



Jill Thompson <jill@cowichanwatershedboard.ca>

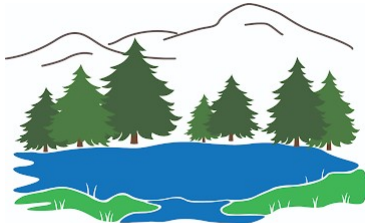
Call for Better Riparian Area Enforcement & Support for Funding Cowichan Weir

Ken Traynor <ken.traynor@gmail.com>

24 October 2022 at 11:00

To: LWRS.Minister@gov.bc.ca

Bcc: jill@cowichanwatershedboard.ca



Cowichan Lake & River Stewardship Society

PO Box 907
Lake Cowichan, BC VoR 2G0

Dear Minister Osborne: I am writing to you today, on behalf of the **Cowichan Lake & River Stewardship Society (CLRSS)**, on two issues of importance here in the Cowichan Valley:

1. To express our serious concerns with the **inadequate enforcement of our existing Riparian Area Regulations** here in British Columbia and to call for action to enforce, and to communicate the importance of, these regulations much more forcefully, especially when properties which border on water courses change hands, and;
2. To reiterate our **support for raising the weir in Cowichan Lake** and to urge your government to expedite the financial support necessary to augment funding already committed by the Government of Canada allowing this key project to proceed.

I have attached Background documents with more information and links to our website where these issues are covered in more detail and I am, of course, available to answer any questions that you or your staff may have about these issues.

I look forward to a positive response from your office on these important issues.

Respectfully submitted

Rodger Hunter
CLRSS President

Cc:
Cowichan Tribes
CVRD Area Directors
Cowichan Watershed Board
Town of Lake Cowichan
Paper Excellence

Ken Traynor
ken.traynor@gmail.com
#508 - 1433 Faircliff Lane
Victoria, BC V8S 3J6
250-228-2279

 **Background Ministerial Letter re Riparian challenges.pdf**
303K



Background

The Cowichan Lake & River Stewardship Society (CLRSS) has been working for years to engage our community and change attitudes regarding the value of riparian areas. We have aimed to promote a cultural shift, from cutting and clearing to protection and restoration of shoreline riparian areas. The aim is not to discourage recreation but to demonstrate how natural ecological functions and human activities can co-exist.

<https://www.cowichan-lake-stewards.ca/>

Every year shoreline properties on Cowichan Lake and the Cowichan River change hands bringing new residents to both the lake and river. For example, 7 properties were sold in the Youbou area alone in 2020 according to MLS statistics. Many of these folks may not be aware that our lake and riverine foreshore areas are governed by a number of specific regulations. These are focused on protecting vegetation from removal within 30 m of the high water mark in order to preserve fish habitat. Along with the beautiful views and privileged access to the Lake that shoreline ownership provides should come a responsibility to protect the shoreline area.

Shoreline habitat is seriously threatened by recreation, residential development, and upland land use practices across BC. Cowichan Lake is no different. Data clearly show that we are continuously losing this critical habitat as it experiences serious degradation due to cumulative impacts.

Lake shores, stream shores and wetlands form transitional ecological boundaries between aquatic and terrestrial habitats. These transitional areas are important for fish and wildlife species. They provide the benefits of ecologically diverse habitats which are important for reproduction, feeding, resting and protection from the elements and predators. Vegetated foreshores also help to protect water quality by filtering runoff that approaches lakes and streams reducing shoreline erosion that arises from heavy rainfall and wave action.

Recently a property in Youbou changed hands. The foreshore, with public assistance, had been restored with a mix of local upland native plants and submergent species that thrive despite annual high water events. The restoration was doing well and had been included as part of an educational tour we have led for local real estate agents aiming to demonstrate the importance of riparian areas and as an example of responsible shoreline property ownership.

However, after the property changed hands neighbours noticed heavy equipment working on the beach clearing the shoreline of plants and adding sand to the beach right down to the water's edge, something not allowed under the Riparian Regulations. Authorities were notified through the Provincial R.A.P.P. line. The CVRD Bylaw enforcement office and the Department of Fisheries and Oceans investigated the situation but the damage had been done.

A few Facts

- 92% of the Cowichan Lake shoreline (including forest land) is privately owned. Owners of ecologically important habitats are responsible to preserve publicly owned resources -- the fish and the water -- now and for future generations.
- 70% of the shoreline of Cowichan Lake is still in a relatively undisturbed state and needs protection. This land and vegetation adjacent to watercourses (the riparian zone) is essential for water quality, fish stocks and wildlife, as well as flood and erosion control.
- The shoreline of Cowichan Lake is a nursery for up to 300,000 wild coho salmon annually. It also contains self-sustaining populations of cutthroat, rainbow, dolly varden & kokanee.

What Needs to be Done?

1. Require that new lakefront and riverfront owners receive detailed information, when the property changes hands, on their responsibilities under the law and local bylaws and the consequences of breaking them.
2. Leave our riparian areas intact. -- Prevention is easier and less costly than restoration.
3. Minimize the impact of lake access points. -- Use only one point of access per property, build fish-friendly docks and use gravel pathways.
4. Restore damaged riparian areas. -- Let natural re-vegetation take its course or re-establish native plants.
5. Respect riparian area regulations and avoid fines. -- Leave riparian areas intact for erosion control, water quality, habitat protection, coho production and flood prevention.



P.O. Box 907
Lake Cowichan, BC
V0R2G0

re - Community Support for Cowichan River British Columbia Salmon Restoration and Innovation Fund (BCSRIF) Proposal

Who We Are

Cowichan Lake & River Stewards have contributed 2,000 volunteer hours every year for the last 8 years protecting and preserving the Cowichan watershed through our core activities:

- rescuing stranded salmon fry;
- cleaning up the upper Cowichan river;
- monitoring water quality;
- working with students and providing public education;
- erecting signs on fish bearing streams

Sixty-one years ago, a weir was built in Cowichan Lake to address the summer water quantity problems of that era, and we are all still profiting from that good work. Now it is our generations' turn. We need action now in support of water security for the Valley in the years ahead. Increasing storage in Cowichan Lake can be a key determinant of the future health of all our salmon and all water users in our watershed.

CLRSS wholeheartedly supports this application to the BCSRIF and we urge you to fund it so we can get on with the difficult task ahead of adapting to and addressing climate change in our valley.

Why We Need This Project

The effects of climate change on our watershed are already evident. This is what we are seeing. ● 33% decline in summer inflow to the Lake over the last 2 decades.

- Warmer wetter winters, less snowpack, hotter drier summers.
- 11 of last 20 and 4 of the last 5 summers were droughts.

If we do nothing to increase storage in the Lake we will soon see:

- Much lower summer lake levels on average,
- Pumping water out of the lake to keep the river flowing,
- Salmon in the lake and river heavily impacted,
- Cowichan River Estuary dewatered at times at the Bay,
- Fishing tourism declining,
- Little tubing possible in future summers,
- Less recharge of aquifers,
- Possible summer closures at Catalyst paper, and
- Not enough water in summer for sewage dilution.

But we are lucky. Cowichan Lake provides an excellent opportunity to increase water storage at the head of the watershed so that spring and summer flows in the river can be maintained. This will benefit everyone in the Valley but only if a new weir is built.

This infrastructure project is needed to restore natural levels of water flow to the Cowichan River, a Canadian and BC Heritage River, and maintain healthy and diverse wild salmon populations. It could also potentially be an innovative model to address issues in other coastal salmon ecosystems impacted by new climate patterns involving wetter winters and longer drier summers.

What Can Be Done

Two CLRSS Board members participated in the recently completed Cowichan Water Use Plan process, along with 18 other stakeholders from all over the valley. They spent several days during the winter of 2018 studying climate change projections and weighing various alternative

designs for protecting our watershed ecosystems and securing our drinking water for future generations. Some of our members provided input to the technical working group for the process, along with First Nations, all levels of government, local NGOs, Pacific Climate Impacts Consortium and lakefront property owners.

A consensus rooted in excellent science was reached, recommending increasing the storage capacity of Cowichan Lake by 30 cm as soon as possible and to 70 cm when needed in the future. This group of valley citizens have produced a carefully considered plan to secure our water and showed us how working together at a district level can produce a way forward.

In summary, the consensus Water Use Plan proposes to:

- Increase the storage capacity of Cowichan Lake by 30 cm as soon as possible and to 70 cm when needed in the future, after further study and negotiation with impacted shoreline owners;
- Allow temporary pumping over the weir in emergencies;
- Start storing water and go on control on March 1st each year;
- Ask the Provincial Government to hold the conservation license;
- Call on senior levels of government to fund the weir construction.

This project builds on this earlier progress. Local partners, lead by Cowichan Tribes, Cowichan Valley Regional District, Catalyst Paper, and Cowichan Watershed Board, are seeking funding to raise (replace) the current weir to store more water to mitigate the current and projected climate situation. This proposal is for the phase of work needed to prepare for construction – weir design and impact engineering. It is crucial that we get started on this work. Support from the BCSRIF can make a huge difference.

Critical for Wild Salmon

There are 5 species of salmon in the Cowichan, including the highly valued Chinook, which are a critical food source for the Orca, and Cowichan Tribes First Nation. Cowichan Tribes' constitutionally protected right to fish has been unmet in several recent years, and will be severely compromised if nothing is done. The Water Use Plan included this conclusion for salmon:

The Cowichan River is one of the most productive rivers on the eastern side of Vancouver Island and without action it will look radically different by the 2050s. Salmon stocks that utilize the river to spawn and rear during the summer and early fall period will be decimated. Chinook, Coho and Steelhead are particularly vulnerable, and their populations will almost certainly be at critically low levels without intervention. There will be no Aboriginal, commercial, or recreation fisheries for these species, if this situation is allowed to occur. Poster Boards – June 11 Public Meeting (<https://cowichanwup.ca/materials/>)

This project is critical for wild salmon and all fish species in the Cowichan system. It is important for all valley residents. We have been talking about this project for more than a decade but it is crucial that we move this forward now. On behalf of the Cowichan Lake and River Stewardship Society I urge you to support this project and partner with us as we adapt to the climate change challenges we face.