

Reference: 127731

AUG 25 2010

Geoff Young, Chair
and Directors
Capital Regional District
PO Box 1000
Victoria BC V8W 2S6

Dear Chair Young and Directors:

Thank you for your letter of June 25, 2010, and the supporting information comprising Amendment #8 to the Capital Regional District (CRD) Core Area Liquid Waste Management Plan (LWMP).

Thank you also for providing me with the information I requested as a condition of approval of Amendment #7. The CRD LWMP Amendment #8 is hereby approved.

In my letter of February 9, 2010, I encouraged you to reconsider the opportunities to beneficially use biosolids as a fertilizer and soil amendment product as options for use. Further, I directed you to develop an emergency contingency plan to handle biosolids that are surplus to the uses identified. I am satisfied with your proposal to address these issues in the Resource Recovery and Use Plan that you intend to submit to the Ministry of Environment on or before December 31, 2010.

Ministry staff believe that the current strategy provides a practical, cost effective system that incorporates current resource recovery opportunities (with generation of offsetting revenues) and facilitates future resource recovery opportunities. Examples include your commitment to produce biogas and fuels from sludge, to recover phosphorus from biosolids and to recover heat in the treatment process. Please ensure that the Resource Recovery and Use Plan is developed to optimize the further recovery of resources from wastes.

I recognize your efforts to reduce waste flows at source through your aggressive water conservation programs, plans to eliminate sewer overflows and reduce storm-water infiltration to the sanitary sewer system. I consider the elimination of combined sewers to be an important component of the wastewater management strategy.

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I note the wastewater management strategy no longer proposes a primary treatment plant to address high flows discharging through the Clover Point outfall. The plan is to eliminate discharges at Clover Point greater than four times the average dry weather flow by 2030 as a result of the inflow and infiltration reduction plan, combined sewer separation in Oak Bay and wastewater storage at Saanich East. However, you are directed to monitor the quality and volumes of effluent discharged through the Clover Point outfall and continue to assess the impact of the discharge on the receiving environment, to determine whether or not additional treatment shall be provided in the future.

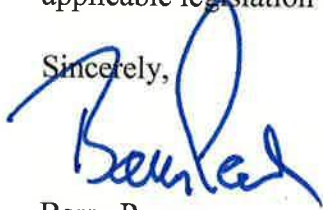
Please continue to work with my colleague, the Honourable Ben Stewart, Minister of Community and Rural Development, and his staff, to address provincial requirements for the business case and for assessment of public-private partnerships, and to clarify procurement planning and project implementation.

I also ask you to continue to work with Ministry of Environment Regional Environmental Protection staff on the implementation stage of the wastewater strategy, monitoring details associated with the Clover Point discharge and on the requirements for a marine Environmental Impact Study (EIS) for Macaulay and/or the McLoughlin outfall. Please submit a progress report for the EIS by December 31, 2010.

Finally, please continue to consult with the public and First Nations to ensure they are fully informed of the wastewater strategy. An updated public and First Nations consultation summary report is requested by December 31, 2010.

Approval of Amendment #8 to the LWMP does not authorize entry upon, crossing over or use for any purpose of private or Crown lands or works, unless and except as authorized by the owner of such lands or works. The responsibility for obtaining such authority shall rest with the local government. This amendment is approved pursuant to the provisions of the *Environmental Management Act*, which asserts it is an offence to discharge waste without proper authorization. It is also the regional district's responsibility to ensure that all activities conducted under this plan amendment are carried out with regard to the rights of third parties and comply with other applicable legislation that may be in force.

Sincerely,



Barry Penner
Minister