

Clayoquot Sound Coastal Plan – Scoping Phase 2 Progress Report

1.0 Introduction

The Central Region Board (CRB) has continued to express interest in the preparation of a Coastal Plan for Clayoquot Sound, and there is also support from the provincial government based on the general approach outlined in the Scoping Document of August 23, 2001. In order to proceed to the next step of the process, two primary tasks were completed in March 2002:

- Compilation of relevant GIS information available from the Province, and use of this information to plot maps showing some of the relevant features, existing use, and potential use areas,
- Meetings with the primary First Nations with traditional territory in Clayoquot Sound and the Alberni-Clayoquot Regional District to determine their level of interest in participation in coastal planning, any issues that they would like the plan to address, and other ideas for the planning process.

2.0 Mapping

The following were the information items compiled and presented on the working maps:

- TRIM water and road features
- Protected Areas (LUCO)
- Watershed Atlas coverages and fresh-water fish distribution, published by BC Fisheries Ministry Fisheries Inventory.
- Hillshade images, created from a high resolution gridded DEM by MSRM
- Tree Farm Licences, MoF Resource Tenures and Engineering Branch
- Surveyor General Cadastral Mapping: Alienated Land (Private Land)
- Surveyor General Cadastral Mapping: Indian Reserve
- Several point and polygon feature layers (biological and infrastructure related) from tourism and recreation integration project (e.g., fish farm locations; mammal, bird and fish habitat; old growth; research stations; logging facilities; historic features, etc.)
- Tourism Product Capability and Development Interest Area layers from Clayoquot Sound/Central Region Tourism Opportunities Study (2000).

3.0 Consultation

The following provides a summary of the discussions related to coastal planning held with the three First Nations consulted, and the Regional District. In all cases, these comments are a general indication of interests. The specific perspectives of each First Nation will need to be refined based on discussions with elders, Chiefs and Councils of the respective First Nations.

The consultation sessions began with a review of the approach outlined in the scoping document and presentation of the maps illustrating existing information. The groups were told that the purpose of the meetings was to determine if they support coastal planning and to identify any concerns. It was noted that the planning is dependent on the support of the First Nations communities.

3.1 Tla-o-qui-aht First Nation (TFN)

General Comments

- The TFN need to be assured that coastal planning will have no effect on Treaty negotiations. All language must distance and dissociate the planning process from the treaty process.
- The TFN has a strong interest in participating in coastal planning, and expressed interest in beginning to map areas of existing and potential uses immediately. They would like to know more about the process and want to help design it.
- Coastal planning should incorporate the primary First Nations principles “*hishuk ish ts’awalk*” or “Everything is One” and “*iisaak*” “Respect”
- The hereditary Chiefs would need to be consulted since they own a lot of the land.
- The TFN have an interest in developing a land use plan for their entire traditional territory. It was noted that the TFN plan could include more detail than the overall coastal plan.
- The TFN had a question about the “limits” of planning. It was noted that there are no established limits.
- The TFN do not recognize the Unesco Biosphere Reserve, and this non-recognition may need to be addressed in the plan.

Primary Issues to Address

- The resources in the traditional territory have been heavily impacted by salmon farms and squatters/houseboats/trespassers. This has affected resource use such as hunting and clam harvesting. It has also led to contamination of resources, which are needed for sustenance due to the high level of unemployment

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- Illegal float cabins have started to appear in Kennedy Lake. This is not acceptable to the TFN, particularly due to sacred sites around the lake.

Specific Comments on the Map and the Process

- The CRB should oversee the process and have a major role in management once the plan is complete.
- Fisheries spawning areas in Kennedy Lake are not showing up on the map.
- Four watershed plans are expected to be complete March 31. The upland boundary of the coastal planning area should match the outer boundary of the watershed planning areas.
- A question was raised regarding whether the Treaty team would have access to the coastal plan. This would likely occur and it would be in the TFN's interests.
- It was noted that the TFN would want to be consulted about specific proposals, even after a designation plan was in place. This was confirmed.

3.2 Hesquiat First Nation (HFN)

General Comments

- The Treaty team supports coastal planning.
- The HFN has a strong interest in participating in coastal planning, and expressed interest in beginning to map areas of existing and potential uses immediately. They are currently involved in a “dot” process of identifying traditional place names, former reserves and summer campsites, recreation areas, and potential uses.
- A coastal plan could really help in directing operators to the appropriate location, especially since the tourism use of the area is not that high yet. It was also noted that some of the existing licenses may be about to expire.
- The plan should recognize that the HFN were a seafaring people who moved seasonally based on the fisheries. The coastal plan should support a return to traditional ways.
- A primary principle of the plan should be *iisaak* “respect what you have”. This leads to self respect.
- The HFN have an interest in developing a land use plan for their entire traditional territory. They want to plan for multiple opportunities (including economic development) and to conserve resources.
- The HFN would like all commercial businesses operating in Hesquiat territory to discuss their operations with the HFN before starting business. Essentially, HFN would like to be “in the loop” of communication regarding all commercial activities.

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Primary Issues to Address

- B.C. Parks had made numerous decisions (e.g. designation of large parks) that have significant impacts on the HFN without appropriate consultation. The most recent of these is the proposed cabin for surfers at Barchester Bay. HFN would like to receive referrals regarding Park Use Permits, particularly since some of them entail much higher impacts than most historical Park Use Permits. They would also like Parks to hold off on assigning new permits until a plan is in place.
- HFN have an interest in aquaculture (e.g. existing geoduck proposal).
- The plan should address ways to allow the HFN to hunt without undue conflict or safety issues.
- There needs to be coordination with DFO with respect to allocation of fisheries. It was noted that this may be beyond the scope of coastal planning.
- Sea otters are an important issue. This also is likely beyond the scope of a coastal plan.

Specific Comments on the Map and the Process

- The previous plan, Management for Living Hesquiat Harbour, provided good direction on how to sustain traditional uses. Enforcement is the real block. That plan did not address commercial pressures or Parks.
- B.C. Parks should be involved in the process so some of the issues related to Parks can be addressed. It may be that Parks could support management by First Nations.

3.3 Ahousat First Nation (AFN)

General Comments

- The AFN is having an election on April 18. The current Council will prepare a briefing about the coastal plan for the new Council, and a working day on this topic. A refined briefing from the CRB would help them. In the meantime, no real decisions can be made. [Postscript to Meeting: All previous council members were reelected.]
- The group at the meeting indicated their view that this type of plan should have been done a long time ago. "It's about time". It is an important priority and should be rushed.
- The AFN does not want to risk other agencies conducting a plan like this without FN participation.

Primary Issues to Address

- The traditional territory is being used by non-FN businesses, e.g. tourism lodge.
- There is concern that the area will be "overrun with lodges like Nootka Sound".

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- The AFN would like to see people employed through or as a result of this process. It was noted that this is not an inventory, but there is and will be a need for monitoring of coastal use.
- The AFN are very concerned about monitoring. For example, B.C. Parks issues Park Use Permits, and the AFN sometimes help the holders of these permits if they get into trouble, e.g. rescuing kayakers in stormy weather. They are not compensated for this.
- There are “differences” among the respective First Nations. The plan won’t be able to resolve this, but the planning process will need to be aware of it.

Specific Comments on the Map and the Process

- An AFN member pointed out that the tourism opportunity map presented as an example shows a tourism opportunity area in the same location as a proposed dry land sort. It was indicated that that situation is a perfect example of what a plan could address.
- There were questions about how the Technical Committee would work. Many AFN members have different types of technical information. The response is that the AFN Technical Committee member would collect that information from other AFN members.
- The AFN has been involved in several different mapping projects. These include mapping of traditional land areas, cultural reserve mapping, and a dot process to identify traditional use sites. There may also be some relevant information that was compiled for the Treaty process.
- The AFN expressed an interest in establishing FN fishing areas. It was noted that fishing regulations would be beyond the scope of this plan.

3.4 Alberni-Clayoquot Regional District (ACRD)

A meeting was held with the ACRD because they had expressed some concerns about the proposed process at a CRB meeting at which the draft scoping document was presented. Comments were as follows:

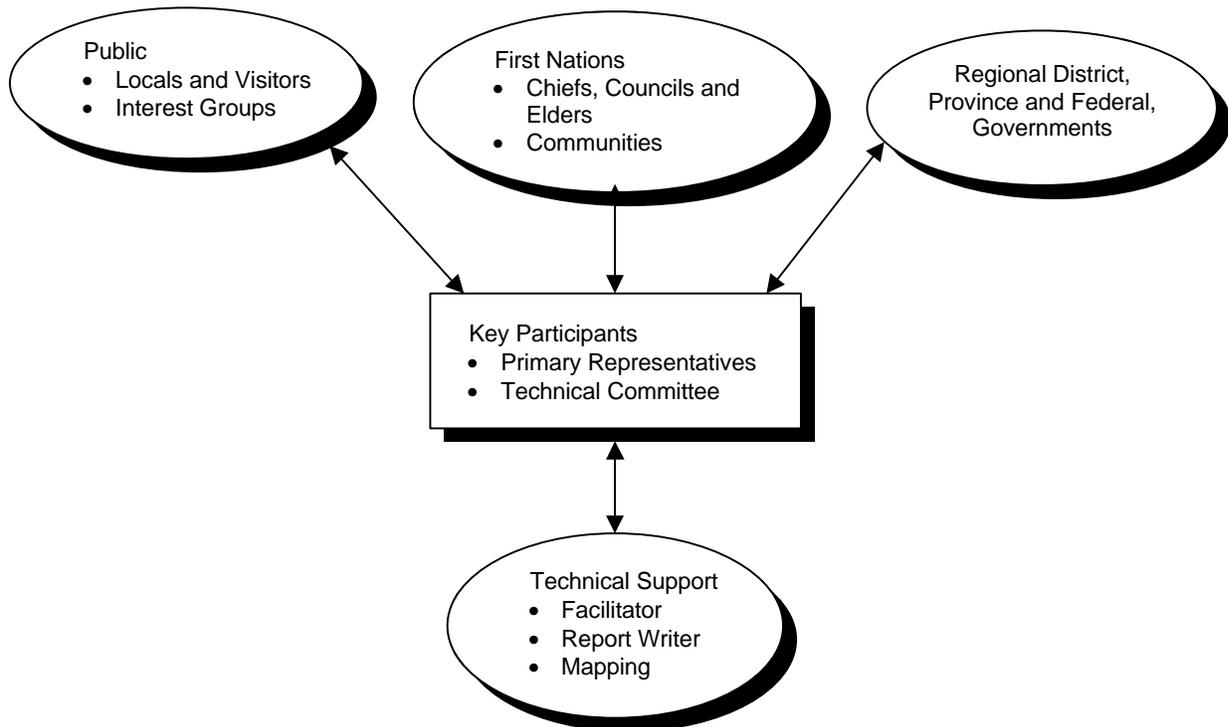
- The ACRD staff and Board strongly support a coastal plan for Clayoquot Sound and “don’t care who is at the reigns as long as it gets done”. The ACRD has limited staff capacity but will need to allocate resources to this because it is a high priority.
- The plan needs to be done collectively and correctly. It should be more detailed than the Barkley Sound Plan and be presented so that all relevant information about a specific geographic area can be found in one section of the report. Carrying capacity should be addressed by the plan to the degree possible.
- The ACRD has concerns that the CRB sees itself as representing the “public”. The RD Board has a perception that they are being bypassed by certain topics addressed by the CRB.

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- The Director of Electoral Area C and the Long Beach Advisory Planning Committee (APC) have a great deal to offer this process due to their understanding of planning and local knowledge.
- The ACRD is removing aquaculture as an A4 use in the Sound to trigger the need for rezoning and more review and public consultation.
- The ACRD is not sure that all relevant provincial staff are aware of this effort. They met recently with some provincial agencies who were talking about planning but did not mention the proposed coastal plan.

4.0 Consultation Process

The coastal planning process outlined in the past Scoping Document has been revised to reflect recent government changes and the results of consultation.



Notes

The following notes further explain some of the participants in the graphic above:

- “Interest Groups” include (but are not limited to): Forest Industry, Aquaculture Industry, Tourism Industry, Public Recreation User Groups, Environmental Groups.
- “Regional District” includes representation of the two municipalities and the Advisory Planning Committee.

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- “Key Participants” of the First Nations, other government agencies, and public interest groups have leadership or primary planning roles in those groups and are aware of the concerns, perspectives and interests of the groups they represent.
- “Technical Committee” members are representatives of the key groups who have the technical ability to conduct planning work, including mapping and development of plan recommendations, e.g. planning staff, GIS analysts.
- A lead agency has not been determined. The intent is that a spokesperson for the planning process and a coordinating agency will be determined at the outset, but that the process will be consensus-based with no “lead” agency in the traditional sense.

The CRB is not shown on the above graphic, but they would play a key role in the project as a facilitator. They would help to ensure that the process is flowing smoothly through connections with all groups noted above.

Throughout the planning process, consultation will be maintained with related planning and management processes, including those listed in the August 23, 2001 Scoping Document and the new West Coast Vancouver Island Management Board.

The planning process and consultation approach proposed are similar to those used in other recent coastal planning efforts in B.C. (e.g. Nootka Coastal Land Use Plan). Because coastal planning affects and is affected by a complex jurisdictional framework, a successful approach has been to develop an integrated plan that is separate from the individual agencies involved. Each agency benefits from knowing that the provisions of the plan will be supported by other agencies. The public gains the security of knowing what is planned for the future. A coastal plan is not a new set of regulations. It is a guide for the implementation of existing multi-agency policies and regulations.

The proposed coastal plan for Clayoquot Sound will respect existing jurisdiction over issues dealt with in the plan and will not alter or replace the existing statutory authority or responsibility of government agencies or the rights associated with legally established land and water uses. Each agency participating will ideally agree to implement the plan within its own jurisdictional framework. Likewise, the planning process and the plan developed will be without prejudice to ongoing treaty negotiations. Neither the planning process nor the plan will abrogate or derogate from the provisions of the Clayoquot Sound Interim Measures Extension Agreement.

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Group	Participants	Role	Methods of Involvement
Key Participants – Primary Reps and Technical Committee (TC)	First Nations, Regional District, Provincial, Federal and community reps	Primary reps involved in visioning and key decisions. TC assist with the technical work, provide information, review drafts, commit to participation and implementation, work with special interest groups as required.	<ul style="list-style-type: none"> • Participate in working sessions • Review work after the completion of each task • Participate in negotiations • Work with sector interest groups • Minimum of 6 meetings anticipated
CRB	Central Region Board	To help in facilitating the process, making local arrangements, administering contracts, and maintaining communication with the other groups as required	<ul style="list-style-type: none"> • Review work after the completion of each major task • Review of negotiations among interests • Status reports to CRB meetings
First Nations	Chiefs Councils Elders Communities	To provide information (particularly on how to address culture and heritage). To provide review from a First Nations perspective. To ensure that First Nations are comfortable with the plan.	<ul style="list-style-type: none"> • Special meetings with Chiefs when desired before or after CRB meetings • Meetings in First Nations communities (e.g., Ahousat, Tofino, Hesquiat) at same time as public meetings
Provincial, Regional District and Federal Agencies	Government representatives	To commit to participation and implementation, to provide review from a government perspective.	<ul style="list-style-type: none"> • Primary Reps and Technical Committee report to their respective agencies, and/or separate government review meetings as required
Public	Communities Interest Groups	To provide information. To review draft inventory, vision and objectives, analysis, and plan.	<ul style="list-style-type: none"> • Meetings with interest groups as required • Community review and input at key stages of work – likely after task 4, to review first draft of plan, and to review almost final draft of plan – 3 meetings • Each meeting accompanied by ads in local press, community TV ads, poster, mailing to key interest groups, Web site, comment form

5.0 Next Steps

The following are the next steps that would initiate the planning process:

- Meeting of the primary representatives of the key participants to:
 - discuss the process and logistics, e.g. who will be assigned, responsibilities, reporting, funding, etc.
 - conduct a workshop on the project vision and objectives
- Meeting of the technical committee of the key participants to:
 - review the mapping information to consider (and sources), consultation with FN communities and interest groups, proposed area designation categories, and detailed approach to be used to analyze information and establish draft designations.