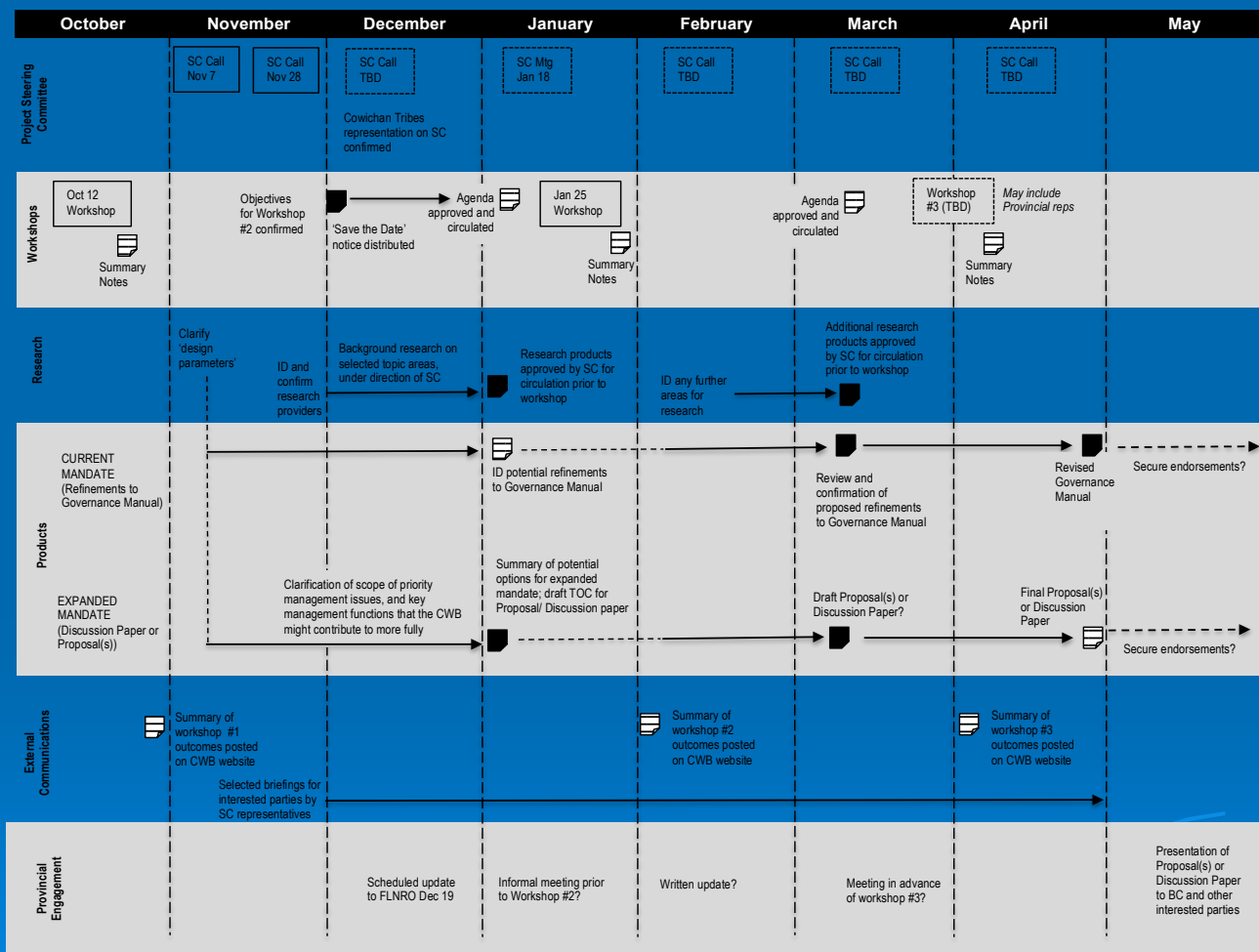
- **Clear understanding of potential property impact liabilities.**
 - BCSRIF funded shoreline impact assessment completed. Clarity to partners, FLNRORD Water Authorizations and potential license holder around liabilities to be considered.

- **Establish hierarchy of options**
 - Create mutually agreed upon decision matrix with support from all parties outlining best choice, potential alternates, and what is unacceptable.



Example of a “Critical Path” Plan

Draft Critical Path for CWB Workshop Series: 2017-2018



What do you think?



➤ Quick roundtable

- Are we on the right track or off in the weeds?
- Is this work we should be doing? (if supported by other partners....)
- What are we missing...

➤ Note: there is a deadline for submission to UVIC Environmental Law Centre for 'Options Paper' so need decision on that today.....

