

Minutes of a second meeting to construct a working group of citizens wishing to participate on a Shawnigan Lake Watershed Roundtable held Saturday, March 31, 2012 from 1-4 pm at the Shawnigan Lake Community Centre.

Present:

Dr. Bruce Fraser, Area Director, Shawnigan Lake	
Kelly Musselwhite, Alternate Area Director, Shawnigan Lake	
Tom Anderson, Manager Planning and Development, CVRD	
Brian Dennison, Manager Engineering and Environmental Services, CVRD	
Teresa Erb	Calvin Cook, SRA
Erica Collins	Pat Clark
Pete and Deanna Collins	Dave Hutchinson, APC, Focus
Graham Ross-Smith, SRA (Watershed)	Brent Beach, SRA
Barry Gates, Elkington Heights	Grant Treloar, APC
Frank Slavin	Linnea Johnson-Goodson
Georgia Collins	David Coughlin
Bill Savage, Parks and Recreation Commission	Dr. Mackenzie Brooks
Mike Hanson, South Cowichan Chamber of Commerce	John Clark
Domenico Iannidinardo, TimberWest	Morgan Kennah, Island Timberlands
Tom Marshall	Doug Makaroff, Living Forest Communities
Cliff Evans	Janet Cundall
Rodger Hunter, Cowichan Watershed Board	Cori Barraclough, Aqua-Tex
Garry Horwood, SRA (Chair)	Patrick Lucey, Aqua –Tex
Grant Price, SRA (Water Quality)	Ed Brennan
Gary Henshaw	Elizabeth Brennan
	Shirley Crowley

Overview of Multiple Agencies Issue as present by Bruce Fraser:

- Need for collaboration and collectivity in working relationship
- Need for a consistent exchange of information
- There are many jurisdictions throughout the water basin
- There are other examples of similar groups which successfully manage their watersheds ie Cowichan
- If we pool our resources, staff, and knowledge, we can move forward and promote progress
- To do so we will start with citizens and then broaden our inclusion to the different agencies who all have a stake in water control issues
- Shawnigan Lake's watershed is small but it comes with lots of activities and complex issues

Domenico Iannidinardo (TimberWest):

- TimberWest is a major land owner holding about ¼ of the watershed
- These lands are privately managed but must meet certain standards
- TimberWest continues to claim they own the lake beds also

- There are also a couple of woodlot owners in this area
- Watershed reviews and monitoring of land base are accomplished ie fish inventory
- Timber representation is present by choice to demonstrate availability and desire to achieve working and compatible relationships
- They also communicate at the provincial level and are able to bring this information back

Tom Anderson (CVRD):

- Acknowledged his experience of the growth on Stebbings Rd
- Resulting , in part, are the current issues founded in their water contributions from both it being an industrial area as well as the illegal dumping of contaminated soil
- Both the quality and volume of this dumping is in question and has been for some time

Barry Gates (Elkington Heights):

- Has lived for 35 years on Stebbings Rd
- It is F1 – Forestry zoned
- This allows for legal aggregate extraction and dumping of soil given the zoning allocation
- It also provides a loophole to businesses
- Soils are being dumped from outside of our district
- The biggest issue in the upper watershed is the dumping of soil which is not being monitored or controlled at the provincial level

Tom Anderson (CVRD):

- There are 6 dump sites at the south end of Shawnigan Lake
- Department of Fisheries and Oceans, the Ministry of Environment, and the CVRD at the UBCM (Union of BC Municipalities) have engaged in ongoing discussion
- However, action by the ministry is slow
- Regional Districts are attempting to push the ministry to adhere to their mandate to ensure soils being dumped are not contaminated
- Ministry's reaction as founded in their perspective of economic emphasis and less for environmental impact
- Generally speaking the CVRD get a poor response from the ministry responsible for dumping regulations

Bruce Fraser:

- An application has been made by SIA (South Island Aggregate)
- They had obtained a mines permit in the first place to extract aggregate from that property
- Now seeking a mines permit and environmental permit to fill in the remaining pit
- They can fill it with either contaminated or non-contaminated soil
- Their application is for the approval of contaminated soil
- Their permit from mines has been approved

- Now working on achieving approval from environment whereby they will be expected to live up to specific environmental standards
- This must go through a public process
- The ministry have “prescribed” attitudes
- They continue to reiterate a “don’t worry” message, which is either negligent or naïve
- This issue requires media attention to broaden the focus of the nature and severity of our reality
- The inflow of the watershed creek is what is being impacted, which directly feeds the lake
- There has been a concerted and consistent effort on behalf of the CVRD but they are restricted to enforce regulations by the province who holds this authority over contaminated fill

Barry Gates (Elkington Heights):

- A solution would be to change the F-1 regulations and zoning to prevent this kind of dumping
- Current government would not support a regional government’s move to do this
- Possibilities lie with the notion of a new provincial government (election May 2013)

Bruce Fraser :

- Jean Crowder and John Horgan have met with CVRD on a number of occasions
- The public used to be supported by the Ministry of Environment
- Now they have no staff and no resources
- The staff now are not willing to work against the economy
- This is a provincial mandate who do not want anyone playing in their sandbox
- It is a glum situation
- Civil disobedience gets attention and sometimes it’s appropriate to be noisy

Rodger Hunter(Cowichan Watershed):

- There are similar experiences on the Cowichan Watershed Board
- 12 people sit on the Board, 3 are elected representatives from the CVRD
- Bruce Fraser is a founder of this group
- Developed originally in 2003 from a water shortage crisis in Crofton, which almost closed the mill due to lack of water availability
- These kinds of boards result from either a “crisis” or a “golden opportunity”, which inspire action
- A Water Basin Management Plan has been developed as a result
- It took three years for the Board to form
- This resulted in the creation of 7 targets and 89 actions
- ie we want clean drinking water and we want a healthy estuary and we want to be able to eat shellfish out of Cowichan Bay by 2021, which we have not been able to do since the 1970’s
- It was intended that the Water Basin Management Plan be used as a model for other communities
- Cowichan Tribes are working in partnership with the Board

- The issues were significant enough to spur an awakening/opportunity to add to our community's sustainability
- Climate change is also a huge factor – study done which showed a 36% decrease of water flow
- Conclusion was a stressed system
- Shawnigan is experiencing the same issues
- Issues pertain to both water quantity as well as water quality

Brian Dennison (CVRD):

- CVRD budget process cannot move money from one function to another
- There are 160 individual functions (therefore budgets) that each stand alone
- All have their own authority/service = function
- Getting public consent requires roughly a 6 month process (referendum, AAP)
- This needs to be kept in mind to contextualize any scenario
- The goal to create a water plan for areas A, B, C, and D (Mill Bay, Shawnigan, Cobble Hill, and Cowichan Bay respectively) brought about a "South Cowichan" Study Plan
- 40% of the budget however comes from Area B
- This is now funding research scientist Dr. Mazumder to perform water quality and quantity studies
- There are a number of water quality concerns for Shawnigan Lake (please search Dr. Mazumder on the CVRD website for details of his report whereby data is being added every two weeks):
- Turbidity/clarity, algae, caffeine, Ibuprofen = all evidence of human-made contaminations
- These studies are resulting in findings in which recommendations can be drawn
- Rule curve also provides evidence of quantity change for this area given comparison of historical and evolving water levels

Grant Price (SRA):

- Definite increase in rain during winter and lesser rain in summer than in past years
- Shawnigan weir is monitored every two weeks (March to October)
- Weir is adjusted to accommodate water levels ie winter it is wide open to allow water to pass
- There are multiple creeks that enter the lake and only one that exists
- As per Dr. Mazumder, "If we do nothing to improve or worsen our human impact on the lake, it will be entirely green in 10-15 years."
- Evidence of increased organics, which causes an increase in chlorine treatments (carcinogenic in long term but best alternative given water quality)
- In some cases the lake by products surpass accepted standards (drinking water)
- Known trajectory = all evidence indicates downhill
- During flood season the lake levels and submerge many septic systems on lakeside/islands
- This is not good; however, all septics eventually make their way into either lake or aquifer
- Our north end sewage system is almost at capacity
- Increased population = increased septic fields

- There are still dozens of lots capable of subdividing, which further impacts the basin and puts increased pressure on sewage/water systems already at capacity

Cory Barraclough (Aqua-Tex):

- A well functioning septic can strip certain pharmaceuticals via their soils so septic systems are often better than sewage as sewage does not have this capability at all

Bill Savage (Parks and Recreation Commission):

- The positive is our existing parks and our capacity to develop new parks
- The commission is trying to gain access to the 72 road ends, which currently fall under the jurisdiction of Ministry of Transportation/Highways but are for the most part ignored
- Do have authority over 2 road ends and have been approved for additional 3 (in budget)
- We need to control access to the lake and implement rules and regulations on the lake
- For 6 years they have tried to gain acquisition from MOT
- MOT position is that unless we incorporate they will continue to have retain authority
- Need to control boat volume, ensure correct safety devices, etc , which will benefit the lake and the community
- Currently lake has W1, W2, and W3 zones
- There is a problem with people coming, dropping wharfs at the end of a road, creating “party central”, and using the lake as “facilities” for weekend without regard for the community
- The multi-jurisdictions on the lake make virtually all aspects of authority or management impossible unless we rely on these jurisdictions to do their jobs
- Example: a recent ad in the paper asks for \$500/week moorage for summer months at a road end and this is not illegal!
- Parks wants to manages all road ends to solve these issues
- If ownership is not possible, CVRD could rezone, which would allow at least for increased control
- Several issues involved: noise, damage, liability, fire access, adding exhaust which then impact the quality of fish, in addition to declining water quality
- This is just another impact on the lake system
- The accumulative impact of the number of lake issues make for a highly complex problem
- Also trucks now use diesel fuel and not gasoline ie exhaust
- The 2012 budget has provisioned for a second bylaw enforcement officer to care for regional parks
- Consideration and changes need to be made to boat launches to more suitable places
- Parks has a 5 year lease on Memory Island
- Their yearly budget is \$270,000
- Need 50-99 year leases to increase their desire and ability to make/invest for long-term solutions
- The Parks and Recreation Commission meet on the third Thursday of each month. All public welcome.

Bruce Fraser:

- Another layer to all this is the degree of current subdivision
- What acts as an indicator is the need for a third firehall
- Cougar Ridge/Goldstream Heights/Shawnigan Station are all entitled to services
- At what point do you intervene to prevent an increases problem of the water basin?

Patrick Lucey (Aqua-Tex, Equatic Ecologist giving a presentation):

- Focus is on south end of lake and water quality, specifically on how development influences the health of water and landscape in which we live
- Since 1980 he has been working watersheds
- Our issues are not peculiar to Shawnigan Lake
- Increased population and expectations and activities all influence the health of our water supply
- It is easy to look back 100 years to see historically the change
- It is impossible to look forward 100 years
- We consider what Patrick calls a desired future condition
- The notion is founded in sustainability – Enough for all – forever
- Not considering humans solely but all creatures that rely on water to survive
- There is increased water run-off with increased development
- Changing climate – all about water
- Climate of planet is mediated by water
- We need a cultural shift and to overcome our traditional development implications
- We need to value nature's infrastructure

Shawnigan Lake:

- Status?
- There are two watershed basins: portion that flows into the lake and portion that flows out of the lake
- We have little information to work with as maps tend to be incomplete
- It is crucial to understand what landscape consists of ie regulations and guidelines needing to be followed at all government levels
- We need to evaluate what is the risk to water quality
- A “trashed” landscape always mean a “trashed” water system ie if water system is healthy, the landscape is also healthy
- None of our wharfs on the lake have followed permitting process
- Foreshores and maintenance is a question of ethics and morality and is behaviouralist in terms of destruction and choice
- Shorelines need protection
- Twin culverts at south end are indicative of consistently changing water release
- Water threshold does not allow us to go back regardless of money availability
- There is a tipping point of no return whereby only nature can improve the system in time

- Constant stresses to water have an effect on fish spawning but also on water quality
 - Our current behaviour is an “act of terrorism” and meets the definition
 - Turbidity events show increased lack of water clarity
 - Ministry of Environment or DOF could not track source of recent “muddy” run-off
 - It took Patrick and Cory 4 hours to determine source was abandoned gravel pit now owned by bank who are now liable for the negative impact to lake
 - It then took only 5 days to solve the problem but less than 24 hours for partiers to “trash” their work (most of these people are not local)
 - They are not attempting to fix the problem again
 - Philosophy is opposite to their management style, which is to keep people out
 - Patrick feels that solution can only be achieved by inviting people in so that risk of damage does not continue to reoccur
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- How do you manage this watershed in the future?
 - Smart, clean, and green development is far more lucrative than doing things as we have always done them
 - There are only two kinds of landscape: never develop and possible to develop
 - The last thing that ought to be determined in a development project is where houses ought to be built
 - We must balance development on ecological stability
 - Nature always gets half and we must integrate: economics, social equity, and ecology
 - Doing so is 100% profitable and not more costly to the developer

“If you want one year of prosperity, sow seeds. If you want ten years of prosperity, grow trees. If you want one hundred years of prosperity, educate people.”

Chinese proverb

Resulting from this meeting:

Shawnigan Watershed Roundtable: Core Team

Grant Treloar
Dave Hutchinson
Barry Gates
Grant Price
Bill Savage
Linnea Johnson-Goodson

David Coughlin
Georgia Collins
Graham Ross-Smith
Julia Brooke
Rodger Hunter
Brent Beach

CVRD Support

Bruce Fraser
Kelly Musselwhite
Tom Anderson
Brian Dennison

Next Meeting of Core Team: At Elkington Forest with Barry Gates hosting a south end walkabout and team discussion – tentative date Saturday, April 21st 10:30 am to be confirmed with Barry

New Participants to Confirm or Seek

Steve	DFO
Tim Kulchyski	Cowichan Tribes
	Malahat First Nation
	VIHA
	MOE
	MOTI
	RCMP