



CRD EXECUTIVE OFFICE

Received

NOV 21 2016

Reference: 305517

November 18, 2016

Jane Bird  
Chair, Core Area Wastewater Treatment Project Board  
Capital Regional District  
PO Box 1000, 625 Fisgard Street  
Victoria BC V8W 2S6

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*5220-20 CAWTP*

Dear Ms. Bird:

Thank you for your letter of November 17, 2016, regarding my conditional approval of Amendment No. 11 to the Core Area Liquid Waste Management Plan (CALWMP). As requested in your letter, I will clarify my conditional approval of Amendment No. 11 to the CALWMP and have also considered your request to modify my condition for Integrated Resource Management.

To address your concerns, I am revising my September 30, 2016, Conditional Approval of Amendment No. 11. This revised Conditional Approval of Amendment No.11 supersedes my September 30, 2016, decision.

To clarify, Amendment No. 11 includes, but is not limited to, the following:

1. A single 108 megalitre/day wastewater treatment plant located at McLoughlin Point within the Township of Esquimalt capable of tertiary treatment for flows up to 2 times Average Dry Weather Flow (ADWF) for the Core Area up to 2040. For flows that are greater than 2 times ADWF but not more than 3 times ADWF for the Clover Point catchment and up to 4 times ADWF for the Macaulay catchment, primary treatment will be guaranteed. Construction of the wastewater treatment plant will be completed by December 31, 2020.
2. Commitment to advance studies for a wastewater treatment proposal in Colwood, including up to \$2 million to complete the required technical studies and environmental impact assessments.
3. Conveyance of sewage sludge to the Hartland landfill for processing into Class A biosolids, as defined under the Organic Matter Recycling Regulation, for beneficial use and optimization for potential opportunities for integrated resource management.

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As a condition of my approval and in accordance with Section 24 (5) of the *Environmental Management Act*, I require the Capital Regional District (CRD) develop a definitive plan for the beneficial reuse of biosolids that does not incorporate multi-year storage of biosolids within a biocell. The Ministry of Environment understands that the plan may need to include short-term storage and/or management options as part of implementing the beneficial reuse plan, but the CRD is strongly encouraged to minimize the need for this. Further, I am amending the deadline for submission of the plan from December 31, 2017, to June 30, 2019, under the condition that the CRD submit, by May 31, 2017, a plan that outlines the procedural steps and schedule it will implement to achieve the definitive plan.

The CRD must ensure that the definitive plan for beneficial reuse of biosolids is supported by an assessment of the full spectrum of beneficial uses and integrated resource management options available for the proposed Class A biosolids produced at the Hartland Landfill, and incorporates a jurisdictional review of how similar-sized and larger municipalities within British Columbia, North America and further abroad, successfully and beneficially reuse biosolids. Ministry staff will assist as necessary and can share the ministry's jurisdictional review of how other similar-sized and larger municipalities reuse biosolids.

The beneficial reuse option selected for treated biosolids must meet the requirements for beneficial use specified in the Canadian Council of Ministers of the Environment *Canada-Wide Approach for the Management of Wastewater Biosolids* (October 11, 2012) and be based on scientific evidence. This definitive plan for the beneficial reuse of biosolids will replace the current proposal to use a biocell for storage.

Please continue to work with staff in the Environmental Protection Division of the Ministry of Environment to ensure that the proposed wastewater treatment facility is registered under the Municipal Wastewater Regulation prior to operation of the plant. Please also inform ministry staff of all beneficial uses of biosolids being considered, in order to ensure all necessary forms of authorization are obtained in advance of discharge.

Additionally, the CRD should continue to engage First Nations and the public on all aspects of the CALWMP.

Be advised that the ministry intends to publically post any reports or other documents received by the CRD on the ministry website related to this conditional approval, the CALWMP and this activity regulated under the *Environmental Management Act*.

Approval of Amendment No.11 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 *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,



Mary Polak  
Minister

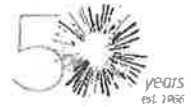
cc: Honourable Peter Fassbender, Minister of Community, Sport and Cultural Development  
AJ Downie, Director, Environmental Protection Division, Ministry of Environment  
Robert Lapham, Chief Administrative Officer, Capital Regional District  
Larisa Hutcheson, Interim Project Director, Core Area Wastewater Treatment Project,  
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Making a difference...together

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November 17, 2016

File: 0620-20  
Core Area Liquid Waste Management Plan  
Amendment No. 11

The Honourable Mary Polak  
Minister of Environment  
PO Box 9047 Stn Prov Govt  
Room 247, Parliament Buildings  
Victoria, BC V8W 9E2

Dear Minister Polak:

**RE: CONDITIONAL APPROVAL OF CAPITAL REGIONAL DISTRICT ("CRD") CORE AREA LIQUID WASTE MANAGEMENT PLAN ("CALWMP") AMENDMENT NO. 11**

Thank you for your letter of September 30, 2016 granting conditional approval of Amendment No. 11 of the CALWMP (the "**Conditional Approval**"). I am writing on behalf of the CRD and Core Area Wastewater Treatment Project Board to respectfully request that you clarify two aspects of the Conditional Approval. Clarifying these aspects of the Conditional Approval at the outset of the CALWMP implementation phase will reduce uncertainty and help the project proceed efficiently.

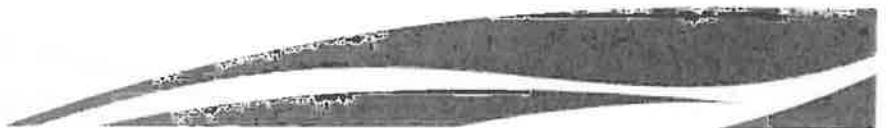
**1. Wastewater Treatment Plant Flow Capacity**

The Conditional Approval states: "For flows that are greater than 2 times ADWF but not more than 4 times ADWF, primary treatment will be guaranteed. Construction of the wastewater treatment plant will be completed by December 31, 2020."

We request that the reference to the plant guaranteeing primary treatment for flows of "not more than 4 times ADWF" be replaced with "not more than 3 times ADWF for the Clover Point catchment."

The CRD'S CALWMP Amendment 11 application and the submitted Business Case committed to pump only up to 3 times ADWF from Clover Point to McLoughlin Point. Section 6 of the Amendment 11 application proposed these commitments:

*"2(b) A pump station at Clover Point in the City of Victoria having capacity to pump up to three times the average dry weather flow (ADWF) to McLoughlin Point in the Township of Esquimalt for at least primary treatment;*



2(d) *A 108 MLD ADWF wastewater treatment plant at McLoughlin Point that will provide primary treatment for wet weather flows up to four times ADWF for the Macaulay catchment and three times ADWF from the Clover catchment and tertiary treatment for flows up to two times ADWF;*"

The commitment to pump up to 3 times ADWF from Clover Point to McLoughlin Point for primary treatment was originally proposed in Amendment No. 8 of the CALWMP and approved on August 25, 2010 by the Minister of Environment, the Honourable Barry Penner.

To guarantee primary treatment for flows up to 4 times ADWF for the Clover Point catchment, the CRD would have to add substantial capacity to the planned conveyance system and treatment plant at a significant cost. The CRD and the Project Board believe this additional capacity is not warranted and the commitment to capacity to 3 times ADWF outlined in the CRD's CALWMP Amendment 11 application and Business Case is reasonable and sufficient, for the reasons detailed in those documents.

## 2. Integrated Resource Management

The Conditional Approval states: "As a condition of my approval and in accordance with Section 24 (5) of the Environmental Management Act, I require a definitive plan for the beneficial reuse of biosolids to be submitted to the Minister on or before December 31, 2017."

We understand that the December 31, 2017 deadline requires the CRD to submit a plan outlining a solution for the beneficial reuse of biosolids. We request that the deadline to submit the plan to the Minister be extended from December 31, 2017 to June 30, 2019.

The focus of the Core Area Wastewater Treatment Project ("CAWTP") is to treat wastewater and residual solids. The CRD will undertake a separate public process, with the participation of municipalities and First Nations, to review its regional waste management policy and develop a definitive plan for the beneficial reuse of biosolids and integrated resource management.

The CRD commits that the definitive plan will not incorporate multi-year storage of biosolids in a biocell. Biosolids may be stored to the extent necessary to implement the definitive plan and manage short term variations in biosolids demand.

The definitive plan's implementation will not change the CAWTP's scope and schedule because the definitive plan will be a separately funded and scoped program. If it will assist you, the CRD can submit a plan by May 31, 2017 outlining the procedural steps and schedule it will implement to achieve the definitive plan by June 30, 2019.

The CRD has briefed your Ministry staff on these two aspects of the Conditional Approval. We appreciate the Ministry staff's cooperation and assistance on this project, and the offer to share the ministry's jurisdictional review of how other similar-sized and larger municipalities reuse biosolids.



**The Honourable Mary Polak - November 17, 2016**  
**CONDITIONAL APPROVAL OF CORE AREA LIQUID WASTE MANAGEMENT PLAN**  
**AMENDMENT NO. 11**

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If you or your ministry staff have questions about the clarifications requested, please contact me or Larisa Hutcheson, Interim Project Director, CAWTP at 250.360.3085 or lhutcheson@crd.bc.ca.

Yours truly,



Jane Bird  
Chair, Core Area Wastewater Treatment Project Board

PP

cc: Honourable Peter Fassbender, Minister of Community, Sport and Cultural Development  
Barbara Desjardins, Chair, CRD Board  
CRD Board of Directors  
Robert Lapham, Chief Administrative Officer, CRD  
Larisa Hutcheson, Interim Project Director, Core Area Wastewater Treatment Project

