



Reference: 208161

July 3, 2014

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

Dear Chair Bryson and Directors:

Further to our meeting June 13, 2014, this letter is to provide initial guidance on the regulatory steps necessary should the Capital Regional District (CRD) or its member municipalities pursue a treatment option(s) other than those reflected in the current Core Area Liquid Waste Management Plan (CALWMP).

As I have stated previously, the CRD, on behalf of its member municipalities, remains obligated to implement secondary treatment within the timelines prescribed by the current CALWMP. A CALWMP which was approved based upon the building of a wastewater treatment plant at McLaughlin Point. Additionally, the federal legislation has established requirements with respect to wastewater treatment including a 2020 deadline for the CRD to achieve secondary treatment. While the McLaughlin Point site remains on the table, **it is ultimately up to the CRD whether or not to continue to pursue this option.**

I am aware of the public dialog around alternatives to the current plan, and while I remain open to receiving alternate proposals, I feel it is important that the process be well understood by all so that any decision regarding the path forward is an informed one.

In terms of regulatory process, any change to the current plan, be that site or technology, will require a plan amendment. Any amendment to the plan will have to clearly demonstrate **that it will comply with the requirement** to achieve secondary or better treatment within the prescribed timeframes and that there has been adequate consultation on the preferred option(s). Additionally, any new treatment proposal, whether advanced by the CRD or a member municipality, must fully satisfy government policy including with respect to effluent discharge quality, full redundancy, wet and dry flow management and biosolids/sludge management. It would remain up to the CRD whether to pursue an option that has previously been explored, or begin the process to identify a new site(s).

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In order for proper consideration to be given to a new option, the CRD will be required to:

- submit a written notification to me regarding their intentions with respect to a new site or option;
- engage in discussion with Ministry of Environment regional staff in regard to the details of the new option as a precursor to preparation of a plan amendment;
- reconvene the CALWMP Advisory Committee to advise upon the new option(s);
- undertake the necessary supporting studies including but not limited to new Environmental Impact Studies for the new option(s); and
- complete First Nations and public consultation with respect to the new option(s).

Finally, a formal, detailed plan amendment package requesting an amendment of the currently approved CALWMP will need to be submitted **to the Province** for a decision.

With regard to funding, the current project agreement makes the CRD solely responsible for all aspects of the project, as well as laying out the limits of the provincial contribution to the proposal as well as clear timelines upon which the project must be delivered. The agreement also defines the provincial funding contribution as being for the sole purpose defraying the costs incurred by the CRD in building a WWTP, an Energy Center for Sludge Treatment and conveyances system upgrades as described in the approved CALWMP.

Should the CRD elect to make a change to its CALWMP to incorporate one or more new options for treatment, those changes must take into consideration potential impacts on the current project agreement. Obviously there will be public concern should a revised proposal include significant changes to the project agreement (such as an increase in the number of treatment plants) that increase its already formidable cost. Given my government's commitment to a balanced budget—and all governments' responsibility to carefully manage taxpayers' dollars—I want to underline that potential changes to the CALWMP should assume neither an increase to the Province's contribution nor an extension to the timeframes that have already been established.

As you continue with your efforts, government is available to advise the CRD in achieving compliance with its CALWMP. In the meantime, please feel free to contact Deputy Minister Wes Shoemaker, at 250 387-5429 or by e-mail at Wes.Shoemaker@gov.bc.ca, should you have any questions regarding this matter.

Sincerely,



Mary Polak
Minister