

Joint Utilities Board

Sewage Outfall Relocation Project

Interim Report on Stage 2 First Nations and Stakeholder Consultations

July 2020

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Introduction

The Joint Utilities Board Sewage Treatment Plant (JUB STP) Outfall Relocation Project involves the relocation of a sewage effluent outfall from Cowichan River to Satellite Channel. The intent is to avoid concerns related to the current Cowichan River location, while minimizing any negative impacts to the marine environment.

In 2015, the Cowichan Valley Regional District (CVRD) led the undertaking of the Central Sector Liquid Waste Management Plan (CSLWMP) Amendment #3 along with a Stage 1 Environmental Impact Study (EIS) for the relocation of the JUB STP outfall. During that process, preliminary consultations were conducted with the public, stakeholders and First Nations

The District of North Cowichan (DNC) is now leading Stage 2 of the project: the process to confirm the outfall location and pipe routing as well as design and implement a pre- and post-discharge Receiving Environment Monitoring Program (REMP).

First Nations Consultations

Purpose

This report summarizes the First Nations consultations in Stage 2 to the end of June 2020.

To ensure privacy and confidentiality, the concerns and comments from First Nations are aggregated and no comments are attributed directly to a specific individual, individual Nation or Indigenous organization.

Preliminary work

Based on the prior consultation process, local knowledge, conversations with some of the local First Nations and direction from the provincial government, the DNC assembled a list of Nations

whose traditional territories were located in the area of the proposed outfall terminus location and pipeline routing. This list includes the following 11 Nations:

- ♦ Cowichan Tribes
- ♦ Halalt First Nation
- ♦ Lake Cowichan First Nation
- ♦ Lyackson First Nation
- ♦ Malahat Nation
- ♦ Pauquachin First Nation
- ♦ Penelakut Tribe
- ♦ Stz'uminus First Nation
- ♦ Tsartlip First Nation
- ♦ Tsawout First Nation
- ♦ Tseycum First Nation

Consultation with Indigenous communities was undertaken as a separate process from stakeholder and public engagement.

Phone calls were made to all Nations to determine the contact person for referrals and a sense of the referral process at those Nations. An email was prepared and sent to the referrals person that provided some basic information about the project, and then asked three key questions:

1. Does your First Nation have any interests in this area?
2. Does your First Nation want to be consulted on this project?
3. How does your First Nation want to be consulted on this project?

Through a series of phone calls and emails, five Nations indicated that while they did have an interest in the project and wanted to be kept informed, at that point in time they did not want to be involved in consultations. Some of the reasons for the decision not to be directly consulted included:

1. While the project area was in their Nation's traditional territory, it was more correctly part of the "core territory" of other First Nations.
2. If other neighbouring Nations were going to be involved, they did not need to get involved because they felt those Nations would be in essence representing their interests and would let them know if any issues directly related to their Nation arose.

As a result of that process, the list of Nations that wished to be consulted was reduced to six First Nations:

1. Cowichan Tribes

2. Malahat First Nation
3. Pauquachin First Nation
4. Tsartlip First Nation*
5. Tsawout First Nation*
6. Tseycum First Nation*

* *Members of the WSÁNEĆ Leadership Council*

Consultations

Arrangements were made to meet with key referrals staff and others at each Nation. In the case of Tsartlip, Tseycum and Tsawout First Nations, the DNC was advised to communicate and consult with the WSÁNEĆ Leadership Council, of which all three of these Nations are members.

Consultations with the six Nations began with introductions and getting to know each other. First Nations described their historical and present interests in the area, experiences with projects like this, initial comments and concerns about the project, and any questions they had about the project. The DNC presented information about the existing sewage treatment plant and the reasons for wanting to relocate the outfall.

At an early stage, it became clear that the outfall location proposed in the CSLWMP Amendment (as proposed by Stage 1 EIS studies) was not acceptable. This led to extensive additional work in the preparation of Stage 2 Environmental Impact Study (EIS) to determine an appropriate location that could be proposed to First Nations. First Nations indicated that their desire was to identify the terminus location first, after which discussions could take place on the land and marine pipeline routing.

The DNC provided First Nations with some written information consisting of detailed maps, as well as a series of short Project Updates, that served as a useful summary of the project and could be shared with others in First Nations communities. Project Update #1 was published in November 2018 and Project Update #2 was published in May 2019. A new Project Update #3 was recently published (April 2020). A website (<https://www.northcowichan.ca/JUB>) was established for general information and as a place for accessing the Updates and all other documents.

In 2018, the DNC commissioned G3 Consulting Ltd. (G3) to prepare an Environmental Impact Study that resulted in production of three reports (all posted at www.northcowichan.ca/JUB):

1. Stage 2 Environmental Impact Study (Outfall Terminus) (Feb 2020).
2. Stage 2 Environmental Impact Study (Marine Pipeline Route) (Feb 2020)
3. Receiving Environment Monitoring Program (REMP) (March 2020)

The draft of the first EIS report (Outfall Terminus) was provided to First Nations early in the consultations, and capacity funding was offered (and accepted), enabling the Nations to hire

outside consultants to conduct peer reviews, consult with Elders and undertake other assessments of this work. While this review was nearing completion, the second EIS report (Marine Pipeline Route) was made available in draft for First Nations review and comment in October 2019. The third document (the REMP) was prepared with input from LGL Consulting (LGL), which was retained by four of the six First Nations to undertake a peer review of the project. The monitoring process is a subject of ongoing consultation.

To date, DNC has allocated \$107,878 to the six Nations for capacity funding. Capacity funding is used for:

1. Staff time
2. Council honorariums
3. Elder honorariums
4. Meetings with external consultants and with DNC and its consultants
5. Internal meetings
6. Indigenous Knowledge review
7. Independent technical peer review
8. Legal review
9. Administration fee / overhead (usually 15%)

One of the significant uses of capacity funding by four of the Nations was the hiring of a consultant (LGL Limited) to conduct a peer review of the G3 studies. LGL and G3 met and communicated with one another to address technical issues, including the outfall location, effluent and water quality, hydrology and more. Three Nations also hired Trailmark Systems Inc. (Trailmark) to investigate Indigenous Knowledge

Table 1 summarizes meetings between the DNC and the six First Nations (August 2017 to March 2020).

Table 1: Summary of consultation meetings with First Nations

First Nation	First Contact	First Meeting	Total Number of Meetings to Date (year)
Cowichan Tribes	Aug 2017	August 1, 2017	1 (2017) 4 (2018) 5 (2019) 1 (2020)
Malahat Nation	Oct 17, 2018	Jan 15, 2019	2 (2019)
Pauquachin First Nation	Oct 17, 2018	April 2, 2019	2 (2019) 1 (2020)
Tsartlip First Nation ^[1]	Oct 17, 2018	Jan 10, 2019	2 (2019)
Tsawout First Nation ^[1]	Oct 24, 2020	Jan 10, 2019	2 (2019)
Tseycum First Nation ^[1]	Oct 17, 2018	Jan 10, 2019	2 (2019)

[1] These three First Nations are all part of the WSÁNEĆ Leadership Council, and after initial contact, all consultations occurred between DNC and the Leadership Council.

Accommodating Issues and Concerns

Table 2: Issues and concerns raised by the six First Nations consulted and how those concerns were addressed and are being accommodated*

Issue and concerns	Accommodation
<p>Outfall location</p> <ol style="list-style-type: none"> 1) Original location is unacceptable 2) Need to confirm outfall location before consulting on land and marine routes. 3) Explore several other options for the outfall location <ol style="list-style-type: none"> a) Raw sewage to Catalyst Paper's sewage treatment plant in Crofton b) Treated sewage to Catalyst Paper's outfall at Crofton c) Discharge to Cowichan Bay moved to the embayment line d) Discharge to Quamichan Lake 	<p>The DNC explored the different options for an outfall in collaboration with First Nations and the location at or near the embayment line was determined to be the best option. This was much further out of the Bay than had originally proposed in 2015, but input from First Nations indicated it was a better location for protection of shellfish harvesting areas and other marine resources.</p> <p>The DNC investigated other proposed options; all were rejected for various reasons. Additional studies were conducted to assess the suitability of the proposed outfall location at the embayment line. In addition, the removal and adjustment of some of the anchorages by Transport Canada enabled the consideration of the outfall terminus near the embayment line.</p> <p>At the request of First Nations, the DNC agreed to defer work on consultation around land and marine routing and the Receiving Environment Monitoring Program (REMP), until it was clear the outfall location was going to be acceptable to all First Nations.</p> <p>As of March 2020, all six First Nations have indicated that the outfall location is likely acceptable, but consultations are ongoing regarding some outstanding concerns.</p>
<p>Marine route</p> <ol style="list-style-type: none"> 1) Concern that the pipeline could negatively impact eelgrass beds and other important ecosystems and species. 	<p>The DNC is trying to choose a marine route that has a relatively low impact on estuarine habitat and associated eelgrass beds.</p> <p>Plans for the pipeline deployment will consider all potential environmental impacts. However, there are other factors, including cost, that must be considered.</p>

Issue and concerns	Accommodation
<p>2) Direct impact of pipeline on benthic environment and plants and animals that live there.</p> <p>3) There will be a need to consider impacts of disturbing the sediment (if marine pipeline is buried).</p> <p><i>(Marine route options are being developed and consultation processes are ongoing. Considerably more consultation will take place before a final route is established.)</i></p>	<p>At the moment, the option of burying the marine section of the pipeline is not being considered. The preferred option is to rest the pipeline on the ocean floor, weighted down with concrete anchors. Future study and design work will be undertaken in collaboration with First Nations, and will examine in considerably more detail avoidance, mitigation, and compensation measures for the preferred route.</p>
<p>Land route</p> <p>1) Certain land routes are unacceptable. Other routes would require detailed planning, consultation, negotiation and administrative hurdles.</p> <p>2) There is a need for an EIS for the land route to include archaeological and cultural considerations. First Nations have indicated they prefer archaeological consultants that they have worked with before as well as experts from their community.</p> <p>3) There may be an opportunity to address stormwater and drainage issues in conjunction with the land route.</p> <p><i>(Land route options are being developed and consultation processes are ongoing. Considerably more consultation will take place before a final route is established.)</i></p>	<p>The land route will be subject to an environmental impact assessment in the same manner that marine routes were. The assessment will consider Indigenous Knowledge and cultural and archaeological concerns.</p> <p>DNC is preparing to hire a multi-disciplinary team to review pipeline options. The team will include environmental and archaeological expertise. Future study and design work will be undertaken in collaboration with First Nations, and will examine in considerably more detail avoidance, mitigation, and compensation measures for the preferred route.</p> <p>A large section of one First Nation’s Reserve is subject to flooding. One of the proposed routes is partially on Reserve. As part of that route discussion, the proponent and the First Nation are discussing collaborating on the development of a master drainage study to determine how to better protect the Reserve from both routine and major flooding. This will assist the First Nation in planning future drainage and flood protection work, better position the First Nation to obtain co-funding for flood protection work, and help facilitate development of additional housing on Reserve.</p>

Issue and concerns	Accommodation
<p>Species sampling</p> <ol style="list-style-type: none"> 1) Additional (not included in the EIS study) species of interest for harvesting by First Nations (e.g., Dungeness crab, geoduck, sea urchin) were identified as being of concern. 2) Sentinel species selected should be something that the community knows and depends on. It is very difficult to convey issues and risk without talking about species that people know, such as fish and crabs. For example, DNC could consider including copper rock fish. 	<p>Environmental impact studies use sentinel species to assess worst-case environmental condition. In this case, benthic invertebrates and associated sediments and waters were examined as well as tissues from intertidal and subtidal organisms. These organisms are more sedentary and as such are subject to prolonged exposure to the conditions of the area in which they reside, and provide good information that applies to other species.</p> <p>Based on discussions with First Nations, intertidal oysters were included in the EIS assessments as well as sub-tidal benthic invertebrate tissues. Waters, sediments, benthic invertebrates and tissue bioaccumulation (in clams) have been included in Pre- and Post-Discharge REMP monitoring (species of particular interest to First Nations).</p> <p>Finfish, while important, are much more mobile and exposed to conditions throughout their range of movement. Hence, they are not necessarily reflective of source-specific effects such as an outfall. This does not preclude the option of including them in subsequent assessments to understand their baseline levels of key parameters prior to any relocation of the discharge (keeping in mind that source of impact would need to be established).</p>
<p>Impact of effluent on marine environment and fisheries</p> <ol style="list-style-type: none"> 1) Concerned about impacts to Douglas Treaty rights (four out of six Nations are included in this treaty), which says that First Nations may “carry on their fisheries as formerly.” 2) Non-Douglas Treaty First Nations also expressed concerns regarding potential impacts to the marine environment. 	<p>The DNC recognizes Douglas Treaty rights and the rights of Douglas Treaty Nations to “carry on their fisheries as formerly.”</p> <p>Under worst-case scenarios the level of dilution is so high that even within 100 m of the outfall the water quality would be undistinguishable from the surrounding ocean.</p> <p>The DNC funded peer review studies and other reviews of the two G3 EIS reports and the REMP for all six First Nations requesting consultation.</p>

Issue and concerns	Accommodation
<p>Contaminants of Emerging Concern (CECs)</p> <p>1) What about contaminants of emerging concern — e.g., pathogens, polycyclic aromatic hydrocarbons, sugar substitutes, pharmaceuticals, antibacterial agents, alkylphenols and flame retardants?</p> <p>2) We need to test for these compounds and use treatment processes that remove them from the effluent.</p>	<p>The EIS tested for CECs in the existing JUB effluent. This included sugar substitutes, antibacterial agents, alkylphenol (an emulsifier and solubilizer) and various flame-retardant chemicals. All levels were found to be low.</p> <p>The REMP will include monitoring of some emerging contaminants typical of sewage treatment plant effluents. Samples will be taken in the effluent and when identified as an issue, will also be taken in receiving environment sites and organisms.</p> <p>It is not possible to identify and address all CECs (even with tertiary treatment). Water quality guidelines do not exist for all CECs, and new CECs are being developed all the time. Furthermore, we are not able to say we can treat something that does not yet exist or for which a test or guideline has not been developed. Monitoring is an important way to address CECs.</p> <p>Under worst-case scenarios the level of dilution is so high that even within 100 m of the outfall the water quality would be undistinguishable from the surrounding ocean.</p> <p>Moving the outfall is an important first step in reducing risks posed by emerging contaminants. In addition, the pipeline going from the JUB to the outfall will be designed so that, if and when needed, a new treatment plant (secondary or tertiary, depending on what is deemed necessary) could be built to replace the existing JUB STP.</p>
<p>Currents and tides</p> <p>1) What are the currents and how will they affect the behaviour of the treated effluent at the outfall? (Will the effluent flow into Cowichan Bay or Saanich Inlet?)</p>	<p>In general, during a flood tide currents carry the effluent plume into the Bay with a portion moving northwest into Sansum Narrows. During an ebb tide the currents are out of the Bay, into Satellite Channel.</p> <p>During ebb tide, water flows south from Sansum Narrows and north from Saanich Inlet to Satellite Channel. If northern currents from Saanich Inlet are</p>

Issue and concerns	Accommodation
<p>2) More clarification in the report was requested for ocean flows in the region.</p>	<p>strong, eddies form in Satellite Channel just off Cowichan Bay.</p> <p>LGL and G3 met to discuss the hydrological data and analysis. G3 made changes to the report to reflect those discussions, including more discussion and information on existing current modelling information from recent EIS field and modelling studies and for other historic studies.</p> <p>There is more detailed information regarding currents and plume direction in the report.</p>
<p>Shellfish harvesting</p> <p>1) A number of fish species as well as invertebrates (shellfish, crustaceans, sea urchins, etc.) are (or were) significant food items in the diets of Indigenous peoples and we must ensure that they are not negatively impacted or not negatively impacted more than they already are.</p> <p>2) Negative impacts to Douglas Treaty rights?</p> <p>3) Important question: "Is the food safe to harvest and eat?"</p> <p>4) Is there a way we can open up shellfish harvesting?</p> <p>5) What about using depuration facilities?</p> <p>6) Will the plant further impact shellfish populations and hence contribute to the continued closure of the shellfish harvesting?</p>	<p>The proposed outfall location has been selected to avoid impact on known shellfish harvesting areas. The EIS studies demonstrate that the effluent from the proposed location of the outfall will meet water quality guidelines for shellfish waters.</p> <p>Further consultation related to shellfish harvesting is ongoing.</p> <p>The development of the marine pipeline routing will also take shellfish harvesting areas into consideration.</p> <p>Given the level of development around the Bay and along the Cowichan River, G3 hypothesized in the EIS that there are many non-point and point sources of contamination that may also be contributing to shellfish closures.</p> <p>The existing effluent is disinfected. The intent of this disinfection is to protect human health and must also meet legislated limits to protect shellfish. The disinfection will remain in place after the outfall is re-located to Cowichan Bay.</p> <p>These issues will be reviewed as part of the DFO referral process.</p>
<p>Treatment plant</p>	<p>Moving the outfall does not preclude upgrades to the JUB STP and does not preclude possible decommissioning of the JUB STP and construction of</p>

Issue and concerns	Accommodation
<ol style="list-style-type: none"> 1) Want JUB STP decommissioned at some future date and built somewhere else (not on First Nations land). 2) Want new plant to use best available technology (tertiary at least). 3) What about land-based disposal/reuse? 4) Would like to have a research study undertaken that looks at emerging new technologies for sewage treatment that are operating in different jurisdictions and internationally. 	<p>a new treatment plant in the future should the outcome of the REMP determine that new technology needs to be implemented, or a new plant constructed.</p> <p>Land-based disposal was considered and rejected due to high groundwater levels, especially in winter.</p> <p>It is likely that any new treatment plant would be tertiary. It is also possible that new technologies will emerge that could deal with some CECs but those technologies are only necessary where a CEC is present in the effluent.</p>
<p>Managing risks</p> <ol style="list-style-type: none"> 1) How certain are we that nothing could ever go wrong? What kind of assurances can you give us that the plant will not go out of compliance, due to mechanical malfunctions, non-catastrophic events or catastrophic events? What do the contingency plans look like? 	<p>The treatment plant effluent is monitored according to the requirements of its Operating Certificate. The DNC does additional monitoring (approximately 2 – 4 times what is required by the Operating Certificate) for the purposes of monitoring plant operation and making process adjustments. Any non-compliance events identified through ongoing monitoring would be reported as well.</p> <p>The JUB STP is designed with backup power, standby equipment for all systems, a 24/7 emergency answering service and an on-call staff member to respond to emergencies to deal with any issues. Both the chlorination and de-chlorination systems have 100% redundancy and alarms. Effluent from the JUB plant is highly compliant. For example, out of more than 5,000 effluent chlorine samples taken over the past 15 years, only three were non-compliant (and only for a very short period of time).</p> <p>The JUB STP is provincially and federally regulated. The province will likely subject the JUB STP outfall to inspections including underwater rover inspections of the pipeline and diffusers every three – five years. The outfall will be signed on the shore and its location is added to all printed and digital navigation charts as per requirements of the federal <i>Canadian Navigable Waters Act</i>.</p>

Issue and concerns	Accommodation
	<p>Under a catastrophic failure resulting in no chlorination, an immediate temporary closure would be put in place in about a 2-kilometre radius of the outfall. The situation would be resolved and chlorination would begin again very quickly (within hours). Such an event has not happened at the treatment facility before. If a closure were put in place it is typically rescinded within 21 days.</p> <p>The REMP is another important process to determine compliance with discharge standards and how well the effluent is mixed and diluted once discharged. Results of the REMP will be compared against the Operating Certificate for the JUB STP and the BC Water Quality Guidelines for compliance. If there are any issues with either the effluent and/or the assimilative capacity of the receiving environment, the MECCS can require that plans be put in place to address those issues, including modifications to the existing process or even development of a new treatment plant.</p>
<p>Monitoring</p> <ol style="list-style-type: none"> 1) How will we know if everything is OK? 2) LGL has requested that the REMP should include collection of baseline information over at least one year, starting in 2020, and that post-discharge monitoring take place within about one month of the outfall becoming operational. 3) First Nations would like to be involved in consultations around what is monitored in the future and would like to be involved at some level in the actual monitoring 	<p>The Stage 2 EIS looked at ambient conditions in the Bay, and the REMP is designed to provide pre- and post-discharge monitoring at the specific point of discharge and areas nearby, and further away from the outfall.</p> <p>The plan is to conduct one year of pre-discharge monitoring in 2020, and at least one 3-year cycle of the REMP post-discharge, and then there would be a review of monitoring results and requirements. The REMP includes bi-annual water monitoring and sediment and biota sampling once each three-year cycle.</p> <p>The proposed REMP is far more robust than is typical in order to make sure First Nations concerns are fully addressed.</p> <p>G3 has met with LGL to discuss the technical details of monitoring and G3 has made significant changes to the REMP to accommodate LGL's input. Further</p>

Issue and concerns	Accommodation
	<p>consultations with First Nations on the REMP will be conducted.</p> <p>The DNC is supportive of First Nations-led community-based monitoring, and open to discussion on how this could occur.</p>
<p>Ship anchorages</p> <ol style="list-style-type: none"> 1) How can an outfall be located with the anchorage issue? 2) Transport Canada has never adequately consulted with First Nations on the anchorages. 3) First Nations would like the anchorages in Cowichan Bay removed. 	<p>Under Transport Canada regulations, ships anchoring in Cowichan Bay and other areas must drop their anchor within a prescribed anchorage zone and their ships can only “swing” with the tides within another prescribed larger zone (swing zone). The mapping of those anchorages has been considered when locating the sewage outfall and the marine pipeline.</p> <p>The outfall pipe does not pass within the swing zones to avoid damage. The outfall pipe will be shown on navigation maps so mariners are aware of where the outfall is located.</p> <p>Transport Canada is the agency responsible for anchorages.</p>
<p>Indigenous Knowledge</p> <ol style="list-style-type: none"> 1) We have additional studies and sources that you should consider. 2) Incorporate Indigenous Knowledge in all the collection of scientific information and data 	<p>All information brought forward by First Nations to the DNC was reviewed and considered for the outfall location. The DNC funded consultants hired by First Nations to look at Indigenous Knowledge in relation to the project.</p> <p>The DNC will continue to consult with First Nations moving forward to ensure that Indigenous Knowledge is considered in the development of the project.</p>
<p>Cumulative effects</p> <ol style="list-style-type: none"> 1) Concerned about cumulative effects in Cowichan Bay, Satellite Channel and Saanich Inlet 2) There is a need for this analysis 	<p>The existing JUB STP outfall in the Cowichan River has been discharging treated effluent for 70 years. Regular monitoring of the discharge has been in place for that time. Intensive monitoring of the treated effluent has been in place for the last 20 years, since significant upgrades to the JUB STP in 2000, 2003 and 2018. This allowed for an assessment of the cumulative effects of the effluent on the marine environment in the Bay based on real data.</p>

Issue and concerns	Accommodation
	<p>G3 collected data and assessed: the existing ambient conditions of the receiving environment and how those conditions might be altered by discharged effluent; what potential concentrations of effluent might be; and whether discharged effluent will comply with standards. There was no evidence of bioaccumulation contaminants in benthic invertebrate organisms in the Bay (Stage 2 EIS). In addition, after effluent begins to discharge from the new location, the REMP will be used to gather data at the point of discharge and at several sampling stations to confirm predictions made in the EIS and compliance with discharge standards.</p> <p>The DNC understands the importance of a broader study on cumulative effects in Satellite Channel and Saanich Inlet study, but notes that this is well beyond the scope of the outfall relocation project.</p> <p>This study should involve the federal government, provincial government and the regional districts and it needs to focus on all the potential point and non-point sources around Satellite Channel and Saanich Inlet.</p> <p>The DNC will be working to ensure the project’s regional, provincial, and federal contacts are all aware of the desire for such a study.</p> <p>The DNC would be pleased to participate in such a study and to share any information that it gathers (such as the REMP work); however, it is not the appropriate body to lead and fund this initiative.</p>
<p>Communications</p> <p>1) There is a need for some basic simple information about the different aspects of the project that First Nations can use to inform their staff, Chief and Councils, and their communities.</p>	<p>The DNC has been, and continues to produce Project Updates that are available in print and digital formats. The Project Updates give a plain language summary of the project and the consultation process. Three of those updates have been produced.</p> <p>The DNC has made presentations on the project to various First Nation audiences. Some of those presentations have included the dissemination of</p>

Issue and concerns	Accommodation
<p>2) Those communications should include information to better understand different levels of treatment.</p>	<p>information related to the different levels of treatment. The DNC will continue to offer to share information on the JUB STP and sewage treatment in general to First Nations.</p> <p>A summary of the project and all the relevant reports are on the DNC's website.</p>
<p>Meaningful consultation</p> <p>1) The Stage 2 EIS (Outfall Terminus) should not have started until consultation had begun</p> <p>2) All meetings and communications with First Nations should be considered formal consultation.</p>	<p>Consultation with First Nations took place in 2014 and 2015. However, early on in the undertaking of the Stage 2 EIS process it became clear to the DNC that First Nations had concerns about the previous consultations. As a result, the DNC delayed procurement of a design team and advised that it was prepared to undertake meaningful consultation in a manner suitable to each First Nation. Further, where First Nations indicated that they were faced with capacity limitations, the DNC offered capacity funding. That funding assisted those First Nations with resources to carry out the necessary work they felt was needed to fully and meaningfully participate in the consultation process.</p> <p>In addition, the EIS process itself was delayed until DNC had an opportunity to gather additional information from First Nations on what their expectations for the EIS and sampling were. In response to requests from First Nations, additional data was gathered during summer and winter seasons.</p> <p>DNC considers all communication and interactions with First Nations to be part of the formal consultation record.</p> <p>The DNC has indicated that it intends to continue to consult with First Nations moving forward should that be their desire.</p>

** Determining categories for the issues and concerns is challenging as there is considerable overlap between the different issues, both in terms of how the issues are described and how they are accommodated.*

Status

As of June 2020, three First Nations have indicated that they have no outstanding concerns with the proposed location of the outfall. Three First Nations approve the location of the outfall pending mutual agreement on a number of issues related to shellfish harvesting and monitoring. The DNC is in the process of setting up meetings to discuss those issues.

Consultation with First Nations will continue. The primary focus now is on more detailed consultations regarding the land and sea pipeline routes. We will seek input from First Nations, to address any additional issues as they arise, and to continue to ensure that First Nations rights are protected. All First Nations that were originally contacted are receiving background information, reports, the Project Updates, invitations to visit the website for additional information, and will have an opportunity to be involved in the project in the future if they so desire.

Stakeholders and the Public

To date, engagement with stakeholder organizations has been primarily one of “information out”: keeping groups informed of the project progress. Meetings with stakeholders to date have been:

Date	Group	Subject	Comments
Sept 2018	Cowichan Estuary Environmental Management Plan (CEEMP) (phone call with lead Ron Diederichs)	Marine routing using Western Causeway versus Hecate Park	Preference for Hecate Park as less impact on estuary and eelgrass.
Oct 2018	CEEMP (meeting, DNC presented update)	Project status	Laying pipe next to causeway will create environmental harm.
Nov 2018	Cowichan Stewardship Roundtable (presentation to meeting)	JUB STP and outfall project	No major concerns
Nov 2018	Cowichan Watershed Board (presentation to meeting)	JUB STP and outfall project	Support moving outfall
March 2019	CVRD Electoral Area Services Committee	JUB STP and outfall project	Support moving outfall.
March 2019	City of Duncan Council	JUB STP and outfall project	Support moving outfall.
March 2019	Saanich Inlet Protection Society (presentation to meeting)	JUB STP and outfall project	Comment that not in favour of

Date	Group	Subject	Comments
			causeway route; question about alternative to chlorine treatment
May 2019	Cowichan Watershed Board (presentation to meeting)	Project update	No major concerns
June 2019	Cowichan Stewardship Roundtable (presentation to meeting)	Stage 2 Outfall EIS	No major concerns
June 2019	Islands Trust (presentation to meeting)	Outfall project and proposed terminus location	No major concerns
April 2020	Cowichan Watershed Board (presentation to meeting)	Updates and presentation of potential pipeline routing	No major concerns
April 2020	Cowichan Stewardship Roundtable (presentation to meeting)	Updates and presentation of potential pipeline routing	No major concerns
April 2020	Cowichan Estuary Environmental Management Plan	Updates and presentation of potential pipeline routing	Need for further review and consideration of proposed options

Stakeholders and the public will be consulted regarding pipeline routing. This process was delayed by COVID-19 but will be moving forward in the near future using safe engagement techniques.