



Reference: 200464

*July 3, 2014*

Alastair Bryson, Chair  
and Directors  
Capital Regional District  
625 Fisgard Street  
PO Box 1000  
Victoria BC V8W 2S6

Dear Chair Bryson and Directors:

Thank you for your letter dated February 7, 2014, including proposed Amendment #9 to the Capital Regional District (CRD) Core Area Liquid Waste Management Plan (LWMP).

I understand that intervening events may make this amendment unnecessary. Nonetheless, should this be the option that the region ultimately pursues, under the terms of Section 24(5) of the *Environmental Management Act*, I hereby approve Amendment #9 to the CRD Core Area LWMP with the following conditions:

1. The words “in a manner consistent with CRD policy” are struck from the proposed amendments to Commitments 2.e and 3.b, such that the following commitments result:

Commitment 2.e) “Prepare the biosolids for beneficial use.”

Commitment 3.b) “Preparing the biosolids for beneficial use.”

2. By December 31, 2014, provide a Wet Weather Flow Management progress report, which includes an update on progress made to date in achieving the LWMP commitments to eliminate sanitary and combined sewer overflows.
3. By December 31, 2014, provide an updated public and First Nations consultation summary report.
4. By December 31, 2014, provide a consolidated version of the Core Area LWMP, including all amendments, commitments and conditions.

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With regard to Condition 1, I understand the CRD Regional Biosolids Management Policy does not support the land application of biosolids at CRD parks and facilities or on farmland. Provincial legislation, regulations and guidelines allow the beneficial use of biosolids, including beneficial land application. I am sure you can appreciate that it would be inappropriate for me to approve CRD policy that is inconsistent with provincial legislation, regulations and guidelines.

With regard to the proposed sludge processing, energy recovery and biosolids production facility at Hartland landfill, I understand the CRD is currently in the early stages of facility design. After the facility, including proposed waste discharges into the environment and produced biosolids end uses, are further defined, please consult with the Ministry of Environment, Environmental Protection Division, Coast Region staff regarding additional required LWMP amendment(s), waste discharge authorization(s) and process(es) under the *Environmental Management Act*.

I acknowledge your efforts to implement the approved wastewater treatment strategy and in moving towards satisfying regulatory requirements. I recognize the CRD's commitment to complete the wastewater treatment program by the end of 2018. As you carry on with implementation, please continue to work with my colleague, the Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development, and her staff with regard to requirements, scope, and expected outcomes for applicable funding agreements in place.

Approval of Amendment #9 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 offense 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,



Mary Polak  
Minister

cc: Honourable Coralee Oakes, Minister of Community, Sport and Cultural Development  
Liam Edwards, Acting Executive Director, Local Government Division, Ministry of  
Community, Sport and Cultural Development  
Jeff Fournier, Acting Regional Director, Coast Region, Regional Operations Branch,  
Environmental Protection Division, Ministry of Environment  
Robert Lapham, Chief Administrative Officer, Capital Regional District  
Larisa Hutcheson, General Manager, Parks and Environmental Services, Capital  
Regional District