

Saanich Inlet Roundtable: November 10, 2015 – Meeting Notes

2:00 pm - 4:30 pm

Mary Winspear Centre, Sidney, BC

Attendance: Approx. 85

Strengthening knowledge and understanding of complex issues in order to improve the quality and effectiveness of Saanich Inlet protection and conservation

Objectives of the Roundtable:

1. To increase awareness and understanding of the diverse perspectives, interests and knowledge related to Saanich Inlet protection.
2. To apply that awareness and knowledge to our respective organizations' actions.
3. Initial focus was on two topics: sewage discharge and abandoned boats in the Inlet.

Current development is a proposed LNG plant at Bamberton.

Facilitator: Michelle Colussi

Notes by: Kitty Lloyd

1. Welcome: SIPS President Sheila Irving and North Saanich councilor Geoff Orr

- Acknowledged that we're meeting in Coast Salish territory; also vital role of all of participants, including SIPS and Peninsula Streams Society
- Introductions: Lana Popham, MLA Saanich South; Gary Holman, MLA Saanich North and the Islands; Adam Olsen, President BC Green Party
- Regrets: North Saanich Mayor Alice Finall, MP Elizabeth May

2. Purpose of SIR meetings: Michelle Colussi

- provide a respectful forum to bring in and acknowledge different perspectives on important issues within the Inlet;
- listen to and develop understanding of others' viewpoints
- many cross-cutting issues related to Saanich Inlet, as well as liquefied natural gas (LNG) topic

3. Update on swim beach testing by Dale Green, Integrated Watershed Management Program, Capital Regional District

- What we typically do: watershed monitoring and reporting, surveys looking for contaminant problems in stormwater discharges, annual reporting to local government, collaborate to resolve problems
- Work with many stakeholders (municipalities, landowners, businesses), collect and share data, learn from each other
- Beach sampling in Cadboro Bay earlier this year – bacteria levels were high for several weeks; levels did not return to normal very quickly following rain event
- Strong suspicion it was a stormwater issue

- Grid survey of whole bay showed contaminant concentration was right near storm drain outfall
- Found that a homeowner had hooked up new toilet to stormwater system by mistake, have since fixed that, but ongoing problems with stormwater persist
- Hobbes Creek – ponds in upper watershed are typically high in bacterial contaminants
- These results showed us that we had to look harder at the problem in winter
- Didn't used to look at heavy rainfall events, instead looked at background contaminants
- This year, new program to sample areas of high public use, looking at bacterial levels in marine environment adjacent to storm drain outfalls during/after rain events and in calm weather, see if there's a problem during rainfall
- No data yet to make comments on, but expect that we will see more areas of concern than just Cadboro Bay
- Want to determine that if contaminant levels increase after storm events, how long does it take to get back to normal?
- Hope to be able to report out early next year

Q: Still sampling creeks flowing into Saanich Inlet?

- A: Can't do every creek every year, typically sample creeks every 3-5 years

Q - Gary Holman: CRD may be embarking on shellfish monitoring? Also what about moored vessels – do we know levels of contamination from vessels compared to sources just mentioned?

- A: Re shellfish – currently no focus on that, though there have been recent conversations about sampling at beaches with respect to FN harvesting; our mandate stops at marine environment, typically don't sample out in the centre of bays, but where we have done so, haven't seen any difference from nearshore

Q: What are the sites being sampled on west side of peninsula?

- A: Chalet Beach, Tatlow Cr, site off Ardmore Dr; 2 sites in Coles Bay; Brentwood Bay beside ferry dock. These are beaches used by the public that have had elevated bacterial levels in storm drains in the past.

Q: Patrick McLaren: what is the lifespan of bacteria in marine environment?

- Used to test *E. coli*, which dies quickly in marine environment; now test *Enterococci* which survives better; difficult to say but dilution happens quickly; typically don't look at marine survival of bacteria; also looking at survival of bacteria in sediment and sand

- Beach sampling program: Oct 2014 – sewer pump station overflow at Cadboro Bay, response is to sample marine environment to ensure it's safe for human use

Q: Heather Graham: how much of this data is available publicly?

- A: Go to CRD website to see most recent data; it's available after data has been analyzed and municipalities have reviewed results:

<https://www.crd.bc.ca/about/what-we-do/sewers-wastewater-septic/monitoring-stormwater>

- Q: Fran Pugh: what about testing by CVRD [on opposite side of inlet]?
- Kate Miller, CVRD Manager of Environmental Services: looking at partnering with province to establish water quality objectives for Cowichan Bay area, looking at agricultural and other inputs, CVRD is in budget process now, will know more following that

4. Update on Transport Canada boat sewage regulation: Michael Simmons

- Canada Shipping Act (2001) governs discharges of any materials from all boats; amended in 2009 to include pleasure boats; holding tanks are required, and these can only be dumped more than 3 nautical miles from shore
- Exemptions if an inlet is less than 6nm wide, so Saanich Inlet is exempt
- Islands Trust produced a map that interprets the regulation, shows the areas where discharge is allowed in Island Trust waters, much of the area around Gulf Islands is exempt
- Amendments came into force in 2012, but there has been no enforcement
- When it was realized that sewage dumping was actually allowed in SI, efforts were made to reverse this
- UVic Environmental Law Centre looked at this problem, report is on website:
- <http://www.elc.uvic.ca/publications/traffic-congestion-and-human-waste-dumping-in-the-saanich-inlet/>
- SIPS went through a process of responding to this in 2014, petition was submitted asking that SI be added as a schedule 2 area where no sewage could be dumped; MP Elizabeth May submitted petition in House of Commons, signed by 1600+ people, issue had good media coverage
- SIPS received responses from three federal ministries: Environment, Transportation and Fisheries and Oceans, all said that it's not their responsibility
- Feb 2015: Paul Topping, bureaucrat in charge of this regulation, wrote to many all across Canada to say that regulations were unlikely to be published before 2016
- Conference call with Central Saanich Mayor Ryan Windsor, SIPS directors, more stringent standard requirements for bacterial levels will be applied in certain areas including SI, but no intention to enforce; penalties can be administered by local administrators
- Denis Coupland: SIPS will achieve this goal and continue to work for improving health of Saanich Inlet

Alicia [assistant to MP Elizabeth May]: Asked for a meeting with Minister of Transport Marc Garneau, requesting that Saanich Inlet be a no discharge zone, intends to raise issue of derelict boats and funding for SIPS

5: **“Give a Shit! But Not In Our Inlet!”** Policy paper: Mar Martinez de Saavedra Alvarez, RRU

- Study was part of ecological economics course, MSc project
- Objective: regulation of human waste dumping to protect ecological integrity of the inlet
- Looked at existing regulations that restrict but do not prohibit sewage dumping into SI
- Science-based bench marks were established 20 years ago, in Saanich Inlet Study, which included reports on state of inlet including water quality, water uses and natural resources
- Aboriginal and treaty rights have been recognized, but are generally not respected
- First Nations want to be able to harvest shellfish again, as promised in Douglas Treaty
- Looked at loss of vegetation and degradation of land base and water in SI over past 30 years using LandSat data
- Cumulative impacts, shoreline erosion, derelict boats, stormwater inputs from land all contribute to degradation
- No dumping policy proposal: pilot project could provide necessary information to evaluate proposed strategies and adopt as required; work towards ecosystem-based management for SI
- Complementary strategies, regulations, mandatory holding tanks, need enough pump out stations
- Looked at Washington and Oregon, regulations there are far more stringent than in Canada
- Collecting sewage should not be left up to volunteer organizations (eg Pumpity Dumpty)
- Financing through private sector presents a real potential for marine conservation financing; eg waterway user fees, payments for ecosystem services – private sector helps finance habitat protection that in turn provides fisheries and tourism opportunities
- Partnerships with other organizations – eg partner with WA state in a trans-boundary effort to designate Salish Sea as a “Particularly Sensitive Sea Area” under International Maritime Organization
- Effective governance of SI requires: regulation, policy instruments (eg boaters require holding tanks, government required to provide adequate facilities for disposal); monitoring, economic incentives
- Huge responsibilities shared by all

6 Headline Chronology of LNG topic: Sarah Verstegen

- Looked through Times Colonist headlines covering LNG, for background
- July 2015 – Malahat Nation bought 525 ha of industrial land next to their reserve (Bamberton site), tripled their land holdings, financed through First Nations Finance Authority

- Aug 2015 – announcement of LNG processing plan, in partnership with Steelhead LNG Corp.
- Proposal would include floating processing plant
- Sept 2015 – partner found to build 128 km natural gas pipeline to fuel it: US pipeline developer Williams; seeking regulatory approval for “Island Gas Connector Project”; lots of opposition in community, including Tsartlip Nation
- Oct – flotilla of 100 paddlers voiced their opposition to proposal
- Nov 6 – Malahat elected new chief Caroline Henry
- Comment: Susan Roundtree: led opposition to Howe Sound LNG proposal; we’ve got rid of environmental protection in past few years; BC Assessment Authority has information; issue includes foreign ownership, deregulation over past few years in Canada has allowed foreign owners to invest in Canadian resources

7. LNG concerns - letter to Citizens and Governments: MLA Gary Holman

- Note: See copy of letter attached
- Expresses his concern about environmental and safety issues, offers support to local government and First Nations in process of environmental assessment to ensure that FN rights are supported and process is fair
- Tsartlip Nation is opposed to LNG project, other chiefs not as firm, but want to get more info; want to talk with Malahat band about proposal
- He’s had response from some municipalities just to say they received his letter
- Re sewage discharge: this is a federal responsibility, we should be careful as local government not to accept financial responsibility for this enforcement, need to be clear and keep pushing on this; should be the federal government footing the bill as it’s their responsibility; recent change in government may mean a more receptive response to this issue
- Suggest establishing a working group to create a monitoring and enforcement framework
- Ideally should be coordinated coast-wide, regional involvement; rules should be broadly applied so problem doesn’t just move elsewhere
- Look to senior government for assistance
- Another angle to push for the proposal for a national marine conservation area at north end of Saanich Inlet; it’s been in the works since 1995 and has gone nowhere, maybe change in federal government will move this forward
- This would be broadly consistent with vision that is in place in WA and OR
- All 19 First Nations in this area are in support, look further north for examples of marine conservation areas that have been established

7. Saanich Inlet Network organizing in response to LNG project: Adam Olsen, Leader of BC Green Party

- Member of Tsartlip Nation, born and raised on SI, son and grandson of

fishermen, reef net fishing part of their heritage

- Ernie Olsen, Adam's grandfather, was passionate about Saanich Inlet, his saying was "when the tide is out, the table is set"
- Inlet is more of a parking lot now than a table of food, project proposed by relatives at Malahat will continue this negative trend
- Dad was a fishing guide, went out daily with people from all over, typically got lots of salmon, Adam is last generation to be able to support themselves this way
- Collectively we're making impacts on SI through land based activities
- Collectively we killed the fish, through industrialization, massive growth of residential areas, volumes of water flowing out from creeks that have been turned into stormwater ditches
- It is with great passion that when he heard about a proposed LNG plant, he has taken action
- Project does not align with provincial targets for reduction in green house gas emissions, not in best interests of future generations nor the environment
- LNG proposal was put forward first at Woodfibre, (Howe Sound), much smaller than the one proposed at Bamberton. Just got approvals 2 weeks ago for Woodfibre plant, did not get approval to use gas to power it, nor to be a floating facility, both of which are being proposed at Bamberton
- Can't support LNG terminal in SI environmentally or socially
- This issue has turned people and families against each other; there is frustration, anger, sadness, feeling that community is being taken advantage of
- Impact on Brentwood Bay will be huge
- What's also shocking about this project is that most reputable organizations and publications state that the opportunity for developing LNG resources is long past
- Economics do not work, potential loss of investment, impacts on neighbourhoods will be negative
- Economists he's talked to all agree that this project is very unlikely to happen, but this kind of complacency is what could lead to it actually getting approval
- We must not be complacent – this is like a 400m race with finish line at 300m
- He feels that getting the approval is the goal, not actually the building of this plant
- We may hear that this is a great opportunity for the Malahat Nation, but there are hundreds of other opportunities here that would not have this kind of negative impact
- Propose that we all join the Saanich Inlet Network (www.saanichinlet.net), attend other events such as the paddle held in October, sponsored by Pacifica Paddle Sports and Saanich Inlet Network
- Q: Gary Holman: Can you bring us up to date on new chief and council at Malahat?
 - A: Most shocking is the lack of elected representation; it was an acting chief who dealt with Steelhead LNG, election for new chief and council

was just held Nov 6th

- Sue Roundhouse: When we shut down the LNG project at Gibsons, it was put on hold for 5 years; could be brought up again after that; approval opens a wedge that could be taken advantage of by foreign investors
- Adam: Once approval is granted, have to do certain amount of work within 5 years, issue he's worried about is that export market for LNG is poor right now, we're being hedged by foreign investors who are looking to future and want options for projects in a stable democracy
- Sue: American coastal community as a whole rejected gas plants near their communities, this is major reason for them coming to Canada with LNG proposals
- We need to "get our table set again" in Saanich Inlet, take control of the future of our inlet, not leave it to outsiders

8. Transition of Bamberton Lands and Malahat Nation's Development Goals:

Ross Tennant

- Background: got involved to purchase industrial site at Bamberton 10 years ago, very distressed industrial site
- Involved in cleaning up Bamberton, 1600 acres along Saanich Inlet, took down the old cement works, site remediation, \$25 million to clean up site; crushed limestone created leachate that flowed through property
- Did slope analysis, road analysis, archaeological site assessment
- Multi-layered constraints map show areas for repurposing
- Plan for redeveloping was put before CVRD with application fee, patterned housing project after Dockside Green in Victoria
- CVRD wanted to have their proposal audited, \$100,000 cost, came up positive (by Trillium)
- Proposal was rejected as CVRD decided they didn't need this much housing inventory
- Malahat Nation purchased property from Tennant's group [Three Point Properties]
- Good things going on in Malahat Nation: "big, bold, beautiful" re-birth of the nation, looking at economic development
- Outlined Malahat's vision and mission, want economic and social prosperity for their people
- 314 members, 175 live on reserve, 40 families, 116 under 19
- Interested in capacity building, education including early childhood education, parenting support groups, life skills training program very successful, 40% reduction recently in unemployment
- Have developed new approach to development and economic and social prosperity
- Some things to consider:

- Association with Saanich Inlet, relation with other First Nations
- Malahat traditional lands are most impacted by past practices
- Malahat participated in one of largest remediations in BC history by purchasing Bamberton site
- Malahat borrowed the funds to purchase site at commercial rates
- Malahat will not participate in activities that will harm the inlet
- Want to use the land to create economic opportunity
- Land has been an economic engine for South Cowichan for over 100 years, and that will continue under Malahat management

Q: Denis Coupland: few years ago went to many presentations you gave to promote the housing proposal there; that gave impetus for starting this round table. We've shown that we have a voice and can achieve our objectives; now you come to us presenting one of the most horrendous proposals, what makes you think you can stand up to us?

- A: should give Malahat people fair consideration, their land sustained a lot of damage and degradation, now looking to improve their future

Q: Joni Olsen [Tsartlip councilor]: All programs highlighted are available to any First Nation through government programs, looks like you are using Malahat to get around some of the CVRD regulations. Malahat Nation is part of the treaty process but they seem to be missing from this conversation. She has heard stories of bullying, Tsartlip Nation had zero contact about this; whole project is very confusing, seems like it's not really a Malahat project. You need to bring the Malahat people out to meetings like this so we know they speak for themselves. Who are you actually representing?

- A: Previous member of the group that formerly owned the property [Three Point Properties]; Malahat Nation approached him to help with communicating their goals etc with the community. He is a consultant to the nation helping with business development, economic development and sustainability
- David Tonkin: Has Malahat Nation entered into an agreement with Steelhead LNG to go ahead with plant?
 - A: There is an agreement to lease land if project goes forward
- Q: Was this agreement forced on Malahat? [question to Tsartlip councilor]
 - J. Olsen: Most members had no idea, they have been advised to be mute about the project, not sure what this means to the process, difficult when so many families are in both communities
 - Tsartip have been advised by their council to not put pressure on Malahat, that they will make the right decision on their own
- Mar Martinez: For the remediation, where were soils moved to?
 - A: There were several types of contamination, they were dealt with in different ways; asbestos to Hartland landfill, vast majority was limestone
- Q: Dan Kells: Steelhead has another project in Port Alberni? Are these linked? If one fails do they both fail?
 - A: No one is sure

- Comment [Willis Pt resident]: Understands that Malahat Nation wants to improve life for their members; Willis Pt residents feel this proposal will have a massive impact on their properties. They have watched whales all summer, it would be a tragedy for Malahat to lose this amazing special place. Please take this message back to Malahat people: we all have health of the inlet at heart.
 - A [R. Tennant]: Steelhead is holding lunch and dinner events in Brentwood and Mill Bay – encourages all to attend; learn more at website: <http://www.steelheadlng.com/proposed-malahat-Ing-project/>
- Greg Holloway: LNG proposal involved export of fractured shale gas, need to look back up the line to all the resources and land implicated in this project, not just here in SI; must not allow these to be separated
- At this point we don't know if fracked gas would be used or not; was Steelhead invited to this meeting?
 - A [Sarah Verstegen]: Yes, Ross invited Steelhead, but they declined
 - Ross – Steelhead wants to get their proposal finished first then will come to the community.

9. Notes and follow-up:

- Steelhead projects proposed at Malahat and Alberni Inlet - are these connected, and if one fails do they both fail?
- Treaty process and implications; need to contact Malahat about this
- Sewage issue – Could inlet be used as a test case for water quality automated monitoring systems?
- “No LNG in Saanich Inlet” lawn signs available through www.saanichinlet.net, and at Pacifica Paddle Sports in Brentwood; \$20 each
- Alicia Cormier, Central Saanich Councilor: We should update federal and provincial governments about proposed national marine conservation area, this would prohibit oil and gas development. Research and consultation have been done – need to further this proposal
- Ministry of Environment does airshed modeling on this type of [LNG] proposal, these are public documents, maybe there will be red zones around this site that we should watch for

Adjournment: 4:45pm