

A Shawnigan Basin Authority

Developing a registered society, a round table and an advisory panel to begin the public education and collaborative work of watershed governance was only just the first set of steps among many that needed to be taken by the Shawnigan Community. Eventually, these three devices would have to evolve into a governance authority that could set and enforce the standards of practice to which all parties would need to adhere to gain access to the resources of the basin. A Shawnigan Basin Authority would need official recognition as a validated democratic function with specific letters patent from government. It needs to be supported by and initially accountable to the Regional District and linked to its land use functions. It needs to be recognized by the provincial government, possibly through the recently promulgated Water Sustainability Act. It needs to be thoroughly grounded in local citizen membership with leadership drawn from residents and particularly the Malahat First Nation and the Cowichan Tribes. When the Shawnigan Lake community achieves incorporation as a municipality, the Authority would be expected to become a function of and accountable to the local government

Resolution of the Shawnigan Basin Society, July 22, 2013

Whereas the Shawnigan Basin is facing an increasingly complex set of environmental conditions and human uses, and

Whereas the ecological function of the watershed that provides the Shawnigan community with its potable water supply is experiencing the cumulative impacts of historic and ongoing residential, recreational and industrial developments, and

Whereas responsibility for management of the basin is distributed among many federal, provincial and local government agencies that would benefit from coordination, and

Whereas the Shawnigan community has been awakened to the necessity of a more effective mechanism for integration of watershed management effort, and

Whereas the Shawnigan community has already established a public Watershed Roundtable for broad citizen engagement, a legally incorporated and staffed non-profit Shawnigan Basin Society for fund raising and fiscal management and an Ecological Design Panel for technical advice that can form the nucleus of a civic organization capable of working toward a formal basin authority that can participate in decision making

Be it resolved that the Shawnigan Basin Society, in consultation with the Malahat First Nation, the Cowichan Tribes and the CVRD to establish a **“Shawnigan Basin Authority”** with the following terms of reference.

Shawnigan Basin Authority: Proposed Terms of Reference

The purpose of the **Shawnigan Basin Authority** is to lead development of ecological governance of the Shawnigan watershed. In order to achieve this mandate, the SBA is provided with the following terms of reference:

Develop the concept and function of ecological governance of the Shawnigan Watershed Basin in consultation with the Malahat First Nation, the Cowichan Tribes, the citizens of the basin, the CVRD, and the relevant federal and provincial regulatory agencies responsible for basin resources

Work in collaboration with the Cowichan Watershed Board and other similar watershed stewardship organizations supported by the CVRD, with the Polis group at the University of Victoria and relevant senior government ministries to achieve a suitable balance of local authority with that of the agencies of senior governments

Engage the wider Shawnigan Basin public in all aspects of Basin governance through the Shawnigan Watershed Roundtable

Collect and create publicly accessible summaries of all the existing geographically based information that characterizes the character, condition and state of the Shawnigan Basin

Initiate social, scientific, technical and traditional studies needed to provide additional information leading to a more complete understanding of the ecological dynamics and human uses of the basin

Based on the social, scientific, technical and traditional information assembled, develop a Shawnigan Basin Management Plan that augments and complements the general prescriptions and policies of the Official Community Plan currently in force by providing criteria to guide environmental monitoring, development, conservation, interface fire security and restoration initiatives within the Shawnigan Basin and the residential portion of the Koksilah watershed lying within Area B

Under the legal auspices of the Shawnigan Basin Society, seek, manage and disburse funds to create and implement the provisions of the basin management plan

Establish budget requirements, working procedures and staffing to be approved by the Shawnigan Basin Society

Shawnigan Basin Authority Structure

At inauguration, the SBA should have the following membership structure:

Representative(s) of the Malahat First Nation appointed by the MFN Council and the Cowichan Tribes appointed by the Cowichan Tribes, with whom the Basin Authority will maintain a consultative relationship, with the opportunity being held open for direct participating membership at a time of their choosing and in consideration of their capacity to engage

Residents of the Basin initially appointed by the Shawnigan Basin Society and subsequently elected to represent the interests of citizens of the full basin of the Shawnigan Lake watershed area, and the residential portion of the Koksilah watershed lying within Area B – the area supporting the annual tax function.

Members at large, appointed by the Shawnigan Basin Society drawn from the Vancouver Island Region, based upon watershed governance experience and environmental expertise

A supporting Basin Technical Advisory Team made up of the established Shawnigan Ecological Design Panel, with invited memberships from the CVRD staff and government agency representatives to include the MOE, VIH, DFO, MOTI, RCMP, PFLA, MFLNRO and the Shawnigan Improvement District

Basin Authority Chair at inauguration to be appointed by the Shawnigan Basin Society and subsequently elected with provision for co-chairs to be appointed by the Malahat First Nation and the Cowichan Tribes at their discretion.

CVRD Support Needed to Help Establish the Shawnigan Basin Authority

Five areas of support from the CVRD are needed by the Shawnigan Basin Society to pursue the establishment of the Basin Authority:

Assign a staff person to act as liaison between the SBA and the CVRD professional staff, to participate in the work of the Technical Advisory Team, and to provide assistance with identification of existing basin records and rendering them into publicly accessible folios for use by the SBA in developing the watershed management plan

Integrate the SBA Basin Management Planning process as a locally specific participant in the Regional Sustainability Plan, implementation of the South Cowichan OCP and the Regional Water Management and Governance Study

Liaise with senior governments in seeking the participatory authority at the regional and local level necessary to provide active multi-agency

coordination and formal engagement in resource decision-making within the Shawnigan watershed

Establish a Basin Security service function to support the Shawnigan Basin Society for its efforts within the Shawnigan Watershed and residential areas of the Koksilah watershed portions of Area B to provide core financial support for the coordination of the SBA and its Technical Advisory Team, development of a Basin Management Plan and financial contributions to provide for information assembly, scientific and technical studies and implementation projects consistent with the plan.

Dr. Bruce Fraser
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