



Making a difference...together

**Capital Regional District**

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July 15, 2014

0400-20  
5220-20

**Sent by email: [cscd.minister@gov.bc.ca](mailto:cscd.minister@gov.bc.ca)**

The Honourable Coralee Oakes  
Minister of Community, Sport and Cultural Development  
PO Box 9056, Stn Prov Govt  
Victoria, BC V8W 9E2

and

**Sent by email: [env.minister@gov.bc.ca](mailto:env.minister@gov.bc.ca)**

The Honourable Mary Polak  
Minister of Environment  
PO Box 9047 Stn Prov Govt  
Victoria, BC V8W 9E2

Dear Honourable Ministers Oakes and Polak:

**Capital Regional District – Core Area Wastewater Treatment Program**

In letters dated May 27 and July 3, 2014 Minister Polak confirmed that the Capital Regional District (CRD) is responsible to implement secondary wastewater treatment in the Core Area within timelines prescribed in the Core Area Liquid Waste Management Plan (CALWMP), by the federally legislated deadline of 2020. Provincial and Federal funding agreements that provide approximately \$500 million toward the \$783 million project are contingent on meeting these timelines and the elements of the CALWMP.

While the CALWMP Amendment 8, approved in August 2010, identifies McLoughlin Point as the location for the wastewater treatment facility, in April 2014, the Township of Esquimalt Council rejected the CRD's revised rezoning application to locate a wastewater treatment facility at McLoughlin Point. As a result, at its meeting of July 9, 2014, the CRD Board directed a number of parallel initiatives to move forward on meeting the legislated deadlines, including:

1. Approach Township of Esquimalt council to request reconsideration of McLoughlin Point as a site for the wastewater treatment facility based on a variety of new information, including a new offer for the Township to consider waiving the Township's capital cost of the Seaterra program.
2. Investigate potential alternative sites for a centralized wastewater treatment facility through a siting competition open to submissions from all municipal and First Nations councils.
3. Write to the Province to request that they take over responsibility for the implementation of core area wastewater treatment as currently planned in the region with the CRD contributing its part of the funding.

The current plan provides the CRD with cost effective and environmentally sound secondary sewage treatment but the CRD cannot at present move forward with the project. Each municipality effectively has a veto over the CRD's ability to comply with the legal requirements of the CALWMP. This is clearly an untenable situation for the CRD. Therefore, the CRD is requesting that the Province take over responsibility for the Program and proceed under its own authority to fulfil the approved CALWMP.

As noted in our correspondence of April 10, 2014, the CRD has a responsibility and an obligation to comply with the approved CALWMP, a point reiterated in Minister Polak's letters of May 27 and July 3, 2014, but at present does not have the practical ability or authority to implement the plan without obtaining discretionary variances or a rezoning from Esquimalt. In contrast, the Greater Vancouver

Sewerage and Drainage District has the responsibility and has been given all rights and powers necessary under the *Greater Vancouver Sewerage and Drainage District Act* to construct major sewage treatment facilities without municipal zoning.

Should the Province decide to assume responsibility for the program, it is important to note that, in accordance with its obligations under the funding agreement with the Province, the CRD (through the Seaterra Program) has conducted a procurement process for the McLoughlin Point wastewater treatment plant, leading to the selection of a preferred proponent in early May 2014. We are attaching to this letter the details from the successful procurement for the McLoughlin Point wastewater treatment plant.

The financial proposal is within budget. It implements the Provincially approved CALWMP, which designated McLoughlin Point as the site for the core area wastewater treatment plant in 2010, and which the Minister of Environment could only approve upon being satisfied that there had been sufficient consultation. The proposed capacity of 124 ML/d is 15% greater than specified, thus providing significant savings to regional taxpayer as no expansion of capacity will be required prior to about 2065. According to the studies and analysis undertaken to date, any decision to utilize an alternative location or multiple locations for a distributed system will lead to higher costs for taxpayers and delays to implementation and compliance with the CALWMP.

The major concerns raised by the public during the public hearing process have been addressed by professionals within the final design of the preferred proponent (aesthetics, technology, substances of emerging concern and antibiotic resistant bacteria, cost over-runs, tsunami protection) and the CRD's recent decision to include advanced oxidation as part of the project.

Thank you for your consideration of this request. Please do not hesitate to contact me to discuss this matter further.

Yours truly,



Alastair Bryson  
Chair, Capital Regional District Board

Attachments: 2 (confidential—not for public disclosure)

AB/jta

cc Board Members CRD  
Robert Lapham, Chief Administrative Officer, CRD  
Executive Leadership Team, CRD