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**Minutes of a Meeting of the Core Area Liquid Waste Management Committee
Held Wednesday, June 11, 2014, and Continued on June 18, 2014,
in the Board Room, 625 Fisgard St., Victoria, BC**

Present: Directors: G. Young (Chair), D. Blackwell (Vice-Chair), M. Alto, S. Brice, J. Brownoff, V. Derman, B. Desjardins, D. Fortin, C. Hamilton, G. Hill, B. Isitt, N. Jensen, V. Sanders (for F. Leonard), L. Seaton, L. Wergeland

Staff: R. Lapham, Chief Administrative Officer; L. Hutcheson, General Manager, Parks and Environmental Services; D. Lokken, General Manager, Finance and Technology; T. Robbins, General Manager, Integrated Water Services; A. Sweetnam, Program Director, Seaterra Program; T. Brcic, Program Manager, Seaterra Program; R. Sharma, Senior Manager, Financial Services; A. Bains, Manager, Information Services; S. Norton, Deputy Corporate Officer; N. More, Committee Clerk (recorder)

Also Present: C. Stewart (Stewart, McDannold, Stuart); Alternate Director Cullington, Alternate Director Hundleby

The meeting was called to order at 9:30 am.

1. Approval of Agenda

MOVED by Director Derman, **SECONDED** by Director Desjardins,
That item 10 be heard before item 6.

Alto, Blackwell, Brownoff, Brice, Fortin, Isitt, Jensen, Sanders, Seaton, **DEFEATED**
Wergeland
OPPOSED

MOVED by Director Brice, **SECONDED** by Director Blackwell,
That the agenda be approved with the addition of the supplementary agenda.

CARRIED

MOVED by Director Derman, **SECONDED** by Director Alto,
That delegation 4.19) be allowed to speak.

CARRIED

2. Adoption of Minutes

The minutes of the meeting of May 14, 2014, were not available for adoption.

3. Chair's Remarks

The Chair requested that those present refrain from applause or other reaction during the presentations or deliberations.

4. Presentations/Delegations

- 1) Tony Rose, re item 9: felt the plan should be halted. He commented on engineering project planning. The delegation provided a written submission, on file at Legislative and Information Services.

- 2) David Langley, re item 8: spoke in favour of seeking an alternate site for a centralized treatment plant and conducting a new pricing exercise for a decentralized system. The delegation provided a written submission, on file at Legislative and Information Services.
- 3) Brian Burchill, ARESST, re item 8: felt the classification of high risk in relation to the federal regulations was unwarranted and should be re-assessed by the federal authorities. The delegation provided a written submission, on file at Legislative and Information Services.
- 4) Bryan Gilbert, re items 6, 7, 8, 9 and 10: preferred an alternative system and was concerned about tsunami risk at the McLoughlin site.
- 5) Justin Stephenson, re item 10: spoke in support of the proposed motion for an independent review of options and suspension of the Seaterra Program. The delegation provided a written submission, on file at Legislative and Information Services.
- 6) Deborah Dickson, re items 7 and 10: spoke in favour of the proposed motion for an independent review of options and suspension of the Seaterra Program. The delegation provided a written submission, on file at Legislative and Information Services.
- 7) Norma Brown, re item 10: spoke in favour of the proposed motion for an independent review of options and suspension of the Seaterra Program.
- 8) Carole Witter, re item 10: The delegation was not present.
- 9) Michelle Coburn, re item 7: spoke in favour of the current wastewater treatment plan and the McLoughlin Point site.
- 10) Janet Gray, Greater Victoria Water Watch Coalition, re item 10: spoke in favour of a publically owned, managed and operated system. The delegation provided a written submission, on file at Legislative and Information Services.
- 11) Irwin Henderson, re item 10: spoke in favour of the proposed motion for an independent review of options and suspension of the Seaterra Program. The delegation provided a written submission, on file at Legislative and Information Services.
- 12) Filippo Ferri, re item 8 and 10: spoke in favour of the proposed motion for an independent review of options and suspension of the Seaterra Program.
- 13) John Farquharson, re item 10: spoke in favour of the proposed motion for an independent review of options and suspension of the Seaterra Program.

- 14) Bruce Carter, Greater Victoria Chamber of Commerce, re item 10: spoke against the proposed motion for an independent review of options and suspension of the Seaterra Program. He spoke in favour of the current plan and outlined five options for moving forward. The delegation provided a written submission, on file at Legislative and Information Services.
- 15) Diane Carr, re item 10: spoke in favour of the proposed motion for an independent review of options and suspension of the Seaterra Program.
- 16) Beth Burton-Krahn, STAG, re items 7 and 10: spoke in favour of the proposed motion for an independent review of options and suspension of the Seaterra Program.
- 17) Richard Atwell, STAG, re items 7, 8, 9 and 10: spoke against the staff recommendations, discussed the need for public consultation, and felt the sewage treatment project had focused on federal discharge regulations rather than the Provincial objectives outlined in a guide to liquid waste management plans.
- 18) Derek Randall, re item 10: spoke against the proposed motion for an independent review of options and suspension of the Seaterra Program. The delegation provided a written submission, on file at Legislative and Information Services.
- 19) Dave Godfrey, re item 10: spoke of tertiary systems in Whistler and Sechelt and expressed that the cost of the Core Area project should be comparable.

5. Motion to Close the Meeting

Board Chair Bryson entered the meeting at 11:00 am.

MOVED by Director Hill, **SECONDED** by Director Blackwell,
That the Committee close the meeting in accordance with the *Community Charter* Part 4, Division 3, Section 90(1) (e) the acquisition, disposition or expropriation of land or improvements, if the board considers that disclosure could reasonably be expected to harm the interests of the regional district; and (i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED

The Committee moved to the closed session at 11:01 am.

The Committee remained in closed session until 1:20 pm and recessed until continuation of the meeting on June 18, 2014.

**Minutes of a Special Meeting of the Core Area Liquid Waste Management Committee
Held on June 18, 2014, at 9:30 am to Continue the Meeting of June 11, 2014, in the Board
Room, 625 Fisgard St., Victoria, BC**

Present: Directors: G. Young (Chair), D. Blackwell (Vice-Chair), M. Alto, S. Brice, J. Brownoff, V. Derman, B. Desjardins, D. Fortin, C. Hamilton, G. Hill, B. Isitt, N. Jensen (10:18), V. Sanders (for F. Leonard), L. Seaton, L. Wergeland, A. Bryson (ex-officio, 10:18)

Staff: R. Lapham, Chief Administrative Officer; L. Hutcheson, General Manager, Parks and Environmental Services; D. Lokken, General Manager, Finance and Technology; T. Robbins, General Manager, Integrated Water Services; A. Sweetnam, Program Director, Seaterra Program; T. Brcic, Program Manager, Seaterra Program; R. Sharma, Senior Manager, Financial Services; A. Bains, Manager, Information Services; S. Santarossa, Corporate Officer; N. More, Committee Clerk (recorder)

Also Present: C. Stewart (Stewart, McDannold, Stuart); Alternate Director Cullington, Alternate Director Hundleby

The Committee rose from closed session at 10:13 am, June 18, 2014, without report.

6. Macaulay and Clover Points – Application for Transitional Authorization to Discharge Deleterious Substances under the Federal Wastewater Systems Effluent Regulations

L. Hutcheson gave an overview of the report.

Board Chair Bryson and Director Jensen arrived at 10:18 am.

On the motion, the Committee discussed the following points:

- if the compliance plan changes during the transition period, an amended plan must be submitted
- May 27 letter from the Ministers stated the CRD is expected to fully comply with its Liquid Waste Management Plan
- two combined sewer overflows are located at the Humber and Rutland pump stations within the Clover Point outfall system

MOVED by Board Chair Bryson, **SECONDED** by Director Young,

That it be recommended to the Capital Regional District Board:

That staff be directed to complete the request for a transitional authorization, prior to June 30, 2014, based on the existing approved Core Area Liquid Waste Management Plan and indicate in the application that an amendment may be submitted if a revised Core Area Liquid Waste Management Plan is approved.

CARRIED

7. Implications of the Minister's Decision on the Seaterra Program

The Committee discussed that information from the closed session would benefit the discussion of item 7.

MOVED by Director Hill, **SECONDED** by Director Blackwell,
That the Committee close the meeting in accordance with the *Community Charter* Part 4,
Division 3, Section 90(1) (i) the receipt of advice that is subject to solicitor-client privilege,
including communications necessary for that purpose.

CARRIED

The Committee moved to the closed session at 10:34 am
The Committee rose from closed session at 10:45 am and reported that information from the
closed session on the proposed letter to the Province would be made available.

On the motion to postpone, the Committee discussed the following topics:

- the need for the Committee as a whole to receive written clarification from the Province
- the May 27, 2014, letter from the provincial Ministers
- impact to deadlines and the three funding agreements

MOVED by Director Desjardins, **SECONDED** by Director Derman,
That the item be postponed until a clarification in writing is received from the Minister.

DEFEATED

Brice, Brownoff, Bryson, Isitt, Jensen, Sanders, Wergeland, Young **OPPOSED**

The Committee recessed at 11:09 am and reconvened at 2:25 pm following conclusion of the
Board meeting continued from June 11, 2014.
All members were present save Director Isitt.

A document from the closed session was distributed containing the key points
recommended by staff to be considered for inclusion in a letter to the Province.

On the motion, the Committee discussed the following topics:

- the substance of the May 27 letter from the Ministers
- impact to deadlines and funding agreements
- the substance of the discussion held between the Minister and some of the Directors
- potential effects of the proposed letter to the Province in response to the May 27 letter
- whether the next letter from the Province would provide information that would need to
be taken into consideration before sending the response to the May 27 letter
- the complexity and length of time that would be necessary if the CALWMP and
established wastewater management service were to be dismantled

The question on the motion was called.

MOVED by Director Brice, **SECONDED** by Director Jensen,
That it be recommended to the Capital Regional District Board:

- 1) That the Capital Regional District respond to the Ministers' letter of May 27, 2014, as
detailed in the closed report.

DEFEATED

Alto, Blackwell, Derman, Desjardins, Fortin, Hamilton, Hill, Seaton **OPPOSED**

The Committee discussed the staff recommendation to request an amendment to the Liquid Waste Management Plan with the inclusion of full information relating to the McLoughlin Sewage Treatment Plant. The discussion included the following topics:

- timelines and contractual undertakings with the proponent
- similarity to content of the proposed letter

No further action was taken by the Committee at this time regarding the request for an amendment to the Liquid Waste Management Plan.

8. Alternative Approaches to Address the Ministers' Decision on the McLoughlin Rezoning

A. Sweetnam provided an overview of the report.

The Committee discussed the following points:

- potential sites would need to be analyzed in terms of conveyancing of sewage through pipes and pumping stations and in relation to outfalls, amenities for the host community, and the triple bottom line, including costs and impacts
- time estimates for the process of identifying a site and going through a rezoning and purchase process
- compliance deadlines mandated under federal and provincial regulations
- if individual municipalities made plans separately from the Core Area Liquid Waste Management Plan (CALWMP), sites would have to go through a similar process
- a fragmented approach would be expensive and complicated
- funding levels are tied to the existing CALWMP, including McLoughlin Point as the site
- several actions recommended by staff could be pursued, including renegotiating with Esquimalt

On the motion, the Committee discussed the following topics:

- advantages of renegotiating the site
- public consultations carried out by the Township of Esquimalt in the past
- potential new discussions with Esquimalt residents
- time frames for the negotiation
- new information available on design and technology since the consultations of the past

MOVED by Board Chair Bryson, **SECONDED** by Director Brice,

That it be recommended to the Capital Regional District Board:

- 1) That a letter be written to the Township of Esquimalt Council requesting that they initiate a development approval process to accommodate the McLoughlin Point Treatment Plant as required by the provincially approved Core Area Liquid Waste Management Plan, on the basis of the following new information:
 - a) Insistence by the Ministers of the need to implement the Liquid Waste Management Plan
 - b) Availability of detailed plans for the McLoughlin Point Treatment Plant
 - c) The addition of advanced oxidization into the sewage treatment process

- d) A construction bid for the treatment plant that is within the budget allocation and represents excellent value to taxpayers;

And, that the letter include an offer to Esquimalt to consider amending the cost sharing to offset the entire capital cost of Esquimalt's 6.7% share, in substitution for the amenities previously proposed outside the current bid proposal, by amending the cost sharing to allow for a payment to Esquimalt in the amount equal to Esquimalt's share (\$18.9M) or by removing Esquimalt from the Seaterra capital program cost levy;

And, that the letter require a response to this proposal prior to July 16, 2014, such that Seaterra can retain the agreement with the successful proponent for construction of the McLoughlin Treatment Plant;

And, that staff be directed to use communication tools to provide information directly to Esquimalt residents and solicit feedback from Esquimalt residents, regarding the above offer.

CARRIED
Alto, Derman, Desjardins, Hamilton, Hill OPPOSED

MOVED by Director Fortin, **SECONDED** by Director Alto,

That it be recommended to the Capital Regional District Board:

- 1) That the Capital Regional District recommence a siting process for a centralized wastewater treatment plant site through a municipal/First Nations competition;
- 2) That the Capital Regional District concurrently with the recommendation above and in consultation with the public, conduct a new pricing exercise for a decentralized system; and
- 3) That the Board Chair request that the Province make the Seaterra Program a Provincial project and take over responsibility for implementation of the Seaterra Program as currently planned without further delay, with the Capital Regional District contributing its part of the funding.

Director Fortin left the meeting at 4:10 pm

MOVED by Director Derman, **SECONDED** by Director Blackwell,

That the meeting be extended to 4:30 pm.

CARRIED

The Committee discussed that part 2) of the motion on the floor needs to provide more details on the approach for carrying out the pricing exercise and that all of the actions being recommended could move forward concurrently.

MOVED by Director Derman, **SECONDED** by Director Hill,

That the main motion be amended by adding the following phrase:

“and that staff be requested to provide further details on implementation at the next committee meeting.”

CARRIED
Blackwell OPPOSED

The question on the main motion was called:

MOVED by Director Fortin, **SECONDED** by Director Alto,
That it be recommended to the Capital Regional District Board:

- 1) That the Capital Regional District recommence a siting process for a centralized wastewater treatment plant site through a municipal/First Nations competition;
- 2) That the Capital Regional District concurrently with the recommendation above and in consultation with the public, conduct a new pricing exercise for a decentralized system and that staff be requested to provide further details on implementation at the next committee meeting; and
- 3) That the Board Chair request that the Province make the Seaterra Program a Provincial project and take over responsibility for implementation of the Seaterra Program as currently planned without further delay, with the Capital Regional District contributing its part of the funding.

CARRIED

- 9. Seaterra Program and Budget Update No. 12:** This item was postponed to the next meeting due to a lack of time.

10. Motion for Which Notice Has Been Given

- a) Seaterra Program and Core Area Liquid Waste Management Plan:** Director Desjardins: This item was postponed to the next meeting due to a lack of time.

11. New Business

12. Adjournment

MOVED by Director Derman, **SECONDED** by Director Blackwell,
That the meeting be adjourned at 4:30 pm.

CARRIED

CHAIR

RECORDER