



Reference: 308171

JUN 20 2018

Steve Price, Chair
Capital Regional District Board
PO Box 1000 625 Fisgard Street
Victoria BC V8W 2S6

Dear Mr. Price:

Thank you for former Chair Barb Desjardin's letter of February 15, 2017, addressed to former Minister Mary Polak, regarding the Capital Regional District (CRD) Core Area Liquid Waste Management Plan (CALWMP) Amendment No. 12. I apologize for the lengthy delay in responding as ministry staff focused resources to prioritize and support the CRD's wastewater treatment project

Pursuant to Section 24(5) of the *Environmental Management Act (EMA)*, I hereby conditionally approve the following aspects (summarized in Attachment 1) of the CRD's CALWMP Amendment No. 12 with respect to Table 5.5 (the table):

- 1) A staged approach to combined sewer separation through the installation of new stormwater collection system in the Humber catchment area and then in the Rutland catchment area, and updating the cost estimates to \$5,285,000 for Humber and \$9,815,000 for Rutland. Thus replacing item 1 of the table with a new item 1a and 1b.
- 2) Expanding the South Oak Bay inflow and infiltration project to include all of Oak Bay including the change in estimated costs.
- 3) Consolidation of pump station maintenance, sewer system maintenance and manhole inspections into District Sewer System Maintenance Program and adjustment of the estimated costs.
- 4) Acknowledge the hydraulic modelling and SCADA upgrade projects are completed.

In accordance with Section 24(3)(b) of the EMA, the following interim reports must be submitted to me no later than December 31, 2019:

- A cost/benefit analysis of various timeframes for combined sewer separation in Oak Bay including the minimum consultant recommended timeline of four (4) years, the proposed 2027/2047 timeline and something in between. The cost/benefit analysis should include property tax implications for residents of the various options.
- A plan with a timeline for the rehabilitation of the existing combined sewer pipeline in Oak Bay, to be repurposed as a sanitary sewer pipeline, informed by instream flow monitoring.

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In accordance with Section 24(3)(a) of the *EMA*, please submit by December 31, 2021, a plan amendment updating commitments in Section 5 – Inflow and Infiltration and Sanitary Sewer Overflows based on progress reports and adjusted as needed to meet the requirements of the Municipal Wastewater Regulation. The Ministry of Environment and Climate Change Strategy understands that the CRD is undertaking several initiatives as part of the wastewater treatment project that will have positive effects on inflow and infiltration. Once they are completed, it will be a good time to assess progress and update the plan.

I want to acknowledge the District of Oak Bay's efforts to consult and respond to the public in the selection of an option for the separation of combined sewers in Oak Bay. It has resulted in a plan that strikes a balance between the impact on the Uplands residents, the cost to the residents of Oak Bay and the protection of the environment.

The separation of combined sewer systems is one method of eliminating sewer overflows resulting in the discharge of raw sewage to the marine environment. I also consider the rehabilitation of the existing pipeline to be an important component of the overall plan.

Please continue to work with staff in the Environmental Protection Division of the Ministry of Environment and Climate Change Strategy to ensure that the CRD's plan to eliminate combined sewer overflows and reduce inflow and infiltration are in compliance with the Municipal Wastewater Regulation.

Additionally, the CRD should continue to engage First Nations and the public on all aspects of the CALWMP, including but not limited to details regarding the property tax implications of the Oak Bay overflow reduction plan under various timelines.

Be advised that the ministry intends to publically post any reports or other documents received by the CRD on the ministry website located at <https://www2.gov.bc.ca/gov/content/environment/waste-management/sewage/liquid-waste-management-plans> related to this conditional approval, the CALWMP and this activity regulated under the *EMA*.

Approval of Amendment No.12 to the CALWMP 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 *EMA*, 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,



George Heyman
Minister

cc: **Honourable Selina Robinson, Minister of Municipal Affairs and Housing**
Andrew Weaver, MLA, Oak Bay – Gordon Head
Christa Zacharias-Homer, Director, Environmental Protection Division, Ministry of
Environment and Climate Change Strategy
Robert Lapham, Chief Administrative Officer, Capital Regional District
Larisa Hutcheson, General Manager, Parks & Environmental Services, Capital Regional
District

